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

INTRODUCTION

By Senator Ware—

SB 775—A bill to be entitled An act relating to dog racing; amending s. 553.48(2), Florida Statutes, authorizing an additional charity day at Derby Lane, the proceeds of which are to be paid to the Pinellas County Arts Council; providing an effective date.

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

By Senator Sayler—

SB 779—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.736(1), Florida Statutes; increasing the minimum amount for personal injury coverage from $5,000 to $25,000; amending s. 627.733, Florida Statutes; requiring insurers to offer secondary coverage to personal injury policyholders; prescribing benefits to be paid under secondary coverage; deleting provisions relating to deductions and exclusions; providing an effective date.

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

By Senator Vogt—

SB 782—A bill to be entitled An act relating to the Florida Comprehensive Drug Abuse Prevention and Control Act; amending s. 893.03, Florida Statutes; revising standards and schedules under which controlled substances are regulated by adding, deleting, or specifying certain substances; providing penalties; providing an effective date.

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

By Senator Sayler—

SB 780—A bill to be entitled An act relating to the construction industry licensing board; amending s. 468.109(2), Florida Statutes; deleting, or specifying certain substances; providing penalties; providing an effective date.

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

By Senator Vogt—

SB 783—A bill to be entitled An act relating to the Florida Construction Industry Licensing Board; amending s. 468.109(2), Florida Statutes; revising standards and schedules under which controlled substances are regulated by adding, deleting, or specifying certain substances; providing penalties; providing an effective date.

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

By Senator Sayler—

SB 784—A bill to be entitled An act relating to county government; providing that a county commission may grant certain funds for the construction of county buildings; authorizing the Board of County Commissioners to designate buildings and zones used as government buildings; providing for the form and disposition of moneys erroneously paid into the State Treasury; amending s. 215.26(2), Florida Statutes; permitting the Comptroller to provide for the form and disposition of such moneys erroneously paid into the State Treasury; amending s. 399.02(2), Florida Statutes, to conform to this act; providing for the adoption of certain procedures; providing an effective date.

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

By Senator Vogt—

SB 785—A bill to be entitled An act relating to Brevard County; authorizing the Board of County Commissioners to designate buildings and zones used as government buildings; authorizing the Board of County Commissioners to designate buildings and zones used as government buildings; providing for the form and disposition of such moneys erroneously paid into the State Treasury; providing an effective date.

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

By Senators W. D. Childers and Holloway—

SB 786—A bill to be entitled An act relating to the release of certain information by the Division of supply required information to such inspectors; providing for application for a new position; providing for the form and disposition of such information; providing for the adoption of certain procedures; providing an effective date.

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

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Appropriations.
The Department of Highway Safety and Motor Vehicles to designate positions as driver's license examiners; providing their powers; empowering the examiners to issue traffic citations for certain offenses; prohibiting the failure or refusal of a person to surrender his license, registration, or license plates to an examiner of the department; providing a penalty; excluding such examiners from the state's high risk retirement system; providing an effective date.

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

By Senator Gordon-

SB 794—A bill to be entitled An act relating to breakfast cereals; creating s. 500.115, Florida Statutes; providing a definition of sugar; providing that it is unlawful for any packager or distributor of breakfast cereal to package or distribute breakfast cereal for sale at retail in this state unless the package containing the cereal conspicuously displays certain information; requiring the Department of Agriculture and Consumer Services to adopt rules necessary to administer the provisions of this act; providing the method of computing percentages and amounts of ingredients contained in a product; providing an effective date.

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

By Senator Firestone-

SB 785—A bill to be entitled An act relating to private employment agencies; amending s. 440.023(1), Florida Statutes; decreasing the in-state experience requirement for persons applying for an agency or agent's license; providing an effective date.

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

By Senator Hair—

SB 790—A bill to be entitled An act relating to sheriff's process; amending s. 30.233(1), Florida Statutes, increasing sheriff's fees for service of summonses, subpoenas, and executions; amending s. 222.06(5), Florida Statutes, deleting language which provides that the sheriff levying a warrant is responsible for the appraisement of personal property; and allowing personal property to be repossessed to the extent of the amount of personal property in the possession of the sheriff.

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

By Senator Castor—

SB 787—A bill to be entitled An act relating to guardian ship; amending s. 744.102(1), (5), and (9), Florida Statutes, and adding subsections (16)-(18) thereto; amending ss. 744.103, 744.202, 744.304, 744.305(1), 744.306(1)-(5), 744.309, 744.312, 744.321, 744.334, 744.337(1), 744.340, 744.361(1) and (3), 744.364(5), 744.367(5), 744.367(6), 744.394, 744.401, 744.444, 744.447(1), 744.464, and 744.521, Florida Statutes, and adding a new subsection (4) to s. 744.474, Florida Statutes; creating s. 744.3035, Florida Statutes; revising the "Florid a Guardianship Law" to remove reference to the term "incompetent" and to replace it with the term "disabled" with respect to guardianship; providing definitions; providing legislative intent that the guardianship law not provide the ward with the least restrictive kind of guardianship consistent with the protection of the ward's interests; providing for partial and plenary guardians; creating a Board of Community Guardian, Inc., in each judicial circuit in the state under certain circumstances; providing for membership and terms; providing for powers and duties of such a board; providing for annual reports; providing immunity from personal liability; repealing s. 744.101, Florida Statutes, relating to the short title of chapter 744, Florida Statutes; repealing s. 744.303, Florida Statutes, re-
lating to limited guardianship; repealing s. 744.341, relating to voluntary guardianship; providing an effective date.

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

By Senators Gordon and Barron—

SB 798—A bill to be entitled An act relating to medical assistance for needy persons; adding s. 409.266(8), Florida Statutes; requiring the Department of Health and Rehabilitative Services to provide the services of a certified nurse midwife to certain persons; providing an effective date.

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

By Senator Zinkel—

SB 799—A bill to be entitled An act relating to population determination for revenue sharing purposes; amending s. 23.019 (1), Florida Statutes, to change the date by which the Department of Administration produces such population estimates of local governmental units; providing an effective date.

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

By Senator Vogt—

SB 800—A bill to be entitled An act relating to saltwater commercial fishing; amending s. 370.06(2), Florida Statutes, and adding a new subsection (8) to said section; providing for a nonresident and alien personal license fee of $250; providing for a resident personal license fee of $25; providing an exemption from the licensing provisions; prohibiting purchase of seafood products from unlicensed persons; requiring that license holders have adequate catch preservation methods; requiring the Department of Natural Resources to establish a commercial fisheries information system in conjunction with the license program; establishing a Marine Fisheries Management Revolving Trust Fund; providing for allocation of trust fund moneys; providing an effective date.

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

By Senators W. D. Childers and Holloway—

SB 801—A bill to be entitled An act relating to the Florida Construction Industry Licensing Board; adding s. 468.112(2) (j), Florida Statutes, and amending subsection (8) of said section; providing for disciplinary action by the board against financially irresponsible contractors; authorizing board denial of requests of change of status made by contractors against whom certain complaints have been initiated, pending final disposition; amending s. 468.113(5), Florida Statutes; providing additional requirements to be met by certain contractors prior to the issuance of a building permit; providing an effective date.

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

By Senator Jon Thomas—

SB 802—A bill to be entitled An act relating to dentistry; amending s. 466.17, Florida Statutes, providing for biennial renewal of licenses and for fees; providing for proof of continuing education as a condition for relicensure; providing for the type and duration of the education required; providing for waiver; providing an effective date.

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

By Senator Jon Thomas—

SB 803—A bill to be entitled An act relating to municipalities; authorizing municipalities to create one or more recreation districts within the municipality; providing for the powers of recreation districts as contained in the recreation district charter; providing for a limitation on authorized powers; providing for the governing body of recreation districts; providing for assessment records and collection of taxes with respect to recreation districts; providing that ordinances creating recreation districts must be filed in the minutes of the governing body of the municipality; authorizing action by parties aggrieved by the formation of such recreation districts; providing an effective date.

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

By Senator Jon Thomas—

SB 804—A bill to be entitled An act relating to the Game and Fresh Water Fish Commission; creating ss. 372.9911-372.9915, Florida Statutes; providing legislative intent; providing definitions; providing powers and duties of the commission for the regulation of the use of motor vehicles on public lands; providing a penalty for damage to certain lands; defining damage; providing civil liability; providing for the registration of off-road vehicles; establishing a maximum fee; prohibiting the operation of unregistered off-road vehicles on public land; providing a penalty; providing an effective date.

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

By Senator W. D. Childers—

SB 805—A bill to be entitled An act relating to theft; adding a subsection to s. 812.014, Florida Statutes, providing mandatory minimum terms of imprisonment for second and subsequent offenses for theft of merchandise; providing an effective date.

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

By Senators Gorman and Dunn—

SB 806—A bill to be entitled An act relating to private wire services; amending s. 365.08(5), (6), Florida Statutes; providing that discontinuation of a private wire service because of its use in violation of state or federal law shall occur only after hearing in the circuit court, repealing requirement that the Public Service Commission be notified of discontinuation of private wire service and repealing the commission's authority to determine whether such service should be resumed; providing an effective date.

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

By Senator Wilson—

SB 807—A bill to be entitled An act relating to prostitution; amending s. 796.63, Florida Statutes, relating to the Prospecting of females under the age of 16 for prostitution, to extend the application of the law to males under the age of 16 as well; providing an effective date.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lee Brantley, President

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

HM 240  HM 488  HM 622
HM 341  HM  7

—and requests the concurrence of the Senate.

Allen Morris, Clerk

April 18, 1978
By the Committee on Veterans Affairs and Representative Lockward and others—

HM 240—A memorial to the Congress of the United States, requiring Congress to direct the United States Veterans Administration to establish an additional Veterans Administration Regional Office on the east coast of Florida.

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

By the Committee on Veterans Affairs and Representative Lockward and others—

HM 488—A memorial to the Congress of the United States, urging Congress to enact legislation to provide that motor vehicles specially adapted and equipped to accommodate wheelchair users shall be exempt from any excise tax placed on motor vehicles.

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

By Representative Warner and others—

HM 622—A memorial to the Congress of the United States urging Congress to direct the Veterans Administration to establish an out-patient medical facility in Broward County.

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

By Representatives Lewis and Malloy—

HM 341—A memorial to the President and Congress of the United States, urging the adoption of a policy of no trade agreements between the United States and Cuba until the Cuban Government accounts for American and Cuban lives and compensates Americans for the confiscation of their property.

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

By Representatives Nuckolls and Hodges—

HM 7—A memorial to the Congress of the United States urging that the citizenship of Jefferson Davis be restored.

—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 170 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Culbreath and Richmond—

HB 170—A bill to be entitled An act relating to governmental reorganization; amending s. 20.16(1)-(4), Florida Statutes, 1977, reorganizing the Department of Business Regulation; abolishing the Board of Business Regulation and creating the Department of Business Regulation; providing for the appointment of the Secretary of Business Regulation as the head of the department; establishing divisions of the department; providing for the appointment of division directors; creating a Florida Mutuel Commission within the department; providing for the appointment of the commission; fixing terms of office for commissioners; granting specific authorities to the commission; providing for other substantive legislation; providing for a revisor's bill at a subsequent session; providing an effective date.

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

The Senate recessed at 8:45 a.m.

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

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

Excused: Senator Dunn at 11:45 a.m.

Prayer by Dr. Ray Harrison, senior minister, First United Methodist Church, St. Petersburg:

O God our Father, who has founded the universe and who is the Father of us all, we are thankful unto Thee for men and women across the centuries who have struggled for freedom. We are thankful unto Thee for our own forefathers who grasped this dream of freedom. Endow, this day, these men and women who, with Thy wisdom and patience and understanding, may grind out the long process to keep us free. Let not the pressure of other men whose motivation is selfish to bring undue or unfair pressures upon these our leaders. Make them men and women of conscience, high integrity, and give them the will to govern with all fairness. Grant that the Senate shall this day do justice, love, mercy and walk humbly with God. We pray this in the memory of Abraham, Isaac and Jacob, and in the name of Jesus Christ our Lord. Amen.

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

Receipt of Articles of Impeachment

Senator W. D. Childers advised the President that the Board of Managers from the House of Representatives, composed of Representatives Rish, Moffitt and Richmond, was at the door of the Senate.

The President recognized the Sergeant at Arms who informed the President that the Board of Managers appointed by the Speaker of the House of Representatives, the same being a Resolution for the impeachment of the Honorable Samuel S. Smith, Circuit Judge, 3rd Judicial Circuit of Florida.

By direction of the President, the Sergeant at Arms escorted the Board of Managers to the Bar of the Senate.

The President recognized Representative Rish, Chairman of the Board of Managers, who reported as follows: The Managers of the House of Representatives appointed by the Speaker of the House under and by virtue of the authority of House Resolution 1560, by virtue of the authority of House Resolution 1560, the same being a Resolution for the impeachment of the Honorable Samuel S. Smith, Circuit Judge, 3rd Judicial Circuit of Florida.

The following Senators were recorded present:

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

By direction of the President, the Secretary received and read the Resolution as follows:
A resolution of the House of Representatives of the State of Florida preferring Articles of Impeachment against Samuel S. Smith, a duly commissioned Circuit Court Judge of the Third Judicial Circuit of the State of Florida, providing for the presentment to the Senate of the State of Florida of Articles of Impeachment to the Senate of the State of Florida, requesting the trial thereof; appointing a committee of the House to manage, present and prosecute Articles of Impeachment at trial before the Senate with or through counsel; and providing for the use of impeachment committee counsel and staff, and if required, the employment and compensation of all necessary personnel required in the prosecution of these Articles, and other expenses of case preparation, trial subpoenas and compensation of witnesses.

WHEREAS, a committee of this body of the 1978 Legislative Session was appointed January 31, 1978, by the Speaker of the House of Representatives to investigate charges of official misconduct of Circuit Court Judge Samuel S. Smith of the Third Judicial Circuit and make its report and recommendations to the House of Representatives, and

WHEREAS, said committee has performed its duties and, upon a finding of probable cause, by these Articles files its report recommending that said Samuel S. Smith be impeached for misconduct in office and that he be tried for same, removed from office, and disqualified from holding any office of honor or profit, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

SECTION 1. That Samuel S. Smith, a duly commissioned Circuit Court Judge of the Third Judicial Circuit of the State of Florida, has been guilty of misdemeanor in office as a judicial officer of the State of Florida for which he, Samuel S. Smith as a Circuit Court Judge, should be, and HE IS HEREBY, impeached of his office under Article III, Section 17, Constitution of the State of Florida; that acts so constituting misdemeanor in office of him, Samuel S. Smith, as a judicial officer, being hereinafter more particularly set forth by way of separate Articles of Impeachment which are hereby found and voted against Samuel S. Smith, as a Circuit Court Judge of the Third Judicial Circuit of the State of Florida, by a two-thirds (2/3) vote of the members of the House of Representatives of the State of Florida, viz:

ARTICLES OF IMPEACHMENT

Articles of Impeachment of the House of Representatives of the State of Florida charging Samuel S. Smith, who was heretofore elected, duly qualified, and commissioned to serve as a Circuit Court Judge of the Third Judicial Circuit of the State of Florida.

ARTICLE I

CONVICTION OF A FELONY

That Samuel S. Smith, a duly commissioned Circuit Court Judge of the Third Judicial Circuit of the State of Florida was convicted of a felony on April 29, 1977, by a jury, before a court of competent jurisdiction in the United States District Court, Middle District of Florida, Jacksonville Division, Case Numbers 77-14(5) Cr-J-R, and sentenced to three (3) years incarceration on June 3, 1977, for willfully and knowingly combining, conspiring, confederat-
(9) On or about Monday, September 20, 1976, Judge Smith called and told Willis that the marijuana was gone from Sheriff Leonard's possession.

(10) On or about Tuesday, September 21, 1976, Judge Smith went by to see Sheriff Leonard, who was not in.

(11) On or about Wednesday, September 22, 1976, Sheriff Leonard called Judge Smith.

(12) On or about Tuesday, November 16, 1976, Judge Smith and Sheriff Leonard had a phone conversation setting up an afternoo

(13) On that same day, after noon on or about Tuesday, November 16, 1976, Judge Smith met Sheriff Leonard in his office to discuss plans for Judge Smith to obtain in excess of approximately 1500 pounds of marijuana. The plans were set and the marijuana was to be left by Sheriff Leonard that night at the Live Oak landfill in a truck with the key to the lock on the back of the truck under the mat on the driver's side of the truck.

(14) On or about that same afternoon, Tuesday, November 16, 1976, Judge Smith went by Assistant State Attorney Willis' office.

(15) Later in the afternoon on or about Tuesday, November 16, 1976, Judge Smith called Homer Ratliff. Ratliff returned his call and a meeting was set in the Columbia County Court house parking lot that afternoon.

(16) Early in the evening on or about Tuesday, November 16, 1976, Judge Smith and Homer Ratliff met as planned. Smith instructed Ratliff to get some help and a vehicle and pick up some marijuana between 10 and 11 p.m. that night from a truck parked at the Live Oak landfill. Smith told Ratliff that the key to the lock on the back of the truck would be under the mat on the driver's side of the truck.

(17) On or about the night of Tuesday, November 16, 1976, Sheriff Leonard delivered the marijuana to the landfill and placed the key to the lock on the back of the truck under the mat on the driver's side of the truck as agreed with Judge Smith.

(18) Ratliff arranged for the marijuana to be picked up and it was picked up as per Judge Smith's instructions on or about the night of Tuesday, November 16, 1976, between 10 and 11 p.m. by Ratliff, Richard Bradley and Charles Ethridge.

(19) On or about the night of Tuesday, November 16, 1976, after 11 p.m., Sheriff Leonard retrieved the truck from the landfill, as arranged with Judge Smith, and the marijuana was gone.

(20) On or about Wednesday, November 17, 1976, Ratliff phoned Judge Smith and told him everything was all right.

WHEREFORE, Samuel S. Smith, by such conduct is guilty of misdemeanor in office and warrants impeachment and removal from office and disqualification to hold any office of honor, trust, or profit.

ARTICLE III

ATTEMPTED BRIBERY OF OFFICERS OF THE STATE OF FLORIDA TO INFLUENCE PERFORMANCE OF THEIR OFFICIAL DUTIES

That Samuel S. Smith, a duly commissioned Circuit Court Judge of the Third Judicial Circuit of the State of Florida, did in furtherance of the conspiracy outlined in Article II offer bribes to the Sheriff of Suwannee County and the Assistant State Attorney of the Third Judicial Circuit to influence performance of their official duties with respect to the unlawful distribution of seized marijuana in violation of the laws of the State of Florida as follows:

(1) On or about September 10, 1976, in Lake City, Florida, Samuel S. Smith did corruptly offer and promise to Robert Leonard, a public servant, having knowledge of said public servant's official capacity, to wit: Assistant State Attorney for the Third Judicial Circuit, $350,000.00 good and lawful money of the United States of America with the intent and purpose to influence the performance of said public servant by requesting that Willis provide information to Samuel S. Smith resulting from any criminal investigation into Samuel S. Smith's unlawful efforts to obtain marijuana in the custody of the Sheriff of Suwannee County, which performance Samuel S. Smith believed to be within the official discretion of said public servant, in violation of a public duty, and in performance of a public duty.

(2) On or about September 10, 1976, in Lake City, Florida, Samuel S. Smith did corruptly offer and promise to Virlyn B. Willis, Jr., a public servant, having knowledge of said public servant's official capacity, to wit: Assistant State Attorney for the Third Judicial Circuit, $350,000.00 good and lawful money of the United States of America with the intent and purpose to influence the performance of said public servant by requesting that Willis provide information to Samuel S. Smith resulting from any criminal investigation into Samuel S. Smith's unlawful efforts to obtain marijuana in the custody of the Sheriff of Suwannee County, which performance Samuel S. Smith believed to be within the official discretion of said public servant, in violation of a public duty, and in performance of a public duty.

(3) On or about November 16, 1976, in Lake City, Florida, Samuel S. Smith did corruptly offer and promise to Robert Leonard, a public servant, having knowledge of said public servant's official capacity, to wit: Sheriff of Suwannee County, Third Judicial Circuit, a valuable share of $100,000.00 good and lawful money of the United States of America with the intent and purpose to influence the performance of said public servant in properly disposing of marijuana in said sheriff's custody, which performance Samuel S. Smith believed would provide a valuable share of $100,000.00 good and lawful money of the United States of America to Sheriff of Suwannee County, Third Judicial Circuit, a valuable share of $100,000.00 good and lawful money of the United States of America, to Sheriff of Suwannee County, Third Judicial Circuit, a valuable share of $100,000.00 good and lawful money of the United States of America, to Sheriff of Suwannee County, Third Judicial Circuit, a valuable share of $100,000.00 good and lawful money of the United States of America.

WHEREFORE, Samuel S. Smith, by such conduct is guilty of misde

ARTICLE IV

SUBVERTING THE JUDICIAL PROCESS

That by his conduct Samuel S. Smith, a duly commissioned Circuit Court Judge of the Third Judicial Circuit of the State of Florida, in furtherance of the conspiracy outlined in Articles II and III, did subvert the judicial process of the Third Judicial Circuit Court and the State of Florida, to wit:

(1) On or about Friday, August 6, 1976, Samuel S. Smith did offer Suwannee County Sheriff Robert Leonard a Destruction Order to cover the removal of marijuana from Sheriff Leonard's evidence vault, marijuana which Samuel S. Smith intended not to destroy but obtained and distributed in contravention of the laws of the United States and the State of Florida.

(2) That on or about Friday, September 10, 1976, Samuel S. Smith assured Sheriff Leonard that he had executed a Destruction Order to cover the removal of 500 pounds of marijuana from Sheriff Leonard's evidence vault, marijuana which Samuel S. Smith intended not to destroy but obtained and distributed in contravention of the laws of the United States and the State of Florida.

(3) That between September 16, 1976, and November 17, 1976, in Suwannee County, Samuel S. Smith, by attempted bribery, did willfully endeavor to obstruct, delay and prevent Virlyn Willis, Assistant State Attorney of the Third Judicial Circuit, from communicating information related to violations of criminal statutes of the State of Florida to the State Attorney of the Third Judicial Circuit, authorized to conduct and engage in investigations of violations of said statutes.

WHEREFORE, Samuel S. Smith, by such conduct is guilty of misdemeanor in office and warrants impeachment and removal from office and disqualification to hold any office of honor, trust, and profit.

ARTICLE V

CONDUCT UNBECOMING A JUDICIAL OFFICER RESULTING IN LOWERING THE ESTEEM OF THE JUDICIARY

That Samuel S. Smith as a Circuit Court Judge of the Third Judicial Circuit of the State of Florida, a duly commissioned judicial officer of the State of Florida, has by his infamy and the reasonable and probable consequences of the acts or conduct enumerated in the foregoing Articles debased and discredited the Court Judge and the courts of the Third Judicial Circuit into disrespect, scandal, disgrace, discredit, disrepute, and reproach to the prejudice of public confidence in the administration of justice therein, and to the integrity and impartiality of the State Judiciary, placi
a stigma thereon so as to render him unfit to continue to serve as a judge or public officer:

(1) In that he was convicted of a felony, by a jury, before a court of competent jurisdiction; and,

(2) In that he set in motion and participated in a conspiracy to illegally obtain and unlawfully distribute marijuana; and,

(3) In that he did offer bribes to officers of the State of Florida to influence performance of their official duties; and,

(4) In that he did by his conduct subvert the judicial processes of the Third Judicial Circuit and the State of Florida.

WHEREFORE, Samuel S. Smith, by such conduct is guilty of misdemeanor in office and warrants impeachment and removal from office and disqualification to hold any office of honor, trust, or profit.

SECTION 2. That Samuel S. Smith, as a Circuit Court Judge of the Third Judicial Circuit of the State of Florida, for misdemeanor in office, be impeached of his office and disqualified from holding any office of honor, trust, or profit.

SECTION 3. That there shall be a House Committee of Managers which shall be known as "The House Committee of Managers: Senate Impeachment Trial of Third Judicial Circuit Court Judge Samuel S. Smith." And that Representative William Castor shall serve as Chairman of said committee. Representatives Leo Moffitt and Ronald Richmond shall serve as members of said committee, and Representatives Gus Craig, Earl Dixon, Elaine Gordon, and Ralph Haben shall serve as alternate members of the House Committee of Managers and serve at the pleasure of the Chairman.

SECTION 4. That the House Committee of Managers be, and they are, hereby instructed to appear before the Senate of the State of Florida and at the Bar thereof in the name of the House of Representatives, and all of the people of the State of Florida, to impeach Samuel S. Smith for misdemeanor in office and to exhibit to the Senate the foregoing Articles of Impeachment against Third Judicial Circuit Court Judge Samuel S. Smith which have been agreed upon by this House, and that the House Committee of Managers request that the Senate issue an Order for the appearance of Samuel S. Smith before the Senate to answer to the Articles of Impeachment and demand his impeachment, conviction, removal from office, and disqualification to hold any office of honor, trust, or profit. And that the House Committee of Managers further request that the impeachment trial be open to the public in the interest of respect for and trust in government by the people of the State of Florida.

SECTION 5. That the House Committee of Managers shall manage, present and prosecute, with or through counsel, the foregoing Articles of Impeachment at the trial thereof by the Senate.

SECTION 6. That the House Committee of Managers on the part of the House of Representatives of the State of Florida, is hereby authorized and empowered to use Impeachment Committee counsel and staff and, upon approval by the Committee on House Administration, employ and fix compensation of all necessary personnel required in the prosecution of these Articles, and other necessary assistance as they may require and, upon approval by the Committee on House Administration, incur such other expenses as may be necessary in the preparation and conduct of the case to be paid out of the funds of the Florida House of Representatives.

SECTION 7. That the House Committee of Managers be and is hereby authorized to issue subpoenas and subpoenas duces tecum requiring appearance of witnesses and production of documentary evidence in their preparation, and for the impeachment trial, such witnesses to receive compensation as provided by law.

SECTION 8. These Articles of Impeachment shall take effect upon adoption.

The President thanked the Board of Managers for delivering the Articles of Impeachment and requested them to inform the House of Representatives that the Articles were received, filed and read, and that the Senate would carry out its constitutional duties.

The motion was adopted. The vote was:

Yea-39
Mr. President Gorman Peterson Thomas, Pat
Castor Graham Poston Tobiaissen
Chamberlain Hair Renick Vogt
Children, Don Henderson Sayler Ware
Children, W. D. Holloway Scarborough Williamson
Dunn Johnston Scott Wilson
Firestone Lewis Skinner Winn
Gallen MacKay Spicola Zinkil
Gliason McClain Spicola Zinkil
Gordon Myers Thomas, Jon
Nays-None

Senator W. D. Childers moved that the Senate fix 9:00 o'clock, a.m., May 18, 1978, as the time to convene for the purpose of trying Honorable Samuel S. Smith, on the Articles of Impeachment preferred against him by the House of Representatives, as more fully set forth in House Resolution 1560, with the Chief Justice of the Florida Supreme Court presiding, as provided by Section 17, Article III, of the Constitution of the State of Florida.

The motion was adopted and it was so ordered. The vote was:

Yea-39
Mr. President Gorman Peterson Thomas, Pat
Castor Graham Poston Tobiaissen
Chamberlain Hair Renick Vogt
Children, Don Henderson Sayler Ware
Children, W. D. Holloway Scarborough Williamson
Dunn Johnston Scott Wilson
Firestone Lewis Skinner Winn
Gallen MacKay Spicola Zinkil
Gliason McClain Spicola Zinkil
Gordon Myers Thomas, Jon
Nays-None

Senator W. D. Childers moved that a special committee be appointed to promulgate and present to the Senate for adoption, rules to govern the impeachment trial of Honorable Samuel S. Smith.

The motion was adopted and it was so ordered. The vote was:

Yea-37
Mr. President Graham Poston Trask
Castor Hair Renick Vogt
Chamberlain Holloway Sayler Ware
Children, Don Johnston Scarborough Williamson
Children, W. D. Lewis Scott Wilson
Dunn MacKay Skinner Winn
Firestone McClain Spicola Zinkil
Gallen Myers Thomas, Jon
Gordon Peterson Thomas, Pat
Gorman Plante Tobiaissen
Nays-None

The President appointed: Senator Hair, Chairman; Senators Gallen, Ware, Scott, W. D. Childers, Plante and Johnston.

Senator W. D. Childers further moved that the Committee be ordered to meet at the call of its chairman and to adopt rules which, immediately upon adoption, shall become fully effective and so remain until they are amended by the Senate.
The motion was adopted and it was so ordered. The vote was:

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

Yeas—39
Nays—None

Senator W. D. Childers moved that a committee be appointed to wait upon the Honorable Ben F. Overton, Chief Justice of the Supreme Court of Florida, to inform him that the Senate stands ready to organize as a Court of Impeachment and respectfully requests his presence for the purpose of presiding over the Senate during the organization and trial of the Honorable Samuel S. Smith.

The motion was adopted. The vote was:

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

Yeas—39
Nays—None

The President appointed Senators Hair, Castor and Sayler. The committee withdrew.

The committee subsequently returned to the Chamber escorting the Honorable Ben F. Overton, Chief Justice of the Supreme Court of Florida accompanied by the Honorable Joseph A. Boyd, Justice of the Supreme Court of Florida, who were presented to the Senate by the President. The President resumed his seat as the Senator from the 8th District.

The Chief Justice took the chair and stated: “Senators, I attend the Senate in obedience to your notice for the purpose of joining with you in forming a Court of Impeachment for trial of the Honorable Samuel S. Smith, Circuit Judge, 3rd Judicial Circuit of Florida, and I am now ready to take the oath which will be administered by the Honorable Joseph A. Boyd, Justice of the Supreme Court of the State of Florida.”

The oath was administered to the Honorable Ben F. Overton, Chief Justice of the Supreme Court of Florida, by Justice Joseph A. Boyd as follows:

“I do solemnly swear that in all things appertaining to the trial of the impeachment of the Honorable Samuel S. Smith, Circuit Judge, 3rd Judicial Circuit of Florida, and I am now ready to take the oath which will be administered by the Honorable Joseph A. Boyd, Justice of the Supreme Court of the State of Florida.”

The oath was administered to the Honorable Ben F. Overton, Chief Justice of the Supreme Court of Florida, by Justice Joseph A. Boyd as follows:

“I do solemnly swear that in all things appertaining to the trial of the impeachment of the Honorable Samuel S. Smith, Circuit Judge, 3rd Judicial Circuit of Florida, and I am now ready to take the oath which will be administered by the Honorable Joseph A. Boyd, Justice of the Supreme Court of the State of Florida.”

The Chief Justice:

“Senators, the oath will now be administered to you and you will please stand as your names are called and remain standing as the oath is administered.”

The Secretary called the roll of the Senators in alphabetical order: Senators Barron, Brantley, Castor, Chamberlin, Don Children, W. D. Children, Dunn, Firestone, Gallen, Glisson, Gordon, Gorman, Graham, Hair, Henderson, Holloway, Johnston, Lewis, MacKay, McClain, Myers, Peterson, Plante, Poston, Renick, Sayler, Scarborough, Scott, Skinner, Spicola, Jon Thomas, Pat Thomas, Tobissan, Trask, Vogt, Ware, Williamson, Wilson, Winn and Zinkil.

The Secretary advised the Chief Justice that the Senate of the State of Florida was ready to take the oath.

The Chief Justice administered the oath as follows:

“I do solemnly swear that in all things appertaining to the trial of the impeachment of the Honorable Samuel S. Smith, Circuit Judge, 3rd Judicial Circuit of Florida, now pending, I will do impartial justice according to the Constitution and Laws of the State of Florida; so help me God.”

The Chief Justice then administered the following oath to Joe Brown, Secretary of the Senate:

“I do solemnly swear that I will faithfully and impartially perform the duties of Secretary to the Senate of the State of Florida, sitting as a Court of Impeachment in the trial of the Honorable Samuel S. Smith, Circuit Judge, 3rd Judicial Circuit of Florida, now pending, and true and faithful record make of the same; so help me God.”

Senator W. D. Childers moved that in order to provide a fair and orderly procedure for discovery prior to trial, the Senate hereby adopt Florida Rule of Criminal Procedure 3.220 effective immediately, insofar as that rule may appertain to the conduct of discovery prior to the trial of the Articles of Impeachment exhibited against Honorable Samuel S. Smith; however, discovery by both parties shall be completed prior to May 18, 1978, and with such terms and times as may be ordered by the Chief Justice.

The motion was adopted and it was so ordered. The vote was:

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

Yeas—40
Nays—None

Senator W. D. Childers moved that the Chief Justice be authorized to call a pre-trial conference and to submit the matters resolved at the pre-trial conference to the Senate sitting as the Court of Impeachment.

The motion was adopted and it was so ordered. The vote was:

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

Yeas—40
Nays—None
The Chief Justice informed the members that a pre-trial conference with the House Board of Managers and Mr. Joe Jacobs, representing Judge Samuel S. Smith, had been set for this day at 4:00 p.m. in Senate Committee Room 1.

Senator W. D. Childers moved that the Senate sitting as a Court of Impeachment for the purpose of trying Articles of Impeachment preferred against Honorable Samuel S. Smith now recess until May 15, 1978, at 9:00 a.m.

The motion was adopted and it was so ordered. The vote was:

Yeas—40

Nays—None

The Chief Justice relinquished the chair to the President.

The President presiding

Senator W. D. Childers moved that the Senate resume the regular order of business.

The motion was adopted. The vote was:

Yeas—35

Nays—None

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends the following be placed on Special Order Calendar for Tuesday, April 18, 1978.

SB 290
SB 271
SB 359
SB 483
SB 186
SB 277
SB 364
SB 74
SB 201
SB 516
SB 379
SB 414
SB 517
SB 387
SB 228
SB 323
SB 447

Respectfully submitted,
W. D. Childers, Chairman

The Committee on Judiciary-Civil recommends the following pass: SB 521 with 1 amendment

The Committee on Finance, Taxation and Claims recommends the following pass: SB 38 with 2 amendments

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 538 with 2 amendments

The Committee on Appropriations recommends the following pass: SB 337 with 4 amendments

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

The Committee on Judiciary-Civil recommends the following pass: SB 538 with 2 amendments

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

The Committee on Finance, Taxation and Claims recommends the following pass: SB 349

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

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 230 with 2 amendments

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

The Committee on Education recommends the following pass: SB 399

The Committee on Natural Resources and Conservation recommends the following pass: SB 626

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 553

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

The Committee on Economic, Community, and Consumer Affairs recommends the following pass: SB 251 with 3 amendments

The Committee on Judiciary-Civil recommends the following pass: SB 479 with 4 amendments

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

The Special Master-Claims recommends the following pass: SB 356, SB 421

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

The Committee on Appropriations recommends the following pass: SB 43, CS for SB 261

The Committee on Education recommends the following pass: SB 389

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 342 with 2 amendments

The Committee on Finance, Taxation and Claims recommends the following pass: SB 350

The Committee on Finance, Taxation and Claims recommends the following pass: SB 477

The Committee on Finance, Taxation and Claims recommends the following pass: SB 262 with 4 amendments

The Committee on Finance, Taxation and Claims recommends the following pass: SB 251
Order Calendar for April 19, 1978:
The Committee on Agriculture requests an extension of 15
and by two-thirds vote the following were placed on Special
April 17, 1978
Report of Subcommittee to Standing Committee
SB 98 by Senator Graham SB 501 by Senator Ware
SB 99 by Senator Graham SB 502 by Senator Dunn
SB 103 by Senator Graham SB 503 by Senator Dunn
SB 120 by Senator Skinner SB 530 by Senator Gordon
SB 179 by Senator Sayler SB 562 by Senator Firestone
SB 222 by Senator Gordon SB 594 by Senator Gordon
SB 233 by Senator Dunn SB 596 by Senator Gordon
SB 334 by Senator Pat SB 597 by Senator Firestone
SB 206 by Senator Tobiassen, et al SB 606 by Senator Trask
SB 210 by Senator Glisson SB 511 by Senator Dunn
SB 237 by Senator Glisson SB 541 by Senator Gallen
SB 268 by Senator Firestone SB 564 by Senators W. D.
SB 466 by Senator Firestone SB 571 by Senator Dunn
SB 474 by Senator W. D. Childers SB 596 by Senator Gordon
SB 477 by Senator Dunn SB 598 by Senator Gordon
SB 620 by Senator W. D. Childers
SB 622 by Senator W. D. Childers

The Committee on Natural Resources and Conservation recom-
mends the following pass: SB 624 with 3 amendments
The bills contained in the foregoing reports were placed on the
calendar.

The Committee on Education recommends a Committee Sub-
stitute for the following: SB 671
The bill with Committee Substitute attached was referred to
the Committee on Commerce under the original reference.

The Committee on Economic, Community and Consumer
Affairs recommends a Committee Substitute for the following:
SB 366
The bill with Committee Substitute attached was referred to
the Committee on Commerce under the original reference.

The Committee on Education recommends a Committee Sub-
stitute for the following: SB 549
The bill with Committee Substitute attached was placed on
the calendar.

The Committee on Economic, Community and Consumer Af-
fairs recommends the following not pass; SB 274
The Committee on Finance, Taxation and Claims recommends
the following not pass; SB 372
The bills contained in the foregoing reports were laid on the
table.

The Special Master-Claims recommends the following not
pass:
SB 16 SB 482
SB 51 with 1 amendment SB 121
The bills were referred to the Committee on Finance, Taxa-
tion and Claims under the original reference, pursuant to Rule
4.8.

Report of Subcommittee to Standing Committee
The Alcoholic Beverage Subcommittee of the Commerce
Committee recommends to the standing committee 4 bills for
consideration as committee bills:
1—Bottle Clubs
2—Discounts
3—Bonded Warehouses
4—Enforcement

Motions relating to Committee Reference
On motion by Senator Peterson, the rules were waived and
Committee requests "B" was granted permission to ex-
tend time of adjournment of the meeting this day from 8:00
p.m. until conclusion of the scheduled business.

On motion by Senator Scarborough, the rules were waived
and the Committee on Finance, Probation and Parole was
granted permission to adjourn this day at 4:00 p.m. instead of
5:00 p.m.

Senator Renick moved that the rules be waived and un-
animous consent be granted to introduce SM 826 out of order.
The motion failed.

Senator Sayler moved that the rules be waived and SM 21
be withdrawn from the Committee on Rules and Calendar. The
motion failed. The vote was:
Yeas—19
Barron Henderson Scarborough Trask
Childers, Don McClain Scott Ware
Childers, W. D. Poston Thomas, Jon Williamson
Gallen Renick Thomas, Pat Winn
Gorman Sayler Tobisen
Nays—18
Castor Gordon Lewis Vogt
Chamberlin Graham Myers Wilson
Dunn Hair Plante Zinkil
Firestone Holloway Skinner
Glisson Johnston Spicola

Requests for Extension of Time
April 14, 1978
The Committee on Governmental Operations requests an ex-
tension of 15 days for the consideration of the following:
SB 32 by Senator Jon Thomas SB 305 by Senator Firestone
SB 38 by Senator Graham SB 322 by Senator Tobisen, et al
SB 76 by Senator SaylerSCR 382 by Senator Firestone
(by request) SB 424 by Senator Scarborough
SB 99 by Senator Skinner by Senator Pat
SB 103 by Senator Myers, et al
SB 173 by Senator Vogt SB 506 by Senator Trask
SB 194 by Senator Vogt SB 511 by Senator Dunn
SB 198 by Senator Glisson SB 541 by Senator Gallen
SB 206 by Senators Zinkil and SB 564 by Senators W. D.
Spicola
SB 210 by Senator Glisson SB 571 by Senator Dunn
SB 237 by Senator Glisson SB 596 by Senator Gordon
SB 268 by Senator Firestone

The Committee on Health and Rehabilitation Services requests
an extension of 14 days for the consideration of the following:
SB 98 by Senator Graham SB 469 by Senator Myers
SB 99 by Senator Graham SB 501 by Senator Ware
SB 100 by Senator Graham SB 502 by Senator Dunn
SB 120 by Senator Skinner SB 530 by Senator Gordon
SB 179 by Senator Sayler SB 562 by Senator Firestone
SB 222 by Senator Gordon SB 594 by Senator Gordon
SB 233 by Senator Dunn SB 596 by Senator Gordon
SB 334 by Senator Pat SB 597 by Senator Gordon
SB 373 by Senator Tobiassen, et al

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

The Committee on Economic, Community and Consumer
Affairs recommends a Committee Substitute for the following:
2—Discounts
3—Bonded Warehouses
4—Enforcement
On motion by Senator W. D. Childers the rules were waived
and by two-thirds vote the following were placed on Special
Order Calendar for April 19, 1978:

SB 312 SB 433 SB 485 SB 125
SB 152 HB 200 SB 624 SB 459
SB 567 HB 129 SB 340 SB 362
SB 220 SB 17 SB 105

The motion failed. The vote was:
Yeas—19
Barron Henderson Scarborough Trask
Childers, Don McClain Scott Ware
Childers, W. D. Poston Thomas, Jon Williamson
Gallen Renick Thomas, Pat Winn
Gorman Sayler Tobisen
Nays—18
Castor Gordon Lewis Vogt
Chamberlin Graham Myers Wilson
Dunn Hair Plante Zinkil
Firestone Holloway Skinner
Glisson Johnston Spicola

Requests for Extension of Time
April 17, 1978
The Committee on Health and Rehabilitation Services requests
an extension of 14 days for the consideration of the following:
SB 98 by Senator Graham SB 469 by Senator Myers
SB 99 by Senator Graham SB 501 by Senator Ware
SB 100 by Senator Graham SB 502 by Senator Dunn
SB 120 by Senator Skinner SB 530 by Senator Gordon
SB 179 by Senator Sayler SB 562 by Senator Firestone
SB 222 by Senator Gordon SB 594 by Senator Gordon
SB 233 by Senator Dunn SB 596 by Senator Gordon
SB 334 by Senator Pat SB 597 by Senator Gordon
SB 373 by Senator Tobiassen, et al

The Committee on Agriculture requests an extension of 15
days for the consideration of the following:
SB 26 by Senator Zinkil SB 373 by Senator Vogt
SB 330 by Senator Skinner SB 395 by Senator Peterson
SB 338 by Senator Trask SB 558 by Senator Skinner

April 18, 1978
The Committee on Commerce requests an extension of 15 days for the consideration of the following:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
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<tbody>
<tr>
<td>SB 7</td>
<td>Senator Graham</td>
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<td>SB 8</td>
<td>Senator Zinkil</td>
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<td>SB 9</td>
<td>Senator Jon</td>
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<td>SB 19</td>
<td>Senator Sca-</td>
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<td>SB 33</td>
<td>Senator Gorman</td>
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<td>SB 46</td>
<td>Senator Graham</td>
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<td>SB 55</td>
<td>Senator Zinkil</td>
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<td>SB 60</td>
<td>Senator Win-</td>
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<td>SB 108</td>
<td>Senator Mc-</td>
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<td>SB 118</td>
<td>Senator Pate</td>
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<td>SB 138</td>
<td>Senator Zinkil</td>
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<td>SB 158</td>
<td>Senator Zinkil</td>
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<td>SB 166</td>
<td>Senator Jon</td>
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<td>SB 190</td>
<td>Senator Scott</td>
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<td>SB 240</td>
<td>Senator Hend-</td>
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<td>SB 249</td>
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<td>SB 273</td>
<td>Senator Dunn</td>
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<td>SB 306</td>
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<td>SB 306</td>
<td>Senator Toh-</td>
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<td>SB 353</td>
<td>Senator Gordon</td>
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<td>SB 366</td>
<td>Senator Zinkil</td>
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<td>SB 370</td>
<td>Senator McClain</td>
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The Committee on Economic, Community and Consumer Affairs requests an extension of 15 days for the consideration of the following:

<table>
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<tr>
<th>Number</th>
<th>Sponsor</th>
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</thead>
<tbody>
<tr>
<td>SB 2</td>
<td>Senator Sayler</td>
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<td>SB 24</td>
<td>Senator Sayler</td>
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<td>SB 27</td>
<td>Senator Ren-</td>
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<td>SB 34</td>
<td>Senator Gra-</td>
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<td>SB 36</td>
<td>Senator Gra-</td>
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<td>SB 81</td>
<td>Senator William-</td>
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<td>SB 116</td>
<td>Senator William-</td>
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<td>SB 145</td>
<td>Senator William-</td>
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<td>SB 145</td>
<td>Senator Hen-</td>
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<td>SB 150</td>
<td>Senator Mac-</td>
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<td>SB 161</td>
<td>Senator Cha-</td>
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<td>SB 221</td>
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<td>SB 254</td>
<td>Senator John-</td>
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<td>SB 255</td>
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<td>SB 256</td>
<td>Senator Dunn</td>
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<td>SB 286</td>
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<td>SB 287</td>
<td>Senator Cha-</td>
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<td>SB 306</td>
<td>Senator Fire-</td>
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<td>SJR 514</td>
<td>Senator Gra-</td>
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<td>SB 336</td>
<td>Senator Go-</td>
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<td>SB 347</td>
<td>Senator My-</td>
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<td>SB 353</td>
<td>Senator Go-</td>
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<tr>
<td>SB 365</td>
<td>Senator John-</td>
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<td>SB 377</td>
<td>Senator Gra-</td>
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</table>

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

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<tr>
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<th>Sponsor</th>
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<tbody>
<tr>
<td>SB 592</td>
<td>Committee</td>
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The Committee on Governmental Operations requests an extension of 15 days for the consideration of the following:

<table>
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<tr>
<th>Number</th>
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</thead>
<tbody>
<tr>
<td>SB 635</td>
<td>Senator Hend-</td>
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</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
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</thead>
<tbody>
<tr>
<td>SB 121</td>
<td>Senator Jon</td>
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<tr>
<td>SB 418</td>
<td>Senator Bar-</td>
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</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Number</th>
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<tbody>
<tr>
<td>SB 121</td>
<td>Senator Jon</td>
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<tr>
<td>SB 418</td>
<td>Senator Barr-</td>
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</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
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</thead>
<tbody>
<tr>
<td>SB 133</td>
<td>Senator Don</td>
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<tr>
<td>SB 30</td>
<td>Senator Dunn</td>
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<td>SB 111</td>
<td>Senator Gra-</td>
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<tr>
<td>SB 162</td>
<td>Senator Jon</td>
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<tr>
<td>SB 207</td>
<td>Senator Pat</td>
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</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
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<tbody>
<tr>
<td>SB 28</td>
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<tr>
<td>SB 30</td>
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<td>SB 111</td>
<td>Senator Gra-</td>
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<td>SB 162</td>
<td>Senator Jon</td>
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<tr>
<td>SB 207</td>
<td>Senator Pat</td>
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</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCR 3</td>
<td>Senator Wil-</td>
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<tr>
<td>SCR 4</td>
<td>Senator Wil-</td>
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<td>SR 5</td>
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<td>SR 6</td>
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<td>JR 11</td>
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<td>SM 13</td>
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<td>SM 21</td>
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<td>SB 50</td>
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<td>SB 61</td>
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<td>SCR 65</td>
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<td>SB 66</td>
<td>Senator Ren-</td>
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<td>SB 91</td>
<td>Senator Gra-</td>
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<td>SB 124</td>
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<tr>
<td>SB 140</td>
<td>Senator Wil-</td>
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<tr>
<td>SR 174</td>
<td>Senator W. D.</td>
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<tr>
<td>SM 218</td>
<td>Senator Skinn-</td>
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</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Number</th>
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<tbody>
<tr>
<td>SB 121</td>
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<tr>
<td>SB 418</td>
<td>Senator Barr-</td>
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</tbody>
</table>

April 18, 1978
The Committee on Transportation requests an extension of 15 days for the consideration of the following:

- SB 46 by Senator Graham
- SB 47 by Senator Renick
- SB 48 by Senator Zinkil
- SB 49 by Senator Solid
- SB 50 by Senator Myers
- SB 51 by Senator Alden
- SB 52 by Senator Tobiassen
- SB 53 by Senator Pat
- SB 54 by Senator Winter
- SB 55 by Senator Poston
- SB 56 by Senator Thomas
- SB 57 by Senator Dunn
- SB 58 by Senator Johnston
- SB 59 by Senator Vogn
- SB 60 by Senator Firestone
- SB 61 by Senator Tobiassen
- SB 62 by Senator Vogn
- SB 63 by Senator Thomas

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

- SB 48 by Senator Graham
- SB 49 by Senator Castor
- SB 50 by Senator Thomp
- SB 51 by Senator Alden
- SB 52 by Senator Tobiassen
- SB 53 by Senator Pat
- SB 54 by Senator Winter
- SB 55 by Senator Poston
- SB 56 by Senator Thomas
- SB 57 by Senator Dunn
- SB 58 by Senator Johnston
- SB 59 by Senator Vogn
- SB 60 by Senator Firestone
- SB 61 by Senator Tobiassen
- SB 62 by Senator Vogn
- SB 63 by Senator Thomas

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

- SB 53 by Senator Zinkil and others
- SB 54 by Senator Zinkil
- SB 55 by Senator Thomp
- SB 56 by Senator Alden
- SB 57 by Senator Tobiassen
- SB 58 by Senator Pat
- SB 59 by Senator Winter
- SB 60 by Senator Thomas
- SB 61 by Senator Dunn
- SB 62 by Senator Johnston
- SB 63 by Senator Vogn
- SB 64 by Senator Firestone
- SB 65 by Senator Tobiassen
- SB 66 by Senator Vogn
- SB 67 by Senator Thomas

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

- SB 93 by Senator Graham
- SB 94 by Senator Castor
- SB 95 by Senator Plante
- SB 96 by Senator Graham

The Committee on Health and Rehabilitative Services requests an extension of 14 days for the consideration of the following:

- SB 649 by Senators Castor and Plante

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

- SB 1 by Senator Sayler
- SB 2 by Senator Sayler
- SB 3 by Senator Zinkil
- SB 4 by Senator Alden
- SB 5 by Senator Tobiassen
- SB 6 by Senator Pat
- SB 7 by Senator Winter
- SB 8 by Senator Vogn
- SB 9 by Senator Firestone
- SB 10 by Senator Johnston
- SB 11 by Senator Vogn
- SB 12 by Senator Wilson
- SB 13 by Senator Firestone

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

- SB 632 by Senators Mackay and Pat Thomas

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

Appointments Subject to Confirmation by the Senate

The Secretary of State on April 12, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, certifies subject to confirmation by the Senate had been prepared for the following:

- William R. Butler, Miami, Member of the Florida Student Financial Assistance Commission, for term ending June 30, 1981.
- Michael V. Gannon, Gainesville, Member of the Historic Saint Augustine Preservation Board, for term ending August 15, 1981.
- Wilmer L. Williams, Graceville, Member of the Board of Trustees of Chipola Junior College, for term ending May 31, 1981.

which were referred to the Committee on Executive Business.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed SB 154.

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed SB 157.

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 concurred in Senate amendments and passed as amended HB 975.

Allen Morris, Clerk

The Honorable Lew Brantley, President

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

By Senator Holloway—

SB 117—A bill to be entitled An act relating to dissolution of marriage; amending s. 61.13(2)(b), Florida Statutes, 1977, authorizing the court in a dissolution of marriage proceeding to award visitation rights to the grandparents of a minor child; providing an effective date.

and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 30, following the period insert:

New Section 2. Any court of this state which is competent to decide child custody matters shall have jurisdiction to award the grandparents of a minor child or minor children visitation rights of the minor child or children upon the death of or desertion by one of the minor child's parents if it is deemed by the court to be in the minor child's best interest.

and renumber accordingly.

Amendment 2—On page 1, line 2 in title, strike "dissolution of marriage" and insert: visitation rights

Amendment 3—On page 1, line 6 in title, insert: after the semicolon authorizing certain courts to award visitation rights to grandparents upon the death or desertion of the parent of a minor child;
Amendment 4—On page 1, line 27, strike the period and insert: nor shall such grandchildren have legal standing as “contest-ants” as defined in s. 61.1306, Florida Statutes.

Amendment 5—On page 1, line 31, strike “July 1, 1978” and insert: upon becoming law

Senator Wilson moved that SB 117 with the House Amendments be referred to a committee pursuant to Rule 1.18 because the House Amendments substantially changed the bill.

On substitute motion by Senator Holloway the Senate concurred in the House Amendments.

Senator Wilson was recorded as voting nay.

SB 117 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—30

Mr. President Glisson
Baron Gorman
Castor Graham
Chamberlin Henderson
Children, Don Holloway
Children, W. D. Johnston
Firestone MacKay
Gallen McClain

Mr. President Glisson
Baron Gorman
Castor Graham
Chamberlin Henderson
Children, Don Holloway
Children, W. D. Johnston
Firestone MacKay
Gallen McClain

Nays—5

Lewis Thomas, Jon
Vogt Wilson
Plante Spicola

Yeas—Hair
Nay to Yea—Lewis

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed by the Senate that the House of Representa-
tives has passed with amendment—

By Senator Gallen—

SB 212—A bill to be entitled An act relating to outdoor advertising; adding subsection (18) to s. 479.01, Florida Statutes, defining “motorist services directional signs”; adding subsection (5) to s. 479.02, Florida Statutes, providing for the transmittal by the Department of Transportation of certain requests seeking retention of motorist services directional signs in specific areas where removal would work a substantial economic hardship as provided in 23 U.S.C.; adding subsection (4) to s. 479.111, Florida Statutes, permitting retention of motorist services directional signs in defined areas; adding subsection (4) to s. 288.34, Florida Statutes, requiring the Division of Tourism of the Department of Commerce, upon request, to certify need for retention of motorist services directional signs in certain defined areas and to furnish available information showing that removal of such signs would work a substantial economic hardship in such defined areas; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 2—On page 3, line 4, strike “, or person”.

On motion by Senator Gallen, the Senate concurred in the House Amendment.

SB 212 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

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

Nays—None

Vote after roll call:

Yea—Hair

The bill was ordered engrossed and then enrolled.

On motion by Senator Scarborough, the following remarks were ordered spread upon the Journal:

Senator Myers—I have the privilege of introducing a distinguished guest.

There is a certain unexplained sense of awe and excitement when a representative of State of Israel comes to visit us. What is it about this little nation that engenders in the hearts of Americans, Jew and Gentile alike, a feeling of pride and wonder? I think it is partly because we see through Israel, the 2,000-year old story of a people who have sent the repercussions of its influence far and wide into the oceans of universal history. A people who have defied all historic laws, whose very existence to-day remains one of the unpenetrated mysteries of civilization.

For indeed, Israel and her people's survival through the centuries continues to be an uncomprehending miracle. We know that mighty empires conquered her flourished for hundreds of years, and then disappeared into the dust of history. But little Israel is still with us. And in more than a hundred years it has grown, today, a young nation resisting tyranny and fighting for freedom and survival against all odds. A nation that stands, as a staunch democratic ally of this nation, in a world that is witnessing the gradual disappearance of representative democracies.

But more important, Israel represents for an American the very essence of any great nation, and for that matter any great person. Resolution and courage and determination and pride.

It is therefore a privilege and pleasure for the Senate to bid shalom to the Israeli consul of the Southeastern United States, based in Atlanta, Georgia, Joel Arnon.

Consul General Arnon—Mr. President, Senators, Senator Myers, I thank you very much for your kind words. May I also extend the greetings of the Israeli consul of the Southeastern United States, based in Atlanta, Georgia, to all of you.

Today Israel is the U.S. of 1776, a young nation resisting tyranny and fighting for freedom and survival against all odds. And it stands as a staunch democratic ally of this nation, in a world that is witnessing the gradual disappearance of representative democracies.

But more important, Israel represents for an American the very essence of any great nation, and for that matter any great person. Resolution and courage and determination and pride.

It is therefore a privilege and pleasure for the Senate to bid shalom to the Israeli consul of the Southeastern United States, based in Atlanta, Georgia, Joel Arnon.

We are on the threshold of our thirty years' independence anniversary. Thirty years ago the late Ben Gurion, the father and founder of the state of Israel proclaimed, in a little museum in Tel Aviv, the independence of the state. And in our Declaration of Independence he wrote that he asks our Arab neighbors to extend the hand of friendship and of peace to us to let us live together in peace in the middle East. At that time in Palestine there were six hundred thousand Jews. We are now three million and even a little more. We brought in more than a million and a half of immigrants from all over the world from seventy countries, including the pitiful survivors of the holocaust; including more than seven hundred thousand Jews from Arab lands, all of them. We dissolved the diaspora of the Yemin and Iraq and we took the majority of Jews out of Arab lands. We succeeded in moving more than a hundred and fifty thousand of our Jewish brothers from the Soviet Union to Israel. All these people have been fully integrated, and are now part and parcel of Israeli life.

Through these thirty years we've made the desert bloom, we have built flourishing villages and cities, and created institutes of higher learning throughout the land. We brought electricity, hospitals and school systems to Jews and Arabs.
In the last days it shall come to pass that the mountain of the Lord and the house of Jacob shall be established on top of the mountains and it shall be exalted above the hills and people shall fly unto it. And many nations shall come and say, “Come and let us go up to the mountain of the Lord and to the house of the God of Jacob and he will teach us of his ways and we will walk in his paths.” For the law shall go forth from Zion and the Word of the Lord from Jerusalem. And he shall judge among many people and rebuke strong nations afar off and they shall beat their swords into plowshares and their spears into pruning hooks. Nation shall not lift up sword against nation neither shall they learn war anymore but then shall sit, every man under his vine and under his fig tree and none shall make them afraid for the mouth of the Lord of hosts has spoken it.

Thank you.

Certificate of Judicial Manpower

By permission the following certificates were received:

IN THE SUPREME COURT OF FLORIDA

IN RE: CERTIFICATE OF JUDICIAL MANPOWER AS REQUIRED BY SECTION 9,
ARTICLE V, CONSTITUTION OF FLORIDA, AS REVISED MARCH 14, 1972,
FOR: CIRCUIT COURT AND COUNTY COURTS.

PER CURIAM

CASE NO. 53,869

The Court has determined, after consideration of all available statistical information, that four new judicial positions consisting of three circuit judges and one county judge are needed for the proper operation of the court system of this state.

Eight circuits in the state made requests for additional judicial manpower. These requests were as follows:

<table>
<thead>
<tr>
<th>Circuit</th>
<th>Judges</th>
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<tbody>
<tr>
<td>Fourth Circuit</td>
<td>1</td>
</tr>
<tr>
<td>Seventh Circuit</td>
<td>1</td>
</tr>
<tr>
<td>Ninth Circuit</td>
<td>1</td>
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<tr>
<td>Eleventh Circuit</td>
<td>2</td>
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<tr>
<td>Thirteenth Circuit</td>
<td>1</td>
</tr>
<tr>
<td>Fifteenth Circuit</td>
<td>2</td>
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<tr>
<td>Seventeenth Circuit</td>
<td>5</td>
</tr>
<tr>
<td>Eighteenth Circuit</td>
<td>1</td>
</tr>
<tr>
<td>Total Requests</td>
<td>14 - 7</td>
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</tbody>
</table>

The chief judges of the circuits were afforded an opportunity to explain in detail to the Chief Justice their respective judicial manpower needs.

The four judicial positions approved for certification consist of one circuit judge each for the Fourth, Seventh, and Thirteenth Judicial Circuits, and one county judge for Palm Beach County.

The need for the additional circuit judge in the Seventh Judicial Circuit is justified by the fact that it has the highest per-judge case load of any circuit in the state and has had a substantial increase in its felony case load.

The need for the additional circuit judges in the Fourth and Thirteenth Judicial Circuits is because each has had very substantial increases in juvenile proceedings, and the additional judge positions will allow the needed additional judge to be assigned to that division.

The need for the additional county judge in Palm Beach County is to provide necessary judicial service to the thirty-seven municipalities and to adequately cover the seven separate court locations now existing in that county.

This certification is conservative. The funds for these additional judge positions have been more than adequately provided for in the Governor’s proposed budget. It must be clearly understood that this certification does not take into account any increased judicial work load which might result from a substantial increase in mandatory sentence provisions, the abolishment of plea bargaining, or the return to the state courts of
the diversity jurisdiction cases now in the federal courts. With reference to the latter, it appears that by congressional act the state court system will receive these diversity cases within the next year but at present it does not appear that new judge positions will be necessitated to absorb this case load.

CERTIFICATION

We therefore, in accordance with Section 9, Article V, Constitution of Florida, as revised March 14, 1972, hereby certify the need for one additional county court judge in Palm Beach County; one additional circuit judge in the Fourth Judicial Circuit consisting of Duval, Nassau, and Clay Counties; one additional circuit judge in the Seventh Judicial Circuit consisting of Flagler, Putnam, St. Johns, and Volusia Counties; and one additional circuit judge in the Thirteenth Judicial Circuit consisting of Hillsborough County; for a total of four additional trial court judicial positions.

This Court certifies the aforementioned judicial officers as necessary and recommends that they be made permanent by law and funded by this state.

OVERTON, C. J., and ADKINS, BOYD, ENGLAND, SUNDBERG, and HATCHETT, JJ., CONCUR.

IN THE SUPREME COURT OF FLORIDA

FRIDAY, APRIL 14, 1978

J. SID J. WHITE, Clerk of the Supreme Court of Florida, do hereby certify that the foregoing pages numbered 1 through 3 contain a true and correct copy of the Opinion in that certain cause entitled In Re: Certificate of Judicial Manpower as Required by Section 9, Article V, Constitution of Florida, as Revised March 14, 1972, for Circuit and County Courts, Case No. 53,809; all as the same appears among the records and files of my said office.

IN WITNESS WHEREOF, I have hereunto set my hand and official Seal of the Supreme Court of Florida, at Tallahassee, the Capital, this 14th day of April, 1978.

Sid J. White
Clerk of the Supreme Court of Florida

MATTERS ON RECONSIDERATION

The motion by Senator Scott on April 13 that the Senate reconsider the vote by which SB 354 as amended passed on April 13 was taken up and failed. The bill was ordered engrossed and then certified to the House.

SPECIAL ORDER

SB 290 was taken up and on motions by Senator Zinkil, the rules were waived and by two-thirds vote HB 18 was withdrawn from the Committees on Governmental Operations and Rules and Calendar and placed on the calendar. On motion by Senator Zinkil—

HB 18—A bill to be entitled An act relating to purchasing; creating s. 287.057, Florida Statutes; placing certain conditions upon the purchase of professional and technical services by the state and its agencies; providing for written agreement and for methods of billing for such services; providing that the conditions of this act do not apply to contracts for such services in effect on the effective date of this act; providing an effective date.

—a companion measure, was substituted for SB 290 and read the second time by title.

Senator Zinkil moved the following amendment which was adopted:

Amendment 1—On page 1, line 20, insert after the “,”: except by the Legislature.

On motion by Senator Zinkil, by two-thirds vote HB 18 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—35
Gordon
Graham
Gallen

Nays—None

Voted after roll call:

Yeas—Williamson, Hair

SB 290 was laid on the table.

Senator Scarborough presiding

SB 186—A bill to be entitled An act relating to public nuisances; amending s. 823.10, Florida Statutes, to provide that any place where obscene materials or performances are illegally used, viewed, sold or delivered is a public nuisance; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote SB 186 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33
Graham
Henderson
MacKay

Nays—3

Gallen

Gordon

Wilson

Vote after roll call:

Yeas—Williamson

SB 291—A bill to be entitled An act relating to sexual battery; amending s. 794.011(2), Florida Statutes; reducing the penalty from a capital felony to a life felony for the commission by an adult of sexual battery upon a person 11 years of age or younger or for injury by an adult of the sexual organs of such person in an attempt to commit sexual battery; providing an effective date.

—was read the second time by title.

Senators Dunn, Spicola and Castor offered the following amendment which was moved by Senator Dunn and adopted:

Amendment 1—On page 1, strike lines 22 and 23 and insert: requiring a minimum of 25 years' imprisonment;
On motion by Senator Johnston, by two-thirds vote SB 201 as amended was read the third time by title and failed to pass. The vote was:

**Yeas-18**

Castor
Chamberlin
Children, Don
Dunn
Firestone

Gallen
Graham
Hair
Henderson

Lewis
MacKay
Myers
Holloway
Johnston

Levay
MacKay
Myers
Renick
Spicola

Thomas, Jon
Williams
Wilson

**Nays-18**

Childers, W. D.
Gorman
Graham
Hair

McClain
Plante

Scarborough
Skinner

Vogt
Ware

Win

Yeas-35 Amendment 1—On page 2, line 11, strike everything after

"...subject to the provisions of s. 947.172 and s. 947.174."

and substitute:

"...subject to the provisions of s. 947.172, s. 947.173, and s. 947.174."

Yeas-34

Mr. President
Chamberlin
Children, Don
Firestone
Gallen

Gordon

Henderson

Myers

Gorman

Poston

Tobiassen

Trask

Tobiasen

Trask

Tobiasen

Trask

Yeas—MacKay, Zinkil

Yeas—Scott

Nays—None

Nays—None

Vote after roll call:

**Yeas—Scott**

**Nays—None**

Vote after roll call:

CS for SB 271, by the Committee on Corrections, Probation and Parole, was read the first time by title and SB 271 was laid on the table.
(4) MUTUAL PARTICIPATION PILOT PROGRAM; DEVELOPMENT; CRITERIA; DEPARTMENT AND COMMISSION RULES.—

(a) The department and the commission shall jointly develop a 2-year pilot program establishing a mutual participation program which sets forth the terms of its institutional confinement, parole date, and terms of parole supervision and release, provided each offender meets the criteria set forth in this act and any additional criteria established by the department. The department shall be entitled to an annual review of the program at the conclusion of the 2-year period. The commission shall conduct an annual review of the program at the conclusion of the 2-year period.

(b) The department and the commission, as a portion of the mutual participation program, shall require that each eligible offender satisfactorily participate in a correctional work program pursuant to s. 945.06, and only through satisfactory completion of this phase of the program shall an offender become eligible for progress to a less restrictive program.

2. Additional criteria shall be established and required by the commission and the department for participation in the program, including, but not limited to, vocational counseling and work release programs; however, criteria for satisfactory participation in the program shall not include academic classroom instruction at the college level.

3. The commission shall establish a parole date for each eligible offender, based on the satisfactory completion of the program. Such parole date shall such date not fall after the date which would have been established under s. 947.172.

Section 5. Section 947.16, Florida Statutes, is amended to read:

947.16 Eligibility for parole; powers and duties of commission.—

(1) Every person who has been, or who may hereafter be, convicted of a felony or who has been convicted of one or more misdemeanors and whose sentence or cumulative sentences total 12 months or more, who is confined in execution of the judgment of the court, and whose record during confinement is good, or who has been otherwise proved by law, to be eligible for consideration by the commission for parole. An inmate who has been sentenced for an indeterminate term or a term of 5 years or less shall have an initial interview conducted by a member of the commission or its representative within 6 months after the initial date of confinement in execution of the judgment. An inmate who has been sentenced for a minimum term in excess of 5 years shall have an initial interview conducted by a member of the commission or its representative within 1 year after the initial date of confinement in execution of the judgment. An inmate convicted of a capital crime shall be interviewed at the discretion of the commission. As used in this subsection, the term "confined" shall be deemed to include presence in any appropriate treatment role or housing population.

(2) The commission may postpone an initial hearing for a period not to exceed 60 days. Such postponement shall be for good cause, and the reasons therefor shall be noted in writing and included in the official record. However, in no case shall such postponement result in a hearing being conducted any time later than 1 year after the initial date the inmate is confined in execution of the judgment of the court. Notwithstanding the provisions of this subsection, an initial interview may be deferred for an inmate who is out to court or transferred to the Department of Health and Rehabilitative Services for psychological or psychiatric treatment or observation. In such cases an initial interview shall be conducted within 6 months of the date the inmate is returned to the department.

(3) Persons who have become eligible for parole and who are determined to the objective parole guidelines in the discretion of the commission may be granted parole and be placed on parole in accordance with the provisions of this law.

(4) Within 45 to 90 days after any interview for parole, the inmate shall be advised of his presumptive parole date and the decision of the commission. Subsequent to the establishment of such date, the commission shall review the official record and conduct additional interviews with the inmate, pursuant to the schedule established under s. 947.174(1) initial interview, the interview shall be reviewed for at least the reasons specified at this time. However, the presumptive parole date shall not be changed except for reasons of institutional conduct or the acquisition of new information not available at the time of the initial interview.

Section 6. Section 947.165, Florida Statutes, is created to read:

947.165 Objective parole guidelines.—

(1) The commission shall develop and implement objective parole guidelines which shall be the criteria upon which parole decisions are made. Such guidelines shall be established by rule, and promulgated pursuant to chapter 120, before January 1, 1979. The objective parole guidelines shall be developed according to an accepted research method and shall be based on the seriousness of offenses and the likelihood of favorable parole outcome.

(2) By July 1, 1979, and annually thereafter, the commission shall review the objective parole guidelines to make any revisions in the guidelines which experience necessitates.

Section 7. Section 947.172, Florida Statutes, is created to read:

947.172 Establishment of presumptive parole date.—

(1) A member of the commission or its representative shall conduct an initial hearing pursuant to the provisions of s. 947.16(1) to explain the objective parole guidelines and the factors which affect the establishment of a presumptive parole date and to review the inmate's institutional conduct and any other matter which the commission considers relevant.

(2) Based on the objective parole guidelines and any other competent evidence relevant to aggravating or mitigating circumstances, a recommendation shall be made in writing to the commission regarding a presumptive parole date for the inmate. This recommendation shall be made within 14 consecutive days of the hearing. If the presumptive parole date falls outside of the objective parole guidelines, the recommendation shall include with particularity the reasons for departing from the objective parole guidelines. Within 45 days from the date such recommendation is made, the commission shall report to the inmate, in writing, a decision regarding the inmate's presumptive parole date. Notwithstanding the provisions of this section, no inmate shall be released prior to the completion of his mandatory minimum sentence or after the completion of his maximum sentence, less accumulated gain-time allowances.

Section 8. Section 947.174, Florida Statutes, is created to read:

947.174 Subsequent hearings; establishment of effective parole date.—

(1) The commission shall establish by rule, promulgated pursuant to chapter 120, a reevaluation schedule for review of presumptive parole dates. This schedule shall consider the objective parole guidelines, length of time until the presumptive parole date, and length of sentence. The scope of such hearings shall be limited to considerations of any additional facts or information which has a bearing on the presumptive parole date.

(2) The department shall bring to the attention of the commission, within a reasonable time, such information as the department and the commission deem relevant to the presumptive parole date, including, but not limited to, current progress, psychological, and disciplinary reports.

(3) The department may recommend that an inmate be placed in a work release program prior to the last 18 months of his confinement as determined by the presumptive parole date. If the commission may at any time recommend that an inmate be placed in a work release program, and the department shall, prior to such placement, advise the commission of such placement.

(4) Provided that the inmate's institutional conduct has been satisfactory, the presumptive parole date shall become the effective parole date as follows:

(a) Sixty days prior to the presumptive parole date, a member of the commission or its representative shall conduct a final interview with the inmate in order to establish an effective parole date. If it is determined that the inmate's institutional conduct has been unsatisfactory, a statement to this effect shall be made in writing with particularity and forwarded to the inmate and the department.
to the commission. Within 14 days the commission shall deter-
mine whether or not to authorize the effective parole date and
the inmate shall be notified of the decision in writing within
45 days of the final interview.

(b) When an effective date of parole has been established,
release on that date shall be conditioned upon the completion of
a satisfactory plan for parole supervision. An effective date
of parole may be delayed for up to 30 days without a hearing
for development and approval of release plans.

Section 9. Subsection (1) of section 947.175, Florida Stat-
utes, is amended to read:

947.175 Notice to local agencies.—

(1) The Parole and Probation Commission shall, at least
10 days prior to the effective parole date anticipated date
of release on parole of an inmate, inform the appropriate local
criminal justice agencies chief and State attorney in the
community in which the inmate is scheduled to be released.

Section 10. Section 947.19, Florida Statutes, is amended to read:

947.19 Terms of parole.—The commission, upon authorizing
an effective parole date placing a person on parole, shall specify
in writing the terms and conditions of the parole. A certified
copy of the terms and conditions shall be served on the parolee. The commission shall establish and use objective guide-
lines for determining the terms and conditions of parole super-
vision.

Section 11. Section 947.20, Florida Statutes, is amended to read:

947.20 Rules of commission.—The commission shall adopt
general rules on the terms and conditions of parole and what
shall constitute the violation thereof, and make such spe-
cial rules to govern particular cases. Such rules, both general
and special, may include, among other things, a requirement
that parolees shall not leave the state or any definite area
in Florida without the consent of the commission; that he shall
contribute to the support of his dependents to the best of his
ability; that he shall make reparation or restitution for his
crime; that he shall not associate with persons engaged in
criminal activity or abortion or association in ways and that
he shall carry out the instructions of his parole supervisor and,
in general, so comport himself in accordance with the terms
and conditions of his parole as such supervisor shall determine.

Section 12. Subsection (1) of section 947.23, Florida Stat-
utes, is amended to read:

947.23 Action of commission upon arrest of parolee.—

(1) As soon as practicable after the arrest of a person
charged with violation of the terms and conditions of his parole,
such parolee shall appear before the commission in
person, and if he desires he may be represented by counsel,
and a hearing shall be had at which the state and the parolee
may introduce such evidence as they may deem necessary and
pertinent to the charge of parole violation. The commission, a
member thereof, or a duly authorized representative of the
commission or member thereof shall have the authority to ad-
minister oaths and compel the attendance of witnesses at said
hearing by the issuance of summons and subpoenas and to
issue subpoenas duces tecum, under penalty of contempt under
Section 16. If any provision of this act or the application
thereof to any person or circumstance is held invalid, the inval-
valid proviso or proviso shall not affect other provisions of applications
of the act which can be given effect without the invalid provision
of application, and to this end the provisions of this act are declared
severable.

Section 13. Subsection (5) is added to section 945.25, Florida Stat-
utes, to read:

945.25 Records.—

(5) Following the initial hearing provided for in s. 947.172
(1), the commission shall prepare and the department shall
include in the official record a copy of the seriousness of off-
ense and favorable parole outcome scores and shall include a
listing of the specific factors and information used in estab-
lishing a presumptive parole date for the inmate.

Section 14. On or before January 1, 1980, a presumptive
parole date, developed pursuant to s. 947.172, Florida Statutes,
shall be established for each inmate in the custody of the De-
partment of Offender Rehabilitation who will not be released
from incarceration on or before January 1, 1980, by virtue of
parole, accumulation of gain-time, or expiration of sentence.
However, the presumptive parole date need not be established
on or before such date for:

(1) Those inmates sentenced to a minimum term of 5 years
or less, who were confined in execution of the judgment of the
court on or after August 1, 1979. Presumptive parole dates
for these inmates shall be established pursuant to s. 947.172,
Florida Statutes.

(2) Those inmates sentenced to a minimum term in excess
of 5 years, who were confined in execution of the judgment of
the court on or after February 1, 1979. Presumptive parole
dates for these inmates shall be established pursuant to s. 947.172,
Florida Statutes.

(3) The commission shall continue its current schedule of
annual interviews until January 1, 1980 or until such time as
the objective parole guidelines are implemented, whichever
comes first.

Section 15. The provisions of this act shall be carried out
within the existing resources of the Parole and Probation Com-
mission.

Section 16. If any provision of this act or the application
thereof to any person or circumstance is held invalid, the inval-
valid proviso or proviso shall not affect other provisions of applications
of the act which can be given effect without the invalid provision
of application, and to this end the provisions of this act are declared
severable.

Section 17. Section 947.17, Florida Statutes, is hereby re-
pealed.

Section 18. This act shall take effect October 1, 1978.

Amendment 2—On pages 1 and 2, strike the title and insert:

A bill to be entitled

An act relating to the Parole and Probation Commission; cre-
ating s. 947.005, Florida Statutes; providing definitions;
amending s. 947.06, Florida Statutes; providing that the deci-
sion to parole a prisoner be based on objective guidelines;
amending s. 947.13(1)(a), Florida Statutes; prescribing the
powers and duties of the commission; amending s. 947.135
(4)(a), Florida Statutes; prescribing criteria for establishing
the parole dates for inmates in the mutual agreement parole
program; amending s. 947.16, Florida Statutes; providing for
hearings to determine presumptive parole dates; creating s.
947.165, Florida Statutes; providing for the creation and
periodic review of objective parole guidelines; creating s.
947.172, Florida Statutes; providing for a procedure for the estab-
ishment of presumptive parole dates; creating s. 947.174,
Florida Statutes; providing for the development of a schedule
for review of presumptive parole dates; providing for a procedure
for the establishment of effective parole dates; amending s.
947.175(1), Florida Statutes; providing for notice to certain
agencies of release of an inmate; amending s. 947.19, Florida
Statutes; providing for establishment and modification of the
terms and conditions of parole; amending s. 947.20, Florida
Statutes; providing for the adoption of rules relating to the
terms and conditions of parole; amending s. 947.23(1), Florida
Statutes; providing criteria for the revocation of parole; add-
ing s. 945.25(6), Florida Statutes; providing for the main-
tenance of certain records; requiring presumptive parole
dates to be established for certain inmates by a certain date;
requiring the act to be carried out within existing resources;
providing severability; repealing s. 947.17, Florida Statutes,
relating to the procedures of the Parole and Probation Com-
mision with respect to parole; providing an effective date.
On motion by Senator Pat Thomas, by two-thirds vote HB 956 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

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Nays—None

Vote after roll call:

Yea—Scott

CS for SB 271 was laid on the table.

**SB 277—A bill to be entitled An act relating to outdoor advertising; amending s. 479.04(1), Florida Statutes, providing a 30-day delinquency period and a delinquency fee for the payment of outdoor advertising licenses to the Department of Transportation; amending s. 479.07(2) and (3), Florida Statutes, requiring the department to act upon individual device permits for advertising structures within a certain time period; requiring a service fee for replacement permit tags; providing for second notices on overdue fees; providing for a delinquency fee; providing an effective date.**

—was read the second time by title.

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

Amendment 1—On page 5, strike all of line 7 and insert: ordinances, provided, however, that such ordinances shall not conflict with any applicable state or federal laws.

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

Amendment 2—On page 1 in title, line 12, after “permit tags;” insert: requiring applicants to make specified fee payments;

On motion by Senator Gallen, by two-thirds vote SB 277 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

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Nays—None

**SB 516—A bill to be entitled An act relating to firearms; amending ss. 320.06(3), 322.15(2), Florida Statutes, requiring the department to act upon individual device permits for advertising structures within a certain time period; providing an effective date.**

—was read the second time by title.

Senator Scott and Myers offered the following amendments which were moved by Senator Trask and adopted:

Amendment 1—On page 1, strike all of line 31 and on page 2, all of line 7 and insert: An act relating to traffic control; amending sections 320.06(3) and 322.15(2), Florida Statutes, providing that a person charged with violating this section shall not be convicted or fined if he produces a copy of such registration certificate valid at the time of his arrest or to the clerk of the court in which the charge is pending within a specified period of time after receiving a citation; providing an effective date.

—was read the second time by title.

On motion by Senator Pat Thomas, by two-thirds vote SB 516 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

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Nays—7

Mr. President | Gordon | Scott | Ware |
| Children, Don | Henderson | Tobiassen | |

**SB 517—A bill to be entitled An act relating to motor vehicle registration certificates; amending s. 320.06(3), Florida Statutes; providing that a person charged with driving without a valid registration certificate shall not be convicted or fined if he produces a copy of such registration certificate valid at the time of his arrest or to the clerk of the court in which the charge is pending within a specified period of time after receiving a citation; providing an effective date.**

—was read the second time by title.

On motion by Senator Pat Thomas, by two-thirds vote SB 517 as amended was read the second time by title. Amendment 2—On page 1, line 24, after the word “firearm” insert: or to a person discharging a firearm on public roads or properties expressly approved for hunting by the Game and Fresh Water Fish Commission.

—was read the second time by title.

Amendment 1—On page 1, line 16, after “who” insert: knowingly

Senator Pat Thomas moved the following amendment which was adopted:

Amendment 2—On page 1, in title, strike all of line 2 through and including line 11 and insert: An act relating to traffic control; amending sections 320.06(3) and 322.15(2), Florida Statutes, providing that a person charged with certain violations may not be convicted or fined if, prior to or at the time of his court or hearing appearance, he produces a driver’s license or registration certificate valid at the time of his arrest or to a person discharging a firearm on public roads or properties expressly approved for hunting by the Game and Fresh Water Fish Commission.

—was read the second time by title.

On motion by Senator Pat Thomas, by two-thirds vote SB 516 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

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arrest; authorizing the clerk of the court to dismiss such a case prior to the defendant's appearance in court; providing an effective date.

On motion by Senator Trask, by two-thirds vote SB 517 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

**Nays—None**

**Yeas—38**

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

**Nays—None**

SB 323—A bill to be entitled An act relating to purchases made by state agencies; amending s. 287.062, Florida Statutes; requiring competitive bids on purchases in excess of $2,500; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote SB 323 was read the third time by title, passed and certified to the House. The vote on passage was:

**Years—35**

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

**Nays—2**

Scarborough Scott

SB 359—A bill to be entitled An act relating to the Florida Electrical Contractors' Licensing Board; amending s. 468.182 (2)(b), (3)(b), Florida Statutes; providing that members may succeed themselves; providing an effective date.

—was read the second time by title. On motion by Senator Holloway, by two-thirds vote SB 359 was read the third time by title, passed and certified to the House. The vote on passage was:

**Years—36**

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

**Nays—None**

SB 364—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 or by rule or regulation of a governmental agency; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, lines 3, 11, and 12, strike “316.284” and insert: 316.605

Amendment 2—On page 1, strike all of line 29 and insert: shall be placed upon the face of a Florida plate except as permitted

On motion by Senator Holloway, by two-thirds vote SB 364 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

**Years—26**

Mr. President Gorman MacKay Trask
Castor Chamberlin Graham McClain Vogt
Childers, Don Childers, W. D. Holloway Johnston Sayler Ware
Firestone Henderson Lewis Poston Winn
Glisson Johnston Spicola Zinkil
Gordon Lewis Warren Thomas, Jon

**Nays—9**

Childers, W. D. Renick Tobiassen Wilson

Peterson Sayler Ware

Plante Scarborough

SB 379—A bill to be entitled An act relating to contraband; amending s. 943.44(1), Florida Statutes, and adding paragraph (e) to subsection (2) thereof; providing a short title; including personal property used or intended for use in the commission of certain crimes within the definition of “contraband articles”; amending subsection (4) to s. 943.42, Florida Statutes, making unlawful the concealment or possession of contraband articles of personal property; amending s. 943.43, Florida Statutes, providing for forfeiture of contraband articles of personal property; amending s. 943.44(1) and (2), Florida Statutes, providing for forfeiture proceedings for such personal property; providing an effective date.

—was read the second time by title.

Senator Gordon moved the following amendment which failed:

Amendment 1—On page 2, line 4, strike “1. Prostitution, as provided in s. 796.07” and renumber

Senator Scarborough moved the following amendment:

Amendment 2—On page 2, line 30, strike “has been or”

On motion by Senator Williamson, further consideration of SB 379 was deferred.

SB 387—A bill to be entitled An act relating to the Administrative Procedure Act; adding subsections (15) and (16) to s. 120.52, Florida Statutes, defining the terms “owner” and “manager”; adding a new subsection (4) to s. 120.60, Florida Statutes, requiring agencies which require a statement of ownership and management on original license applications to require an update on renewal applications; requiring all license or renewal applications to be signed under oath or affirmation; requiring denial of license application or suspension or revocation of license for misrepresentation or false swearing to any material statement on a license or renewal application; 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 Barron:

Amendment 1—On page 1, line 20, strike everything after the enacting clause and insert: Section 1. Definitions.—As used in this act:
Senator Hair moved the following substitute amendment which was adopted:

Amendment 2—On pages 1 and 2, strike everything after Yeas—34

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

Section 2. Each application for a license or renewal of a license issued by the Department of Business Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive officer of the applicant, without the need for witnesses unless otherwise required by law.

Section 3. Any license issued by the Department of Business Regulation which is issued or renewed in response to an application for a license or renewal application shall include a statement showing the name and address of each person who owns ten percent or more of the outstanding stock or equity interest of a licensed entity. Senator Hair moved the following substitute amendment which was adopted:

Amendment 3—On page 1, strike all of lines 1-16 in the title and insert: A bill to be entitled An act relating to corporate obligations; adding s. 607.017(6), Florida Statutes; providing an effective date.

Senator Hair moved the following substitute amendment which was adopted:

Amendment 4—On page 1, strike the title and insert: A bill to be entitled An act relating to business regulations; requiring all license or renewal applications to be signed under oath or affirmation; requiring agencies which require a statement of ownership and management on original license applications to require an update on renewal applications; requiring all license or renewal applications to be signed under oath or affirmation; requiring material statement in an application for a license or license renewal application shall include a section asking whether there has been any change in the statement of ownership and management since the original application or last license renewal, including, but not limited to, the names and addresses of the owners or managers of the licensee or applicant who, in accordance with the rules of the issuing agency, is determined to be able directly or indirectly to control the operation of the business of the licensed entity, and each application for renewal of such a license shall set out any changes in the required names and addresses which have occurred since the license was issued or last renewed.

Section 4. This act shall take effect October 1, 1978.

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

Amendment 1—On page 1, strike all of lines 1-16 in the title and insert: A bill to be entitled An act relating to corporate obligations; adding s. 607.017(6), Florida Statutes; providing an effective date.

On motion by Senator Firestone, by two-thirds vote SB 483 was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Votes after roll call:

Yeas—Peterson and Vogt

SB 483—A bill to be entitled An act relating to corporate obligations; adding s. 607.017(6), Florida Statutes; providing that certain corporate obligations shall not be impaired by the subsequent impairment of the capital of the corporation; providing an effective date.

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

Yeas—34

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

Nays—None

Votes after roll call:

Yeas—Peterson and Vogt

SB 447—A bill to be entitled An act relating to the Florida Statutes; relating to statutory definitions; providing a definition of the term “veteran”; providing an effective date.

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

Yeas—32

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

Nays—1

Wilson

Votes after roll call:

Yeas—Castor, MacKay

SB 447—A bill to be entitled An act relating to the Florida Statutes; adding subsection (15) to s. 1.01, Florida Statutes, relating to statutory definitions; providing a definition of the term “veteran”; providing an effective date.

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

Yeas—34

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

Nays—None

Votes after roll call:

Yeas—Peterson and Vogt

SB 447—A bill to be entitled An act relating to the Florida Statutes; adding subsection (15) to s. 1.01, Florida Statutes, relating to statutory definitions; providing a definition of the term “veteran”; providing an effective date.

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

Yeas—32

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

Nays—1

Wilson

Votes after roll call:

Yeas—Castor, MacKay

SB 447—A bill to be entitled An act relating to the Florida Statutes; relating to statutory definitions; providing a definition of the term “veteran”; providing an effective date.

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

Yeas—34

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

Nays—None

Votes after roll call:

Yeas—Peterson and Vogt

SB 447—A bill to be entitled An act relating to the Florida Statutes; adding subsection (15) to s. 1.01, Florida Statutes, relating to statutory definitions; providing a definition of the term “veteran”; providing an effective date.

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

Yeas—32

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

Nays—1

Wilson

Votes after roll call:

Yeas—Castor, MacKay

SB 447—A bill to be entitled An act relating to the Florida Statutes; relating to statutory definitions; providing a definition of the term “veteran”; providing an effective date.

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

Yeas—34

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

Nays—None

Votes after roll call:

Yeas—Peterson and Vogt

SB 447—A bill to be entitled An act relating to corporate obligations; adding s. 607.017(6), Florida Statutes; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote SB 483 was read the third time by title, passed and certified to the House. The vote on passage was:
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Yeas—34

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

Nays—None

Vote after roll call:

Yea—Peterson

SB 74—A bill to be entitled An act relating to municipal annexation; adding s. 171.042(3), Florida Statutes; requiring the governing body of a municipality to file a copy of the required report setting forth the plans with the board of county commissioners prior to commencing annexation proceedings; providing an effective date.

was read the second time by title. On motion by Senator Henderson, by two-thirds vote SB 74 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—1

Scott

Vote after roll call:

Yea—Peterson

Senator Plante announced that Subcommittee C of the Committee on Appropriations would not meet as scheduled this day.

CO-INTRODUCTORS

Senators Pat Thomas, Scarborough and Peterson—SB 525; Senators Castor and Zinkil—SJR 546, SB 547; Senator Dunn—SB 453; Senator Jon Thomas—SB 899; Senators Trask and Peterson—SB 210; Senator Brantley—SB 434—Senators Plante and Dunn—SB 806; Senator Winn—SM 21

CORRECTION AND APPROVAL OF JOURNAL

The Journals of April 14 and 13 were corrected and approved.

On motion by Senator W. D. Childers, the Senate adjourned at 12:14 p.m. to convene at 8:30 a.m., April 19, 1978 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m.