



Journal of the Senate

Number 21

Thursday, May 4, 1978

The Senate was called to order by the President at 9:00 a.m.
A quorum present—36:

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

Excused: Senator Barron at 9:30 a.m.; Senators Wilson, Henderson and Williamson.

Prayer by Rev. Ralph McCaskill, pastor, First Presbyterian Church, Quincy:

Well, Lord, here we are again, the same old faces looking at the same old job. As usual, we're going to be awfully busy protecting ourselves and taking care of our little corner of the world. It's not that we're that egotistical or selfish, it's just that people are pulling at us from all directions with requests and demands and we find ourselves caught up in the meat grinder of politics. We have some tough decisions to make about the almost rightness of a lot that's wrong and the almost wrongness of a lot that's right.

Even as the day begins, we're tired. We're worn out with running for re-election, pushing for our special bills, trying to mollify countless numbers of people, and retain a little sanity on the side.

Please bring some calm into the confusion of this day. Freshen our spirits. Strengthen our tired bodies. Lift our vision to match the challenges of this day, and when the day is over and we're tired again, grant that it will be the kind of tiredness that brings with it the satisfaction of a job well done. To this end, we commit ourselves anew, relying upon your strength, your wisdom, your forgiveness and your love to help us make it through the day. Amen.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, May 4, 1978:

SCR 331	SB 646
SCR 332	SB 774
CS for CS for SB 503	SB 782
SB 695	

And all bills remaining on the Special Order Calendar for Wednesday, May 3, 1978.

Respectfully submitted,
W. D. Childers, Chairman

The Committee on Agriculture to whom was referred the following appointments subject to confirmation by the Senate:

Albin P. Crutchfield, Member, Florida Citrus Commission, State-at-Large, for term ending May 31, 1981

W. F. Edwards, Member, Florida Citrus Commission, State-at-Large, for term ending May 31, 1981

George McClure, Member, Florida Citrus Commission, State-at-Large, for term ending May 31, 1981

Karick Asa Price, Member, Florida Citrus Commission, District Four, for term ending May 31, 1981

—after inquiry and due consideration, recommends that the Senate confirm the aforesaid appointments made by the Governor.

The appointments contained in the foregoing report were referred to the Committee on Executive Business under the original reference.

The Committee on Agriculture recommends the following pass:
SB 874

The Committee on Education recommends the following pass:
SB 694 with 2 amendments SB 958 with 2 amendments
SB 864 SB 1004 with 2 amendments

The Committee on Finance, Taxation and Claims recommends the following pass: SJR 980

The Committee on Judiciary-Criminal recommends the following pass: SB 570 with 2 amendments

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

SB 700 with 2 amendments	SB 790
SB 702 with 3 amendments	SB 865 with 3 amendments
SB 734 with 3 amendments	

The Committee on Transportation recommends the following pass:

SB 793 SB 953 SB 1128 with 1 amendment

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

The Committee on Education recommends the following pass:
SB 788

The Committee on Transportation recommends the following pass: SB 909

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

The Committee on Commerce recommends the following pass:
SB 814 with 2 amendments

The Committee on Natural Resources and Conservation recommends the following pass: HB 342

The Committee on Transportation recommends the following pass: SB 1250 with 3 amendments

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

The Special Master-Claims recommends the following pass:
HB 619, HB 620

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

The Committee on Commerce recommends the following pass:
HB 54

The Committee on Transportation recommends the following pass: SB 950, SB 88

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

The Committee on Agriculture recommends the following pass: SB 879 SB 891 SB 917

The Committee on Commerce recommends the following pass: SB 955

The Committee on Education recommends the following pass: SB 1145

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

The Committee on Judiciary-Criminal recommends the following pass: SB 922

The bill contained in the foregoing reports was referred to the Committee on Judiciary-Civil under the original reference.

The Committee on Natural Resources and Conservation recommends the following pass: SB 1090

The Committee on Transportation recommends the following pass: SB 819 with 3 amendments

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

The Committee on Executive Business recommends the following pass: SB 592

The bill was referred to the Committee on Rules and Calendar under the original reference.

The Committee on Agriculture recommends the following pass: SB 983

The Committee on Commerce recommends the following pass:

HB 169 with 1 amendment	SB 963
HB 718	SB 1067
SB 681	SB 1069 with 1 amendment
SB 827 with 2 amendments	SB 1068
SB 758	SB 1070 with 3 amendments
SB 871 with 2 amendments	SB 1071 with 3 amendments
SB 873 with 1 amendment	SB 1072
SB 901	SB 1073 with 3 amendments

The Committee on Education recommends the following pass: SB 726 with 1 amendment

The Committee on Executive Business recommends the following pass: SB 722, HB 173

The Committee on Finance, Taxation and Claims recommends the following pass: SB 230, SB 775 with 1 amendment

The Committee on Judiciary-Criminal recommends the following pass:

SB 614	SB 815
SB 712	SB 854
SB 767	HB 79 with 2 amendments

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

SB 849	SB 1095	SB 1138	HB 643
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The Committee on Transportation recommends the following pass:

SB 908 with 2 amendments	HB 752
SB 560	HB 1011
SB 869	SB 1274 with 2 amendments

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

The Committee on Personnel, Retirement and Collective Bargaining recommends a Committee Substitute for the following: SB 896

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

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 925

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

The Committee on Agriculture recommends a Committee Substitute for the following: SB 834

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

The Committee on Agriculture recommends Committee Substitutes for the following: SB 26, SB 957

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 647

The Committee on Personnel, Retirement and Collective Bargaining recommends a Committee Substitute for the following: SB 893

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

The Committee on Judiciary-Criminal recommends the following not pass: SB 923

The Committee on Natural Resources and Conservation recommends the following not pass: SB 524

The Committee on Finance, Taxation and Claims recommends the following not pass: SB 685

The Committee on Transportation recommends the following not pass: SB 431, SB 46

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

Report of Subcommittee to Standing Committee

The Vehicle Exhaust Emission Standards Subcommittee of the Transportation Committee recommends to the standing committee that (1) no action be taken on SB 200 this session, and (2) the staff of the Transportation Committee be directed to work with the Department of Environmental Regulations and the Department of Highway Safety and Motor Vehicles, during the interim, to determine what would be required to properly enforce the existing DER regulation, 17-2(7).

Bills Referred to Subcommittee

SB 899 has been referred to the Select Subcommittee on Agriculture, composed of Senators Alan Trask and Pat Thomas, which will report to the full committee within 15 days.

MOTIONS RELATING TO COMMITTEE REFERENCE

On point of order by Senator Lewis, SB 1274 was removed from the calendar and referred to the Committee on Appropriations pursuant to Rule 4.8.

On motions by Senator Lewis, the rules were waived and by two-thirds vote Senate Bills 604, 594, 960, 694 and 958 were withdrawn from the Committee on Appropriations.

On motion by Senator W. D. Childers, the rules were waived and by two-thirds vote SR 861 was withdrawn from the Committee on Rules and Calendar.

On motions by Senator Barron, the rules were waived and by two-thirds vote Senate Bills 1145 and 679 were withdrawn from the Committee on Governmental Operations.

Honorable Lew Brantley
President of the Senate
The Capitol
Tallahassee, Florida 32304

May 3, 1978

REQUESTS FOR EXTENSION OF TIME May 4, 1978

Dear President Brantley:

By authority vested in me as Governor of Florida, under provisions of Article III, Section 8, of the Constitution of the State of Florida, I hereby withhold my approval of and transmit to you with my objections Senate Bill 354 enacted by the Fifth Legislature of Florida under the Florida Constitution, 1968 Revision, during the Regular Session of 1978, and entitled:

An act relating to the practice of psychology and the rendering of psychological services; amending s. 490.14(2), Florida Statutes; including within the definition of the practice of psychology the rendering of clinical, industrial, counseling and school psychology; amending s. 490.15(2), (3), Florida Statutes; adding one public member to the Board of Examiners of Psychology; providing a limitation on the number of terms each member of said board may serve; amending s. 490.16, Florida Statutes; providing quorum requirements for the board; requiring notice of meetings as required in chapter 120, Florida Statutes; amending s. 490.19(1), Florida Statutes, and adding subsection (6) to said section; prescribing the qualifications of an applicant for examination as a psychologist; providing for examination and licensure of certain professionals engaged in rendering psychological services; renumbering s. 490.25(2), (3), Florida Statutes, and adding a new subsection (2) to said section; authorizing the board to prescribe continuing education requirements for individuals licensed under chapter 490, Florida Statutes; providing an effective date.

This bill proposes a revision of Chapter 490, F.S., regarding the practice of psychology in Florida. It amends those provisions which address qualifications of applicants for examination by the State Board of Examiners of Psychology, and changes the membership of the Board. The intent of Senate Bill 354 is to lessen the restrictions for entry into the field and provide greater access to licensure as a psychologist.

In an effort to provide systematic legislative review of the need for, and the public benefits derived from, a program or function which licenses or otherwise regulates the initial entry into a profession, occupation, business, industry, or other endeavor, the Legislature enacted the Regulatory Reform Act of 1976. Specific legislative committees have been designated as those responsible for implementing review of the regulatory laws scheduled for repeal. The House and Senate Committees on Governmental Operations have been deeply involved in reviewing those twelve laws scheduled for repeal July 1, 1978. The House Committee involved in this review process, however, was excluded from review of Senate Bill 354.

Inherent in the sunset review process is consideration of the powers and duties of the Board and those of the Department of Professional and Occupational Regulation. The regulatory processes should be objective and fair, and insure that the health, safety and welfare of our citizens are being protected without restricting advertising or competition within the profession or occupation. Such a regulatory scheme assures that governmental regulation is both in the public interest and does not unduly restrict our free enterprise system.

While I am aware that this bill places a public member on the State Board of Examiners of Psychology, other changes that I have consistently recommended are missing. Those changes include departmental administration of the examining, licensing, investigative and legal functions. The resulting structure would place the Board in the proper role of establishing standards for entry into the profession as well as disciplining its members. Senate Bill 354 does not incorporate these recommended changes and as such does not strengthen the regulatory role of the department.

Some of the proposed revisions contained in this bill, such as lessening restrictions for entry into the field, are appropriate for consideration. However, the proper time to consider this kind of comprehensive reform is during 1979 when the Board of Examiners of Psychology is scheduled for its sunset review.

I have been advised by the Board of Examiners of Psychology that the American Psychological Association (APA) has adopted a clear standard to which the Board presently adheres. For licensure an applicant must possess a doctoral degree in psy-

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

- | | |
|---------------------------------------|---------------------------------------|
| SB 653 by Senator Wilson | SB 909 by Committee on Transportation |
| SB 670 by Senator Jon Thomas | SB 911 by Senator Scarborough |
| SB 863 by Senator Dunn | HB 506 by Committee on Transportation |
| SB 866 by Senator Vogt | |
| SB 869 by Senator Vogt | |
| SB 908 by Committee on Transportation | |

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

- | | |
|---------------------------|--------------------------|
| SB 338 by Senator Trask | SB 882 by Senator MacKay |
| SB 558 by Senator Skinner | SB 899 by Senator Trask |

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

- | | |
|---------------------------------------|--------------------------------------|
| SB 7 by Senator Graham | SB 428 by Senator MacKay and others |
| SB 8 by Senator Zinkil | SB 429 by Senator MacKay and others |
| SB 19 by Senator Scarborough & others | SB 435 by Senator MacKay and others |
| SB 33 by Senator Gorman | SB 478 by Senator Firestone |
| SB 48 by Senator Graham | SB 484 by Senator Firestone |
| SB 55 by Senator Zinkil and others | SB 555 by Senator Wilson |
| SB 69 by Senator Winn | SB 579 by Senator Gallen |
| SB 118 by Senator Peterson | SB 605 by Senator Scott |
| SB 190 by Senator Scott | SB 633 by Senator Saylor |
| SB 240 by Senator Henderson | SB 636 by Senator McClain and others |
| SB 370 by Senator McClain | |
| SB 407 by Senator Plante | |

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

- | | |
|------------------------------|---|
| SB 64 by Senator Myers | HB 253 by Representative Craig and others |
| SB 736 by Senator Spicola | HB 874 by Committee on Finance and Taxation |
| SB 889 by Senator Pat Thomas | |

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

- SB 667 by Senator Trask

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

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|------------------------------|---|
| SB 856 by Senator Ware | CS for HB 123 by Committee on Natural Resources |
| SB 857 by Senator Vogt | HB 183 by Representative Hagler |
| SB 880 by Senator Henderson | |
| HB 25 by Representative Hill | |

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

- | | |
|--------------------------|------------------------------------|
| SB 418 by Senator Barron | SB 495 by Senator Scott and others |
| SB 422 by Senator Myers | SB 611 by Senator Gordon |

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

- SCR 715 by Senator MacKay

MESSAGES FROM THE GOVERNOR

VETOED BILL 1978 REGULAR SESSION

The following message from the Governor was read:

chology from an APA approved program or its equivalent. This standard has been carefully tested in the courts. For the Legislature to adopt a different standard and waiver for previous students of a particular non-APA-accredited program would seem to cause substantial potential for further litigation.

The chairmen of the designated committee and subcommittee in the House have assured me that the proposals contained in Senate Bill 354 will be studied during the next year. To allow Senate Bill 354 to become law this year, however, would circumvent the intent of the Regulatory Reform Act of 1976 and abrogate the promises made to the public to thoroughly and periodically review the licensing and regulatory functions of the State.

For the above reasons, I am withholding my approval of Senate Bill 354, Regular Session of the Legislature, commencing on April 4, 1978, and do hereby veto the same.

Sincerely,
Reubin Askew
Governor

SB 354 (1978 Regular Session), together with the Governor's objections thereto, was referred to the Committee on Rules and Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed SB 147, SB 75.

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 101.

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 passed with amendments—

By the Committee on Appropriations—

SB 1100—A BILL TO BE ENTITLED AN ACT MAKING APPROPRIATIONS; PROVIDING MONEYS FOR THE ANNUAL PERIOD BEGINNING JULY 1, 1978 AND ENDING JUNE 30, 1979 TO PAY SALARIES, OTHER EXPENSES, CAPITAL OUTLAY-BUILDINGS AND IMPROVEMENTS, AND FOR OTHER SPECIFIED PURPOSES OF THE VARIOUS AGENCIES OF STATE GOVERNMENT; SUSPENDING SECTIONS 27.34(2), 27.54(3), 215.32(2)(C), 215.262, 216.292, 216.301, 216.351, 228.195(4), 230.765, 230.767(4), 235.435, 257.22, AND 402.17(3), FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

(Amendments attached to original bill.)

—and requests the concurrence of the Senate.

Allen Morris, Clerk

On motions by Senator Lewis, the Senate refused to concur in the House amendments to SB 1100 and the House was requested to recede and in the event the House refused to recede a conference committee was requested. The action of the Senate was certified to the House.

The President announced he had received the following communication from Chief Justice Ben F. Overton:

The Honorable Lew Brantley
President, The Florida Senate

May 4, 1978

Dear Mr. President:

In re Impeachment of Samuel S. Smith,
Circuit Judge.

It is my suggestion and recommendation that the Senate convene as a court of impeachment on May 12, 1978, to consider the subjects of a continuance of these proceedings and the representation of the respondent.

The respondent has filed motions raising these issues, and I held a hearing thereon on April 28, 1978. I will shortly file with you for distribution to the entire Senate my findings on the law and recommendations pertaining to these issues.

For your information I have been advised that the trial of the respondent in the United States District Court in New Orleans will be in recess on May 12, 1978.

Very truly yours,
Ben F. Overton
Chief Justice

Senator W. D. Childers moved that the Senate convene as a Court of Impeachment with the Chief Justice in the chair on May 12, 1978, at 9:00 a.m. for the purposes of hearing the Chief Justice's recommendations and findings, and the taking of final action on Judge Samuel Smith's Motion for Continuance and requests for appointed counsel. The motion was adopted. The vote was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Graham

Senator W. D. Childers moved that the Chief Justice be notified of the action taken and that he be requested to be present in the chair at 9:00 a.m. May 12. The motion was adopted. The vote was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Graham

MATTERS ON RECONSIDERATION

The motion by Senator Hair on May 3 that the Senate reconsider the vote by which—

SB 448—A bill to be entitled An act relating to law enforcement officers; amending s. 112.534, Florida Statutes; providing that certain law enforcement officers may seek an injunction to protect certain statutory rights; deleting enforcement provisions relating to the Police Standards and Training Commission and to the Department of Legal Affairs; adding subsections (10), (11), and (12) to s. 943.12, Florida Statutes; authorizing the commission to enter into contracts, to accept donations, and to revoke certificates upon specified grounds; amending s. 943.25(9), Florida Statutes; authorizing the commission to undertake specified duties relating to the training of peace officers; providing an effective date.

—passed on May 2, was taken up and adopted; and the Senate reconsidered the vote.

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

Amendment 4—Strike lines 21-31 on page 2 and lines 1-6 on page 3 and on page 1, line 12, after “donations” strike the comma and the language to the first semi-colon.

SB 448 as amended passed, was ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Votes after roll call:

Yea—Graham, Poston

SPECIAL ORDER

SCR 331—A concurrent resolution commending the 1977 Florida State University Seminole Football Team and its coaches.

—was read the second time in full. On motion by Senator Pat Thomas, SCR 331 was adopted and certified to the House. The vote on adoption was:

Yeas—34

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

Nays—None

The following Florida State University officials were recognized: Coach Bobby Bowden, Athletic Director John Bridgers, President Dr. Bernard Sliger and Acting Vice-President for University Relations Pat Hogan.

On motion by Senator Pat Thomas, the rules were waived and SCR 331 was ordered immediately certified to the House.

SCR 332—A concurrent resolution commending the Football Team and Coaches of Florida A & M University for their performance during 1977.

—was read the second time in full. On motion by Senator Pat Thomas SCR 332 was adopted and certified to the House. The vote on adoption was:

Yeas—32

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

Nays—None

Votes after roll call:

Yea—Graham, Hair, Holloway, Lewis

The following Florida A & M University officials were recognized: Coach Rudy Hubbard, Athletic Director Hansel Tookes, President Dr. Walter Smith and Public Relations Director Bob Allen.

On motion by Senator Pat Thomas, the rules were waived and SCR 332 was ordered immediately certified to the House.

By the Committee on Natural Resources and Conservation and Senator Henderson—

CS for CS for SB 503—A bill to be entitled An act relating to energy resources; amending s. 377.703, Florida Statutes; providing legislative intent; providing definitions; providing for the duties of the Department of Administration with respect to the energy emergency contingency plan; providing for the performance of certain functions consistent with the state energy policy; providing for certain information in energy forecasts published after 1980; prescribing information to be included in annual reports to the Legislature; providing for the promotion of energy conservation; providing for the preparation and distribution of information and materials to provide energy information to the citizens of the state; providing for the coordination of energy-related programs of state government; amending section 12 of chapter 74-186, Laws of Florida, relating to the development of information on the state's energy resources and establishing the Energy Data Center, to eliminate the automatic repeal on July 1, 1979; providing an effective date.

—was read the first time by title and CS for SB 503 and SB 503 were laid on the table.

On motions by Senator MacKay, by two-thirds vote CS for CS for SB 503 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Votes after roll call:

Yea—Graham, Hair, Holloway, Lewis, Peterson

SB 695—A bill to be entitled An act relating to water management districts; amending s. 373.069(2)(d) and (e), Florida Statutes, changing the boundaries of the Southwest Florida Water Management District and the South Florida Water Management District; providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote SB 695 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Votes after roll call:

Yea—Glisson, Graham, Hair, Renick

SB 646—A bill to be entitled An act relating to the disposition of unclaimed personal property; amending s. 925.06(1), Florida Statutes; providing that unclaimed personal property, in custody after a criminal proceeding, may be retained by sheriffs for

departmental use, and title shall permanently vest in the county, if the property is not claimed within a specified period; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote SB 646 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Votes after roll call:

Yea—Graham, Hair

SB 774—A bill to be entitled An act relating to ad valorem taxation of tangible personal property; adding s. 195.027(4)(c), Florida Statutes; providing that the assessed value of any item of tangible personal property not exceed the depreciated value of such item when depreciated pursuant to the straight line method allowed by the United States Internal Revenue Code; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote SB 774 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Dunn

Vote after roll call:

Nay—Graham

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 second time by title. On motion by Senator Spicola, by two-thirds vote SB 782 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—1

Gordon

Vote after roll call:

Yea—Graham

On motion by Senator Pat Thomas, consideration of SB 457 was deferred.

On motion by Senator Spicola, consideration of SB 425 was deferred.

By the Committee on Commerce and Senator Scarborough—

CS for SB 508—A bill to be entitled An act relating to motor vehicle registration; amending s. 319.23(5), Florida Statutes; changing the time period from 10 days to 20 days during which the title of a newly acquired vehicle shall be transferred without penalty; adding s. 320.01(25)(d), Florida Statutes; providing that the transfer of a license plate from a vehicle disposed of to a newly acquired vehicle does not constitute a new registration; amending s. 320.02(4), Florida Statutes; providing that a notarized affidavit affirming personal injury protection or liability insurance shall be sufficient proof to issue a registration; exempting motor vehicle dealers from liability; renumbering s. 320.131(3), (4), Florida Statutes, and adding a new subsection (3) to said section; providing that the issuance of a temporary tag does not constitute registration; providing an effective date.

—was read the first time by title and SB 508 was laid on the table.

On motions by Senator W. D. Childers, by two-thirds vote CS for SB 508 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Graham

SB 655—A bill to be entitled An act relating to taxation; amending s. 199.242(3), Florida Statutes; including payment or tender of interest, or filing of a bond conditioned on such payment, as a prerequisite to judicial review of intangible personal property tax assessments; adding s. 214.25(4), Florida Statutes; providing prerequisite for judicial review of certain nonproperty taxes or penalties; providing an effective date.

—was read the second time by title. On motion by Senator Gordon, by two-thirds vote SB 655 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Graham

On motion by Senator Gordon, the rules were waived and SB 655 was ordered immediately certified to the House.

Senator Trask presiding

SB 656—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03(1)(h), (2), Florida Statutes; defining the term "Internal Revenue Code" as used in the Florida Income Tax Code; providing an effective date..

—was read the second time by title.

The Committee on Finance, Taxation and Claims offered the following amendments which were moved by Senator Gordon and adopted:

Amendment 1—On page 1, strike all of lines 17, 18, 19 and insert: Section 1. Subsection (1) paragraph (h), and subsection (2) paragraph (c) of section 220.03, Florida Statutes, are amended to read:

Amendment 2—On page 2, line 16, after "law." insert: It is the intent of the legislature that all amendments to the Internal Revenue Code shall be given effect under the Florida Income Tax Code in such manner and for such periods as are prescribed in the Internal Revenue Code, to the same extent as if such amendments had been adopted by the legislature of the state.

Amendment 3—On page 1 in title, line 3, after (2) and before the comma insert: (c)

On motion by Senator Gordon, by two-thirds vote SB 656 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

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

Nays—1

Dunn

Vote after roll call:

Yea—Graham

On motion by Senator Gordon, the rules were waived and SB 656 after being engrossed was ordered immediately certified to the House.

On motion by Senator MacKay, the rules were waived and the Senate immediately reconsidered the vote by which CS for SB 503 passed this day.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1275 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Dyer—

HB 1275—A bill to be entitled An act relating to energy resources; amending s. 377.703, Florida Statutes; providing legislative intent; providing definitions; providing for the duties of the Department of Administration with respect to the energy emergency contingency plan; providing for the performance of certain functions consistent with the state energy policy; providing for certain information in energy forecasts published after 1980; prescribing information to be included in annual

reports to the Legislature; providing for the promotion of energy conservation; providing for the preparation and distribution of information and materials to provide energy information to the citizens of the state; providing for the coordination of energy-related programs of state government; amending section 12 of chapter 74-186, Laws of Florida, relating to the development of information on the state's energy resources and establishing the Energy Data Center, to eliminate the automatic repeal on July 1, 1979; providing an effective date.

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

Special Order, continued

On motions by Senator MacKay, by two-thirds vote HB 1275 was withdrawn from the Committees on Governmental Operations and Appropriations.

On motion by Senator MacKay, by two-thirds vote HB 1275 a companion measure was substituted for CS for CS for SB 503 and by two-thirds vote read the second time by title. On motion by Senator MacKay, by two-thirds vote HB 1275 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Graham

CS for CS for SB 503 was laid on the table.

On motion by Senator MacKay, the rules were waived and HB 1275 was ordered immediately certified to the House.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 650 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Kiser—

HB 650—A bill to be entitled An act relating to intangible personal property tax; adding subsection (5) to s. 199.262, Florida Statutes; providing that when a tax execution levied for delinquent intangible personal property taxes becomes void, the Department of Revenue and certain other officials shall cancel the same of record upon request; providing an effective date.

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

Special Order, continued

CS for SB 657, by the Committee on Finance, Taxation and Claims, was read the first time by title and SB 657 was laid on the table. On motion by Senator Gordon, by two-thirds vote HB 650 was withdrawn from the Committee on Finance, Taxation and Claims and placed on the calendar.

On motion by Senator Gordon, HB 650, a companion measure, was substituted for CS for SB 657 and by two-thirds vote read

the second time by title. On motion by Senator Gordon, by two-thirds vote HB 650 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28

Barron	Gallen	MacKay	Thomas, Pat
Castor	Glisson	McClain	Tobiassen
Chamberlin	Gordon	Myers	Trask
Childers, Don	Gorman	Peterson	Vogt
Childers, W. D.	Hair	Poston	Ware
Dunn	Johnston	Renick	Winn
Firestone	Lewis	Thomas, Jon	Zinkil

Nays—None

Votes after roll call:

Yea—Graham, Scott

CS for SB 657 was laid on the table.

SB 658—A bill to be entitled An act relating to the Florida Income Tax Code; amending s. 220.13(1)(b), Florida Statutes; allowing, in computing adjusted federal income, a deduction of a portion of certain wages and salaries paid or incurred; providing for retroactive operation; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 3, strike lines 21 through 26 and insert: *3. There shall be subtracted from such taxable income the amount of wages and salaries paid or incurred for the taxable year for which no deduction is allowed pursuant to section 280 C of the Internal Revenue Code (relating to credit for employment of certain new employees).*

On motion by Senator Gordon, by two-thirds vote SB 658 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—27

Barron	Gallen	MacKay	Thomas, Pat
Castor	Glisson	McClain	Tobiassen
Chamberlin	Gordon	Myers	Trask
Childers, Don	Gorman	Peterson	Vogt
Childers, W. D.	Hair	Poston	Winn
Dunn	Johnston	Renick	Zinkil
Firestone	Lewis	Thomas, Jon	

Nays—None

Votes after roll call:

Yea—Graham, Scott, Ware

On motion by Senator Gordon, the rules were waived and SB 658 after being engrossed was ordered immediately certified to the House.

SB 659—A bill to be entitled An act relating to the intangible personal property tax; amending s. 199.052(2), Florida Statutes; specifying when agents, fiduciaries, and other persons are required to file and pay the tax; providing an effective date.

—was read the second time by title. On motion by Senator Gordon, by two-thirds vote SB 659 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Barron	Childers, W. D.	Glisson	Hair
Castor	Dunn	Gordon	Holloway
Chamberlin	Firestone	Gorman	Johnston
Childers, Don	Gallen	Graham	MacKay

McClain	Renick	Trask	Zinkil
Myers	Thomas, Jon	Vogt	
Peterson	Thomas, Pat	Ware	
Poston	Tobiassen	Winn	

Nays—1

Lewis

Vote after roll call:

Yea—Scott

On motion by Senator Gordon, the rules were waived and SB 659 was ordered immediately certified to the House.

SB 660—A bill to be entitled An act relating to taxation; creating s. 192.105, Florida Statutes; prohibiting the disclosure of certain federal tax information; providing exceptions; providing a penalty; providing an effective date.

—was read the second time by title. On motion by Senator Gordon, by two-thirds vote SB 660 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Scott

On motion by Senator Gordon, the rules were waived and SB 660 was ordered immediately certified to the House.

The President presiding

SB 661—A bill to be entitled An act relating to taxation; amending s. 220.222(1), Florida Statutes; providing the time for filing certain corporate income tax returns; providing an effective date.

—was read the second time by title. On motion by Senator Gordon, by two-thirds vote SB 661 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Scott

On motion by Senator Gordon, the rules were waived and SB 661 was ordered immediately certified to the House.

SB 623—A bill to be entitled An act relating to motor vehicle noise abatement; amending s. 316.293(3), Florida Statutes, authorizing any law enforcement officer to arrest any driver of a motor vehicle who is in violation of the motor vehicle noise abatement law under certain circumstances; providing for the testimony of persons operating certain noise level measurement devices; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 623 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Scott

CO-INTRODUCERS

Senator Peterson—SB 383; Senator Trask—SB 774

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 3 was corrected and approved as follows: Page 300, counting from bottom of column 2, strike lines 19 and 20 and insert between lines 23 and 24 in column 1

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 10:08 a.m. to convene at 8:30 a.m., Friday, May 5, 1978 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions.