



Journal of the Senate

Number 30

Thursday, May 18, 1978

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

INTRODUCTION

By Senators Myers, Firestone, Poston, Graham, Gordon, Winn, Renick and Holloway—

SCR 1343—A resolution honoring Mr. Victor Lopez, Florida Teacher of the Year, 1979.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1189 and HB 2113 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Hector—

HB 1189—A bill to be entitled An act relating to alcoholic beverage containers; amending ss. 565.05 and 565.10, Florida Statutes, relating to the purchase, sale, and distribution of distilled spirits in containers of liter measure; providing an effective date.

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

By the Committee on Appropriations and Representatives Bloom and Steinberg—

HB 2113—A bill to be entitled An act relating to education; amending s. 230.23(4)(m), Florida Statutes, relating to due process in the evaluation and placement of exceptional students; including Sarasota County within the Manatee County Community College District; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 2075 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Governmental Operations—

HB 2075—A bill to be entitled An act relating to governmental reorganization; amending s. 20.17(2), Florida Statutes; removing from the Department of Commerce the Divisions of Labor and Employment Security; creating the Economic Development Advisory Council and the Tourism Advisory Council within the Department of Commerce; providing for powers and duties of the Department of Commerce; creating s. 20.265, Florida Statutes; creating the Department of Labor and Employment Security, including the Division of Labor, Division of Employment Security, Public Employees Relations Commission, Industrial Relations Commission and Board of Review; providing a penalty for extracting or providing to another for other than statutory purposes information compiled by the

Division of Employment Security; directing that certain changes be made in the Florida Statutes, to conform to the provisions of this act; repealing s. 288.347, Florida Statutes, relating to the Tourism Advisory Council; providing an appropriation; providing effective dates.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 1245, HB 1722 and CS for HB 1206 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Appropriations—

HB 1245—A bill to be entitled An act relating to the State-Federal Relations Trust Fund; adding subsection (5) to s. 215.195, Florida Statutes, providing for the composition of the fund as of June 30 of each year; providing for disposition of excess moneys deposited in the trust fund; providing an effective date.

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

By Representative Jones—

HB 1722—A bill to be entitled An act relating to the state highway system; amending s. 335.13(3), Florida Statutes, adding transit shelters to provisions of the Florida Transportation Code which exempt certain benches from advertising sign regulations on the rights-of-way of certain roads; authorizing the removal of transit shelters by the Department of Transportation; providing that placement of transit shelters on road rights-of-way shall not conflict with the requirements of federal law, regulations or safety standards; providing an effective date.

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

By the Committees on Commerce and Veterans Affairs—

CS for HB 1206—A bill to be entitled An act relating to retail installment sales; adding subsection (5) to s. 520.08, Florida Statutes, providing for an exception from the finance charge limitations of subsection (1) on retail installment contracts made pursuant to certain commitments issued by the Veterans Administration or the Federal Housing Administration; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1382 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Craig—

HB 1382—A bill to be entitled An act relating to institutions of higher learning; creating s. 241.365, Florida Statutes, establishing a research laboratory for experimental marine biology and medicine in Flagler and St. Johns Counties; authorizing the University of Florida to accept funds on behalf of the laboratory; exempting the laboratory from provisions requiring cer-

tain agency approval prior to engaging in a construction or lease contract; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 914 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Education and Representative Tucker—

CS for HB 914—A bill to be entitled An act relating to the public school system; creating s. 232.0225, Florida Statutes, to allow absence from school attendance for participation in religious instruction under certain circumstances; providing conditions for district school board permission; authorizing the school principal to refuse a student's request for released time; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 150 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Criminal Justice and Representative Richard and others—

CS for HB 150—A bill to be entitled An act relating to criminal penalties and sentencing; providing a short title; amending s. 775.082, Florida Statutes, to provide determinate terms of imprisonment; amending s. 775.084, Florida Statutes, providing for enhancement of criminal penalties; providing definitions; creating s. 921.175, Florida Statutes, providing a list of disposition and sentencing alternatives; amending s. 921.18, Florida Statutes, providing legislative findings and declarations; creating s. 921.181, Florida Statutes, providing for imposition of sentence; creating s. 921.182, Florida Statutes, providing for the imposition of multiple terms of imprisonment; amending s. 921.185, Florida Statutes, establishing factors in aggravation and mitigation; authorizing additional factors in aggravation and mitigation; amending s. 921.21, Florida Statutes, conforming provisions relating to progress reports to the Parole and Probation Commission; requiring a prisoner to serve a minimum term prior to parole; limiting the period of parole; amending s. 921.22, Florida Statutes, providing for recalculation of existing sentences; amending s. 944.09, Florida Statutes, relating to supervision of offenders; providing for notice of the provisions of this act; creating s. 944.275, Florida Statutes, providing for different categories of gain-time; amending s. 947.16, Florida Statutes, providing for eligibility for parole; establishing powers and duties of the commission; limiting the maximum period of parole; amending s. 947.21, Florida Statutes, providing for confinement for a violation of parole; amending s. 947.23(2), Florida Statutes, specifying the term of confinement following parole violation; providing for report to the Legislature by the Bureau of Criminal Justice Planning and Assistance of the Division of State Planning of the Department of Administration; providing for assistance and cooperation by other state agencies; amending s. 775.087, Florida Statutes, deleting provisions relating to felony reclassifications; repealing s. 921.16, Florida Statutes, relating to consecutive and concurrent sentences; repealing ss. 944.27, 944.271, and 944.29, Florida Statutes, to remove provisions relating to statutory gain-time and good-time allowances; providing for automatic repeal upon certain contingency; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted as amended HCR 2001 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Craig—

HCR 2001—A concurrent resolution honoring E. Ross Allen for his accomplishments and his service to the State of Florida.

—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 as amended HB 777, HB 1194 and HB 405 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Bloom and Hazelton—

HB 777—A bill to be entitled An act relating to insurance; creating ss. 627.645 and 627.6675, Florida Statutes, requiring that disability insurance policies and group, blanket or franchise policies providing hospital or medical expense coverage provide for conversion of such policies upon termination of the insured's eligibility for coverage under certain circumstances; providing an effective date.

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

By Representative R. Moore and others—

HB 1194—A bill to be entitled An act relating to county budgets; amending s. 129.01(2)(b), Florida Statutes, providing that both the receipts and appropriations divisions of county annual budgets shall reflect countywide and non-countywide revenues and expenditures; creating s. 129.021, Florida Statutes, requiring all county officers to submit certain budget information to the Board of County Commissioners; providing an effective date.

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

By Representative Healey and others—

HB 405—A bill to be entitled An act relating to automobile liability insurance; amending s. 626.9541(15)(c), Florida Statutes, prohibiting automobile liability insurers from imposing or requesting an additional premium for insurance, or refusing to renew a policy, solely because the insured was involved in an automobile accident where the insured was not convicted of a moving traffic violation in connection with the accident; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 339 and HB 1138 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Community Affairs and Representative McPherson—

HB 339—A bill to be entitled An act relating to state financial assistance for community services; amending s. 409.503(4), Florida Statutes, redefining the term "program for community services" with respect to the "Florida Financial Assistance for Community Services Act of 1974"; amending s. 409.504(2), (3), and (4)(b), Florida Statutes, providing, with respect to the Community Service Trust Fund, that federally recognized Indian tribes may apply for financial assistance; changing the requirement for distribution of trust funds to

equal quarterly payments in advance; directing the Department of Community Affairs to establish certain procedures with respect to certain committees appointed to consider applications under the fund; providing an effective date.

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

By Representative Gustafson—

HB 1138—A bill to be entitled An act relating to relief acts; amending s. 11.02, Florida Statutes, and adding a subsection to s. 11.065, Florida Statutes, requiring advance notice of certain relief acts in the manner presently provided for special or local legislation; providing the content of such notice; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 531 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Elections and Representative Danson and others—

CS for HB 531—A bill to be entitled An act relating to campaign financing; amending s. 106.011(3) and (4), Florida Statutes, including transfers of funds to certain savings accounts or to certificates of deposit and earned interest within the definition of "contribution"; including certain transfers of campaign funds within the definition of "expenditure"; amending s. 106.021(1)(b), Florida Statutes, permitting a candidate's campaign treasurer or deputy treasurer to deposit unneeded campaign funds in a savings account or to purchase a certificate of deposit; requiring such accounts or certificates to be separate from other savings accounts or certificates of deposit; restricting the withdrawal of funds therefrom; amending s. 106.06, Florida Statutes, requiring certain records; permitting certain inspection of such accounts or certificates of deposit; adding a paragraph to s. 106.07(4), Florida Statutes, requiring campaign expenditures and contributions reports to contain certain information with respect to such accounts and certificates; adding subsection (6) to s. 106.08, Florida Statutes, exempting transfers of funds to such accounts and certificates, and earned interest, from certain provisions limiting and restricting contributions; adding a new subsection (4) to s. 106.141, Florida Statutes, requiring the transfer of funds in such accounts and certificates to the campaign account of a candidate for disposal upon his withdrawal, elimination, or election; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 29 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Cox and Adams—

HB 29—A bill to be entitled An act relating to professional optometric advertising; amending s. 463.14(1), Florida Statutes, amending s. 463.14(2), Florida Statutes; amending s. 463.11(2)(d), Florida Statutes; requiring the Florida State Board of Optometry to adopt rules regulating professional optometric advertising; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 1045 and HB 2110 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Kershaw—

HB 1045—A bill to be entitled An act relating to the State University System; creating s. 240.145, Florida Statutes, prohibiting the merger of state universities without legislative approval; providing an effective date.

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

By the Committee on Standards & Conduct—

HB 2110—A bill to be entitled An act relating to qualifications for public office; amending s. 99.012(6), Florida Statutes; requiring financial disclosure under the State Constitution as a qualification for election to certain public offices; providing an effective date.

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

The Honorable Lew Brantley, President

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

CS for HB 785	HB 1442	HB 1031
HB 968	HB 1129	HB 1462
HB 1174	HB 1001	HB 1354
HB 1261	HB 1176	HB 1357
HB 1355	HB 1349	HB 1063
HB 1358	HB 1356	HB 1363
HB 1143	HB 1360	HB 1368
HB 1362	HB 1292	HB 1437
HB 1425	HB 1366	HB 1449
HB 1441	HB 1436	HB 1466
HB 1450	HB 1465	CS for CS for
HB 1468	HB 1472	HB 1467
HB 1481	HB 1482	HB 1500
HB 1510	HB 1518	HB 1527
HB 1542	HB 1599	HB 2094

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Community Affairs and Representative Burrall and others—

CS for HB 785—A bill to be entitled An act relating to Charlotte County; authorizing the Board of County Commissioners of Charlotte County to grant a nonexclusive franchise to any person, municipality, private corporation, or other entity to construct, maintain, repair, operate and remove lines, poles and facilities within the unincorporated areas of Charlotte County over, on, under, across and along any county highway, road, easement, or right-of-way, or other public property of the County for the transmission, distribution or sale of electricity; providing for the term of such nonexclusive franchises; providing for the payment of a fee to Charlotte County for such right and privilege; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representatives Richmond and Culbreath—

HB 1129—A bill to be entitled An act relating to Pasco County; amending section 1 of chapter 8156, Laws of Florida, 1919, to provide that certain fishing prohibitions in the Pithlachascotee River shall not be deemed to apply to the use of traps for the taking of blue crabs; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Patchett—

HB 968—A bill to be entitled An act relating to Indian River County; amending section 7-A of chapter 24600, Laws of Florida, 1947, as created by chapter 61-2278, Laws of Florida, to increase the amount that the Board of Commissioners of

Indian River Mosquito Control District is authorized to expend for purchase of goods, supplies, or materials for the use of the district, without notice or bid required; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Craig—

HB 1001—A bill to be entitled An act relating to the Town of St. Augustine Beach, St. Johns County; changing the designated name of the town and town clerk; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representatives Cassens and Patchett—

HB 1031—A bill to be entitled An act relating to the City of Fort Pierce, St. Lucie County; amending section 6 of chapter 59-1806, Laws of Florida, as amended, to provide that the board of county commissioners of St. Lucie county shall be ex officio the board of commissioners of the St. Lucie County-Fort Pierce Fire Prevention and Control District; repealing sections 7 and 9 of chapter 59-1806, Laws of Florida, relating to composition of the board and compensation thereof; providing for a referendum.

Proof of publication of the required notice was attached.

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

By Representative Allen—

HB 1174—A bill to be entitled An act relating to Monroe County; repealing chapters 75-444 and 75-447, Laws of Florida, which provide for traveling expenses and per diem for the County Property Appraiser while attending to official business beyond the limit of said county; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Allen—

HB 1176—A bill to be entitled An act relating to Monroe County, City of Key West; amending section 6 of chapter A, Article 7 of chapter 23374, Laws of Florida, 1945, as amended by chapter 30899, Laws of Florida, 1955, and chapter 61-2345, Laws of Florida, by setting the Mayor's salary at \$3600.00 annually, payable in monthly installments of \$300.00 each and the Commissioners' salaries of said City at \$2700.00 annually, payable in monthly installments of \$225.00 each; repealing all laws, whether general or special, particularly chapter 23374, Laws of Florida, 1945, as amended by chapter 30899, Laws of Florida, 1955, to the extent of conflict with this act; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative McPherson and others—

HB 1462—A bill to be entitled An act relating to Broward County; amending sections 1 and 2 of chapter 73-414, Laws of Florida, providing all members of the District School Board of Broward County shall be elected from residence districts as prescribed by general law; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representatives Cassens and Patchett—

HB 1261—A bill to be entitled An act relating to St. Lucie County; authorizing the District School Board of said County to enter into contracts for group insurance for certain employees of said District School Board; providing for contributions by such employees in payment of premiums on such insurance; providing participation shall be voluntary; repealing all laws or parts of laws in conflict herewith; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representatives Taylor and Cassens—

HB 1349—A bill to be entitled An act relating to Martin County; amending section 2 of chapter 65-1906, Laws of Florida, as amended, regarding payment of hospitalization of indigent residents; allowing the board of county commissioners to pay administrative costs and costs of doctors' services incidental to and included in the cost of hospital care of indigent residents; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Mica and others—

HB 1354—A bill to be entitled An act relating to the Greater Orlando Aviation Authority Act, Orange County; amending sections 3 and 12 of chapter 57-1658, Laws of Florida, as amended, prescribing the nomination, election, removal, qualifications, and terms of members of the authority including the term of its chairman; prescribing the method and procedure for the authority to adopt its annual budget; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Mica and others—

HB 1355—A bill to be entitled An act relating to the City of Orlando, Orange County; amending section 2 of chapter 57-1655, Laws of Florida, relating to provisions relating to the application of laws and ordinances on land and property owned or controlled by the city located outside the corporate limits of the city, to provide for enforcement by the city of laws of the State of Florida, including misdemeanor and felony laws, on such land and property; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Mica and others—

HB 1356—A bill to be entitled An act relating to Orange County; relating to the transfer of funds by the Orange County Comptroller or his designee; authorizing the Orange County Comptroller or his designee to use bank debit and credit advices to transfer funds for investment purposes by oral instructions within the Orange County depository; authorizing the Orange County Comptroller or his designee to wire transfer funds from one county depository to other county depositories for investment purposes by written instructions signed by the Orange County Comptroller or his designee; providing an effective date.

Proof of publication of the required notice was attached.

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

By the Committee on Elections and Representative Fortune and others—

HB 1357—A bill to be entitled An act relating to Santa Rosa County; repealing chapter 31259, Laws of Florida, 1955, re-

lating to the creation of the Santa Rosa County Election Commission; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Taylor and others—

HB 1358—A bill to be entitled An act relating to Jupiter Inlet District, a special taxing district in Palm Beach County; amending section 5 of chapter 8910, Laws of Florida, 1921, in order to increase and augment the compensation and/or expense allowances payable to the members of the Board of Commissioners of the District, so as to bring said compensation and/or expense allowances into greater conformity with current economic conditions and the increased services and responsibilities of the individual commissioners and officers of the Board; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representatives Mann and Nuckolls—

HB 1360—A bill to be entitled An act relating to Lee County; repealing and revoking the August 16, 1972, resolution of the Board of County Commissioners of Lee County, which designated and established, pursuant to chapter 153, part I, Florida Statutes, the East Fort Myers Sewer District; repealing and revoking the October 11, 1972, resolution of the Board of County Commissioners of Lee County, which designated and established pursuant to chapter 153, part I, Florida Statutes, the East Fort Myers Sewer District; providing for the dissolution of the East Fort Myers Sewer District; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representatives Cassens and Patchett—

HB 1063—A bill to be entitled An act relating to St. Lucie County; amending chapter 12033, Laws of Florida, 1927, authorizing the Board of Supervisors of Fort Pierce Farms Water Management District to levy a uniform maintenance tax upon the taxable lands of said district, in order to allow annual levies not exceeding \$3 per acre on taxable lands; amending chapter 25447, Laws of Florida, 1949, authorizing the Board of Supervisors of Fort Pierce Farms Water Management district to assess and levy a minimum maintenance tax upon each tract or parcel of land within said district without regard to the net assessments of benefits assessed as accruing for original construction, in order to allow annual levies not exceeding \$3 upon each such tract or parcel less than one acre in size; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Burrall and others—

HB 1143—A bill to be entitled An act relating to Charlotte County; authorizing the Board of County Commissioners to create special taxing districts for the maintenance of canals, waterways, and channels; providing a procedure therefor; providing for a referendum prior to the creation of any district; providing for the expenses of creation; providing the powers of the district; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representatives Mann and Nuckolls—

HB 1292—A bill to be entitled An act relating to the North Fort Myers Fire Control District, Lee County; amending section 6 of chapter 30925, Laws of Florida, 1955, as amended;

providing for a maximum millage levy of 1.5 mills; providing a referendum; providing an effective date.

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

By Representative Mica and others—

HB 1363—A bill to be entitled An act relating to Orange County; amending section 5(5)(b) of chapter 71-803, Laws of Florida, as amended, providing that no tax revenues from the Local Option Tourist Development Tax shall be transmitted to the authority unless provided for in the Orange County's Tourist Development Plan; removing present provisions relating to the transmitting of such excise tax funds; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Hodges—

HB 1362—A bill to be entitled An act abolishing the City of Williston, Levy County, Florida, and creation of a new municipality to be known as the City of Williston, Levy County, Florida; providing for council and mayor form of government; providing for the powers and duties of the city council; providing for control of city owned property outside city limits; providing for franchises not to exceed fifteen (15) years; providing eligibility and election of city council and mayor and appointment of officers and employees of the city; providing for compensation of council and mayor; providing for meeting of council, voting, records to be kept, audit, and procedures thereto; providing for city clerk and city manager their duties, powers, and appointment; providing for employment of department heads, the creation of departments of the city government; providing for the financial procedures, preparation and adoption of budget and hearing thereon, transfer of funds within the budget; providing for purchasing equipment and the borrowing of money by council; providing for planning and zoning; providing for removal for cause of councilmen, mayor, and officers of the city; providing for issuance of general obligation bonds, revenue bonds, excise and assessment bonds; providing for utilities, ownership, operation and maintenance thereof; providing for ownership and operation of a city hospital, the appointment of board of trustees, officers of the board of trustees; providing that the hospital will be a body corporate, that the hospital is a public purpose, regulation of staff, authority of the hospital board to borrow money within limitations; providing for minimum housing code; providing for financial conflicts of interest and prohibition of officers of the city in the performance of their duties; providing for the orderly transition from the old to the new charter, transfer of obligations, contracts, claims, and the like; providing a severability clause; providing for the repeal of laws in conflict and old charter provisions; and providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Hawkins—

HB 1366—A bill to be entitled An act relating to the Pelican Bay Improvement District, Collier County; adding subsections (26) and (27) to section 5 of chapter 74-462, Laws of Florida, allowing additional powers; amending section 52 of chapter 74-462, Laws of Florida, relating to restrictions on powers; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Hawkins and others—

HB 1368—A bill to be entitled An act relating to Hendry County; repealing chapter 61-2226, Laws of Florida, which provides an appropriation for the purpose of advertising and promoting Hendry County; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Forbes and others—

HB 1425—A bill to be entitled An act relating to the City of Jacksonville; amending section 4 of chapter 18615, Laws of Florida, 1937, as amended, to authorize the trustees of the pension fund thereby created to invest in obligations of government sponsored enterprises of the United States Government, or in commercial paper rated A-1 or P-1 by a nationally recognized rating service, or in bankers acceptances of United States Banks rated AAA by a nationally recognized rating service; providing that a retired person from said fund elected by the members of the Retiree's Association be on the advisory committee; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Forbes and others—

HB 1436—A bill to be entitled An act relating to the 1945 pension fund for employees of Duval County; amending section 4 of chapter 23259, Laws of Florida, 1945, as amended, to enlarge the number of members of the Pension Advisory Committee to include one person who has retired from said fund and shall be elected by a majority of the membership of the Retirees' Association voting in said election; providing for clarification of majority vote in elections; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Forbes and others—

HB 1437—A bill to be entitled An act relating to the Consolidated City of Jacksonville, Duval County; providing that Albert J. Kinard, an employee of the City of Jacksonville, may, for retirement purposes only, connect time while he was employed by the City of Jacksonville to time while was employed by Duval County and, subsequently, the Consolidated City of Jacksonville, provided that certain contributions are made to the Duval County pension fund by Albert J. Kinard; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Forbes and others—

HB 1441—A bill to be entitled An act relating to the City of Jacksonville, Duval County; amending section 4 of chapter 18610, Laws of Florida, 1937, as amended, so as to authorize the trustees of the pension fund thereby created to invest in obligations of government sponsored enterprises of the United States Government, or in commercial paper rated A-1 or P-1 by a nationally recognized rating service, or in bankers' acceptances of United States Banks rated AAA by a nationally recognized rating service; providing for clarification of requirements for majority vote in elections; providing for a retired person who was a member of said fund to be elected by a majority of the membership of the Retiree's Association voting in said election to serve on the advisory committee of said fund; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Foster and others—

HB 1449—A bill to be entitled An act relating to Hillsborough County; amending sections 1, 2(1), 3(1) and (8), 8(1)(a), (3) and (4)(c) and 9 of chapter 76-383, Laws of Florida, and adding paragraph (d) to section 8(4) thereof; providing jurisdiction, membership and powers of the Consolidated Taxicab Commission; redefining "taxicab" and "taxicab inspector"; providing requirements relating to age of equipment; providing for investigation of applicants; providing authorization to receive certain criminal history record information; providing for refusal of public vehicle driver's license under certain conditions;

providing for enforcement; providing for taxicab inspectors and their powers and duties; repealing chapter 76-383, Laws of Florida, as amended, effective October 1, 1979, to abolish the commission; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Sheldon and others—

HB 1450—A bill to be entitled An act relating to Hillsborough County and the Tampa Sports Authority; amending s. 15-A(1) of chapter 65-2307, Laws of Florida, relating to the power of the Tampa Sports Authority to contract for the construction, repair, or alteration of real property or the purchase, lease, construction, repair, or alteration of personal property; providing that purchases by the Tampa Sports Authority in excess of one thousand dollars (\$1,000) shall be let on the basis of competitive bids and that purchases in excess of five thousand dollars (\$5,000) shall be advertised and let on the basis of competitive bids; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative McPherson and others—

HB 1465—A bill to be entitled An act relating to Broward County; dissolving inactive drainage and water management districts within Broward County; abolishing, specifically, the Davie Farm Sub-Drainage District, created in 1914 and having no known statutory reference; the Little Pine Island Sub-Drainage District, created in 1914 and having no known statutory reference; the Paradise Valley Drainage District, having no known statutory reference; the East Marsh Drainage District, created by chapter 7434, Laws of Florida, 1917, as amended; the Fern Crest Improvement District, created by chapter 31464, Laws of Florida, 1956, as amended; the New River Drainage District, created by chapter 10383, Laws of Florida, 1925; the Tatum Road Drainage District, created by chapter 8395, Laws of Florida, 1919; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative McPherson and others—

HB 1466—A bill to be entitled An act relating to Broward County, Florida, abolishing the Broward County Fire Control Commission; transferring the Broward County Fire Control District and its subdistricts to the jurisdiction of the Board of County Commissioners for Broward County, Florida; providing for the transfer of the Fire Control district assets to the Board of County Commissioners of Broward County, Florida; providing for the payment of duties, obligations, franchises, licenses and contracts of the Broward County Fire Control District; providing for the resolution of contested property rights of the Broward County Fire Control District in favor of Broward County; providing for the continuation of the district's boundaries, rules, regulations, ordinances, resolutions, and assessments until repealed, amended or modified by the Broward County Board of County Commissioners; providing for the continuation of the subdistricts' boundaries until repealed, amended or modified by the Broward County Board of County Commissioners; repealing chapters 69-911, 71-560, 73-423, Laws of Florida, relating to the Broward County Fire Control Commission and the Broward County Fire Control District; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Young and others—

HB 1468—A bill to be entitled An act relating to Broward County; authorizing the School Board of Broward County, Florida, to establish an annual fund in the amount of two thousand dollars (\$2,000.00) for the use of the Superintendent

to defray expenses related to the office of the Superintendent; providing the manner whereby these funds may be withdrawn; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representatives Thompson and Rish—

HB 1472—A bill to be entitled An act relating to Gadsden County; providing that the provisions of Chapter 421, Florida Statutes, relating to Housing Authorities shall apply to the Town of Gretna; providing an effective date.

Proof of publication of the required notice was attached.

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

By the Committees on Finance & Taxation and Community Affairs and Representative O'Malley and others—

CS for CS for HB 1467—A bill to be entitled An act relating to the City of Sunrise, Broward County; authorizing the city to establish within its boundaries a recreation district or districts; providing for the government and powers of such districts, including the power to issue bonds and levy taxes for the payment thereof after a referendum approving such bonds, and the power to issue revenue bonds; establishing a method for challenging the charter of any such district or any part thereof or amendment thereto; limiting the time for any such challenge to be brought, and making other provisions in connection with the foregoing; providing an effective date.

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

By Representative Burnsed and others—

HB 1481—A bill to be entitled An act relating to Highlands County; repealing chapter 24557, Laws of Florida, 1947, relating to the substitution of the Supervisor of Registration of Highlands County for the County Tax Collector as agent to sell and distribute motor vehicle license plates; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Mixson—

HB 1482—A bill to be entitled An act relating to Holmes County; amending section 2 of chapter 23342, Laws of Florida, 1945, as amended, relating to the cost of publishing the minutes of the board of county commissioners and/or of the district school board; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Dyer and others—

HB 1500—A bill to be entitled An act relating to the City of Hallandale, Broward County; extending and enlarging the corporate limits of the city; providing for the assumption of duties, powers, and responsibilities over the annexed territory; providing for the transfer of governmental interest in real property; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Allen—

HB 1510—A bill to be entitled An act relating to Monroe County; repealing chapter 63-1650, Laws of Florida, as amended, which provides for Civil Service for the employees of the Sheriff

of Monroe County and creates a Civil Service Board; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Sheldon and others—

HB 1518—A bill to be entitled An act relating to Hillsborough County; providing for the appointment of an administrator by the board of county commissioners; providing for a statement of legislative intent; providing for qualifications of a county administrator; providing that a county administrator shall be a full-time employee and reside in Hillsborough County; providing that the compensation of the county administrator shall be fixed by the board of county commissioners; providing for the powers and duties of the county administrator to include reports to members of the board of county commissioners, preparation of budget, financial procedures, personnel procedures, suspension, discharge, and removal of employees under jurisdiction of the board of county commissioners, negotiation of leases, contracts and agreements, preparation and implementation of an administrative code, and attendance at board of county commissioners' meetings; prohibiting individual county commissioners issuing directives or orders to employees without notice to the county administrator; forbidding the county administrator to take part in political activities; requiring the county administrator to post a performance bond; repealing all inconsistent laws; repealing chapter 73-495, Laws of Florida; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Fortune and others—

HB 1527—A bill to be entitled An act relating to Santa Rosa County; providing for the payment of an expense allowance to members of the Board of County Commissioners; superseding any county ordinance relating to automobile expenses for members of the board of county commissioners; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Fortune and others—

HB 1542—A bill to be entitled An act relating to Santa Rosa County; amending section 3(a) and (f) of chapter 27881, Laws of Florida, 1951, empowering the board of county commissioners of the county to veto actions taken by the Santa Rosa County Beach Administration and to approve the administration's budget and amendments thereto; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Thompson—

HB 1599—A bill to be entitled An act relating to saltwater conservation; amending s. 370.16(14) and (16)(f), Florida Statutes, as amended; providing a special 3-month oyster season in a portion of the waters of Franklin County; providing a special closed season in said waters; restricting the size of oysters that may be taken during the special season; providing an effective date.

Proof of publication of the required notice was attached.

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

By the Committee on Agriculture & General Legislation—

HB 2094—A bill to be entitled An act relating to Jackson County; authorizing the Campbellton-Graceville Hospital Corpo-

ration to lease, operate, and maintain a nursing home; providing for a referendum.

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

By Representative Forbes and others—

HB 1442—A bill to be entitled An act relating to the charter of the City of Jacksonville, Duval County; amending articles 1 and 2 of chapter 67-1320, Laws of Florida, as amended, to update the same and remove therefrom outmoded and inconsistent provisions; stating the existence of the cities of Jacksonville Beach, Atlantic Beach and Neptune Beach and the town of Baldwin as municipal corporations pursuant to the decision of the Florida Supreme Court; confirming the powers, duties, boards, bodies and officers of the cities of Jacksonville Beach, Atlantic Beach and Neptune Beach and the town of Baldwin pursuant to the decision of the Florida Supreme Court; making certain amendments to article 2 of chapter 67-1320, Laws of Florida, to recognize the status of the cities of Jacksonville Beach, Atlantic Beach and Neptune Beach and the town of Baldwin; repealing article 2A of chapter 67-1320, Laws of Florida, as amended, relating to preservation of local government structures of the second, third, fourth, and fifth urban services districts; amending article 3 of chapter 67-1320, Laws of Florida, as amended, to secure and confirm for said city full municipal and county home rule by the city consistent with Article VIII of the Constitution of the State of Florida; eliminating from article 3 of the charter those provisions and special powers made unnecessary by the adoption of the revised State Constitution in 1968 and the passage of chapter 73-129, Laws of Florida, known as the Municipal Home Rule Powers Act; amending sections 5.06, 6.03, 23.03, 23.04, 23.07, and 24.01(10) of chapter 67-1320, Laws of Florida, as amended, providing for certain governmental and corporate functions with respect to the second, third, fourth, and fifth urban services districts; amending section 5.08 of chapter 67-1320, Laws of Florida, as amended, prohibiting the city council from passing any ordinance or resolution until the same shall have been read by title on third reading; amending subsection (4)(a) of section 19.05 of chapter 67-1320, Laws of Florida, as amended, to exempt the Director of Community Education, the Supervisor of Community Education and Community Education Coordinators from Civil Service provisions of article 19, of said chapter; changing the title of the position Associate Superintendent of Schools; deleting subsection (23) of section 19.05 of chapter 67-1320, Laws of Florida, as amended, which subsection makes civil service provisions of the charter applicable to certain employees of the Community Education Consortium; amending section 25.01 of chapter 67-1320, Laws of Florida, as amended, providing for authorization to levy taxes and for millage rates; repealing sections 5.14, 15.09, 16.09, 18.04, and 19.10 of chapter 67-1320, Laws of Florida, as amended, relating to independent audits, budgets, bonds, retirement and pension systems, and civil service systems of the second, third, fourth and fifth urban services districts; providing an effective date.

Proof of publication of the required notice was attached.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1342 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Ewing and others—

HB 1342—A bill to be entitled An act relating to Sarasota County; creating a special park and recreation district, a political subdivision of the State of Florida, for the unincorporated area known as Tri-Par Estates Subdivisions, including all additions, as is more particularly set forth below according to the public records of Sarasota County; providing for the administration of the affairs of said district by a board of nine trustees and defining their powers and duties; providing for the qualification of electors in the district and the manner of conducting the first election of trustees and for biennial election of trustees thereafter; providing for removal of trustees and appointment to fill vacancies; providing for the assessment and

collection of a recreation district tax assessed against each improved residential parcel of real property within the district; providing that such district tax shall be a lien against each parcel of land so assessed and for the method of collecting such tax; providing for the deposit and disbursement of funds of the district; establishing a fiscal year and providing for publication of annual financial statements; authorizing the trustees of the district to issue bonds and other obligations of the district and to secure the same by pledge of tax revenues and other property of the district, and authorizing the trustees of the district to acquire and dispose of real and personal property for the general purposes of the district; authorizing the trustees of the district to promulgate rules and regulations for the use of facilities of the district; providing for the abolishment of the district; providing conditions precedent to the filing of suit against the district or any of the trustees thereof and relieving individual trustees from personal liability for obligations of the district before this act may become effective; authorizing the trustees to enter into contracts relating to acquisition of certain recreational and other facilities; providing for a referendum.

—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 as amended HB 811 and HB 321 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Corrections, Probation & Parole and Representatives Fechtel and Davis—

HB 811—A bill to be entitled An act relating to statutory gain-time; creating s. 944.275, Florida Statutes, relating to gain-time; repealing ss. 944.27, 944.271 and 944.29, Florida Statutes, relating to statutory gain-time and good time allowances; amending section 20 of chapter 76-273, Laws of Florida, to conform to this act; providing an effective date.

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

By Representative Fechtel—

HB 321—A bill to be entitled An act relating to game and freshwater fish; creating s. 372.0725, Florida Statutes, providing that it is illegal to kill a Florida panther; providing a penalty; amending s. 372.9903(1), Florida Statutes, increasing to a felony of the third degree the penalty for the possession or transportation of commercial quantities of freshwater game fish; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation; and Judiciary-Criminal.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 281 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Commerce and Representatives Healey and Cox—

CS for HB 281—A bill to be entitled An act relating to the practice of pharmacy; creating s. 465.32, Florida Statutes, to allow licensed pharmacists to fill or refill valid prescriptions on file with another pharmacy under certain conditions; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 400 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Frank—

HB 400—A bill to be entitled An act relating to medical negligence; creating s. 768.135, Florida Statutes, exempting certain licensed health-care providers from civil liability for services provided at free medical clinics; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 929 and HB 2155 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Gersten—

HB 929—A bill to be entitled An act relating to insurance; creating s. 627.7405, Florida Statutes, requiring automobile insurers under the "no-fault" insurance law to provide the policyholder with a pro-rata premium reduction or refund upon issuance or renewal of the policy under certain circumstances; providing an effective date.

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

By Representative Kutun and others—

HB 2155—A bill to be entitled An act relating to Sunland Recreational Park; renaming said park as "The William J. Rish Recreational Park"; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 2150 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Gersten and others—

HCR 2150—A resolution honoring Mr. Victor Lopez, Florida Teacher of the Year, 1979.

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

The Senate recessed at 8:50 a.m.

The Senate was called to order by the President at 9:00 a.m. A quorum present—38:

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

Excused: Senator Holloway; periodically, Senator Barron and conferees on SB 1100—Senators Lewis, Gordon, W. D. Childers, Peterson, Plante, Spicola, Trask, Hair

Prayer by Dr. Earl C. Cooper, Riverside Baptist Church, Jacksonville:

O, God, the God of Abraham, Isaac, and Jacob, as the heart thirsts for the water brooks, so our souls thirst for thee. As the deep calls to the deep, thy waves billow over us. We have heard

with our ears, seen with our eyes, and tasted with our hearts the thunder of thy voice, the lightning of thy presence, and the devotion of thy love.

Thy truth, O, God, goes marching on, and we would keep step with the smartly stepping band.

We lift our eyes to the hills from whence cometh our help. Our strength is in thee, O, God, the creator of all living, of Jews and Gentile, Catholic and Protestant, white and black, male and female, west and east, north and south.

O, God, thou knowest our down-sitting and uprising, thou understandest our thoughts always.

Help thou us our living, our giving, our serving, our loving. 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 18, 1978:

SB 1066	SB 829	SCR 715
CS for SB 156	SB 504	SB 680
CS for SB 185	CS for SB 436	SB 767
CS for SB 1279	SB 818	SB 594
CS for SB 437	SB 1275	SB 604
CS for CS for SB 877	SB 815	CS for SB 466
CS for SB 1308	HB 1011	SB 457
CS for SB 725	SB 1235	SB 908
SB 230	SB 1251	SB 918
SB 1222	SB 1256	SB 669
SB 1040	SB 1262	SB 1076
SB 253	SB 1280	CS for SB 1294
HM 423	SB 869	HB 643
SB 345	SB 837	CS for SB 425
SB 1083	SB 949	HB 733
SB 1145	HB 2007	SB 849
SB 864	SB 1220	

And all bills remaining on the Special Order Calendar for Wednesday, May 17, 1978.

Respectfully submitted,
W. D. Childers, Chairman

The Committee on Judiciary-Criminal recommends the following pass: SB 515 with 6 amendments

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

The Committee on Finance, Taxation and Claims recommends the following pass: SB 543, SB 950

The Committee on Judiciary-Civil recommends the following pass:

SB 1125	SB 1126	SB 1219
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The Committee on Transportation recommends the following pass: SB 804

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 1030

The Committee on Natural Resources and Conservation recommends the following pass: HB 1219 with 1 amendment

The Committee on Transportation recommends the following pass: HB 1781

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

The Committee on Judiciary-Civil recommends the following pass: SB 1296

The Committee on Natural Resources and Conservation recommends the following pass: HB 359

The Committee on Transportation recommends the following pass: SB 1144 with 1 amendment

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

The Committee on Finance, Taxation and Claims recommends the following pass: HJR 253

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

The Committee on Judiciary-Civil recommends the following pass:

SB 307	CS for HB 448 with 2
SB 535 with 1 amendment	amendments
SB 1037	HB 571 with 2 amendments
SB 1097	HB 583 with 2 amendments
SB 1290 with 3 amendments	HB 815
SB 1315	

The Committee on Judiciary-Criminal recommends the following pass:

SB 461	SB 1172
SB 814 with 1 amendment	HB 25
SB 847	HB 1305
SB 1086 with 1 amendment	

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

CS for SB 64	SB 1247
SB 730 with 2 amendments	HB 64
SB 823	HB 873 with 1 amendment
SB 1185	HB 898
SB 1253 with 2 amendments	

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

SB 932 HB 367 with 2 amendments CS for HB 1370

The Committee on Transportation recommends the following pass:

SB 653 with 2 amendments SB 1102 with 1 amendment

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

The Committee on Judiciary-Criminal recommends a Committee Substitute for the following: SB 394 and SB 751

The Committee on Education recommends a Committee Substitute for the following: SB 731

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

The Committee on Judiciary-Civil recommends a Committee Substitute for the following: SB 1183

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 970

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

The Committee on Transportation recommends the following not pass: SB 1000

The bill was laid on the table.

The President announced the appointment of Senators W. D. Childers, Plante and Hair as a select committee to investigate, with the assistance of Auditor General Ernest Ellison, the promotional activities of the Department of Commerce.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Peterson, the rules were waived and by two-thirds vote SB 210 was withdrawn from the Committee on Governmental Operations.

On motions by Senator Lewis, the rules were waived and by two-thirds vote Senate Bills 891, 1272, 415, 1034 and 881 were withdrawn from the Committee on Appropriations.

On motion by Senator Wilson, by two-thirds vote SB 1245 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Gallen, the rules were waived and by two-thirds vote CS for HB's 691 and 839 was withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motions by Senator Gordon, the rules were waived and by two-thirds vote SJR 1057, Senate Bills 1093, 511, 1318, 1223, 768 and HB 874 were withdrawn from the Committee on Finance, Taxation and Claims.

On motion by Senator Firestone, by two-thirds vote Senate Bills 641 and 846 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Myers, the rules were waived and by two-thirds vote HB 663 was withdrawn from the Committee on Transportation.

REQUESTS FOR EXTENSION OF TIME

May 15, 1978

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

SB 338 by Senator Trask	SB 1167 by Senator Trask
SB 558 by Senator Skinner	SB 1173 by Senator Gordon
SB 899 by Senator Trask	

May 18, 1978

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

SB 650 by Senator Don Childers	SB 867 by Senator Spicola
	SB 888 by Senator Graham

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

CS for CS for HB 700 by Committee on Appropriations, Committee on Standards and Conduct, and Representative Martin

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

SB 863 by Senator Dunn	SB 911 by Senator Scarborough
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INTRODUCTION

On motion by Senator Dunn, the rules were waived and the following bill was introduced notwithstanding the fact that the final day had passed for introduction of bills:

By Senator Dunn—

SB 1348—A bill to be entitled An act relating to firearms; amending s. 790.001(5), Florida Statutes; limiting application of exclusions from the definition of "explosive" for purposes of chapter 790, Florida Statutes; providing an effective date.

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

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed in the office of the Secretary of State Senate Bills 481, 517 and 235 which he had approved May 17, 1978.

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

May 18, 1978

Dear Sir:

I have filed in the office of the Secretary of State the following acts which originated in the Senate, Regular Session, 1978 and which I approved May 17, 1978:

Senate Bills: 481
517

Respectfully,
Reubin Askew
Governor

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

May 18, 1978

Dear Sir:

I have filed in the office of the Secretary of State the following act which originated in the Senate, Regular Session, 1978 and which I approved May 17, 1978:

Senate Bill: 235

Respectfully,
Reubin Askew
Governor

Appointments Subject to Confirmation by the Senate

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

E. P. Nickinson, Jr., Pensacola, Member of the Historic Pensacola Preservation Board, for term ending February 9, 1982

—which was referred to the Committee on Executive Business.

The Secretary of State on May 16, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

James H. MacPherson, North Palm Beach, Member of the Condominium Advisory Board, to serve at the pleasure of the Chairman of the Board of Business Regulation

—which was referred to the Committee on Executive Business.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted SCR 1123.

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 642	SB 655	SB 563
SB 340	SB 339	SB 384
CS for SB 346		

Allen Morris, Clerk

The Honorable Lew Brantley, President

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

SB 294	SB 640	SB 770
SB 68	CS for SB 108	SB 180
SB 493		

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 Amendment 1 to House Amendment 1 and passed SB 227, as amended.

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment to House Amendment 1 and passed CS for SB 373, as amended.

Allen Morris, Clerk

The bills contained in the above messages were ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 2 amendments—

By Senator Trask—

SB 385—A bill to be entitled An act relating to citrus; amending s. 601.61(1), Florida Statutes, to redefine the basis for determining the amount of citrus fruit dealers' bond; authorizing the use of certificates of deposit; requiring the posting of bond prior to approval of license; providing considerations for determining amount of bond; clarifying the dealers' duty to increase bond; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 12, after the colon “:” insert the following and renumber the subsequent sections:

Section 1. Section 601.66(6), Florida Statutes, is amended to read as follows:

601.66 Complaints of violations by citrus fruit dealers; procedure; bond distribution; court action on bond.—

(6) Upon failure by a dealer to comply with an order of the Department of Agriculture and Consumer Services directing payment, the department shall call upon the surety company to pay over to the Department of Agriculture and Consumer Services, out of the bond theretofore posted by the surety for such dealer, the amount of damages sustained but not exceeding the amount of the bond. The proceeds turned over to the Department of Agriculture and Consumer Services by the surety company shall, be deposited in a bank account known as the Citrus Cash Bond Account, maintained in Winter Haven, Florida, by the Division of Fruit and Vegetable Inspection and, in the discretion of the Department of Agriculture and Consumer Services, be either paid over forthwith to the original complainant or held by the Department of Agriculture and Consumer Services for later disbursement, depending upon the time during the shipping season when the complaint was made, when liability was admitted by the dealer, when the proceeds were so paid out by the surety company to the Department of Agriculture and Consumer Services, the amount of other claims then pending against the same dealer, the amount of other claims already adjudicated against the dealer, and such other pertinent facts as the Department of Agriculture and Consumer Services in its discretion may consider material. The Department of Agriculture and Consumer Services, if it decides to pay the proceeds over to the original complainant, has authority to order an increase in the original bond of the dealer to such higher sum as to the Department of Agriculture and Consumer Services would be justified under all the circumstances so as to protect other possible claimants, and to exercise all powers otherwise confided to it under this chapter to enforce the posting of such increased bond. The Department of Agriculture and Consumer Services also, in its discretion as the facts and circumstances might appear to it, may hold the amount of such proceeds until such later time, up to the time when all claims have been filed during the allotted period after the closing of the shipping season and

such claims adjudicated, and may then disburse the total proceeds in its possession paid over to it by the surety company on the dealer's bond as such claims were adjudicated to the various claimants, paying first to the producers the amount of their claims in full, if such proceeds are sufficient for such purpose, and if not, then in pro rata shares to such producer claimants; and if there then exist additional proceeds in the hands of the Department of Agriculture and Consumer Services, after all claims of producers have been paid in full, the balance of such proceeds shall be paid to claimants who are citrus fruit dealers, either in whole or in pro rata portion, as the aggregate of their claims may bear to the amount of such additional proceeds.

Amendment 2—On page 1 in title, line 2, after the semicolon;" insert: amending s. 601.66(6), Florida Statutes, to provide for deposits in Citrus Cash Bond Account;

On motions by Senator Trask, the Senate concurred in the House amendments.

SB 385 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—29

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

Nays—None

Vote after roll call:

Yea—Gorman

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendment 4, further amended, and passed as further amended—

By the Committee on Judiciary-Civil and Senator Scott and others—

CS for SB 261—A bill to be entitled An act relating to private property rights; providing definitions; providing that any person aggrieved by a decision of a governmental agency with respect to a permit may seek review in the circuit court; providing remedies; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 5—On page 1 in title, between lines 6 and 7 insert: for award of court costs and attorney's fees; providing

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

CS for SB 261 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Castor

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments 1 and 2 to:

By the Committee on Education—

HB 2044—A bill to be entitled An act relating to educational capital outlay; providing an appropriation from the Public Education Capital Outlay and Debt Service Trust Fund for public educational facilities for 1978-1979 fiscal year; providing for allocations to the 67 school boards, the 28 boards of trustees of the community colleges, the Board of Regents, the Board of Trustees of the Florida School for the Deaf and the Blind, the Board of Trustees of the Palm Beach Community College for construction of community education facilities, the School Board of Marion County for construction of a cooperative-use facility high school, the State Board of Education for evaluation and design of branch campuses, the educational television and radio system, the Division of Blind Services of the Department of Education, and the Department of Offender Rehabilitation for construction of vocational laboratories at correctional institutions; providing an effective date.

and requests the Senate to recede, and in the event the Senate refuses to recede requests a Conference Committee.

Allen Morris, Clerk

On motions by Senator Peterson, the Senate refused to recede from Senate Amendments 1 and 2 to HB 2044 and acceded to the request for a conference committee. The President appointed Senators Lewis, Gordon, W. D. Childers, Peterson, Plante, Spicola, Trask and Hair. The action of the Senate was certified to the House.

MATTERS ON RECONSIDERATION

The motion by Senator Gallen that the Senate reconsider the vote by which SB 15 passed May 17, was taken up and failed; and the Senate refused to reconsider the vote.

The bill was ordered engrossed and then enrolled.

Senator W. D. Childers moved that the rules be waived and the Senate consider CS for SB 970 at 10:30 a.m. this day. The motion was adopted.

On motion by Senator W. D. Childers, by two-thirds vote SR 1342 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator W. D. Childers, by unanimous consent—

SR 1342—A Senate resolution commending John D. Fields for his dedication to solving environmental and socio-economic problems.

—was taken up out of order, read the second time in full and adopted. The vote was:

Yeas—31

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

Nays—None

SPECIAL ORDER

SB 1066—A bill to be entitled An act relating to municipal service taxing units; renumbering s. 171.042(2), Florida Statutes, and adding a new subsection (2) to said section; providing that prior to annexation of a municipal service taxing unit, certain provisions shall be made by the governing body of the municipality and the governing body of the municipal service taxing unit; providing an effective date.

—was read the second time by title.

The Committee on Economic, Community and Consumer Affairs offered the following amendment which was moved by Senator Trask and adopted:

Amendment 1—On page 1, line 19, strike "any portion of" and insert: *all or any portion of the real property subject to*

On motion by Senator Trask, by two-thirds vote SB 1066 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

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

Nays—1

Zinkil

Consideration of Senate Bills 156, 185 and 1279 was deferred.

By the Committee on Appropriations—

CS for SB 437—A bill to be entitled An act relating to retirement; amending s. 121.021(15), Florida Statutes; redefining "special risk member"; creating s. 121.022, Florida Statutes; providing legislative intent, criteria and procedures for designating special risk members; providing an effective date.

—was read the first time by title and SB 437 was laid on the table.

On motion by Senator Johnston, by two-thirds vote CS for SB 437 was read the second time by title.

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

Amendment 1—On page 5, between lines 18 and 19, insert a new section:

Section 3. Paragraph (d) of subsection (1) and paragraph (c) of subsection (5) of s. 121.052, F.S., are amended to read:

121.052 Membership class of certain elected state officers.—

(1)(d) Any officer who is eligible to be a member of the Elected State Officers' Class, but for whom the time period provided in paragraph (c) has expired without his having transferred to the Elected State Officers' class, shall be permitted to elect, in writing, from October 1, ~~1975~~ 1978, through December 31, ~~1975~~ 1978, to transfer to and become a member of this class on January 1, ~~1976~~ 1979, and be subject to the benefits and provisions of the elected state officers' class on and after that date. After December 31, ~~1975~~ 1978, no such election may be made; ~~except as permitted under (e).~~

(5)(c) The benefit provisions of subsections (2), (3), (4), (5), (6), (7), (8), ~~and~~ (9), ~~and~~ (11) of s. 121.091, as they relate

respectively to benefits payable for dual normal retirement ages, early retirement, disability retirement, termination of employment, optional forms of retirement, death benefits, designations of beneficiaries, and employment after retirement, ~~and method of computing actuarial equivalent~~, shall also apply to members of the Elected State Officers' Class, except that only 3 years of creditable service in this class shall be needed to attain the benefits specified in subsections (3), (5), and (7) of such section. The provisions of all subsections referred to in this paragraph shall be construed in such manner to make them compatible with the provisions of this act.

Renumber subsequent sections.

Amendment 2—On page 5, between lines 18 and 19, insert: Section 4. Subsection (11) of section 121.091, F.S., is added to read:

121.091 Benefits payable under the system.—

(11) *A member who becomes eligible to retire and has accumulated the maximum benefit of one hundred per cent (100%) of average final compensation may continue in active service and, if upon the member's retirement, the member elects to receive a retirement compensation pursuant to subsections (2), (6), or (7), the actuarial equivalent percentage factor applicable to the age of such member at the time the member reached said maximum benefit and applicable to the age at said time of the member's spouse shall determine the amount of benefits to be paid.*

Renumber subsequent sections.

Amendment 3—On page 1 in title, line 7, after the semicolon insert: adding s. 121.091(11), Florida Statutes; providing that a member who becomes eligible to retire and has accumulated the maximum benefit of 100 percent of average final compensation may continue in active service and providing the factors which shall determine the amount of benefits to be paid to such member, if upon retirement, the member elects to receive a retirement compensation pursuant to certain provisions;

Amendment 4—On page 1 in title, line 7, after the semicolon insert: amending s. 121.052 (1)(d), (5)(c), Florida Statutes; allowing certain officers to transfer to the elected state officers' class; providing that certain provisions apply to members of the elected state officers' class

On motion by Senator Johnston, by two-thirds vote CS for SB 437 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

By the Committee on Appropriations—

CS for CS for SB 877—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.071(2), Florida Statutes; eliminating employee contributions, decreasing the rate of employer contributions on behalf of regular members, and increasing the rate of employer contributions on behalf of special risk members; amending s. 121.052(1)(d), (4)(a), (b), (5)(c), Florida Statutes; providing for the re-opening of the Elected State Officers' Class; providing for the applicability of s. 121.091(11), Florida Statutes; providing a method of computing actuarial equivalency in certain cases; providing for an increased employer contribution on behalf of members of the Elected State Officers' Class; amending s. 121.091(1)(a), Florida Statutes, and adding subsection (11) to said section; reducing special risk credit to 2 percent

for each year of service earned on and after October 1, 1978; providing that regular members who are employed by school districts or community colleges and who have 30 years of creditable service, regardless of age, as of August 1, 1978, may retire on said date; providing that employer contributions with respect to regular members who are employed by school districts or community colleges shall commence August 1, 1978; providing an effective date.

—was read the first time by title and CS for SB 877 and SB 877 were laid on the table.

On motion by Senator Johnston, by two-thirds vote CS for CS for SB 877 was read the second time by title.

Senators McClain, Pat Thomas, W. D. Childers, Tobiassen, Gallen and Zinkil offered the following amendment which was moved by Senator McClain and adopted:

Amendment 1—On page 4, line 19, strike all of Section 3 and renumber subsequent sections.

The vote was:

Yeas—18

Castor	Gorman	Scarborough	Tobiassen
Childers, W. D.	Graham	Scott	Winn
Firestone	Henderson	Skinner	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Poston	Thomas, Pat	

Nays—13

Chamberlin	Johnston	Peterson	Wilson
Childers, Don	Lewis	Renick	
Dunn	MacKay	Sayler	
Gordon	Myers	Vogt	

Votes after roll call:

Yea—Hair
Nay to Yea—Wilson

Senator Johnston moved that CS for CS for SB 877 be removed from the calendar and recommitted to the Committee on Appropriations and the motion failed.

On motion by Senator Lewis, further consideration of CS for CS for SB 877 as amended was deferred.

On motion by Senator MacKay, consideration of SB 1308 was deferred.

On motion by Senator Barron, SB 1308 was established as the first order of business upon reconvening at 2:00 p.m.

By the Committee on Finance, Taxation and Claims and Senator Gallen—

CS for SB 725—A bill to be entitled An act relating to taxation; amending s. 212.06(5)(a), Florida Statutes; further defining legislative intent as to the scope of the sales, storage, and use tax; providing an effective date.

—was read the first time by title and SB 725 was laid on the table.

On motion by Senator Sayler, by two-thirds vote CS for SB 725 was read the second time by title.

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

Amendment 1—On page 1, line 10, add a new section 1 and renumber subsequent sections and insert:

Section 1. Paragraph (1) is added to subsection (7) of section 212.08, Florida Statutes, to read:

212.02 Sales, rental, storage, use tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution and the storage to be used or consumed in this state, of the following tangible personal property, are hereby specifically exempt from the tax imposed by this chapter.

(7) MISCELLANEOUS EXEMPTIONS.—

(1) *Aircraft*.—Also exempt are the sales of aircraft to air carriers based in the State of Florida which are subject to regulation by the Florida Public Service Commission.

Amendment 2—On page 1 in title, line 2, after the word “taxation;” insert: adding s. 212.08(7)(1), Florida Statutes; exempting the sales of certain aircraft from the sales and use tax;

On motion by Senator Sayler, by two-thirds vote CS for SB 725 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—29

Barron	Glisson	Myers	Ware
Castor	Gordon	Peterson	Williamson
Chamberlin	Graham	Poston	Wilson
Childers, Don	Henderson	Renick	Winn
Childers, W. D.	Johnston	Sayler	Zinkil
Dunn	Lewis	Scarborough	
Firestone	MacKay	Skinner	
Gallen	McClain	Vogt	

Nays—None

SB 230—A bill to be entitled An act relating to the tax on sales, use and other transactions; amending s. 212.08(7)(a) and (c), Florida Statutes, to exempt from such tax personal property sold or leased to veteran organizations; providing an effective date.

—was read the second time by title.

The Committee on Economic, Community and Consumer Affairs offered the following amendment which was moved by Senator Glisson and adopted:

Amendment 1—On page 1, line 24, after the word “and” insert: state headquarters for

Senators Sayler, Lewis, Plante and Winn offered the following amendments which were moved by Senator Sayler and adopted:

Amendment 2—On page 1, line 11, after the word “amended” insert: , and paragraph (1) is added to said subsection

Amendment 3—On page 2, between lines 23 and 24 insert: (1) *Aircraft*.—Also exempt is any sale, including an occasional or isolated sale, of an aircraft to an air carrier which is based in the state and which is subject to regulation by the Florida Public Service Commission.

The Committee on Economic, Community and Consumer Affairs offered the following amendment which was moved by Senator Sayler and adopted:

Amendment 4—On page 1 in title, line 5, after the word “to” insert: state headquarters of

Senators Sayler, Lewis, Plante and Winn offered the following amendment which was moved by Senator Sayler and adopted:

Amendment 5—On page 1, line 6, after the “;” insert: adding s. 212.08(7)(1), Florida Statutes; providing an exemption for sales of aircraft to certain air carriers;

On motion by Senator Glisson, by two-thirds vote SB 230 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

On motion by Senator Sayler, the rules were waived and SB 230 after being engrossed was ordered immediately certified to the House.

SB 1222—A bill to be entitled An act relating to the Florida Credit Union Guaranty Corporation Act; amending ss. 657.25, 657.251, 657.253, 657.254, 657.256, 657.257, 657.258, 657.259, 657.260, 657.261(1), 657.262(1) and (2), 657.263, 657.265, 657.267, and 657.268, Florida Statutes, relating to definitions, creation of the corporation, board of directors, membership and eligibility, powers and duties of the corporation, plan of operation, powers and duties of the Department of Banking and Finance, effect of paid claims, detection and prevention of insolvencies, examination of the corporation, stays of proceedings and reopening of default judgments, advertising and displays, and rules of the department; deleting obsolete language; repealing s. 657.255, Florida Statutes, relating to the interim board of directors; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote SB 1222 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Tobiassen

SB 1040—A bill to be entitled An act relating to credit unions; amending ss. 657.01(1), 657.04(2), 657.10(1), and 657.161, Florida Statutes, to eliminate the requirement that loans to members must be for provident and productive purposes and the requirement that members must state such purpose on the loan application; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote SB 1040 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—23

Mr. President	Graham	Poston	Vogt
Castor	Henderson	Renick	Ware
Childers, Don	Lewis	Scarborough	Wilson
Childers, W. D.	MacKay	Scott	Winn
Firestone	McClain	Thomas, Jon	Zinkil
Gordon	Peterson	Tobiassen	

Nays—9

Dunn	Johnston	Sayler	Williamson
Glisson	Myers	Skinner	
Gorman	Plante		

Votes after roll call:

Yeas—Chamberlin, Hair

SB 253 with pending amendment was taken up and on motion by Senator Renick—

HB 738—A bill to be entitled An act relating to saltwater fisheries and conservation; amending s. 370.08(5), Florida Statutes; providing that the landing or possession of any food fish or the landing of headless jewfish is prima facie evidence of a crime; providing an effective date.

—a companion measure was substituted therefor and read the second time by title.

Senator Renick moved the following amendments which were adopted:

Amendment 1—On page 1, line 21, after the word "jewfish" insert: *or grouper*

Amendment 2—On page 1 in title, line 6, after the word "jewfish" insert: *or grouper*

On motion by Senator Renick, by two-thirds vote HB 738 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Hair

SB 253 was laid on the table.

HM 423—A memorial to the Congress of the United States requesting Congress to direct the Administrator of the United States Veterans Administration to conduct a demographic study of Brevard County, Florida, to confirm the need for a United States Veterans Administration satellite clinic in such area and to report the results of the study to Congress in 6 months.

—was read the second time in full. On motion by Senator Vogt, HM 423 was adopted and certified to the House. The vote on adoption was:

Yeas—33

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

Nays—1

Plante

Vote after roll call:

Yea—Scott

SB 345—A bill to be entitled An act relating to medically underserved communities; requiring the Department of Health and Rehabilitative Services to function as a medical manpower clearinghouse; establishing a grant program to assist in the relocation of medical manpower in medically underserved communities; authorizing the adoption of rules by the department relating to such program; amending s. 458.06(2), Florida Statutes, and adding subsection (7) to said section; increasing the annual license fee for physicians not actively engaged in the

practice of medicine in the state; creating the Health Manpower Trust Fund; providing for the placing of a portion of the fees paid by physicians not actively engaged in the practice of medicine in the state in such trust fund; providing an effective date.

—was read the second time by title. On motion by Senator Don Childers, by two-thirds vote SB 345 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

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

Nays—None

Votes after roll call:

Yeas—Dunn, Williamson

Senator Plante presiding

SB 1083 was taken up and on motion by Senator Vogt—

HB 1011—A bill to be entitled An act designating and naming the bridge spanning the St. Johns River on State Road 415 the "Douglas Stenstrom Bridge"; providing for appropriate signs and markers to be erected by Department of Transportation; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Vogt, by two-thirds vote HB 1011 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Castor	Gorman	Poston	Tobiassen
Chamberlin	Graham	Renick	Vogt
Childers, Don	Hair	Scarborough	Ware
Childers, W. D.	Henderson	Scott	Williamson
Dunn	MacKay	Skinner	Winn
Firestone	Myers	Spicola	
Glisson	Peterson	Thomas, Jon	
Gordon	Plante	Thomas, Pat	

Nays—None

Vote after roll call:

Yea—Wilson

SB 1083 was laid on the table.

SB 1145 was taken up and on motion by Senator Peterson, by two-thirds vote HB 2113 was withdrawn from the Committee on Education. On motion by Senator Peterson—

HB 2113—A bill to be entitled An act relating to education; amending s. 230.23(4)(m), Florida Statutes, relating to due process in the evaluation and placement of exceptional students; including Sarasota County within the Manatee County Community College District; providing an effective date.

—a companion measure, was substituted for SB 1145. On motions by Senator Peterson, by two-thirds vote HB 2113 was read the second time by title and by two-thirds vote read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Vote after roll call:

Nay—Gallen

SB 1145 was laid on the table.

SB 864 was taken up and on motions by Senator Dunn, by two-thirds vote HB 1382 was withdrawn from the Committees on Appropriations and Education. On motion by Senator Dunn—

HB 1382—A bill to be entitled An act relating to institutions of higher learning; creating s. 241.365, Florida Statutes, establishing a research laboratory for experimental marine biology and medicine in Flagler and St. Johns Counties; authorizing the University of Florida to accept funds on behalf of the laboratory; exempting the laboratory from provisions requiring certain agency approval prior to engaging in a construction or lease contract; providing an effective date.

—a companion measure, was substituted for SB 864. On motions by Senator Dunn, by two-thirds vote HB 1382 was read the second time by title and by two-thirds vote read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—McClain

SB 864 was laid on the table.

SB 829—A bill to be entitled An act relating to the education of exceptional students; amending s. 233.056(1), Florida Statutes; providing specialized educational materials and other available services to hearing impaired students; providing an effective date.

—was read the second time by title. On motion by Senator Spicola, by two-thirds vote SB 829 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—McClain

SB 504—A bill to be entitled An act relating to law education in the public schools; creating s. 233.0615, Florida Statutes; providing for a law education program; providing for the development and administration of the program; providing for the distribution of funds from funds available to the Department of Education for law education programs; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote SB 504 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

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

Nays—3

Chamberlin Johnston Plante

On motion by Senator MacKay, consideration of SB 436 was deferred.

The President presiding

SB 818—A bill to be entitled An act relating to education; adding subsection (6) to s. 229.814, Florida Statutes; providing for equal status of high school equivalency diplomas for state purposes; providing an effective date.

—was read the second time by title. On motion by Senator Dunn, by two-thirds vote SB 818 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

By the Committee on Commerce and Senator Plante—

CS for SB 1279—A bill to be entitled An act relating to solicitation of funds by persons or organizations in the name of any law enforcement body; providing definitions; providing duties and powers of the Department of State to issue, deny, suspend, or revoke certificates of persons or organizations desiring to solicit funds in the State of Florida in the name of any law enforcement body; providing conditions, fees, and information necessary for registration; authorizing the Department of State to promulgate rules, conduct investigations, issue subpoenas, take necessary civil action, and recommend criminal actions to appropriate prosecution authorities; providing for registration and fees for professional solicitors; providing for prohibition of certain acts; providing for limitations on costs of solicitation in relation to gross receipts; providing for exemptions from registration; providing for hearings on denial of registration, suspension, or revocation; providing information received to be public record; requiring certain records to be kept; providing for reciprocal agreements; prohibiting use of registration except under certain conditions; prohibiting certain misrepresentations; prohibiting use of the words "charity or charitable"; requiring identification; requiring disclosure that the person or organization is not a charitable organization; providing for out-of-state organizations and service of process; providing for enforcement and penalties; providing an effective date.

—was read the first time by title and SB 1279 was laid on the table.

On motion by Senator Plante, by two-thirds vote CS for SB 1279 was read the second time by title.

Senator Plante moved the following amendment which was adopted:

Amendment 1—On page 2, lines 13-14, strike the words "not registered under chapter 496, Florida Statutes, and which is" and on page 2, lines 22-23, strike the words "if not registered under chapter 496, Florida Statutes"

On motion by Senator Plante, by two-thirds vote CS for SB 1279 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Scott

By the Committee on Economic, Community and Consumer Affairs and Senators Jon Thomas and Glisson—

CS for SB 185—A bill to be entitled An act relating to Department of Health and Rehabilitative Services' regulation of the fitting and selling of hearing aids; amending s. 468.122(2), Florida Statutes; providing that nothing in part III, chapter 468, Florida Statutes, shall prohibit a corporation, partnership, trust, association or other organization from engaging in the business of fitting and selling hearing aids at retail without a certificate of registration if it employs registrants; amending s. 468.123(6), Florida Statutes, and adding new subsections to said section; authorizing the department to impose administrative fines, and to issue cease and desist orders; creating s. 468.1235, Florida Statutes; creating an Advisory Council; amending s. 468.126, Florida Statutes; specifying the qualifications of applicants for registration and prescribing duration of stages of the trainee apprenticeship period and conditions of each stage; creating s. 468.1261, Florida Statutes; providing for the establishment of academic courses in the fitting, selling, and servicing of hearing aids; amending s. 468.128, Florida Statutes; authorizing department to set registration fees up to a specified maximum; amending s. 468.129, Florida Statutes; providing for imposition of administrative fines for specified causes; adding s. 468.130(15), Florida Statutes; providing that canvassing to sell hearing aids is unethical conduct; amending s. 468.134(4), Florida Statutes, and adding a new subsection to said section; providing for satisfactory completion of continuing education courses as a prerequisite to renewal of registration; renumbering s. 468.135(7), Florida Statutes, and adding a new subsection (7) to said section; prescribing requirements for conducting audiometric tests; amending s. 468.136, Florida Statutes; providing for the contents of receipts for the sale of hearing aids; prescribing requirements for packaging of hearing aids; creating s. 468.1375, Florida Statutes; providing for injunctive relief; repealing s. 468.123, Florida Statutes, which prescribes a fee schedule; repealing ss. 468.131-468.133, Florida Statutes, as amended, relating to obsolete administrative procedures; providing an effective date.

—was read the first time by title and SB 185 was laid on the table.

On motion by Senator Glisson, by two-thirds vote CS for SB 185 was read the second time by title.

Senator Jon Thomas moved the following amendment which was adopted:

Amendment 1—On page 4, lines 3-4, strike "Both the otolaryngologists and the" and insert: The

Senator Plante moved the following amendment which failed:

Amendment 2—On page 2, line 24, insert: Section 1. Subsection (1)(a) of section 468.122, Florida Statutes, is amended to read:

468.122 Definitions; corporations, etc.; not prohibited, conditions.—

(1)(a) "Department" means the Department of Health and Rehabilitative Services Professional and Occupational Regulation.

On motion by Senator Jon Thomas, by two-thirds vote CS for SB 185 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Senator Jon Thomas moved that CS for SB 185 be immediately certified to the House and the motion failed.

SB 1275—A bill to be entitled An act relating to garnishment; amending s. 77.031(1), Florida Statutes; providing that a prejudgment writ of garnishment shall be supported by a verified motion or affidavit stating facts sufficient to make a prima facie showing of certain facts; adding s. 77.031(4), Florida Statutes; providing that a prejudgment writ of garnishment be issued only upon the signed order of a judge; amending s. 77.07(1), Florida Statutes; providing procedure for dissolution of writ of garnishment; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote SB 1275 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

SB 815—A bill to be entitled An act relating to correctional facilities; providing that any person who intentionally sets fire to, or who attempts to set fire to, any correctional facility or the furnishings, fixtures, or grounds thereof, is guilty of a third degree felony; providing penalties; providing an effective date.

—was read the second time by title. On motion by Senator Dunn, by two-thirds vote SB 815 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 1235—A bill to be entitled An act relating to dispensing opticians; amending s. 484.02, Florida Statutes; including

within the definition of "dispensing optician" one who takes certain measurements; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote SB 1235 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Glisson	Peterson	Vogt
Castor	Graham	Renick	Ware
Chamberlin	Hair	Sayler	Williamson
Childers, Don	Henderson	Scott	Wilson
Childers, W. D.	Johnston	Thomas, Jon	Winn
Firestone	Lewis	Thomas, Pat	Zinkil
Gallen	McClain	Tobiassen	

Nays—2

Gorman Poston

Votes after roll call:

Yea—Spicola
Nay—MacKay
Yea to Nay—Pat Thomas

On motion by Senator Henderson, the rules were waived and SB 1235 was ordered immediately certified to the House.

SB 1251—A bill to be entitled An act relating to the Florida Real Estate License Law; amending s. 475.451(2) and (4), Florida Statutes, providing educational requirements and continuing educational requirements with respect to applicants for permits as chief administrators or instructors of real estate schools as well as permits to operate such schools; creating s. 475.4511, Florida Statutes, providing criteria with respect to advertising by real estate schools; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 4, line 11, strike the period and insert: and shall not advertise the school in connection with an advertisement of an affiliated real estate broker.

On motion by Senator Gorman, by two-thirds vote SB 1251 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

SB 1256 was taken up and on motion by Senator Dunn—

HB 1305—A bill to be entitled An act relating to computer crimes; creating chapter 815, Florida Statutes; providing a short title; providing legislative intent; providing definitions; providing for offenses against intellectual property; providing for offenses against computer equipment and supplies; providing for offenses against computer users; providing penalties; providing that provisions of this chapter are not exclusive; providing an effective date.

—a companion measure, was substituted therefor and read the second time by title.

Senator Dunn moved the following amendments which were adopted:

Amendment 1—On page 2, line 13 through page 3, line 5 strike everything and insert: (1) "Intellectual property" means data including programs.

(2) "Computer program" means an ordered set of data representing coded instructions or statements that when executed by a computer cause the computer to process data.

(3) "Computer" means an internally-programmed, automatic device that performs data processing.

(4) "Computer software" means a set of computer programs, procedures, and associated documentation concerned with the operation of a computer system.

(5) "Computer system" means a set of related, connected or unconnected, computer equipment, devices, or computer software.

(6) "Computer network" means a set of related, remotely connected devices and communication facilities including more than one computer system with capability to transmit data among them through communication facilities.

(7) "Computer system services" means providing a computer system or computer network to perform useful work.

Amendment 2—On page 3, lines 21, 26 and 31, strike "computer software" and insert: supporting documentation

Amendment 3—On page 3, line 31, after "discloses" insert: or takes

Amendment 4—On page 4, line 30, after "destroys," insert: takes,

On motion by Senator Dunn, by two-thirds vote HB 1305 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Peterson

SB 1256 was laid on the table.

On motion by Senator Hair, consideration of SB 1262 was deferred.

SB 1280—A bill to be entitled An act relating to distress for rent; amending s. 83.11, Florida Statutes; providing for the filing of an affidavit in support of an action for a distress writ; amending s. 83.12, Florida Statutes; providing that a judge of any competent court may issue a distress writ if such affidavit is filed; providing that a clerk of that court may issue such writ under certain circumstances; creating s. 83.135, Florida Statutes; providing for an immediate hearing on motion of the defendant; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote SB 1280 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

SB 869 was taken up and on motion by Senator Vogt—

HB 1167—A bill to be entitled An act relating to bridge designation; designating and naming the bridge spanning the Indian River between the City of Melbourne and the Town of Indialantic in Brevard County as the Ernest Kouwen-Hoven Bridge; providing for appropriate signs and markers to be erected by Department of Transportation; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Vogt, by two-thirds vote HB 1167 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Wilson

SB 869 was laid on the table.

SB 837—A bill to be entitled An act relating to elections; providing that the date of the second primary election in 1978 shall be changed from October 10 to October 5; providing an effective date.

—was read the second time by title.

Senator Spicola moved the following amendments which were adopted:

Amendment 1—On page 1, between lines 22 and 23, insert: "Section 2. Notwithstanding the provision of any local law, a special election which is required by local law to be held on the third Tuesday after the first primary election provided for in s. 100.061, Florida Statutes, may be held in conjunction with the second primary election on the date provided by general law for the second primary election."

(Renumber subsequent section.)

Amendment 2—On page 1 in title, line 4, after semi-colon insert: providing that certain special elections required by local law to be held on the third Tuesday after the first primary election provided for in s. 100.061, Florida Statutes, may be held in conjunction with the second primary election on the date provided by general law for the second primary election,

On motion by Senator Jon Thomas, by two-thirds vote SB 837 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Peterson

SB 949 was taken up and on motion by Senator Zinkil—

HB 233—A bill to be entitled An act relating to totally and permanently disabled veterans; providing that certain disabled veterans shall not be required to pay any license or permit fee to any county or municipality in order to make certain improvements on any mobile home owned by the veteran and used as his residence; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Zinkil, by two-thirds vote HB 233 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Peterson

SB 949 was laid on the table.

HB 2007—A bill to be entitled An act relating to saltwater fisheries and conservation; creating s. 370.157, Florida Statutes; providing for an area closed to certain types of shrimping gear; providing a boundary description; providing a penalty; providing an effective date.

—was read the second time by title. On motion by Senator Skinner, by two-thirds vote HB 2007 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Peterson

SB 1220—A bill to be entitled An act relating to abortion clinics; providing definitions; providing for licensing, inspection, and regulation by the Department of Health and Rehabilitative Services; prescribing license fees; providing for renewal, denial, powers and rulemaking authority; providing for renewal, denial,

suspension and revocation of licenses; providing administrative penalties; prohibiting certain acts and providing penalties; providing injunctive relief; providing severability; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Criminal offered the following amendment which was moved by Senator Dunn:

Amendment 1—On page 2, line 10, insert after "standards.": These rules shall be comparable to rules which apply to all surgical procedures requiring approximately the same degree of skill and care as the performance of first trimester abortions.

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

Amendment 1A—On page 1, line 3, strike all after "care" and insert: such as periodontal surgeries, minor cosmetic plastic surgeries, vasectomies, external hemorrhoidectomies, keratosis removal, sigmoidoscopy, cuticle removal, excisions of lesions, incisions, toenail removal, and minor subcutaneous removal of foreign bodies.

Amendment 1 was adopted.

Senator Gordon moved the following amendment:

Amendment 2—On page 1, lines 21 through 24, strike all language and insert: (2) "Abortion clinic" or "clinic" means any facility other than a hospital in which abortions are performed.

The hour of adjournment having arrived, a point of order was called and the Senate recessed at 12:00 noon to reconvene at 2:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—37:

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

Special Order, Continued

The Senate resumed—

SB 1220—A bill to be entitled An act relating to abortion clinics; providing definitions; providing for licensing, inspection, and regulation by the Department of Health and Rehabilitative Services; prescribing license fees; providing for department's powers and rulemaking authority; providing for renewal, denial, suspension and revocation of licenses; providing administrative penalties; prohibiting certain acts and providing penalties; providing injunctive relief; providing severability; providing an effective date.

—with pending amendment 2 which failed.

Senator Gordon moved the following amendment which failed:

Amendment 3—On page 6, line 4, insert: (5) Nothing in this act shall apply to first trimester abortions

Senator Dunn moved the following amendment which was adopted:

Amendment 4—On page 2, line 10, insert: The rules shall be reasonably related to the preservation of maternal health of the clients. The rules shall not impose a legally significant burden on the woman's freedom to decide whether to terminate her pregnancy.

Senator Wilson moved the following amendment which failed:

Amendment 5—On page 1, line 22, after the word "abortions" insert: , vasectomies, laproscopic tubal ligations, mini-lap sterilizations, and any other abortive or sterilization procedures

Lewis	Poston	Thomas, Jon	Ware
MacKay	Renick	Tobiassen	Williamson
McClain	Sayler	Trask	Winn
Myers	Scarborough	Vogt	
Plante	Spicola		

On motion by Senator Dunn, by two-thirds vote SB 1220 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—27

Mr. President	Glisson	McClain	Trask
Barron	Gorman	Poston	Vogt
Childers, Don	Graham	Renick	Ware
Childers, W. D.	Henderson	Scarborough	Williamson
Dunn	Johnston	Scott	Winn
Firestone	Lewis	Thomas, Jon	Zinkil
Gallen	MacKay	Thomas, Pat	

Nays—4

Castor	Gordon	Myers	Wilson
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Votes after roll call:

Yea—Spicola, Tobiassen
Nay—Chamberlin

The Senate resumed—

CS for CS for SB 877—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.071(2), Florida Statutes; eliminating employee contributions, decreasing the rate of employer contributions on behalf of regular members, and increasing the rate of employer contributions on behalf of special risk members; amending s. 121.052(1)(d), (4)(a), (b), (5)(c), Florida Statutes; providing for the reopening of the Elected State Officers' Class; providing for the applicability of s. 121.091(11), Florida Statutes; providing a method of computing actuarial equivalency in certain cases; providing for an increased employer contribution on behalf of members of the Elected State Officers' Class; amending s. 121.091(1)(a), Florida Statutes, and adding subsection (11) to said section; reducing special risk credit to 2 percent for each year of service earned on and after October 1, 1978; providing that regular members who are employed by school districts or community colleges and who have 30 years of creditable service, regardless of age, as of August 1, 1978, may retire on said date; providing that employer contributions with respect to regular members who are employed by school districts or community colleges shall commence August 1, 1978; providing an effective date.

On motion by Senator Jon Thomas, the Senate reconsidered the vote by which Amendment 1 was adopted. Amendment 1 failed. The vote was:

Yeas—17

Childers, W. D.	McClain	Skinner	Wilson
Firestone	Poston	Spicola	Zinkil
Glisson	Renick	Thomas, Pat	
Gorman	Scarborough	Tobiassen	
Graham	Scott	Trask	

Nays—18

Barron	Gordon	Myers	Ware
Castor	Henderson	Plante	Williamson
Chamberlin	Johnston	Sayler	Winn
Childers, Don	Lewis	Thomas, Jon	
Dunn	MacKay	Vogt	

On motion by Senator Johnston, by two-thirds vote CS for CS for SB 877 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Barron	Childers, Don	Firestone	Graham
Castor	Childers, W. D.	Glisson	Henderson
Chamberlin	Dunn	Gorman	Johnston

Nays—1

Wilson

Votes after roll call:

Yea—Skinner, Zinkil

On motion by Senator Pat Thomas, the rules were waived and the Senate immediately reconsidered the vote by which CS for CS for SB 877 passed.

Senators Pat Thomas, W. D. Childers, McClain and Tobiassen offered the following amendment which was moved by Senator Pat Thomas and adopted by two-thirds vote:

Amendment 2—On page 6, line 10, insert: Section 6. In the event that any provision or application of this act is held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

CS for CS for SB 877 as amended was read by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—29

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

Nays—1

Wilson

Votes after roll call:

Yea—Henderson, Zinkil

On motion by Senator Jon Thomas, the rules were waived and the Senate immediately reconsidered the vote by which—

SB 837—A bill to be entitled An act relating to elections; providing that the date of the second primary election in 1978 shall be changed from October 10 to October 5; providing an effective date.

—as amended passed this day.

Senator Winn moved the following amendments which were adopted by two-thirds vote:

Amendment 3—On page 1, line 18, insert: Section 1. Subsections (1) and (2) of section 99.061, Florida Statutes, are amended to read:

99.061 Nomination or election of candidates for state, county, district, and United States offices; sworn statement, receipt and filing fee.—

(1) Each person seeking to qualify for nomination or election to a federal, state, or multicounty district office, other than a judicial office as defined in chapter 105, shall file his qualification papers with, and pay the qualification fees and party assessment, if any has been levied, to, the Department of State, or qualify by the alternative method with the Department of State, at any time after noon of the first day for qualifying, which shall be the 63rd day prior to the first primary, but not later than noon of the 53rd 49th day prior to the date of the first primary.

(2) Each person seeking to qualify for nomination or election to a county office, or district office not covered by subsection

(1), shall file his qualification papers with, and pay the qualification fees and party assessment, if any has been levied, to, the supervisor of elections of the county, or qualify by the alternative method with the supervisor of elections, at any time after noon of the first day for qualifying, which shall be the 63rd day prior to the first primary, but not later than noon of the 53rd day prior to the first primary. The supervisor of elections shall remit to the secretary of the state executive committee of the political party to which the candidate belongs within 30 days after the closing of qualifying time the amount of the filing fee, two-thirds of which shall be used to promote the candidacy of candidates for county offices and the candidacy of members of the Legislature.

Section 2. Subsection (2) of section 103.091, Florida Statutes, is amended to read:

103.091 Political parties.—

(4) Any political party other than a minor political party may by rule provide for the membership of its state or county executive committee to be elected for 4-year terms at the presidential preference primary election. The terms shall commence on the first day of the month following the presidential preference primary election; [and] the names of candidates for political party offices shall not be placed on the ballot at any other election. The results of such election shall be determined by a plurality of the votes cast. In such event, electors seeking to qualify for such office shall do so with the Department of State or supervisor of elections not earlier than noon of the 63rd day, or later than noon of the 53rd day, preceding the presidential preference primary election. The outgoing chairman of each state and county executive committee shall, within 30 days after the committee members take office, call an organizational meeting of all newly elected members for the purpose of electing officers.

Section 3. Paragraph (b) of subsection (1) of section 103.111, Florida Statutes, is amended to read:

103.111 State and county executive committees.—

(1)

(b) Unless otherwise provided by rule, the elected membership of such committee shall be composed of two members, one of each sex, from each county within the state. Unless the manner of selection is otherwise provided by rule, each political party shall elect its state committee members in the first primary election in 1974. Unless the manner of selection is otherwise provided by rule, each political party shall elect state executive committee members on the second Tuesday in March in 1976 and the second Tuesday in March every 4 years thereafter. Electors shall qualify for such office not earlier than noon of the 63rd day, or later than noon of the 53rd day, preceding the election of such state executive committee members. The results of such election shall be determined by plurality of the votes cast. When any such rule provides for the election of equal representation of sexes from each county or other unit, the primary ballot shall carry such party position separately by sex. Whether such committee be constituted by a statute or rule, each member shall be a registered voter of the party within the unit of representation from which such member is elected or appointed, and each member shall be entitled to one vote. Members of the state executive committee elected at the first primary election in 1974 shall take office on December 1, 1974, and serve until April 1, 1976. Members of the state executive committee elected on the second Tuesday in March in 1976 and on the second Tuesday in March every 4 years thereafter shall take office on April 1 following their election and serve for a term of 4 years. If members of the state executive committee are selected in a manner other than election, their terms shall be the same as if elected. The outgoing chairman of each state executive committee shall, within 14 days after the committee members take office, call an organizational meeting for the purpose of electing officers.

Section 4. Subsection (1) of section 105.031, Florida Statutes, is amended to read:

105.031 Qualification; filing fee; candidate's oath.—

(1) TIME OF QUALIFYING.—Candidates for judicial office shall qualify with the Division of Elections of the Department of State no earlier than noon of the 63rd day, and no later than noon of the 53rd day, before the first primary election. Filing shall be on forms provided for that purpose by

the Division of Elections. Any person seeking to qualify as a candidate for circuit judge or county court judge by the alternative method, if he has submitted the necessary petitions by the required deadline and is notified after the fifth day prior to the last day for qualifying that the required number of signatures has been obtained, shall be entitled to subscribe to the candidate's oath and file the qualifying papers at any time within 5 days from the date he is notified that the necessary number of signatures has been obtained. Any person who qualifies within the time prescribed in this subsection shall be entitled to have his name printed on the ballot.

Section 5. Subsection (1) of section 582.18, Florida Statutes, is amended to read:

582.18 Election of supervisors of each district.—

(1) The election of supervisors for each soil and water conservation district shall be held every 2 years. The elections shall be held at the time of the second nonpartisan election in conjunction with the second primary election provided for by s. 100.091. Candidates for supervisor for each district shall be nominated by nominating petition subscribed by 25 or more qualified electors of such district, certified by the appropriate supervisor of elections and filed with the Department of State not earlier than noon of the 63rd day prior to the first primary, but not later than noon of the 53rd day prior to the first primary. Nominees shall conduct their campaigns for supervisor of soil and water conservation districts in accordance with the provisions of chapter 106. The names of all nominees on behalf of whom such nominating petitions have been filed shall appear upon ballots in accordance with the general election laws. All qualified electors residing within the district shall be eligible to vote in such election. The candidates who shall receive the largest number, respectively, of the votes cast in such election shall be the elected supervisors for such district. In the case of a newly created district participating in a regular election for the first time, the three candidates receiving the highest number of votes, respectively, shall be elected for terms of 4 years each, and the two candidates receiving the next highest number of votes shall be elected for initial terms of 2 years.

(Renumber subsequent sections.)

Amendment 4—On page 1, in title, line 2, after the semicolon insert: amending ss. 99.061(1), (2), 103.091(2), 103.111(1)(b), 105.031(1), 582.18(1), Florida Statutes; prescribing the qualifying time for candidates for public office, candidates for political party office, judicial candidates, and candidates for supervisor of soil and water conservation districts;

SB 837 as amended was read by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—28

Barron	Graham	Sayler	Tobiassen
Castor	Johnston	Scarborough	Trask
Childers, Don	MacKay	Scott	Vogt
Childers, W. D.	McClain	Skinner	Williamson
Firestone	Myers	Spicola	Wilson
Glisson	Poston	Thomas, Jon	Winn
Gorman	Renick	Thomas, Pat	Zinkil

Nays—None

Vote after roll call:

Yea—Henderson

SCR 715—A concurrent resolution recommending certain guidelines as a responsible approach to the prevention of problems of alcohol abuse and alcoholism.

—was read the second time in full. On motion by Senator MacKay SCR 715 was adopted and certified to the House. The vote on adoption was:

Yeas—29

Mr. President	Dunn	MacKay	Scott
Barron	Firestone	McClain	Skinner
Castor	Glisson	Poston	Spicola
Chamberlin	Gorman	Renick	Thomas, Jon
Childers, Don	Graham	Sayler	Thomas, Pat
Childers, W. D.	Johnston	Scarborough	Tobiassen

Trask Wilson Winn Zinkil
Vogt

Nays—None

Votes after roll call:

Yea—Peterson, Henderson

On motions by Senator W. D. Childers, the rules were waived and the Committees on Health and Rehabilitative Services; Governmental Operations; and Agriculture were granted permission to meet Monday, May 22 from 10:00 a.m. until 1:00 p.m. instead of 9:00 a.m. until 12:00 noon.

By the Committee on Commerce and Senators Barron, MacKay, Myers, Plante, Scarborough, Brantley, Zinkil, W. D. Childers, Firestone and Winn—

CS for SB 1308—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.727(7), Florida Statutes; providing that uninsured motorist coverage shall not include damages for pain and suffering except for specified injuries or death; amending s. 627.732(1), Florida Statutes; providing definitions of "motor vehicle", "private passenger motor vehicle", and "commercial motor vehicle"; amending s. 627.736(1), Florida Statutes; providing for \$10,000 in personal injury protection coverage; amending s. 627.737(2), Florida Statutes; providing for limitations on rights to damages for pain, suffering, mental anguish, and inconvenience in tort actions arising out of use of a motor vehicle; amending s. 627.7372(1), Florida Statutes; providing for the admission into evidence in certain actions the amount of all collateral sources paid or payable to the claimant, and prohibiting an award of damages which are otherwise paid or payable; creating s. 627.7405, Florida Statutes; providing personal injury protection benefits for the insured, certain relatives, operators, and passengers of a commercial motor vehicle or other Florida residents struck by a commercial motor vehicle in Florida; repealing s. 627.735(2), Florida Statutes, relating to the compliance of motor vehicle liability insurance policies with financial responsibility or compulsory insurance laws of other states; providing for review by the Department of Insurance of the rates of all licensed motor vehicle insurers; providing for issuance of orders by the Department of Insurance to require new rate schedules where existing rates are unfairly discriminatory; providing an effective date.

—was read the first time by title and SB 1308 was laid on the table.

On motion by Senator Barron, by two-thirds vote CS for SB 1308 was read the second time by title.

Senator MacKay moved the following amendments which were adopted:

Amendment 1—Strike on page 5, all of lines 13 through 31 on page 6, all of lines 1 through 9 and insert: Section 6. Section 627.7405, Florida Statutes, is created to read:

627.7405 Subrogation.—Notwithstanding any other provisions of ss. 627.730-627.741, any insurer providing personal injury protection benefits on a private passenger motor vehicle shall have, to the extent of any personal injury protection benefits paid to any person as a benefit arising out of such private passenger motor vehicle insurance, a right of reimbursement against the owner or the insurer of the owner of a commercial motor vehicle, if the benefits paid result from such person having been an occupant of the commercial motor vehicle or having been struck by the commercial motor vehicle while not an occupant of any self-propelled vehicle.

Amendment 2—On page 2, lines 21-30, on page 3, lines 1-13, strike on page 2, all of lines 21 through 30 on page 3, all of lines 1 through 13 and insert:

Section 2. Subsection (1) of section 627.732, Florida Statutes, is amended to read:

627.732 Definitions.—As used in ss. 627.730-627.741:

(1) "Motor vehicle" means a sedan, station wagon, or jeep-type vehicle not used as a public livery conveyance for passen-

gers and includes any other four-wheel motor vehicle used as a utility automobile and a pickup or panel truck which is not used primarily in the occupation, profession, or business of the insured any self-propelled vehicle which is of a type both designed and required to be licensed for use on the highways of this state and any trailer or semi-trailer designed for use with such vehicle, and includes:

(a) A "private passenger motor vehicle" which is any motor vehicle which is a sedan, station wagon or jeep type vehicle not used at any time as a public or livery conveyance for passengers and, if not used primarily for occupational, professional or business purposes, a motor vehicle of the pickup, panel, van, camper or motor home type.

(b) A "commercial motor vehicle" which is any motor vehicle which is not a private passenger motor vehicle.

The term motor vehicle, however, does not include any self-propelled vehicle with less than four wheels or a mobile home.

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

Amendment 3—On page 4, strike all of lines 20 and 21 and insert: (c) Permanent injury within a reasonable degree of medical probability, other than scarring or disfigurement.

(Renumber subsequent paragraph.)

Senator Barron moved the following amendments which were adopted:

Amendment 4—On page 5, strike lines 8-12 and insert: been paid to the claimant, and the court shall instruct the jury to deduct from its verdict the value of all benefits received by the claimant from any collateral source prior to the commencement of the trial. The court shall also admit into evidence any amount paid by the claimant to secure such collateral source.

Amendment 5—On page 6, strike all of lines 27 and 28 and insert: Section 9. This act shall take effect January 1, 1979.

On motion by Senator Barron, by two-thirds vote CS for SB 1308 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—27

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

Nays—4

Dunn	Scott	Ware	Wilson
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Votes after roll call:

Yea—Castor, Peterson, Williamson

SB 680—A bill to be entitled An act relating to mobile homes and recreational vehicles; amending s. 320.03(1), (3), Florida Statutes; requiring tax collectors to deliver and account for mobile home stickers; amending s. 320.031, Florida Statutes; providing for the mailing of mobile home stickers and for the collection of a service charge for such mailing; amending s. 320.04(1), Florida Statutes; providing a service charge for applications for such stickers; amending s. 320.06(2)(a), Florida Statutes, and adding s. 320.06(2)(g), (4)(c), Florida Statutes; deleting a reference to mobile home license plates; providing for exchange of mobile home stickers; prohibiting the giving of credit or refunds in connection with such exchange; providing for size, coloring, and numbering of mobile home stickers; pro-

viding for the annual issuance of such stickers; amending s. 320.081(1), Florida Statutes; providing for issuance of an RV license plate or mobile home sticker to evidence payment of certain fees; amending s. 320.0815, Florida Statutes; requiring issuance of RV license plates to certain vehicles; requiring issuance of mobile home stickers to certain recreational vehicles and mobile homes; requiring issuance of RP stickers to recreational vehicles or mobile homes which are taxed as real property; providing for the display of such plates or stickers; amending s. 320.35, Florida Statutes; exempting a mobile home bearing the appropriate sticker from certain license plate display requirements; providing that the operation over the public streets or the use for housing of a vehicle without the plate or sticker assigned to that vehicle be deemed operation or use without proper license; amending s. 320.37, Florida Statutes; limiting, with respect to certain vehicles owned by nonresidents, the exemption from certain registration requirements; providing an effective date.

—was read the second time by title.

Senator Zinkil moved the following amendment which was adopted:

Amendment 1—On page 6, line 27, strike “to the lower left corner” and insert: to the inside of the lower left corner

On motion by Senator Glisson, by two-thirds vote SB 680 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—30

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

Nays—None

Votes after roll call:

Yea—Peterson, Henderson, Williamson

SB 767—A bill to be entitled An act relating to traffic offenses; amending s. 318.19(1), Florida Statutes, relating to the requirement that infractions which result in an accident that causes a certain amount of property damage shall be subject to a mandatory hearing; repealing s. 316.625(1), Florida Statutes, relating to incompetent drivers, as being duplicative of other provisions; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, between lines 25 and 26, insert: Section 3. The Department of Transportation is hereby authorized, after reasonable notice and hearing, to seize and destroy any sign which is adjacent to any public thoroughfare and which describes or depicts a lewd or lascivious act in a manner contrary to acceptable community standards.

Amendment 2—On page 1 in title, line 9, after the semicolon “;” insert: authorizing the Department of Transportation to seize and destroy certain signs;

On motion by Senator Myers, by two-thirds vote SB 767 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—29

Mr. President	Childers, W. D.	Graham	Myers
Castor	Dunn	Johnston	Peterson
Chamberlin	Firestone	MacKay	Poston
Childers, Don	Gorman	McClain	Renick

Sayler	Spicola	Vogt	Winn
Scarborough	Thomas, Jon	Ware	Zinkil
Scott	Tobiassen	Wilson	
Skinner	Trask		

Nays—None

Votes after roll call:

Yea—Henderson, Williamson

SB 594—A bill to be entitled An act relating to regional perinatal intensive care centers; adding subsections (6) and (7) to s. 383.16, Florida Statutes, providing definitions; amending s. 383.19(1), Florida Statutes, relating to grant disbursements and reimbursements; providing for computation of grants within certain limits; providing for reversion of funds under certain circumstances; providing an effective date.

—was read the second time by title.

The Committee on Health and Rehabilitative Services offered the following amendment which was moved by Senator Gordon and failed:

Amendment 1—On page 3, line 11, insert a new Section 3:

Section 3. There is hereby appropriated from general revenue funds the sum of \$6,526,800 for the purpose of continuing the Perinatal Intensive Care Program and implementing the provisions of this act. Of this amount \$4,662,000 shall be for minimum support grants and \$1,864,800 shall be for equalization funds.

(Renumber subsequent section.)

Senator Gordon moved the following amendment which was adopted:

Amendment 2—On page 3, line 11, strike “1978” and insert: 1979

The Committee on Health and Rehabilitative Services offered the following amendment which was moved by Senator Gordon and failed:

Amendment 3—On page 1, line 9 in title, insert after the semicolon: providing an appropriation;

On motion by Senator Gordon, by two-thirds vote SB 594 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Vote after roll call:

Yea—Henderson

SB 604—A bill to be entitled An act relating to comprehensive health education; amending s. 233.067(4), (5), Florida Statutes, renumbering subsections (8), (9), (10), (11) of said section, and adding a new subsection (8) to said section; requiring the Department of Education to take the advice of school food service personnel into consideration in its administration of the comprehensive health education program; requiring inclusion of nutrition instruction and training programs for food service personnel in such program; requiring proposals for implementation of district or school health education projects to include certain provisions; providing for the monitoring and evaluation of comprehensive health education programs or

projects and for annual reporting to the Legislature; amending s. 236.081(5), Florida Statutes; redesignating comprehensive health education as a general categorical program for funding purposes; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote SB 604 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Glisson	Poston	Tobiassen
Castor	Gorman	Renick	Trask
Chamberlin	Graham	Sayler	Vogt
Childers, Don	Hair	Scarborough	Ware
Childers, W. D.	Johnston	Scott	Wilson
Dunn	MacKay	Skinner	Winn
Firestone	Peterson	Thomas, Jon	Zinkil

Nays—None

Votes after roll call:

Yea—Henderson, Williamson

By the Committee on Health and Rehabilitative Services and Senator Gordon—

CS for SB 466—A bill to be entitled An act relating to health care facilities and services; prohibiting commissions, kickbacks, rebates, or split fee arrangements for patient referrals to a hospital, nursing home, ambulatory surgical center, clinical laboratory, or pharmacy; authorizing the Department of Health and Rehabilitative Services to set penalties for violation; providing an effective date.

—was read the first time by title and SB 466 was laid on the table.

On motions by Senator Zinkil, by two-thirds vote CS for SB 466 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—28

Mr. President	Glisson	Poston	Tobiassen
Castor	Gorman	Renick	Trask
Chamberlin	Graham	Sayler	Vogt
Childers, Don	Hair	Scarborough	Ware
Childers, W. D.	Johnston	Scott	Wilson
Dunn	McClain	Skinner	Winn
Firestone	Peterson	Thomas, Jon	Zinkil

Nays—None

Votes after roll call:

Yea—Henderson, Williamson

On motion by Senator Hair 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 Speaker of the House of Representatives has appointed Representatives Fortune, Dixon, Andrews, Morgan, Bloom, Craig, Bell and Maxwell, alternates: Fulford and T. Lewis as Conferees on the part of the House on HB 2044.

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 851, recalled from the Senate, and reconsidered the vote by which recalled from the Senate—

By the Committee on Regulated Industries & Licensing and Representatives Culbreath and Ryals—

CS for HB 851—A bill to be entitled An act relating to horseracing; amending s. 550.38(1), Florida Statutes, requiring

the permanent standing of a stallion in Florida to be eligible for stallion awards; providing for the death of a stallion; requiring certain records to be maintained by the Florida Thoroughbred Breeders Association and authorizing certain charges to owners by the association; providing that said section, as amended by chapter 77-167, Laws of Florida, relating to breeder awards for Florida-bred horses, shall not expire on July 1, 1979; providing that the provisions of subsection (4) of s. 550.42, Florida Statutes, 1975, as amended by section 16 of Chapter 77-167, Laws of Florida, and appearing as subsection (3) of s. 550.42, Florida Statutes, 1977, relating to the funding of such awards, shall not expire on July 1, 1979; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

The bill was placed on the calendar.

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 and Senators Castor and Peterson—

CS for SB 296—A bill to be entitled An act relating to the establishment and funding of school district programs; creating s. 230.2315, Florida Statutes; providing for educational alternative programs for students who are disruptive or unsuccessful in a normal school environment; providing legislative intent; providing definitions; amending ss. 236.081(1)(c), (d), (5), 229.565(2)(c), Florida Statutes; providing for annual funding of district school programs; providing for periodic evaluation of district student selection procedures for educational alternative programs; amending s. 237.34(3)(a), Florida Statutes, providing for program expenditure requirements; repealing ss. 229.542, 229.543, 229.545, 230.23(4)(n), 232.255, Florida Statutes, relating to district programs for educational leadership training, exceptional children, and safety of the school environment from vandalism and disruption; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, strike everything after the enacting clause and insert: Section 1. Paragraphs (c) and (d) of subsection (1) of section 236.081, Florida Statutes, are amended to read:

236.081 Funds for current operation of schools.—The annual allocation from the Florida Education Finance Program to each district for current operation of schools shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR CURRENT OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for current operation:

(c) Determination of programs.—Cost factors based on desired relative cost differences between the following programs are hereby established. However, the application of cost factors in part-time programs for exceptional students shall be limited to a maximum of twelve twenty-fifths of a student membership in a given program during a week. The criteria for qualification for the special programs, including maximum case loads for part-time programs, shall be determined by rules regulations of the state board. Cost factors for special programs for exceptional students shall be used to fund programs, approved by the department, as provided by law for exceptional students under the minimum age for enrollment in kindergarten.

1. Basic programs.—	Cost Factor
a. Kindergarten and grades 1, 2, and 3	1.234
b. Grades 4, 5, 6, 7, 8, and 9	1.00
c. Grades 10, 11, and 12	1.09 1.10
2. Special programs for exceptional students.—	
a. Educable mentally retarded	2.27 2.30
b. Trainable mentally retarded	2.92 3.00

c. Physically handicapped	3.42	3.50
d. Physical and occupational therapy part-time ..	6.37	6.00
e. Speech and hearing therapy part-time	9.35	10.00
f. Deaf	3.94	4.00
g. Visually handicapped part-time	10.38	10.00
h. Visually handicapped	3.53	3.50
i. Emotionally disturbed part-time	7.08	7.50
j. Emotionally disturbed	3.61	3.70
k. Socially maladjusted	2.20	2.30
l. Specific learning disability part-time	6.84	7.50
m. Specific learning disability	2.33	2.30
n. Gifted part-time	2.93	3.00
o. Hospital and homebound part-time	14.31	15.00
p. Profoundly handicapped		6.50
3. Special vocational-technical programs.—		
a. Vocational education I	3.84	4.26
b. Vocational education II	2.47	2.64
c. Vocational education III	2.05	2.18
d. Vocational education IV	1.62	1.60
e. Vocational education V	1.43	1.40
f. Vocational education VI	1.08	1.17
4. Special adult general education programs.—		
a. Adult basic education and adult high school ..	1.22	1.28
b. Community service		0.675

(d) Allocation of full-time equivalents.—The department is authorized and directed to review all district programs in the areas of exceptional student programs, special vocational-technical programs, and special adult general education programs. First priority in the assignment of full-time equivalent student membership shall be based on the request of the districts as submitted and approved by the department. Any unassigned full-time equivalent membership shall be allocated to those districts submitting supplemental requests, with priority to those districts with the lowest incidence of programs to students identified to be in need of such special programs.

1. The assigned weighted full-time equivalent student membership in special programs for exceptional students, part-time programs, special vocational-technical programs, and special adult general education programs, including adult basic education, adult high school, and community service, in any school fiscal year shall not exceed the maximum prescribed in the current year's General Appropriations Act for such programs. The Department of Education is directed to review the method of projecting enrollment and determining incidence in all special programs for exceptional students, special vocational-technical programs, and special adult general education programs and to report, at least 60 days prior to each regular session of the Legislature, a 3-year projected enrollment of full-time equivalent students in these programs.

2. In administering the maximums, the department shall review each district's program and needs with each scheduled student membership survey and may reassign the authorized weighted membership within the maximums provided. In any district in which, after the final assignment, the actual full-time equivalent membership multiplied by the appropriate cost factors exceeds the assigned maximum, such excess full-time equivalent student membership shall be computed at a cost factor of 1.00. Excess full-time equivalent membership in community service programs shall be computed at a cost factor of 0.0.

3. With respect to special programs for the visually handicapped part-time provided in paragraph (c)2.g., upon request of a school board in any district or multi-district area in which there are five or more students receiving an appropriate program, the Department of Education may assign three unweighted full-time equivalent students for the special program

until such time as more than three full-time equivalent students are generated.

Section 2. Paragraph (a) of subsection (3) of section 237.34, Florida Statutes, is amended to read:

237.34 Cost accounting and reporting.—

(3) PROGRAM EXPENDITURE REQUIREMENTS.—

(Substantial rewording of paragraph. See s. 237.34(3)(a), F.S., for present text.)

(a) For each program and broad program category established in s. 236.081(1)(c), each district shall expend at least 80 percent of the funds generated by each of the programs listed herein on the aggregate total school costs for such programs; except that in kindergarten and grades 1, 2, and 3, 90 percent of the funds generated shall be spent on the aggregate total school costs for such programs:

1. Kindergarten and grades 1, 2, and 3.
2. Grades 4, 5, 6, 7, 8, and 9.
3. Grades 10, 11, and 12.
4. Special programs for exceptional students, on an aggregate program basis.
5. Special vocational-technical programs, on an aggregate program basis.
6. Special adult general education programs, on an aggregate program basis.

Section 3. Subsection (2) of section 233.34, Florida Statutes, is amended to read:

233.34 Use of instructional materials allocation; instructional and instructional-related materials, library, and reference books.—

(2) Each school district shall use the annual allocation for the purchase of instructional materials included on the state adopted list. However, up to 50 percent of the annual allocation may be used for the purchase of instructional materials, including library and reference books, not included on the state-adopted list and for the repair and renovation of textbooks and library books.

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

Amendment 2—On page 1, strike the title and insert: An act relating to educational funding; amending s. 236.081(1)(c) and (d), Florida Statutes, changing the cost factors for educational programs under the Florida Education Finance Program; adding a cost factor for profoundly handicapped programs; deleting the cost factor for community service programs; providing for assignment of unweighted full-time equivalent students for special programs for the visually handicapped part-time under certain circumstances; amending s. 237.34(3)(a), Florida Statutes, requiring each school district to expend 90 percent of the funds generated by kindergarten and grades 1, 2, and 3 on the aggregate total school costs for such programs; amending subsection 233.34(2), Florida Statutes, permitting up to 50 percent of the instructional materials allocation to be used for the purchase of instructional materials not on the state-adopted list; providing an effective date.

CS for SB 296 with House amendments was referred to the Committee on Education.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 2065 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Commerce—

HB 2065—A bill to be entitled An act relating to judicial sales; amending s. 45.031(1), Florida Statutes; providing that a judicial sale shall not be ordered less than 20 days after the entry of an order or final judgment and directing publication of notice of such sale once a week for 2 consecutive weeks; pro-

viding that the second such notice shall be published at least 5 days before the sale; providing an effective date.

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

SPECIAL ORDER, Continued

SB 1262 was taken up and on motions by Senator Hair HB 2065, a companion measure, was substituted for SB 1262 and by two-thirds vote read the second time by title. On motion by Senator Hair, by two-thirds vote HB 2065 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

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

Nays—None

Votes after roll call:

Yea—Henderson, Williamson

SB 457 was taken up and on motion by Senator Pat Thomas, the rules were waived and by two-thirds vote HB 54 was withdrawn from the Committee on Finance, Taxation and Claims.

On motion by Senator Pat Thomas—

HB 54—A bill to be entitled An act relating to public financing for housing; creating the "Florida Housing Finance Authority Law"; providing definitions; authorizing the creation of a housing finance authority by ordinance; providing for the functioning and such authorities to alleviate a shortage of housing and capital for investment in housing; providing for membership, powers, and duties; authorizing a county to exercise the powers of such authority until members are appointed; prohibiting members and employees from acquiring or having certain interests with respect to a qualifying housing development; requiring disclosures of interest; providing for removal of members; authorizing such authorities to make, purchase, and sell loans for qualifying housing developments; prohibiting the financing of qualifying housing developments for profit; authorizing such authorities to issue bonds and limiting sources from which such bonds are payable; providing for validation proceedings; providing for remedies of an obligee; exempting bonds together with income and interest thereon from taxation; providing severability; providing an effective date.

—a companion measure, was substituted for SB 457 and read the second time by title.

Senator Pat Thomas moved the following amendments which were adopted:

Amendment 1—On page 12, lines 4-10, strike all language in Section (2)(a) and insert: (2)(a) The bonds issued by the authority shall be sold by the authority at public sale substantially in the manner provided by s. 215.68(5)(b) and (c), unless otherwise approved by the State Board of Administration; provided, that such requirement shall be deemed waived if (i) the State Board of Administration has not responded in writing within 30 days from the date of application, or (ii) if: (A) the bonds are rated by at least one nationally recognized rating service in any one of the three highest classifications approved by the Comptroller of the Currency for the investment of funds of national banks; (B) an appropriate certification and opinion of counsel pursuant to the applicable arbitrage regulations under Section 103(c) of the Internal Revenue Code are delivered simultaneously with the delivery of the bonds; and (C) the official statement issued in connection with the sale of the bonds has been filed with the State Board of Administration prior to the closing.

Amendment 2—On page 17, line 23, strike the word "October" and insert: the word "July"

On motion by Senator Pat Thomas, by two-thirds vote HB 54 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—29

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

Nays—3

Gordon Ware Wilson

Votes after roll call:

Yea—Williamson
Nay—Scott

SB 908—A bill to be entitled An act relating to the Department of Transportation; amending s. 337.25(1), Florida Statutes; authorizing the department to purchase, lease, or acquire property necessary for the acquisition, construction, or maintenance of transportation facilities; providing an effective date.

—was read the second time by title.

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

Amendment 1—Page 1, strike all of line 18 through and including line 22 and insert: improvements, including *abandoned railroad rights-of-way* and personal property within such buildings or on such lands, necessary to carry out its duties and functions in acquiring rights-of-way or easements for the construction and maintenance of all roads under the

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

Amendment 2—On page 2, between lines 3 and 4, insert: Section 2. The Department of Transportation is hereby authorized, after reasonable notice and hearing, to seize and destroy any sign which is adjacent to any public thoroughfare and which describes or depicts a lewd or lascivious act in a manner contrary to acceptable community standards.

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

Amendment 3—On page 1 in title, strike all of line 5 through and including line 7 and insert: purchase, lease, or acquire property including abandoned railroad rights-of-way necessary for the acquisition, construction, and maintenance of roads

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

Amendment 4—On page 1 in title, line 7, after the semicolon ":", insert: authorizing the Department of Transportation to seize and destroy certain signs;

On motion by Senator Myers, by two-thirds vote SB 908 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Votes after roll call:

Yea—Henderson, Williamson

On motion by Senator Scarborough, 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 1334 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Bell—

HB 1334—A bill to be entitled An act relating to pari-mutuel wagering; creating s. 550.0831, Florida Statutes; providing that a pari-mutuel permitholder conducting dogracing in 1977 and thereafter in a county having only one such race-track may conduct dog race meets or meetings upon the days and dates of such permitholder's choice excluding Sundays, not to exceed the total of 105 racing days in each racing year, plus charity and scholarship days; adding s. 550.03(2)(k), Florida Statutes; providing for a day of charity operation for the Daytona Beach Jai Alai Fronton of Volusia County; providing that the proceeds from such day of operation shall be allocated and paid to the Daytona Beach Community College to be used for athletic scholarships; providing an effective date.

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

On motion by Senator Scarborough the rules were waived and the Committee on Commerce was granted permission to consider HB 1334 at the meeting on May 22.

Special Order, continued

SB 918—A bill to be entitled An act relating to financial matters; amending s. 215.422(3), Florida Statutes; providing that if a warrant in payment of an invoice is not received by a vendor from a state agency within 45 days of submission of the invoice, the agency shall be liable to the vendor for interest at the rate of 1 percent per month on the unpaid balance; providing exceptions; 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 Gorman and adopted:

Amendment 1—On page 2, strike all of lines 15-27 and insert: (b) *If a warrant in payment of an invoice is not mailed by a state agency within 45 days after receipt of the invoice and receipt, inspection, and approval of the goods and services, the agency shall be liable to the vendor, in addition to the amount of the invoice, for interest at a rate of 1 percent per month or portion thereof on the unpaid balance from the expiration of said 45-day period until such time the warrant is mailed to the vendor. The provisions of this paragraph shall apply only to undisputed amounts for which payment has been authorized. In the case of an error on the part of the vendor, the 45-day period shall begin to run upon receipt of a corrected invoice by the agency. The provisions of this paragraph shall not apply when the filing requirement under subsection (1) or (2) has been waived by the Department of Banking and Finance. The various state agencies shall be responsible for initiating the penalty payments required by this subsection and shall use this subsection as authority to make such payments. The budget request submitted to the Legislature shall specifically disclose the amount of any interest paid by any agency pursuant to this subsection.*

Senator Gorman moved the following amendment which was adopted:

Amendment 2—On page 2, strike all of lines 28 and 29 and insert: Section 2. This act shall take effect on July 1, 1978.

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

Amendment 3—On page 1 in title, strike all lines 5-6 and insert: mailed to a vendor from a state agency within 45 days of receipt of the vendor's invoice by a state agency, the agency and on line 9 after "balance;" insert: providing for reports to the Legislature;

Senator Gorman moved the following amendment to Amendment 3 which was adopted:

Amendment 3A—On page 1, line 2, after the word "the" strike "agency"

Amendment 3 as amended was adopted.

On motion by Senator Gorman, by two-thirds vote SB 918 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—30

Mr. President	Gordon	Renick	Trask
Castor	Gorman	Saylor	Vogt
Childers, Don	Graham	Scarborough	Williamson
Childers, W. D.	Hair	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	McClain	Thomas, Jon	Zinkil
Gallen	Peterson	Thomas, Pat	
Glisson	Poston	Tobiassen	

Nays—1

Chamberlin

SB 669—A bill to be entitled An act relating to the elderly; providing for the establishment, operation, and maintenance of a Data Bank on Older Floridians by the Multidisciplinary Center on Gerontology at FSU; providing for an initial phase; providing functions; providing an appropriation; providing an effective date.

—was read the second time by title.

The Committee on Education offered the following amendment which was moved by Senator Jon Thomas and adopted:

Amendment 1—On page 3, lines 5-12, strike all of Section 3.

Renumber subsequent section

Senator Jon Thomas moved the following amendment which was adopted:

Amendment 2—On page 2, line 1, strike the words "The Florida" and strike all of lines 2 through 10 and insert: A Data Bank on Older Floridians shall be operated and maintained by one or more of the private or public institutions of higher education in Florida that operates a program for the study of aging or a center on gerontology. After an assessment of the capacity of the institutions of higher education in the state to operate and maintain the data bank, the Florida Board of Regents, Division of Universities, Department of Education, shall contract for the operation and maintenance of the data bank with the institution or institutions that it determines to be most qualified to perform the functions outlined in this act. In awarding the contract for operating and maintaining the data bank, the board shall consider private as well as public institutions. The initial phase in the establishment of the data bank shall be the development of the planning and evaluation components. Such components shall be formulated consistent with federal and state plans on aging. The functions of the data bank shall include, but not be limited to:

The Committee on Education offered the following amendment which was moved by Senator Jon Thomas and adopted:

Amendment 3—On page 1, line 7 in title, strike “providing an appropriation;”

Senator Jon Thomas moved the following amendment which was adopted:

Amendment 4—On page 1 in title, strike all of lines 3 through 5 and insert: the establishment of a Data Bank on Older Floridians by the Florida Board of Regents, Division of Universities, Department of Education; providing for the Board of Regents to contract with an institution or institutions of higher learning to operate and maintain such a data bank;

On motion by Senator Jon Thomas, by two-thirds vote SB 669 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

SB 1076—A bill to be entitled An act relating to the Florida Electrical Power Plant Siting Act; amending ss. 403.503(7), 403.506(1), Florida Statutes; providing that such act does not apply to power plants or steam generating plants of less than a certain capacity which utilize solid waste as their primary fuel source; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 1076 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Consideration of CS for SB 1294 was deferred.

HB 643—A bill to be entitled An act relating to state-owned water bottoms; amending s. 370.10(1), Florida Statutes, requiring the reservation of fishing rights in the dedication or conveyance of water bottoms owned by the state; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote HB 643 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

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

Nays—None

Senator Hair presiding

By the Committee on Transportation and Senators Spicola and Saylor—

CS for SB 425—A bill to be entitled An act relating to motor vehicle license plates; amending s. 316.1964(1)(b), (2), Florida Statutes; providing exemptions from parking fees for certain disabled persons who own or lease motor vehicles; deleting the requirement that such disabled persons be licensed to operate motor vehicles; amending s. 320.0843(1), (2), Florida Statutes; deleting the requirement that an owner or lessee of a motor vehicle who is confined to a wheelchair be licensed to operate a motor vehicle in this state before he may obtain a motor vehicle license plate bearing the international wheelchair symbol; providing that the owner or lessee of a vehicle used to transport a permanently disabled member of the owner's or lessee's household may obtain a motor vehicle license plate bearing the international wheelchair symbol; providing an effective date.

—was read the first time by title and SB 425 was laid on the table.

On motions by Senator Myers, by two-thirds vote CS for SB 425 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Castor	Gorman	Sayler	Vogt
Chamberlin	Graham	Scarborough	Ware
Childers, Don	Johnston	Scott	Williamson
Childers, W. D.	McClain	Skinner	Wilson
Dunn	Myers	Thomas, Jon	Winn
Firestone	Peterson	Thomas, Pat	Zinkil
Glisson	Poston	Tobiassen	
Gordon	Renick	Trask	

Nays—None

Consideration of HB 733 was deferred.

SB 849—A bill to be entitled An act relating to the registration of boats; amending s. 371.65(7), Florida Statutes; providing an exemption for certain nonprofit marine institutes; providing an effective date.

—was read the second time by title. On motion by Senator Renick, by two-thirds vote SB 849 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

The President presiding

SB 176—A bill to be entitled An act relating to public schools; amending s. 233.062, Florida Statutes; permitting a school board to provide a daily school period for silent meditation; providing an effective date.

—was read the second time by title.

Senator Chamberlin moved the following amendment which failed:

Amendment 1—On page 1, lines 12 and 20, insert after “silent”; , non-sectarian,

On motion by Senator Zinkil, by two-thirds vote SB 176 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

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

Nays—5

Chamberlin	Johnston	Myers	Wilson
Gordon			

HB 733—A bill to be entitled An act relating to imported pork; amending s. 585.3401, Florida Statutes, prohibiting the purchase by public agencies of imported pork under certain circumstances; providing a penalty; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote HB 733 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	Vogt
Childers, W. D.	Hair	Renick	Williamson
Dunn	Henderson	Scarborough	Wilson
Firestone	Johnston	Scott	Winn
Gallen	MacKay	Skinner	Zinkil

Nays—None

By the Committee on Judiciary-Civil and Senator Plante—

CS for SB 1294—A bill to be entitled An act relating to election of judicial officers; amending s. 105.031(3), Florida Statutes; exempting candidates for retention to judicial office from payment of the qualifying fee; providing an effective date.

—was read the first time by title and SB 1294 was laid on the table.

On motions by Senator Hair, by two-thirds vote CS for SB 1294 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Vote after roll call:

Yea—McClain

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

CS for SB 970—A bill to be entitled An act relating to sale or conveyance of state lands; providing legislative intent; providing that the sovereignty status of state-owned lands shall not be affected by the Marketable Record Title Act; providing for a cause of action if the unauthorized use of sovereignty lands occurs; amending s. 253.111, Florida Statutes, providing that state lands may be sold to a county upon determination of the

board of county commissioners by resolution that such land will be devoted to a public purpose, rather than a public outdoor recreational purpose; providing an effective date.

—was read the first time by title and SB 970 was laid on the table.

On motion by Senator Gallen, by two-thirds vote CS for SB 970 was read the second time by title.

Senator Gallen moved the following amendment which was adopted:

Amendment 1—On page 1, line 28, and on page 2, line 2, insert after the word "lands": beneath navigable waters

On motion by Senator Gallen, by two-thirds vote CS for SB 970 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—22

Mr. President	Glisson	Sayler	Vogt
Castor	Gorman	Scarborough	Williamson
Chamberlin	Graham	Skinner	Winn
Dunn	Hair	Thomas, Jon	Zinkil
Firestone	Johnston	Thomas, Pat	
Gallen	Myers	Trask	

Nays—5

Childers, Don	Poston	Ware	Wilson
MacKay			

Votes after roll call:

Yea—McClain, Peterson
Nay—Scott

SB 958—A bill to be entitled An act relating to education; amending s. 229.58(1), Florida Statutes; authorizing a district school board to establish advisory committees pursuant to certain rules; authorizing certain support groups to function as such committees; creating s. 229.59, Florida Statutes; authorizing a district school board or a principal, pursuant to certain rules, to submit proposed educational improvement projects to the Commissioner of Education; requiring the commissioner to authorize distribution of a grant in a certain amount for each approved project; providing an effective date.

—was read the second time by title.

The Committee on Education offered the following amendments which were moved by Senator MacKay and adopted:

Amendment 1—On page 1, lines 22 and 23, strike "*Pursuant to rules adopted by the State Board of Education, each The*" and insert: The

Amendment 2—On page 2, line 3, strike "*state or*"

Senator MacKay moved the following amendments which were adopted:

Amendment 3—On page 3, lines 3 and 4, strike all of Section 3 and insert: Section 3. Section 229.832, Florida Statutes, is amended to read:

229.832 Creation of a system of diagnostic and learning resource centers.—The Department of Education is directed to establish 18 regional diagnostic and learning resource centers for exceptional students, to assist in the provision of medical, physiological, psychological, educational testing, and other services designed to evaluate and diagnose exceptionalities, to make referrals for necessary instruction and service, and to facilitate the provision of instruction and services to exceptional students to be located in Alachua, Bay, Brevard, Broward, Dade, Duval, Escambia, Hillsborough, Lee, Leon, Marion, Okaloosa, Orange, Pinellas, Polk, Palm Beach, Sarasota, and Volusia Counties.

(1) ESTABLISHMENT AND OPERATION.—The Department of Education shall cooperate with the Department of Health and Rehabilitative Services in establishing regional

centers and identifying service areas. All centers shall be operated by the Department of Education, either directly or through grants.

(2) **DUTIES AND RESPONSIBILITIES.**—Within its identified service area, each regional center shall:

(a) Provide assistance to parents, teachers, and other school personnel and community organizations in locating and identifying exceptional children and in planning educational programs for such children.

(b) Assist in the provision of services for exceptional children, using to the maximum, but not supplanting, the existing facilities and services of each district.

(c) Provide orientation meetings at least annually for teachers, principals, supervisors, and community agencies to familiarize them with center facilities and services for exceptional children.

(d) Plan, coordinate, and assist in the implementation of inservice training programs, consistent with each district's program of staff development, for the development and updating of attitudes, skills, and instructional practices and procedures necessary to the education of exceptional children.

(e) Assist districts in the identification, selection, acquisition, use, and evaluation of media and materials appropriate to the implementation of instructional programs based on individual educational plans for exceptional children.

(f) Provide for the dissemination and diffusion of significant information and promising practices derived from educational research, demonstration, and other projects.

Section 4. Subsection (5) of section 236.081, Florida Statutes, is amended to read:

236.081 Funds for current operation of schools.—The annual allocation from the Florida Education Finance Program to each district for current operation of schools shall be determined as follows:

(5) **CATEGORICAL PROGRAMS.**—The Legislature hereby provides for the establishment of selected categorical programs to assist in the development and maintenance of activities giving indirect support to the programs previously funded. These categorical appropriations may be funded as general and transitional categorical programs. It is the intent of the Legislature that no transitional categorical program shall be funded for more than 4 fiscal years from the date of original authorization or from July 1, 1973, whichever is later. Such programs are as follows:

(a) General.—

1. Comprehensive school construction and debt service as provided by law.
2. Community schools as provided by law.
3. Educational leadership training act programs as provided by law.
4. School lunch programs for the needy as provided by law.
5. Instructional material funds as provided by law.
6. Vocational improvement fund as provided by law.
7. Student transportation as provided by law.
8. Student development services as provided by law.
9. Diagnostic and learning resource centers as provided by law.

(b) Transitional.—

1. Bilingual program as provided by law.
2. Driver education as provided by law.
3. Safe schools program as provided by law.
4. Comprehensive health education as provided by law.
5. Exceptional child support services as provided by law.
- 5.6. Profoundly handicapped as provided by law.

Section 5. During the 1978-1979 fiscal year the Department of Education shall develop an operational plan for the system of diagnostic and learning resource centers authorized by this act. Such plan shall provide for, but not be limited to, the coordination of all services currently being provided to districts and to students through the state diagnostic and resource centers operated pursuant to ss. 229.832-229.837, Florida Statutes, and the Florida learning resource system funded under provisions of the Federal Education for the Handicapped Act, and shall also provide for joint funding of such centers from federal, state, and other appropriate sources in an effort to maximize the impact of all available resources. A copy of the plan shall be transmitted to the Education and Appropriations Committees of the Senate and the House of Representatives on or before March 1, 1979.

Section 6. Sections 229.831, 229.836, 229.837, 229.838, 229.839, Florida Statutes, and section 229.833, Florida Statutes as amended by chapter 77-147, and chapter 77-174, Laws of Florida and section 229.835, as amended by chapter 77-320, Laws of Florida, are hereby repealed.

Section 7. This act shall take effect upon becoming a law, except that sections 3, 4 and 6 of this act shall take effect July 1, 1979.

Amendment 4—On page 1 in title, strike all of lines 3 through 7 inclusive and insert: 229.58(1), Florida Statutes; authorizing certain groups to function as district and school advisory committees; creating s. 229.59, Florida

Amendment 5—On page 1 in title, lines 14 and 15, strike providing an effective date. and insert: amending s. 229.832, Florida Statutes; authorizing the Department of Education to establish and operate through grants, regional diagnostic and learning resource centers for exceptional children rather than regional diagnostic and resource centers; deleting the provision specifying the number and location of such centers; prescribing duties and responsibilities of the centers; amending s. 236.081 (5), Florida Statutes; providing for funding for diagnostic and learning resource centers as a general categorical program; deleting provision providing for the funding of exceptional child support services as transitional categorical programs; requiring the Department of Education to develop an operational plan for the system of diagnostic and learning resource centers; prescribing the contents of such plan; requiring a copy of such plan to be transmitted to specified committees of the Legislature; repealing s. 229.831, Florida Statutes, which provides legislative intent; repealing s. 229.833, Florida Statutes, as amended, which prescribes functions and responsibilities of the centers of the regional diagnostic and resource system; repealing s. 229.835, Florida Statutes, as amended, which prescribes the duties and responsibilities of the state coordinator of the diagnostic and resource system; repealing s. 229.836, Florida Statutes, which prescribes the duties and responsibilities of the district school boards with respect to the diagnostic and resource system; repealing s. 229.837, Florida Statutes, which prescribes the duties of each director of a diagnostic and resource center; repealing ss. 229.838, 229.839, Florida Statutes, which provide for grants to school districts for special education support services, provide that such services utilize and supplement services by certain agencies, and prohibit funds from being used for certain purposes; providing an effective date.

On motion by Senator MacKay, by two-thirds vote SB 958 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Vote after roll call:

Yea—Peterson

SB 1029—A bill to be entitled An act relating to courts; amending ss. 26.031(1)(d), (g), (m), 34.022(50), Florida Statutes; providing an additional circuit judge in the Fourth, Seventh, and Thirteenth Judicial Circuits; providing an additional county court judge in Palm Beach County; providing an appropriation; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote SB 1029 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Votes after roll call:

Yeas—McClain, Peterson

On motions by Senator MacKay, by two-thirds vote SB 1347 was withdrawn from the Committee on Commerce and by two-thirds vote placed on the special order calendar.

SB 1347—A bill to be entitled An act relating to horseracing; amending chapter 78-39, Laws of Florida, (Committee Substitute for Senate Bill 719 passed by the 1978 Legislature); providing that the provisions of s. 550.42, Florida Statutes, 1977, as created by chapter 77-167, Laws of Florida, shall not expire on July 1, 1979, but shall remain in full force and effect and shall supersede the provisions of s. 550.42(4) and (5), Florida Statutes, 1975; providing that breeder's awards be paid from the breaks tax and the balance be deposited in the General Revenue Fund; providing an effective date.

—was read the second time by title. On motion by Senator MacKay, by two-thirds vote SB 1347 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Glisson	McClain	Thomas, Pat
Castor	Gordon	Myers	Tobiassen
Chamberlin	Gorman	Poston	Vogt
Childers, Don	Graham	Renick	Ware
Childers, W. D.	Henderson	Scarborough	Williamson
Dunn	Johnston	Scott	Winn
Firestone	MacKay	Skinner	Zinkil

Nays—None

Vote after roll call:

Yea—Peterson

SB 775—A bill to be entitled An act relating to the municipal public service tax; amending s. 166.231(2), Florida Statutes; limiting the public service tax on fuel oil; 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 Scarborough and failed:

Amendment 1—On page 1, line 15, strike the period and insert: when used for residential heating purposes.

On motion by Senator Scarborough, by two-thirds vote SB 775 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—20

Mr. President	Gordon	Scarborough	Vogt
Chamberlin	Gorman	Skinner	Ware
Childers, W. D.	Henderson	Thomas, Jon	Williamson
Gallen	McClain	Thomas, Pat	Wilson
Glisson	Sayler	Tobiassen	Winn

Nays—12

Castor	Firestone	MacKay	Renick
Childers, Don	Graham	Myers	Scott
Dunn	Johnston	Poston	Zinkil

Votes after roll call:

Yea—Peterson
Yea to Nay—Gordon
Nay to Yea—Renick

SB 955—A bill to be entitled An act relating to insurance; amending s. 20.13(4), Florida Statutes; changing the name of the Division of Fraudulent Claims of the Department of Insurance to the Division of Insurance Fraud; amending s. 626-989(1), (4)-(7), Florida Statutes, and adding subsections (8) and (9) to said section; providing that division investigators not be subject to subpoena in certain civil actions; providing limited arrest powers for division investigators; providing that the cost of the division be borne by all insurance companies licensed to write fire and casualty insurance in the state; amending s. 627.7375(8), (9), Florida Statutes; providing that the solicitation of business for the purpose of making claims for personal injury protection benefits is unlawful; providing penalties; prohibiting attorneys from soliciting business for purpose of filing a claim for personal injury protection benefits; providing penalties; providing that the ban on soliciting business by attorneys not apply to advertising allowed by the Code of Professional Responsibility; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote SB 955 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Vote after roll call:

Yea—Peterson

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Scarborough, by two-thirds vote SB 1199 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Firestone, by two-thirds vote SB 643 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Glisson, by two-thirds vote SB 120 was withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Gordon, the rules were waived and by two-thirds vote Senate Bills 1120 and 1118, and HB 1138 were withdrawn from the Committee on Finance, Taxation and Claims.

On motion by Senator Gallen, the rules were waived and by two-thirds vote SB 1285 was withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motion by Senator Gordon, the rules were waived and by two-thirds vote SB 16 was withdrawn from the Committee on Corrections, Probation and Parole.

Special Order, continued

SB 722—A bill to be entitled An act relating to executive appointments; prohibiting special laws and general laws of local application which provide for appointment by the Governor of any officer or member of any commission, authority, bureau, council, agency, board, or special district, the geographical jurisdiction of which does not extend beyond the boundaries of a single county; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, after the word "commission," on lines 17 and 19 insert the word "committee,"

Amendment 2—On page 1 in title, line 6, after the word "commission," insert: committee,

On motion by Senator Saylor, by two-thirds vote SB 722 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—23

Mr. President	Gorman	Poston	Tobiassen
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Johnston	Saylor	Ware
Childers, W. D.	MacKay	Scarborough	Wilson
Dunn	McClain	Thomas, Jon	Winn
Firestone	Myers	Thomas, Pat	

Nays—4

Castor	Graham	Scott	Zinkil
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Votes after roll call:

Yea—Peterson, Williamson

SB 706—A bill to be entitled An act relating to Florida radiation protection; creating ss. 290.011, 290.021, 290.031, 290.041, 290.052, 290.061, 290.072, 290.081, 290.091, 290.101, 290.111, 290.121, 290.131, 290.141, 290.151, 290.161, and 290.171, Florida Statutes; providing a short title; providing declaration of policy; providing definitions; designating a state radiation protection agency; authorizing the Department of Health and Rehabilitative Services to perform radiological environmental surveillance; providing powers and duties of the department; authorizing licensing of sources of ionizing radiation; providing rulemaking authority for the department; providing for inspections; authorizing training and educational programs; authorizing the department to require records of persons who possess or use sources of ionizing radiation; providing authority to respond to emergencies involving the release of radioactive materials; authorizing the department to impound certain materials in emergencies; authorizing the department to require posting of a bond by licensees; authorizing the department to require a perpetual care trust fund; authorizing the department to charge and collect fees; providing prohibited uses for sources of radiation; providing for injunctive relief against violators; providing penalties; providing severability; amending s. 290.32, Florida Statutes; providing for the appointment of a board member from Florida to the Southern Interstate Nuclear Board; repealing ss. 290.01, 290.02, 290.03, 290.04, 290.051, 290.06, 290.07, 290.071, 290.08, 290.09, 290.10, 290.11, 290.12, 290.13, 290.14, 290.15, 290.16, 290.17, 290.18, and 290.19, Florida Statutes, which relate to the Florida Nuclear Code and Southern Interstate Nuclear Compact Law; providing an effective date.

—was read the second time by title.

Senator Castor moved the following amendment which was adopted:

Amendment 1—On page 5, line 9; strike the period and insert: ; provided, however, that this definition shall not include radioactive wastes regulated pursuant to the Hazardous Waste Management sections of the Federal Resource Conservation and Recovery Act of 1976 or the Department of Environmental Regulation's assumption of that program.

Senator Scarborough presiding

On motion by Senator Castor, by two-thirds vote SB 706 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—30

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

Nays—1

Wilson

Votes after roll call:

Yea—Peterson, Williamson

The President presiding

SB 712—A bill to be entitled An act relating to theft; amending s. 812.014(2)(b), Florida Statutes, to provide that taking money, or any other thing, of the value of \$5 or more from the person of another is grand theft; providing an effective date.

—was read the second time by title.

Senator Dunn moved the following amendment which was adopted:

Amendment 1—On page 1, after the enacting clause insert:

Section 1. Paragraph (c) is added to subsection (7) of section 812.012, Florida Statutes, to read:

812.012 Definitions.—As used in ss. 812.012-812.037:

(7) "Traffic" means:

(c) To conceal or aid in the concealment of the property of another.

On motion by Senator Tobiassen, by two-thirds vote SB 712 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—22

Mr. President	Johnston	Scarborough	Vogt
Childers, Don	MacKay	Scott	Ware
Childers, W. D.	McClain	Skinner	Winn
Firestone	Poston	Thomas, Jon	Zinkil
Graham	Renick	Thomas, Pat	
Henderson	Saylor	Tobiassen	

Nays—1

Myers

Votes after roll call:

Yea—Peterson, Williamson

By the Committee on Personnel, Retirement and Collective Bargaining and Senator Johnston (By Request)—

CS for SB 893—A bill to be entitled An act relating to group insurance for state officers and employees; amending s. 112-

075(3)(b), Florida Statutes; authorizing the Department of Administration to determine whether the group insurance program will be a fully-insured or a self-insured program; authorizing the Department of Administration to conduct competitive negotiations for such insurance; providing that credit be given for major medical deductible amounts paid under prior contracts when entering a new contract in the same calendar year; amending s. 287.022(1), Florida Statutes, to exempt the purchase of state health insurance from such requirements; providing an effective date.

—was read the first time by title and SB 893 was laid on the table.

On motions by Senator Johnston, by two-thirds vote CS for SB 893 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Glisson	Poston	Thomas, Pat
Barron	Gordon	Renick	Tobiassen
Chamberlin	Henderson	Saylor	Ware
Childers, Don	Johnston	Scarborough	Wilson
Childers, W. D.	MacKay	Scott	Winn
Dunn	McClain	Skinner	Zinkil
Firestone	Myers	Thomas, Jon	

Nays—None

Votes after roll call:

Yeas—Graham, Peterson, Vogt, Williamson

SB 836—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; adding subsection (29) to s. 570.07, Florida Statutes; authorizing the department to advance funds to career service employees for the purchase of official state samples for examination; providing limitations; providing an effective date.

—was read the second time by title. On motion by Senator Pat Thomas, by two-thirds vote SB 836 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Gordon	Poston	Thomas, Pat
Barron	Graham	Renick	Tobiassen
Chamberlin	Henderson	Saylor	Vogt
Childers, Don	Johnston	Scarborough	Ware
Childers, W. D.	MacKay	Scott	Wilson
Firestone	McClain	Skinner	Winn
Glisson	Myers	Thomas, Jon	Zinkil

Nays—None

Votes after roll call:

Yeas—Peterson, Williamson

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 second time by title.

The Committee on Economic, Community and Consumer Affairs offered the following amendment which was moved by Senator Jon Thomas and adopted:

Amendment 1—On page 2, line 17, after the word “all” insert: real

Senator Jon Thomas moved the following amendments which were adopted:

Amendment 2—On page 1 line 21 after “municipality” insert: and county

line 23 after “municipality” insert: and by counties only in the unincorporated areas of each county

line 27 after “municipality” insert: or county

On page 2 line 1 after “municipality” insert: or county

On page 3 line 11 after “municipality” insert: or county

line 17 after “municipality” insert: or county

line 21 after “municipality” insert: or county

line 27 after “municipality” insert: or county

line 28 after “municipality” insert: or county

line 29 after “municipality” insert: or county

On page 4 line 5 after “municipality” insert: or county

line 13 after “municipality” insert: or county

line 16 after “municipal” insert: or county

line 19 after “municipal” insert: or county

line 23 after “municipality” insert: or county

line 27 after “municipality” insert: or county

Amendment 3—On page 1, line 25, after the word “ordinance” insert: approved by a vote of the electors in the district

Amendment 4—On page 1, line 27, after the words “said municipality” insert: and approved by a vote of the electors in the district

Amendment 5—On page 2, line 21, after the period insert: The referendum required by this section may be held on the same day as any other referendum related to the district.

Amendment 6—On page 3, line 1, strike “without a referendum” and on line 3 before the period insert: if approved at a referendum held in said district.

Amendment 7—On page 1 in title, line 2 after the word “municipalities” insert: and counties on line 3 after the word “municipalities” insert: and counties on line 4 after the word “municipality” insert: or county on line 14 after the word “municipality” insert: or county

Amendment 8—On page 1 in title, line 16, insert after “districts;”: providing for a referendum;

On motion by Senator Jon Thomas, by two-thirds vote SB 803 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—24

Mr. President	Firestone	Renick	Thomas, Pat
Barron	Glisson	Saylor	Tobiassen
Chamberlin	Graham	Scarborough	Vogt
Childers, Don	McClain	Scott	Ware
Childers, W. D.	Myers	Skinner	Winn
Dunn	Poston	Thomas, Jon	Zinkil

Nays—1

Wilson

Votes after roll call:

Yeas—Johnston, Peterson, Williamson

SB 1107—A bill to be entitled An act relating to the Florida Highway Patrol; authorizing and directing the Department of Highway Safety and Motor Vehicles to name the new Highway

Patrol Station to be built in Escambia County, the J. Eldridge Beach Highway Patrol Station; providing an effective date.

—was read the second time by title.

Senators MacKay, Skinner, W. D. Childers and Tobiassen offered the following amendments which were moved by Senator W. D. Childers and adopted:

Amendment 1—On page 1, strike all of lines 12 through 13 inclusive and insert: Vehicles is authorized and directed to name the Florida Highway Patrol Station in Alachua County, the J.

Amendment 2—On page 1 in title, lines 5 and 6, strike "new Highway Patrol Station to be built in Escambia County" and insert: Highway Patrol Station in Alachua County

On motion by Senator W. D. Childers, by two-thirds vote SB 1107 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—21

Mr. President	Firestone	Sayler	Vogt
Barron	Graham	Scarborough	Winn
Chamberlin	Johnston	Skinner	Zinkil
Childers, Don	McClain	Thomas, Jon	
Childers, W. D.	Poston	Thomas, Pat	
Dunn	Renick	Tobiassen	

Nays—1

Myers

Votes after roll call:

Yeas—MacKay, Peterson, Ware, Williamson
Nay to Yea—Myers

HB 718—A bill to be entitled An act relating to the Division of Economic Development; amending s. 288.03(9) and (16), Florida Statutes, and adding a subsection; requiring that certain reports be made annually to the Governor and Legislature; requiring the annual preparation of a list of companies locating, expanding, moving, or halting operations in the state and of companies laying off employees; specifying information to be included; providing an effective date.

—was read the second time by title.

Senator Graham moved the following amendment which was adopted:

Amendment 1—On page 3, line 4, insert and renumber subsequent section:

Section 2. creating ss. 20.175 F.S. to read:

20.175 There is hereby created the Economic Development Advisory Committee.

(1) The committee shall consist of nine members to be appointed by and serve at the pleasure of the Governor.

(2) Each member of the committee shall receive reimbursement for expenses actually and necessarily incurred in the performance of duties, including expenses of travel outside of Florida.

(3) Prior to the expenditure of any state Funds appropriated for economic development in the state, the Economic Development Advisory Committee shall annually, on or before November 1, submit to the Legislature and to the Division of Economic Development of the Department of Commerce, a plan for the use of such funds.

On motion by Senator Graham, by two-thirds vote HB 718 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—25

Mr. President	Henderson	Sayler	Ware
Chamberlin	Johnston	Scarborough	Wilson
Childers, Don	MacKay	Skinner	Winn
Childers, W. D.	McClain	Thomas, Jon	Zinkil
Firestone	Myers	Thomas, Pat	
Glisson	Poston	Tobiassen	
Graham	Renick	Vogt	

Nays—None

Votes after roll call:

Yea—Peterson, Williamson

SB 1088—A bill to be entitled An act relating to laetrile; legalizing manufacture, distribution, delivery, possession, sale, and use of laetrile in this state; providing that delivery or sale of laetrile shall be by prescription only; providing that no such manufacture, distribution, sale, or delivery shall be for the purpose of transporting laetrile across state lines; stipulating labeling requirements; amending s. 465.101(1)(e), Florida Statutes, protecting from penalty pharmacists filling properly issued prescriptions for laetrile; adding a paragraph to s. 500.16(3), Florida Statutes, and amending s. 500.341(6), Florida Statutes, excluding laetrile from certain regulation as a "new drug"; conditioning all provisions of the act upon no hearing being conducted by the State Boards of Medical Examiners and Osteopathic Medical Examiners at which laetrile is formally declared harmful; providing an effective date.

—was read the second time by title.

The Committee on Health and Rehabilitative Services offered the following amendments which were moved by Senator Don Childers and adopted:

Amendment 1—On page 4, line 4, insert after the word "amended": , and subsection (7) is added to said section

Amendment 2—On page 4, between lines 14 and 15, insert:

(7) *The Department of Health and Rehabilitative Services shall:*

(a) *Adopt regulations outlining minimum standards for manufacturers in preparing, compounding, processing and packaging Amygdalin (Laetrile).*

(b) *Conduct unannounced inspections of the facilities used to manufacture Amygdalin (Laetrile) at least annually.*

(c) *Establish a minimum licensing fee of \$500 per year to be collected from each manufacturer to defray the total cost of the licensing and inspections of the facilities.*

Amendment 3—On page 1 in title, line 21, insert after the semicolon (;): adding s. 500.341(7), Florida Statutes; providing for duties of the Department of Health and Rehabilitative Services;

On motion by Senator Don Childers, by two-thirds vote SB 1088 as amended was read the third time by title.

Senator Chamberlin moved the following amendment which failed:

Amendment 4—On page 2, lines 30-31, and page 3, lines 1-2, strike everything and insert: or chapter 459, unless the State Board of Medical Examiners or Osteopathic Medical Examiners, in hearings conducted under the provisions of chapter 120, has made a formal finding that the substance is harmful.

SB 1088 as amended passed, was ordered engrossed and then certified to the House. The vote on passage was:

Yeas—18

Childers, Don	Henderson	Scott	Wilson
Childers, W. D.	Johnston	Thomas, Jon	Winn
Dunn	Poston	Tobiassen	Zinkil
Firestone	Sayler	Ware	
Gorman	Scarborough	Williamson	

Nays—9

Chamberlin	MacKay	Renick	Vogt
Glisson	McClain	Skinner	
Graham	Myers		

Vote after roll call:

Nay—Peterson

SB 780—A bill to be entitled An act relating to the accessibility of passenger elevators to physically handicapped persons; creating s. 399.025, Florida Statutes; establishing statewide accessibility requirements for passenger elevators in new buildings; amending s. 553.48(2)(n), Florida Statutes; providing that certain standards not apply to passenger elevators; amending s. 399.02(2), Florida Statutes, to conform to this act; repealing s. 553.48(2)(k),(l), Florida Statutes, relating to accessibility of passenger elevators to blind persons; providing an effective date.

—was read the second time by title.

The Committee on Economic, Community and Consumer Affairs offered the following amendments which were moved by Senator Saylor and adopted:

Amendment 1—On page 2, line 3, strike “beneath each such control marking” and insert: adjacent to each such control marking and at a minimum of 15 inches in height

Amendment 2—On page 3, line 5, insert after the word provided: in the “Suggested Minimum Passenger Elevator Requirements for the Handicapped”

On motion by Senator Saylor, by two-thirds vote SB 780 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—25

Mr. President	Gorman	Scarborough	Williamson
Chamberlin	Graham	Scott	Wilson
Childers, Don	Johnston	Skinner	Winn
Childers, W. D.	MacKay	Thomas, Jon	Zinkil
Dunn	McClain	Tobiassen	
Firestone	Renick	Vogt	
Glisson	Saylor	Ware	

Nays—None

Vote after roll call:

Yea—Peterson

On motion by Senator Graham, the rules were waived and the Senate immediately reconsidered the vote by which HB 718 passed this day.

HB 718—A bill to be entitled An act relating to the Division of Economic Development; amending s. 288.03(9) and (16), Florida Statutes, and adding a subsection; requiring that certain reports be made annually to the Governor and Legislature; requiring the annual preparation of a list of companies locating, expanding, moving, or halting operations in the state and of companies laying off employees; specifying information to be included; providing an effective date.

Senator Graham moved the following amendment which was adopted:

Amendment 2—On page 1 in title, line 11, insert after the semi-colon: creating an economic development advisory committee; prescribing its duties;

HB 718 as amended was read by title, passed and certified to the House. The vote on passage was:

Yeas—26

Mr. President	Childers, W. D.	Gorman	Johnston
Chamberlin	Dunn	Graham	MacKay
Childers, Don	Glisson	Henderson	McClain

Poston	Scott	Vogt	Winn
Renick	Skinner	Ware	Zinkil
Saylor	Thomas, Jon	Williamson	
Scarborough	Tobiassen	Wilson	

Nays—None

Vote after roll call:

Yea—Peterson

By the Committee on Governmental Operations and Senators Henderson, Renick, Firestone and Ware—

CS for SB 647—A bill to be entitled An act relating to solicitation of charitable funds; amending s. 496.02, Florida Statutes; excluding certain religious institutions from the definition of “religious institution”; excluding certain money, property, and charges from the definition of “contribution”; defining “solicit,” “solicitation,” “charitable purpose,” “income,” and “parent organization”; redefining “professional solicitor”; prescribing method of determining gross contributions and cost of fund raising; amending s. 496.021, Florida Statutes; prescribing the powers and duties of the Department of State relating to the adoption and enforcement of certain rules; requiring that certain records be made available to the department upon demand; authorizing the department to enter into reciprocal agreements; authorizing the department to subpoena witnesses and compel the production of papers for certain purposes; providing that willful false swearing to the department is punishable as perjury; amending s. 496.03, Florida Statutes; providing requirements for registration applications, financial statements, and other reports; prescribing registration and application fees; providing for issuance of certificates of registration; providing that a parent organization may file reports and financial statements for its branches, affiliates, chapters, or independent members under certain circumstances; providing a time within which required information shall be filed; providing for expiration and renewal of certificates of registration; amending s. 496.04, Florida Statutes; deleting exemptions for certain educational institutions, hospitals, veterans’ groups, civic groups, other organizations, and persons soliciting contributions for the relief of an individual; providing certain exemptions; deleting requirement of application for exemption; requiring exempt organizations to maintain and make available certain records; redesignating s. 496.031, Florida Statutes, as s. 496.045, Florida Statutes, and amending said section; clarifying certain language; amending s. 496.09, Florida Statutes; providing that certain information about contributors and contributions is exempt from the public records law and shall not be disclosed by the Department of State; redesignating s. 496.08, Florida Statutes, as s. 496.095, Florida Statutes, and amending said section; requiring the Department of State to furnish a supplemental list of registrants to any appropriate agency upon request; redesignating s. 496.12, Florida Statutes, as s. 496.105, Florida Statutes; amending s. 496.11(1), (5), (7), Florida Statutes; prohibiting solicitation by any person without certain authorization and identification; requiring submission of copies of written material used in solicitation; requiring notice of any oral contract with a professional solicitor within a certain period; amending s. 496.13(1), Florida Statutes; prohibiting solicitation without a current registration certificate; providing penalties; amending s. 496.132, Florida Statutes; providing that chapter 496, Florida Statutes, not be construed to preempt more stringent local regulations; repealing s. 496.041, Florida Statutes, relating to fees and the manner of filing registration statements; repealing s. 496.07, Florida Statutes, relating to rules and regulations of the Department of State; repealing s. 496.10, Florida Statutes, relating to reciprocal agreements; repealing s. 496.131, Florida Statutes, relating to applicability of chapter to certain scholarship plans; repealing s. 496.11(9), (10), Florida Statutes, relating to limitations on expenditures for fund raising and on the use of certain designations in connection with fund raising; providing an effective date.

—was read the first time by title and SB 647 was laid on the table.

On motion by Senator Henderson, by two-thirds vote CS for SB 647 was read the second time by title.

Senator Plante offered the following amendments which were moved by Senator Henderson and adopted:

Amendment 1—On page 5, lines 6 through 12, strike the words "and except payments by members of an organization for membership fees, dues, fines, assessments, or services rendered to individual members, if membership in such organization confers a bona fide right, privilege, professional standing, honor, or other direct benefit other than the right to vote, elect officers, or hold offices"

Amendment 2—On page 24, line 1, strike Subsection (1) and insert: Subsections (1) and (5) and on line 13 insert: (5) In addition to the foregoing, any person who willfully and knowingly violates any provisions of this chapter, or who shall willfully and knowingly give false or incorrect information to the Department of State in filing statements or reports required by this chapter, whether such report or statement is verified or not, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, for the first offense and for the second and any subsequent offense shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. *However, any person who willfully and knowingly leaves the State of Florida for the purpose of avoiding prosecution for the violation of any of the provisions of this chapter shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.*

Amendment 3—On page 20, line 27, insert: Section 6 Section 496.06, Florida Statutes, is amended to read:

496.06. Limitation on activities of charitable organizations.—No charitable organization subject to this chapter shall solicit funds from the public except for charitable purposes or expend funds raised for charitable purposes for noncharitable purposes.

• Renumber subsequent sections.

Senator Henderson moved the following amendments which were adopted:

Amendment 4—On page 9, line 17, strike chapter 119 and insert: s. 119.07(1), the public records law; shall not be disclosed by the Department; and shall be removed from the records and the custody of the Department at such time that such information is no longer necessary for the enforcement of this chapter

Amendment 5—On page 19, line 3, strike chapter 119 and insert: s. 119.07(1), the public records law; shall not be disclosed by the Department; and shall be removed from the records and the custody of the Department at such time that such information is no longer necessary for the enforcement of this chapter

Amendment 6—On page 21, line 12, strike chapter 119 and insert: s. 119.07(1), the public records law; shall not be disclosed by the Department; and shall be removed from the records and the custody of the Department at such time that such information is no longer necessary for the enforcement of this chapter

Amendment 7—On page 24, line 25, strike the words "subsections (9) and (10)" and on page 22, line 5, strike the words "Subsections (1), (5), and (7)" and insert on page 24, line 25 the words: "subsection (9)", and insert on page 22, line 5 the words: "Subsections (1), (5), (7), and (10)", and insert on page 23, line 31 the words: "(10) No person shall, in connection with the solicitation of contributions or the sale of goods, magazines, newspaper advertising, or any other service, use the name "POLICE," "LAW ENFORCEMENT," "FIREFIGHTER," or "FIREMEN," unless properly authorized by a bona fide police, law enforcement, or firefighter organization or police or fire department or law enforcement agency. Such authorization must bear the signatures of two bona fide members of the organization, department, or agency.

Senator Firestone moved the following amendment which was adopted:

Amendment 8—On page 24, line 28, strike "1978" and insert: 1979

Senator Henderson moved the following amendments which were adopted:

Amendment 9—On page 2, lines 20 and 21, strike "the public records law" and insert: s. 119.07(1), the public records law,

Amendment 10—On page 2, line 30, strike "(7)", and on page 3, line 20, strike "(10)", and on page 3, lines 22 through 24 strike the words "and on the use of certain designations in connection with fund raising" and insert on page 2, line 30: (7), and (10)

Amendment 11—On page 2 in title, strike lines 30 and 31, and on page 3, lines 1 through 4, and insert: (7), (10), Florida Statutes; prohibiting solicitation by any person without certain authorization and identification; requiring submission of copies of written material used in solicitation; requiring notice of any oral contract with a professional solicitor within a certain period; prohibiting the use of certain names by persons engaged in solicitations;

Amendment 12—On page 3 in title, strike lines 20 through 24, and insert: plans; repealing s. 496.11(9), Florida Statutes, relating to limitations on expenditures for fund raising; providing an effective date.

Senator Plante offered the following amendment which was moved by Senator Henderson and adopted:

Amendment 13—On page 3 in title, strike all of lines 5 through 7 and insert: amending s. 496.13(1), (5), Florida Statutes; prohibiting solicitation without a current registration certificate; providing penalties; providing additional penalty for wilfully and knowingly leaving the state to avoid prosecution for violation of the provisions of chapter 496, Florida Statutes;

On motion by Senator Henderson, by two-thirds vote CS for SB 647 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

SB 591—A bill to be entitled An act relating to the Property Assessment Administration and Finance Law; amending s. 195.022, Florida Statutes; requiring the Department of Revenue to furnish certain photographs and maps to each county property appraiser upon request, or in any event, at least once every 3 years; providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote SB 591 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

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

Nays—None

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator W. D. Childers, the rules were waived and by two-thirds vote CS for HB 691 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator W. D. Childers, the rules were waived and the Committee on Appropriations was granted permission to consider CS for HB 691 May 23.

On motions by Senator W. D. Childers, the rules were waived and all bills passed this day, with the exception of CS for SB 877 and CS for SB 970, were ordered immediately certified to the House.

On motions by Senator Vogt, by two-thirds vote Senate Bills 28, 530, 784, 872, 1044, 1307 and 1319 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator MacKay, by two-thirds vote SB 150 was withdrawn from the Committee on Economic, Community and Consumer Affairs and indefinitely postponed.

On motions by Senator Myers, the rules were waived and by two-thirds vote House Bills 1722 and 276 were withdrawn from the Committee on Transportation.

Votes Recorded

By unanimous consent, Senator Spicola was recorded as voting yea on the following bills which passed May 17: SCR

1024, SB 758, CS for SB 654, CS for SB 26, SB 541, SB 131, CS for SB 261, CS for HB's 1139 and 1321, SB 721 and SB 167; yea on Amendment 2 to SB 191, and nay on SB 191; yea on reconsideration of Amendment 1A to HB 2044, and yea on HB 2044.

ENROLLING REPORTS

SB 300	SB 403	SB 656	SB 704
SB 327	SB 406	SB 695	SB 1020
SB 364	SB 534	SB 703	

—have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 18, 1978.

Joe Brown, Secretary

CO-INTRODUCERS

Senator Wilson- SB 1010; Senator Saylor- Senate Bills 1105, 1104, 995, 1256, 918, 230 and CS for SB 425; Senator Don Childers- Senate Bills 1104, 1010, 995 and 592; Senator Glisson- Senate Bills 1105, 1104, 1010, 592, 995

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 17 was corrected and approved.

On motion by Senator W. D. Childers, the Senate adjourned at 5:03 p.m. to convene at 8:30 a.m., Friday, May 19, 1978 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions.