Journal of the Senate

Number 38 Wednesday, May 31, 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 Gorman and Plante—

SB 1358—A bill to be entitled An act relating to the City of Orlando, Orange County; amending various provisions of the Orlando Central City Neighborhood Development Board Act; amending sections 1, 2(1), 5, and 13(10), chapter 71-810, Laws of Florida; changing the name of the Orlando Central City Neighborhood Development Board to the Downtown Development Board; amending section 6, chapter 71-810, Laws of Florida; authorizing the Orlando City Council to allocate funds to the board; authorizing the board to amend its budget with the approval of the Orlando City Council; amending subsection (4) of section 8(4), chapter 71-810, Laws of Florida, authorizing the board to accept donations of money; 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.

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 2183 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Governmental Operations and Representative Batchelor—

HB 2183—A bill to be entitled An act relating to the practice of massage; replacing current chapter 480, Florida Statutes, which is scheduled for repeal July 1, 1978, under the Sunset Law, with a new massage act; providing short title, definitions and purpose; providing exemptions from regulation under the act and deleting the exemption for reflexologists; recreating the Florida Board of Massage and increasing membership thereon to include two lay members; providing for 4-year terms; providing for members' accountability to the Governor and for investigation and removal of members under certain circumstances; creating the Florida Massage Practice Commission to be composed of the Secretary of Professional and Occupational Regulation or his representative and the board; authorizing the commission to adopt rules for regulation of massage; providing for legal and investigative services; revising qualifications for licensure as a masseur, which term also includes masseuses; providing procedure for licensure; providing for licensure of massage establishments and for investigation thereof; providing for fees; establishing intent with respect to use of fee moneys to enforce the act; providing complaint and disciplinary procedures; providing a penalty; providing for prosecution of criminal violations and for civil proceedings; grandfathering in current license holders; amending ss. 215.37(1) and 215.37(2), Florida Statutes; removing provisions for a separate trust fund for the Florida Board of Massage; providing a severability clause; providing an effective date.

—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 adopted HM 1967 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Forbes—

HM 1967—A memorial to the Congress of the United States urging Congress to take immediate action to prevent the extraction of phosphate ore by surface mining methods in the Osceola National Forest.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 2184 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Finance & Taxation—

HB 2184—A bill to be entitled An act relating to the oil and gas production tax; amending s. 211.06(2), Florida Statutes, to extend the time within which application for refund must be filed; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 2118 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Commerce and Representatives Steinberg and Bloom—

HB 2118—A bill to be entitled An act relating to securities; replacing current provisions relating to sale of securities by creating a new "Florida Securities Act"; creating ss. 517.011, 517.021, and 517.041, Florida Statutes, relating to a new short title, new definitions, and new provisions with respect to employment of additional help and reports by the Department of Banking and Finance, respectively; creating s. 517.051, Florida Statutes, relating to exempt securities; providing for an exception for certain governmental obligations; specifying which utility companies may issue exempt securities; requiring full and fair disclosure when securities are issued by certain charitable and religious organizations; deleting certain present exemptions; creating s. 517.061, Florida Statutes, relating to exempt transactions; exempting notes or bonds secured by real property; increasing number of sales allowed by an issuer of its own securities; providing disclosure requirements; exempting securities registered under the Securities Act of 1933; amending s. 517.07, Florida Statutes, and creating s. 517.081, Florida Statutes, relating to registration and procedures therefor; providing for registration of all securities which are not exempt nor registered pursuant to the Securities Act of 1933; creating s. 517.101, Florida Statutes, relating to consent to service; creating s. 517.111, Florida Statutes, providing for revocation or denial of registration; amending s. 517.12, Florida Statutes, requiring registration of all dealers, salesmen, issuers, and

investment advisers, unless exempted under certain provisions; requiring processing of fingerprint cards by the FBI and Department of Criminal Law Enforcement; providing for waiver of examination under certain circumstances; creating ss. 517.131, 517.141, and 517.151, Florida Statutes, relating to the Security Guaranty Fund; replacing current bonding provisions with fees generated from dealers, salesmen, and investment advisers; providing for compensation from the fund; creating ss. 517.161, 517.171, and 517.181, Florida Statutes, relating to, respectively: revocation, denial, or suspension of registration; burden of proof for exemption; and escrow agreements; creating s. 517.191, Florida Statutes, authorizing the department to enjoin violations in circuit court, request appointment of receiver, and seek restitution; creating s. 517.201, Florida Statutes, authorizing the department to initiate investigations, subpoena witnesses, and gather evidence; creating s. 517.211, Florida Statutes, providing remedies in case of lawful sale; creating s. 517.221, Florida Statutes, authorizing the department to issue cease and desist orders; creating ss. 517.241, 517.303, and 517.304, Florida Statutes, and amending s. 517.301(1), Florida Statutes, relating to, respectively: remedies; fraudulent transactions; destroying certain records and reproduction; and funding; amending s. 517.311(1), (2), and (4), Florida Statutes, to conform to the act; adding a paragraph to s. 517.351(5), Florida Statutes, creating an exemption to permit a shareholder to dispose of his own shares; creating s. 517.364 Florida Statutes, relating to severability; adding a paragraph to s. 95.11(4) and to s. 775.15(2), Florida Statutes, to conform to the act; repealing ss. 517.01, 517.02, 517.031, 517.04, 517.05, 517.06, 517.08, 517.09, 517.0901, 517.091, 517.10, 517.11, 517.13, 517.14, 517.15, 517.16, 517.17, 517.18, 517.19, 517.20, 517.21, 517.22, 517.23, 517.24, 517.25, 517.26, 517.28, 517.27, 517.29, and 517.33, Florida Statutes, relating to current provisions of the "Sale of Securities Law" which are being replaced herein; providing an effective date.

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

The Senate recessed at 8:32 a.m.

The Senate was called to order by the President at 9:00 a.m.

A quorum present—39:

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

Excused: Senator Scarborough; periodically, Senators Barron, MacKay and McClain, to work on a conference committee report; and periodically, conferees on SB 1100 and HB 2044—Senators Lewis, Gordon, W. D. Childers, Peterson, Plante, Spicola, Trask, Hair; Senator Jon Thomas at 3:00 p.m.

Prayer by the Rev. Philip Lykes, Southside Baptist Church, Lakeland:

Holy Father, we receive this new day as another gift from your heart to us.

Thank you for the air we breathe, the water we drink, the ground we walk on—this beautiful world.

Thank you for men and women who represent the ever growing family of Florida. Thank you for their devotion to duty. Thank you for the law of righteousness written in every heart.

Throughout this day we would seek to bring delight to your heart, a smile to your face by loving what you love and hating what you hate.

May the end of this day find us content with our thoughts, our words and our deeds because they have built up and not torn down. Amen.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, May 31, 1978:

CS for SB 415	HB 2041
CS for HB's 691 and 839	CS for HB 320
SB 790	SB 943
SB 462	CS for SB 925
SB 1253	SB 939
CS for SB 1053	SB 910
SB 851	SB 845
HM 1898	SB 847
CS for HB 1068	SB 730
HJR 253	SB 732
HCR 2001	SB 523
HCR 1932	CS for SB 436
HB 1209	SB 416
HB 1501	SB 1097
HB 405	SB 1056
HB 6	SB 1033
SB 1198	CS for SB 1058
CS for SB 1246	HB 261
CS for SB 1285	SB 223
SB 1282	SB 537
CS for SB 1059	SB 1227
SB 1061	SB 1250
SB 246	CS for HB 123
SB 961	CS for SB 286
CS for SB 992	HB 367
HB 276	SB 1348
SB 733	HB 364

Respectfully submitted,
W. D. Childers, Chairman

On motions by Senator Peterson, by two-thirds vote SB 1356, CS for HB 2018, and House Bills 1721, 2138, 2156 and 2197 were also referred to the Committee on Education.

The Committee on Rules and Calendar requests that the following bills be withdrawn from the Committee and placed on the Local Bill Calendar for Wednesday, May 31, 1978:

SB 1341	HB 1658	HB 1874
SB 1356	CS for HB 1660	HB 1876
HB 1101	HB 1661	HB 1924
HB 1129	HB 1667	HB 1974
HB 1342	CS for HB 1679	HB 1979
HB 1346	HB 1704	HB 2017
HB 1347	HB 1712	CS for HB 2018
HB 1464	HB 1721	HB 2067
HB 1495	HB 1713	HB 2068
CS for HB 1531	HB 1746	HB 2069
HB 1536	HB 1773	HB 2070
HB 1557	HB 1774	HB 2114
HB 1636	CS for HB 1802	HB 2121
HB 1649	HB 1808	HB 2132
HB 1650	HB 1809	HB 2133
HB 1651	HB 1812	HB 2138
HB 1652	HB 1813	HB 2146
HB 1653	HB 1814	HB 2156
HB 1654	HB 1828	HB 2175
HB 1656	HB 1848	HB 2190
HB 1657	HB 1857	HB 2197

Respectfully submitted,
W. D. Childers, Chairman

On motions by Senator W. D. Childers, the bills contained in the foregoing reports were withdrawn from the Committee on Rules and Calendar and placed on the local calendar for this day, with the exception of SB 1356, CS for HB 2018, and House Bills 1721, 2138, 2156 and 2197.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Peterson, the rules were waived and by two-thirds vote CS for HB 361 was withdrawn from the Committees on Economic, Community and Consumer Affairs; and Finance, Taxation and Claims and placed on the calendar.

On motions by Senator Sayler, the rules were waived and by two-thirds vote HB 1648 was withdrawn from the Committees on Personnel, Retirement and Collective Bargaining; and Rules and Calendar, and placed on the local calendar for this day.

On motion by Senator W. D. Childers, the rules were waived and by two-thirds vote SR 1349 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator Peterson, by two-thirds vote HB 1886 was also referred to the Committee on Education.

REQUESTS FOR EXTENSION OF TIME

May 31, 1978

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

SB 98 by Senator Graham
SB 99 by Senator Graham
SB 179 by Senator Sayler
SB 222 by Senator Gordon
SB 233 by Senator Dunn
SB 501 by Senator Ware
SB 502 by Senator Dunn
SB 607 by Senator Glisson
SB 672 by Senator Glisson
SB 693 by Senators Tobiassen and Brantley
SB 697 by Senator Gordon
SB 794 by Senator Gordon
SB 825 by Senator Glisson
SB 1060 by Senator Gordon
SB 1096 by Senator Scarborough
SB 1133 by Senator Gordon
SB 1164 by Senator Gordon
SB 1174 by Senator Gordon

May 29, 1978

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

SB 805 by Senator W. D. Childers

SR 1349—A resolution commending the U.S. Coast Guard Auxiliary for its work in Florida.

—was read the second time in full. On motion by Senator Renick SR 1349 was adopted. The vote was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Glisson

Senator Renick accompanied Rear Admiral Robert W. Durfey, Commander of the Seventh Coast Guard District; and Vice Commodore Bob Mook, Seventh Coast Guard District Auxiliary, to the rostrum where Adm. Durfey was presented a copy of SR 1349 by the President. The President also recognized Commander Danny Brown, Chief of the Boating Safety Division; Commander Don Addison, Director of the Coast Guard Auxiliary; Edward Wollman, Division Captain, Division 3, Hollywood; Bill Davis, Division Captain, Division 6, Coral Gables; Walter Hooper, Division Captain, Division 7, Tampa; who were seated in the gallery.

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

INTRODUCTION

By Senator W. D. Childers—

SR 1360—A resolution providing for the disposition of obsolete fixtures in the old Senate Chamber.

—was read the first time in full. On motions by Senator W. D. Childers, SR 1360 was placed on the calendar and by two-thirds vote read the second time by title and adopted. The vote was:

Yeas—26

Mr. President	Glisson	Poston	Tobiassen
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scott	Williamson
Childers, W. D.	Johnston	Skinner	Winn
Dunn	Peterson	Spicola	
Gallen	Plante	Thomas, Pat	

Nays—None

Votes after roll call:

Yea—Holloway, Myers

MESSAGES FROM THE GOVERNOR

The Governor returned SB 340 as requested by SCR 1359. On motion by Senator Henderson, the bill was certified to the House.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 1 amendment—

By the Committee on Governmental Operations and Senator Henderson and others—

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 s. 119.07(1), 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) and (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; amending s. 496.13(1), (5), Florida Statutes; prohibiting solicitation without a current registration certificate; providing penalties; providing additional penalty for willfully and knowingly leaving the state to avoid prosecution for violation of the provisions of chapter

496, Florida Statutes; 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), Florida Statutes, relating to limitations on expenditures for fund raising; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 26, line 5, strike 1979 and insert: 1978

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

CS for SB 647 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

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

By Senator Spicola—

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

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 12, line 16, insert: A new Section 2:

Section 2. The provisions of this act shall not be construed to include within any of the schedules herein contained any Excepted Prescription Drugs listed within the purview of Title 21, Code of Federal Regulations, Section 1308.32, styled "Excepted Compounds."

(and renumber subsequent sections)

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

SB 782 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Peterson

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

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

By Senator Scott and others—

SB 196—A bill to be entitled An act relating to the Real Estate License Law; amending s. 475.01(2), Florida Statutes; providing that a resident manager and one nonresident manager employed by a registered real estate broker to manage an apartment complex are excluded from the definition of "real estate broker" and from the definition of "real estate salesman" for licensing and registration purposes; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 3, line 14, insert after the word "broker": *or by the owner of the apartment building complex*

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

SB 196 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 3 amendments—

By Senator Gordon—

SB 351—A bill to be entitled An act relating to the sales and use tax; amending s. 212.04(2)(b), Florida Statutes; providing a sales tax exemption on dues, membership fees, and admission charges imposed by certain organizations and not-for-profit community or recreational facilities; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 10, after the colon ":" insert: Section 1. Paragraph (c) of subsection (7) of section 212.08, Florida Statutes, is amended to read:

212.08 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.—

(a) Religious, charitable and educational.—There shall be exempt from the tax imposed by this chapter articles of tangible personal property sold or leased direct to or by churches

or sold or leased to, nonprofit religious, nonprofit educational, or nonprofit charitable institutions and used by such institutions in carrying on their customary nonprofit religious, nonprofit educational, or nonprofit charitable activities, including church cemeteries.

(c) Restrictive definitions.—The provisions of this section authorizing exemptions from tax shall be strictly defined, limited and applied in each category as follows:

1. "Religious institutions" shall mean churches and established physical places for worship in this state at which nonprofit religious services and activities are regularly conducted and carried on.

2. "Educational institutions" shall mean state tax supported or parochial, church and nonprofit private schools, colleges or universities conducting regular classes and courses of study required for accreditation by or membership in the Southern Association of Colleges and Secondary Schools, Department of Education or the Florida Council of Independent Schools. Nonprofit libraries, art galleries and museums open to the public are defined as educational institutions and eligible for exemption. *The term "educational institutions" shall include private nonprofit corporations whose purpose is to raise funds for colleges and universities located in this state.*

3. "Charitable institutions" shall mean only nonprofit corporations operating physical facilities in Florida at which are provided charitable services, a reasonable percentage of which shall be without cost to those unable to pay.

(and renumber the subsequent sections)

Amendment 2—On page 1 in title, line 2, after the semicolon ";" insert: amending s. 212.08(7)(c), Florida Statutes; providing that private nonprofit corporations whose purpose is to raise funds for colleges and universities shall be considered educational institutions for purposes of the exemption from said tax granted to such institutions;

Amendment 3—On page 2, line 3, strike "October 1, 1978." and insert: "upon becoming law."

On motions by Senator Gordon, the Senate concurred in the House Amendments.

SB 351 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 1 amendment—

By Senator Zinkil—

SB 512—A bill to be entitled An act relating to pest control; amending s. 482.021(3)-(6), (8), (9), (12), (16), (19), and (22), Florida Statutes, and adding new subsections; defining "pesticide or economic poison" and "advanced training or a major in entomology or horticulture"; modifying existing definitions; amending s. 482.032, Florida Statutes, providing for enforcement by the Office of Entomology of the Department of Health and Rehabilitative Services; amending s. 482.061, Florida Statutes, modifying provisions relating to inspectors; adding subsection (3) to s. 482.071, Florida Statutes, requiring specified insurance coverage of licensees; amending s. 482.091(4), Florida Statutes, and adding a subsection, modifying certain requirements relating to identification card holders; amending s. 482.-111(5), Florida Statutes, providing for performance of duties during the temporary absence of a certified operator; amending s. 482.121(1), Florida Statutes, relating to false use of certificate; amending ss. 482.132 and 482.133, Florida Statutes, combining the sections and modifying prerequisite qualifications for a pest control operator's examination and certification; amending s. 482.141(3) and (5), Florida Statutes, providing for refund of examination application fees in certain cases; amending s. 482.151(1), Florida Statutes, clarifying provisions; amending s. 482.152, Florida Statutes, relating to certified pest control operators, modifying requirements relative thereto; amending s. 482.161, Florida Statutes, providing that suspension and revocation procedures shall be as provided in the Administrative Procedure Act; amending s. 482.162(1), Florida Statutes, clarifying provisions; repealing s. 482.171, Florida Statutes, which provides procedures for suspension or revocation of license; amending s. 482.191(2) and (3), Florida Statutes, providing additional punishment provision; amending s. 482.211(1), Florida Statutes, clarifying provisions; creating s. 482.225, Florida Statutes, providing grandfathering provisions; creating s. 482.226, Florida Statutes, Termite or other wood-destroying organism inspection report; amending s. 482.231, Florida Statutes, authorizing certain employees to use fogging machines under supervision; amending ss. 482.241 and 482.242, Florida Statutes, clarifying provisions; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 14, line 2, after "property" insert: *or yardman under rules and regulations as prescribed by the Department concerning yardmen*

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

SB 512 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

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

By the Committee on Appropriations and Senator P. Thomas and others—

CS for SB 678—A bill to be entitled An act relating to the old Florida Capitol; providing a short title; directing the Division of Building Construction and Property Management of the Department of General Services to restore and preserve the old Capitol in its authentic 1902 form; providing an appropriation; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 3—On page 1, line 27 after the period "." insert: Section 4. Immediately upon this act becoming a law, the division shall take all appropriate measures to provide for the rerouting of Monroe Street so as to provide for additional park space between the front of the restored capitol and the intersection of Monroe Street with Apalachee Parkway denoted as Alternative # 1 in the Supplement to Conservation Alternatives Existing Capitol Building Florida Capitol Complex, March 1977.

Amendment 4—On page 1, line 27, after the period "." insert: Immediately upon this act becoming a law, the division shall conduct necessary site investigation and historical documentation, after which the division shall immediately raze those portions of the House and Senate wings of the capitol necessary to restore and preserve the Historic Capitol in its 1902 form.

The foregoing message was read May 30, Amendment 3A to House Amendment 3 was adopted and further consideration deferred.

Senators Williamson and Sayler offered the following amendment to House amendment 3 which was moved by Senator Williamson and failed:

Amendment 3B—On page 1, line 2, strike "immediately upon this act becoming a law," and insert: Effective July 1, 1979,

Senator Gordon moved the following amendment to House amendment 3 which was adopted:

Amendment 3C—On page 1, line 9, after the period insert: a new section (#) A plaque shall be placed in the lobby of the new capital and shall be inscribed as follows:

"This plaque is dedicated to Senator Lee Weissenborn, whose valiant effort to move the Capitol to Orlando was the prime motivation for construction of this building."

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

Amendment 3D—On page 1, line 2, strike: "Immediately upon" and insert: Upon

On motion by Senator Pat Thomas, the Senate concurred in House Amendment 3 as amended. The vote was:

Yeas—16

Castor	Glisson	MacKay	Thomas, Pat
Chamberlin	Gorman	Peterson	Trask
Childers, Don	Hair	Poston	Winn
Gallen	Lewis	Scott	Zinkil

Nays—14

Dunn	Holloway	Sayler	Williamson
Gordon	Johnston	Thomas, Jon	Wilson
Graham	Myers	Tobiassen	
Henderson	Plante	Vogt	

Votes after roll call:

Yea—Renick
Nay—Spicola

Senator Poston moved that the Senate reconsider the vote by which the Senate concurred in House Amendment 3 as amended. The motion failed. The vote was:

Yeas—17

Dunn	Henderson	Sayler	Williamson
Firestone	Johnston	Spicola	Wilson
Gordon	Myers	Tobiassen	
Graham	Plante	Vogt	
Hair	Poston	Ware	

Nays—20

Mr. President	Gallen	MacKay	Thomas, Jon
Castor	Glisson	Peterson	Thomas, Pat
Chamberlin	Gorman	Renick	Trask
Childers, Don	Holloway	Scott	Winn
Childers, W. D.	Lewis	Skinner	Zinkil

On motion by Senator Pat Thomas, the Senate concurred in House Amendment 4 and the House was requested to concur in the Senate amendments to House Amendment 3.

CS for SB 678 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—25

Mr. President	Gorman	Poston	Trask
Castor	Graham	Renick	Wilson
Chamberlin	Hair	Scott	Winn
Childers, Don	Henderson	Skinner	Zinkil
Childers, W. D.	Holloway	Spicola	
Dunn	Lewis	Thomas, Pat	
Gallen	Peterson	Tobiassen	

Nays—10

Glisson	Myers	Thomas, Jon	Williamson
Gordon	Plante	Vogt	
Johnston	Sayler	Ware	

The Honorable Lew Brantley, President

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

By Senator Gorman and others—

SB 806—A bill to be entitled An act relating to private wire services; amending s. 365.08(5), Florida Statutes; providing that discontinuance of a private wire service because of its use in violation of state or federal law shall occur only after hearing in the circuit court; repealing s. 365.08(6), Florida Statutes, which provides for review before the commission on whether facilities and service should be resumed; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, lines 19-20, strike all of lines 19 and 20 and insert: Section 3. Section 365.165, Florida Statutes, is created to read:

365.165 Automated telephone solicitation.—

(1) No person shall use a telephone or knowingly allow a telephone to be used for the purpose of offering any goods or services for sale or conveying information regarding any goods or services when such use involves an automated system for the selection and dialing of telephone numbers and the playing of a recorded message when a connection is completed to the called number.

(2) Nothing herein shall prohibit the use of automated telephone systems with recorded messages when the calls are made or messages given solely in response to calls initiated by the person to which the automatic call or recorded message is directed.

(3) Any person who violates any provision of this section shall, upon conviction, be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) The Attorney General or any telephone company servicing an area to which or from which automated calls are made may seek injunctive relief to enforce this section. In the event a civil action is filed pursuant to this subsection the prevailing party shall be entitled to a reasonable attorney's fee.

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

Amendment 2—On page 1 in title, line 11, strike "providing an effective date." and insert: creating s. 365.165, Florida Statutes; prohibiting the use of automated telephone solicitation systems; providing the Attorney General or telephone companies with authority to seek injunctive relief; providing a penalty; providing an effective date.

On motions by Senator Gorman, the Senate concurred in the House Amendments.

SB 806 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Winn

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 1 amendment—

By Senator Skinner—

SB 983—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 570.-15(1)(a), Florida Statutes; exempting travel trailers, camping trailers, and motor homes from access for inspection by the department and its officers and employees; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, lines 25-28, strike all of lines 25-28 and insert: 7. Motor vehicles, *except* ~~other than~~ private passenger automobiles with no trailer in tow, ~~or any vehicles bearing an RV license tag~~ *travel trailers, camping trailers, and motor homes as defined in s. 320.01(1)(b);*

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

SB 983 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments 1, 2 and 3 and requests the Senate to recede.

Allen Morris, Clerk

By the Committee on Judiciary and Representative Davis and others—

CS for HB 11—A bill to be entitled An act relating to the dissolution of marriage; amending s. 61.08, Florida Statutes, specifying certain factors which the court must consider in determining a proper award of alimony; providing an effective date.

Amendment 1—On page 1, lines 30 and 31, strike all of lines 30 and 31 and reletter subsequent paragraphs

Amendment 2—On page 1, line 23, strike (:) and insert: after "including" but not limited to:

Amendment 3—On page 1, line 17, strike following the word "both.", strike remainder of paragraph

On motion by Senator Wilson, the Senate refused to recede from Senate amendments to House amendments and insisted that the House concur. The action of the Senate was certified to the House.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 1 amendment—

By Senator Holloway—

SB 1128—A bill to be entitled An act relating to the Department of Transportation; amending section 1, chapter 77-418, Laws of Florida; providing for the payment of the costs of relocating and replacing water supply facilities in the construction and reconstruction of the Florida Keys bridges; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 16, after the word "the" insert: *in kind*

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

SB 1128 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—27

Mr. President	Gorman	Myers	Tobiassen
Childers, Don	Graham	Poston	Trask
Childers, W. D.	Hair	Renick	Vogt
Dunn	Henderson	Scott	Ware
Firestone	Holloway	Skinner	Winn
Gallen	Johnston	Spicola	Zinkil
Glisson	Lewis	Thomas, Pat	

Nays—None

The bill was ordered engrossed and then enrolled.

Conferees on CS for SB 549 Appointed

The President appointed Senator Peterson, chairman; and Senators Tobiassen and MacKay as conferees on CS for SB 549.

LOCAL CALENDAR

SB 1341—A bill to be entitled An act creating the South Seminole and North Orange County Wastewater Transmission Authority; declaring the intent and purpose of said act; providing a legal description of the authority's boundary and a method of modifying the boundary lines; providing for a governing board; providing definitions; prescribing the purpose and powers of the authority; providing for the issuance of revenue bonds; providing a method for charging for services performed; requiring customers to provide a method to pay for services received; providing penalties for nonpayment; providing for sealed bids for contracts for construction or improvements; prohibiting free wastewater transmission services; providing for conveyance of property to the authority without consideration; providing for cooperation with other governmental units, boards, and agencies and individuals; providing for covenant of the state not to alter or limit the rights and powers of the authority; providing for exemption of the authority from taxation; providing for exemption of the authority from certain regulations; providing for deposit of money received; providing for sale of surplus property; providing for liberal construction and severability; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 12, strike all of lines 14-25 and renumber subsequent sections.

Amendment 2—On page 19, line 21, strike "convenient,"

Amendment 3—On page 22, line 10, insert after "MGD.": As a further exception, it is duly noted that Seminole County currently discharges no treated wastewater to surface waters and has a valid operation permit for the Dike Road facility. Therefore, the County will be required only to pay its portion of debt service. That portion of debt service shall be determined by adding the flow treated at the Dike Road facility to the system flow to determine a base total, the flow at the County facility will then be divided by the base total and multiplied by the annual system debt service to determine the County's portion of debt service. The County's portion of debt service will be paid in twelve (12) monthly payments, this method of payment shall continue until the Dike Road facility exceeds an average annual daily flow of 1.00 M.G.D. at which time the County will connect to the system and its rates will become those in effect for the Authority and further outlined in related sections of this Act.

Amendment 4—On page 26, line 1, strike the period (.) and insert: ", said approval shall require the affirmative vote of a minimum of three members of the Board."

Amendment 5—On page 29, line 18, strike "the State Constitution" and insert: law

On motion by Senator Gorman, by two-thirds vote SB 1341 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1101—A bill to be entitled An act relating to Citrus County; providing that it is unlawful to take or attempt to take any fish by any means other than hook and line or rod and reel in certain waters of the Homosassa River; providing a penalty; providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote HB 1101 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

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.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote HB 1129 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

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 second time by title. On motion by Senator Henderson, by two-thirds vote HB 1342 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1346—A bill to be entitled An act relating to the Immokalee Fire Control District, Collier County; amending section 9 of chapter 30666, Laws of Florida, 1955, reducing millage cap; eliminating the maximum dollar ability; providing for a referendum.

—was read the second time by title. On motion by Senator Scott, by two-thirds vote HB 1346 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1347—A bill to be entitled An act relating to the Marco Island Fire Control District, Collier County; amending sections 4 and 6 of chapter 65-1413, Laws of Florida; authorizing provision of emergency rescue services; authorizing the fire control district board to enter into certain interdistrict agreements; removing a limitation upon the amount which may be annually realized from authorized millage; providing for a referendum; providing an effective date.

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

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1464—A bill to be entitled An act relating to Tindall Hammock Irrigation and Soil Conservation District, Broward County; amending section 5 of chapter 27428, Laws of Florida, 1951, as amended, by providing an increase in the authorized tax levy; amending section 7 of chapter 27428, Laws of Florida, 1951, by providing for an increase in the rate of interest the District may pay on loans of and other obligations of the District; amending section 8(a) of chapter 27428, Laws of Florida, 1951, by providing for an increase in the rate of interest the District may charge on District bonds; providing an effective date.

—was read the second time by title. On motion by Senator Scott, by two-thirds vote HB 1464 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1495—A bill to be entitled An act relating to the City of Lakeland, Polk County; amending the Lakeland Downtown Development Authority Act; amending sections 2(j), 5(a)(1) and (f), 6(a), 9, and 13, chapter 77-588, Laws of Florida, to define the term freeholder; to clarify the term elector; to provide for vacancies; to provide for formulation and amendment of bylaws; to provide for the levy of ad valorem tax; providing a referendum.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote HB 1495 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

CS for HB 1531—A bill to be entitled An act relating to Manatee County; creating a special park and recreation district, a political subdivision of the State of Florida, for the unincorporated area known as Fair Lane Acres, Fair Lane Acres First Addition, Fair Lane Acres Second Addition and Fair Lane Acres Third Addition Subdivisions as is more particularly set forth below according to the public records of Manatee 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 therof and relieving individual trustees from personal liability for obligations of the district; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote CS for HB 1531 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1536—A bill to be entitled An act relating to Hospital Board of Directors of Lee County; providing for liens in favor of the hospital, upon causes of action, suits, claims, counterclaims, and demands, accruing to patients therein, or their legal representatives, and upon judgments, settlements, and settlement agreements, on account of illness or injuries of such patients, for all reasonable charges for hospital care, treatments, and maintenance necessitated by such illness or injuries; providing for method of perfecting and enforcing such liens, and recovery of costs, attorney's fees, and expenses, and where suits thereon may be maintained; providing for no recovery of damages for hospital care, treatment, and maintenance, unless claimant therefor has paid costs thereof except in certain cases; providing for intervention by lienholder and verdict and judgment in favor of lienholder in certain cases; requiring claims for lien to be recorded and fees for recording; providing that no release or satisfaction shall be valid as against lien unless lienholder joins therein or executes release; providing that acceptance of release or satisfaction of any cause of action, suit, claim, counterclaim, demand, or judgment and any settlement in absence of release or satisfaction of lien shall prima facie constitute impairment of such lien, and giving lienholder right of action at law for damages on account of such impairment, and providing for recovery from one accepting release or satisfaction or making settlement; exempting from provisions of this act matters within purview of the workmen's compensation law of this state; providing an effective date.

—was read the second time by title. On motion by Senator Lewis, by two-thirds vote HB 1536 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1557—A bill to be entitled An act relating to Martin County; enacting the Martin County Environmental Control Act; providing short title; providing for Delcaration of Intent; providing definitions; providing for an Environmental Control Board; providing organization, duties, and powers; providing for Environmental Control Officer appointment, duties and powers; providing exemptions; providing for hearing board organization, duties and powers; providing for appeals from actions or decisions of Environmental Control Officer; providing procedure; providing for judicial review; providing for civil enforcement; providing for enforcement of hearing board orders and injunctive relief; providing criminal penalties; providing civil penalties; providing for civil fines to be liens; providing for construction in relation to other law; providing for no change in powers of Health Department; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 1557 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1636—A bill to be entitled An act relating to Fire District No. 1 of Polk County, a special tax district; amending chapter 63-1824, Laws of Florida, to increase the ad valorem millage cap from 1 mill to 2 mills; providing for a referendum election.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote HB 1636 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1649—A bill to be entitled An act relating to Pinellas County; repealing s. 421.53, Florida Statutes, which requires a referendum vote before a housing authority in Pinellas County may commence any housing project; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote HB 1649 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1650—A bill to be entitled An act relating to Pinellas County; amending section 4 of chapter 67-1930, Laws of Florida, to exclude from the Indian Rocks special fire control district all territory annexed into the municipal limits of the City of Largo, the City of Clearwater, or the Town of Redington Shores during the year 1963 and subsequent years; providing for the repeal of all laws in conflict herewith; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote HB 1650 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1651—A bill to be entitled An act relating to Pinellas County; amending s. 11(1) and adding a subsection, s. 12(1) and (3) and adding a subsection, s. 16(1)(a), s. 21, s. 28, s. 31 and s. 32, all of chapter 75-489, Laws of Florida, relating to the Pinellas County Construction Licensing Board; authorizing the board to establish other reasonable classifications of contractors and journeymen in the construction industry; providing a definition of "fire marshal"; increasing board membership; providing for selection of chairman and vice-chairman; authorizing waiver by board of examination requirements for registration or certification; providing for proof of insurance as condition for registration; providing for establishment of fees by board; authorizing the board to adopt amendments to the codes; providing a Board of Adjustment and Appeals for life safety and fire codes; providing a procedure for determining jurisdiction of certain appeals; providing for appeals from decisions of a building director or fire marshal; amending the power of a Board of Adjustment and Appeals to interpret its respective code; providing for review of decisions of the Boards of Adjustment and Appeals; providing for judicial review; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote HB 1651 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1652—A bill to be entitled An act relating to Pinellas County; creating an aviation study commission to study the feasibility of establishing a single aviation authority for the management of all publicly-owned airports in the county; providing for the membership and organization of the commission; providing for a report of its findings and recommendations to the legislative delegation no later than February 1, 1979; providing for the duties of the commission; authorizing the board of county commissioners of Pinellas County, the city council of the City of St. Petersburg and the city commission of the City of Clearwater to furnish reasonable administrative, technical, secretarial, clerical and legal assistance; requiring Pinellas County and the City of St. Petersburg to jointly provide for the printing of the report; providing for the repeal of this act; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote HB 1652 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1653—A bill to be entitled An act relating to Pinellas County and the municipalities therein; creating the "Pinellas Sundown II Act"; expressing the purpose of the act; repealing the following obsolete special laws: chapter 26146, Laws of Florida, 1949, relating to county health buildings; chapter 65-2117, Laws of Florida, relating to an appropriation for the Southern Training Center for Little League Baseball; chapter 67-1931, Laws of Florida, relating to street lighting districts; chapter 71-863, Laws of Florida, relating to municipal powers under chapter 167, Florida Statutes, which has been repealed; chapter 73-603, Laws of Florida, relating to the Pinellas County environmental task force; chapter 59-1742, Laws of Florida, relating to alcoholic beverage license for Italian American Club; chapter 59-1743, relating to alcoholic beverage license for Holiday Isles B.P.O.E.; chapter 63-1792, Laws of Florida, relating to alcoholic beverage license for Dunedin B.P.O.E.; chapter 69-1471, Laws of Florida, relating to alcoholic beverage license for Czechoslovak National Council of America; chapter 69-1473, Laws of Florida, relating to alcoholic beverage license for Commerce Club; chapter 71-871, Laws of Florida, relating to alcoholic beverage license for Knights of Columbus, Pius 12, Council No. 5131; chapter 71-876, Laws of Florida, relating to alcoholic beverage license for municipal or private golf clubs; chapter 72-656, Laws of Florida, relating to alcoholic beverage license for Knights of Columbus, Father Lopez Council, No. 5737; chapter 72-660, Laws of Florida, relating to alcoholic beverage license for Order of Sons of Italy, St. Petersburg Lodge 2017; chapter 72-665, Laws of Florida, relating to alcoholic beverage license for Treasure Island Tennis and Yacht Club Corporation; chapter 16629, Laws of Florida, 1933, chapter 17696, Laws of Florida, 1935, and chapter 18783, Laws of Florida, 1937, relating to game; chapters 59-1739 and 61-2666, Laws of Florida, relating to parking at the county airport; chapters 61-2663 and 65-2116, Laws of Florida, relating to the office of public defender; chapter 61-2670, Laws of Florida, relating to the parking of vehicles; chapter 18786, Laws of Florida, 1937, and chapter 67-1913, Laws of Florida, relating to the clerk of circuit court; chapters 70-458 and 71-494, Laws of Florida, relating to civil and criminal court of record; chapter 30260, Laws of Florida, 1955, relating to duties of senior county judge; chapter 26162, Laws of Florida, 1949, relating to Supervisor of Elections; chapter 20065, Laws of Florida, 1939, relating to public works projects on Boca Ciega and Tampa Bay; chapter 57-1735, Laws of Florida, relating to ice; chapter 11972, Laws of Florida, 1927, chapter 13679, Laws of Florida, 1929, chapter 16060, Laws of Florida, 1933, chapter 21849, Laws of Florida, 1943, and chapter 70-459, Laws of Florida, relating to the juvenile court; chapter 31175, Laws of Florida, 1955, relating to a permanent voter registration system; chapter 74-591, Laws of Florida, relating to uniform municipal election dates; chapter 71-865, Laws of Florida, re-

lating to fresh pursuit by law officers; chapter 67-1906, Laws of Florida, relating to municipal audits; chapter 65-2106, Laws of Florida, relating to game or fish hatcheries; chapter 67-1918, Laws of Florida, relating to travel parks; part 1 of chapter 75-489, Laws of Florida, relating to countywide occupational licenses; chapters 59-1748, 61-2685, 61-2686, and 61-2687, Laws of Florida, relating to the Stadium Authority; chapter 71-861, Laws of Florida, relating to compensation of members of examining committees in all sanity cases; chapter 77-637, Laws of Florida, creating the Pinellas Sundown Act; repealing the following special laws and converting them into ordinances of the county or municipality to which such laws are applicable: chapters 63-1783 and 73-599, Laws of Florida, relating to local improvements; chapter 21489, Laws of Florida, 1941, relating to fairs and rodeos; chapter 24818, Laws of Florida, 1947, relating to public works; chapter 26164, Laws of Florida, 1949, chapters 57-1730, 65-2102, and 69-1493, Laws of Florida, relating to zoning; chapter 29443, Laws of Florida, 1953, and chapter 67-1929, Laws of Florida, relating to milk and milk products; chapter 31181, Laws of Florida, 1955, and chapter 69-1488, Laws of Florida, relating to frozen desserts; chapters 57-1737 and 59-1740, Laws of Florida, relating to subdivisions; chapters 57-1734 and 67-1927, Laws of Florida, relating to land clearing; chapters 61-2667, 63-1795 and 65-2120, Laws of Florida, relating to garbage, trash and junk; chapter 61-2674, Laws of Florida, relating to the selling of secondhand items; chapter 63-1787, Laws of Florida, relating to welfare; chapters 63-557 and 67-1921, Laws of Florida, relating to housing; chapter 67-1923, Laws of Florida, relating to residential and planned communities; chapters 61-2668 and 69-1492, Laws of Florida, relating to county law libraries; chapter 67-1910, Laws of Florida, relating to the county medical examiner; chapter 20067, Laws of Florida, 1939 and chapter 31178, Laws of Florida, 1955, relating to Mullet Key; requiring the chairman of the Pinellas County legislative delegation, pursuant to the authorizations contained in chapter 61-2677, Laws of Florida, to request funds and retain an attorney to review specified special laws after June 30, 1978 and before January 1, 1979, to determine if there is a public need for services provided under said special laws and if the need is being adequately met; providing for public hearings; providing for review criteria; providing for a report of findings and recommendations to the Pinellas County legislative delegation no later than February 1, 1979; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote HB 1653 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1654—A bill to be entitled An act relating to Pinellas County; amending sections 5 and 7 of chapter 75-491, Laws of Florida, as amended, relating to the Pinellas Park Water Management District Area; providing for deletion from tax rolls of certain areas; providing for reversion of taxes collected; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote HB 1654 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1656—A bill to be entitled An act relating to the Board of Adjustment of Pinellas County; repealing certain sections of chapter 26164, Laws of Florida, 1949, chapter 57-1730, Laws of Florida, and chapter 65-2102, Laws of Florida, as amended, relating to the board of adjustment; requiring designation of a board of adjustment pursuant to the authority of chapter 163, Part II, Florida Statutes; providing for continuance of existing permits, variances, and special exceptions; providing for severability; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote HB 1656 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1657—A bill to be entitled An act relating to Pinellas County; authorizing the Board of County Commissioners to provide for clearance of real property in the unincorporated areas of Pinellas County; providing for an ordinance to govern clearance of real property; providing for a hearing before the Board of County Commissioners; providing for assessment of administrative fee and cost of clearance of property; providing for establishment of a lien on real property; providing for an interest penalty upon liens; repealing chapters 57-1734 and 67-1927, Laws of Florida; providing for survival of existing liens; providing for severability; providing for an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote HB 1657 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1658—A bill to be entitled An act pertaining to Pinellas County; declaring a legislative intent; authorizing the Board of County Commissioners to grant cable television system franchises in the unincorporated areas, without referendum, upon certain terms and conditions; providing for procedures and requirements for granting of franchises; providing a severability clause; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote HB 1658 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

CS for HB 1660—A bill to be entitled An act relating to Pinellas County; creating and establishing the Pinellas County Air Quality Management Authority for the purpose of implementing and enforcing standards pertaining to air quality in Pinellas County; providing legislative intent; providing definitions; designating the Board of County Commissioners of Pinellas County as the Authority; providing duties and powers of Authority; authorizing appropriations; providing for adoption of rules and regulations; providing for emergency orders; providing a penalty; providing for injunctive relief; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote CS for HB 1660 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1661—A bill to be entitled An act relating to the City of Clearwater, Pinellas County; amending section 20 of chapter 30658, Laws of Florida, 1955, as amended, relating to the Firemen's Relief and Pension Fund of the Fire Department of the City of Clearwater, providing that a pension or adjustment may not be calculated on the compensation of a rank higher than that of a captain; providing severability; providing for repeal of all laws in conflict herewith; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote HB 1661 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1667—A bill to be entitled An act relating to Escambia County; abolishing the University Hospital Board of Trustees of Escambia County; transferring administration of University Hospital to Board of County Commissioners; providing for a director; providing for an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote HB 1667 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

CS for HB 1679—A bill to be entitled An act relating to the Loxahatchee River Environmental Control District; amending Section 2 of Chapter 75-475, Laws of Florida, which added Section 4A to chapter 71-822, Laws of Florida, reducing the percentage of electors needed for recall of a board member; amending Section 4 of Chapter 75-475, Laws of Florida, which added Section 18 to Chapter 71-822, Laws of Florida, reducing the percentage of electors needed for initiative; amending Subsection (3) of Section 4 of Chapter 71-822, Laws of Florida, as amended, reducing the duration of the terms of board members from four (4) years to two (2) years; amending Section 3 of Chapter 75-475, Laws of Florida, which amended Subsection (2) of Section 5 of Chapter 71-822, Laws of Florida, to give district power, within the geographic areas of the district, over indirect as well as direct tributaries of the Loxahatchee River for storm drainage purposes; amending Subsection (4) of Section 4 of Chapter 71-822, Laws of Florida, as amended, to modify procedure for filling of vacancies occurring in the office of a board member; amending Section 7 of Chapter 71-822, Laws of Florida, and amending Section 17 of Chapter 71-822, Laws of Florida, to secure and clarify the authority of the district to levy an ad valorem tax of 1/4 mill subject to approval by referendum; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote CS for HB 1679 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Peterson	Scott	Tobiassen	Williamson
Plante	Skinner	Trask	Wilson
Poston	Spicola	Vogt	Winn
Renick	Thomas, Jon	Ware	Zinkil
Sayler	Thomas, Pat		

Nays—None

Vote after roll call:

Yea—McClain

HB 1704—A bill to be entitled An act relating to Taylor County; amending ss. 4 and 8 of chapter 31319, Laws of Florida, 1955, to provide for the appointment of members of the Taylor County hospital board by the Taylor County Board of County Commissioners instead of by the Governor; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Pat Thomas, by two-thirds vote HB 1704 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1712—A bill to be entitled An act relating to the City of Pensacola, Escambia County; amending section 5 of chapter 61-2655, Laws of Florida, relating to the qualifications for benefits for membership to the General Pension and Retirement Fund of the City of Pensacola; clarifying certain provisions therein with relation to the period of time of service in order for an employee to have vested rights therein and be eligible for benefits thereunder; providing a repealing clause; providing an effective date.

—was read the second time by title.

Senators Tobiassen and W. D. Childers offered the following amendment which was moved by Senator Tobiassen and adopted:

Amendment 1—On page 3, line 4, strike all of line 4 and insert: *grounds that would constitute a felony under the laws of the State of Florida, notwithstanding any act, law, order, or resolution or ordinance to the contrary* ~~except upon discharge for cause by the Civil Service Board of said city~~.

On motion by Senator Tobiassen, by two-thirds vote HB 1712 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1713—A bill to be entitled An act relating to the City of Pensacola, Escambia County; relating to the Pensacola Housing Authority established by chapter 421 of the Florida Statutes; providing that section 421.07, Florida Statutes, shall not apply to the Housing Authority of the City of Pensacola; providing that a Commissioner of the Pensacola Housing Authority may be removed by the Mayor with the concurrence of the City Council of the City of Pensacola for any reason; providing for appointment of a successor; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote HB 1713 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1746—A bill to be entitled An act relating to Sarasota and Manatee Counties; amending section 4(r) of chapter 77-651, Laws of Florida, the Sarasota-Manatee Airport Authority Act, relating to powers of the authority; empowering the authority to remove unauthorized vehicles from authority property under certain conditions.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote HB 1746 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1773—A bill to be entitled An act relating to the Pinellas County Water and Navigation Control Authority; adding subsection (c) to s. 2, chapter 31182, Laws of Florida, 1955, as amended by s. 1, chapter 72-664, Laws of Florida, to authorize the undertaking of public navigation projects; amending s. 8(e), chapter 31182, Laws of Florida, 1955, as amended by s. 2, chapter 72-664 and s. 3, chapter 74-588, Laws of Florida, to exempt the Authority from the requirement imposed by s. 253.124(3), Florida Statutes, that biological survey reports be read into the record during public hearings; providing for a procedure for the adoption of such biological survey reports by reference; adding sections 21-32 to chapter 31182, Laws of Florida, 1955; providing additional authority concerning public navigation projects; authorizing certain contracts, etc. with the United States, acquisition of property, levy of taxes and loans; authorizing the condemnation of lands; authorizing the issuance of bonds; authorizing the Authority to borrow money and to execute promissory notes therefor; authorizing the Authority to convey property and property rights to the United States; forming a special tax district; providing for certain reports to

the Secretary of Army; providing for the construction of dikes, bulkheads, levees, utilities, etc. incidental to public navigation projects; requiring an analysis and report on the Saint Joseph's Sound segment of the Intercoastal Waterway; granting tax exemption to all lands owned by the Authority; providing an effective date.

—was read the second time by title.

Senator Sayler moved the following amendments which were adopted:

Amendment 1—On page 12, lines 9 and 11, strike "29" and insert: 28

On page 12, lines 24 and 26 strike "30" and insert: 29

On page 13, lines 8 and 10 strike "31" and insert: 30

On page 14, lines 5 and 7 strike "32" and insert: 31

On page 14, line 11, after the word "act", insert: and this section

Amendment 2—On page 1 in title, line 17, strike "21-32" and insert: 21-31

On motion by Senator Sayler, by two-thirds vote HB 1773 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1774—A bill to be entitled An act relating to Pinellas County; providing for the vesting of title to potable water lines, sanitary sewer lines, and storm drainage facilities in the governmental body having authority and jurisdiction over such utilities which have been placed or in the future will be placed in public rights-of-way or dedicated easements in said county; providing for retroactive application; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote HB 1774 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

CS for HB 1802—A bill to be entitled An act relating to Pinellas County; amending section 3 of chapter 75-487, Laws of Florida; amending section 4(4), (5), (8), and (10) thereof and adding subsections (12) and (13) thereto; amending section 6 thereof and adding new sections 16-18 thereto; authorizing the County to prohibit by ordinance the operation or maintenance of any solid waste disposal facility by any persons, firms, corporations, municipalities, political subdivisions, or public or private bodies, except by contract or permit from the County; authorizing the County to finance the cost of construction, acquisition and operation of electrical generating facilities; modifying authority of the Board of County Commissioners of Pinellas County to apply the revenues derived from solid waste disposal facilities to operation and maintenance expenses; authorizing the County to issue licenses or permits to persons, firms, or corporations for the collection of solid waste within the unincorporated area of the County; authorizing the Board of County Commissioners of Pinellas County to require that existing solid waste disposal facilities be restricted to disposal of specified types or amounts of solid waste and providing an exception; authorizing the Board of County Commissioners to adopt an ordinance of countywide effect to implement the intent of the legislature; providing for rates, fees, and charges; authorizing institution of legal action by the County to enforce the provisions of the act; prohibiting annexation by a municipality; prohibiting franchise and other fees by a municipality; providing for exemption of a County owned or operated resource recovery system from regulation by the Public Service Commission; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote CS for HB 1802 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1808—A bill to be entitled An act relating to Palm Beach County; authorizing the Board of County Commissioners of Palm Beach County to grant a non-exclusive franchise for the construction, maintenance, or removal of lines, poles and facilities within the unincorporated areas of Palm Beach County, Florida, along any public property of the County for the transmission, distribution or sale of electricity; providing for the term of such non-exclusive franchise; providing for the payment of a fee to Palm Beach County for such right and privilege; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 1808 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—1

Lewis

Vote after roll call:

Yea—McClain

HB 1809—A bill to be entitled An act relating to The South Indian River Drainage District in Palm Beach County; amending section 6 of chapter 71-820, Laws of Florida; authorizing the Board of Supervisors of the district to expend funds not in excess of $8 per acre per year for a period not in excess of 2 years to pay for the improvement of dedicated roads and road rights-of-way; authorizing engineering studies for the purpose of planning a road improvement program and determining the cost thereof; adding a section 12 to chapter 71-820, Laws of Florida; authorizing the Board of Supervisors of the district to amend the Sixth Amended Plan of Reclamation within 2 years, which amendment would define dedicated roads and road rights-of-way within the districts as works of the district; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 1809 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1812—A bill to be entitled An act relating to the Lake Worth Downtown Development Authority, Palm Beach County; amending section 8 of chapter 72-592, Laws of Florida, the "Lake Worth Downtown Development Authority Act," increasing the tax rate from 1 mill on each dollar of tax base to 3 mills on each dollar of tax base to commence the fiscal year beginning October 1, 1978, following approval by referendum; providing that a lower millage rate may be set by the Downtown Development Authority, and thereafter increased by said Authority in compliance with applicable law; providing for a referendum; setting forth the ballot and the means to determine the eligible voters; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 1812 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1813—A bill to be entitled An act relating to The Palm Beach County Environmental Control Act; amending section 18 of chapter 77-616, Laws of Florida, to provide for delinquent assessment fees to be liens; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 1813 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1814—A bill to be entitled An act relating to Palm Beach County; amending sections 1 through 5 of chapter 31118, Laws of Florida, 1955, as amended, relating to franchises for garbage and waste collection and disposal; authorizing the Board of County Commissioners to limit the terms of franchises; providing for award based upon competitive bidding; providing for the grant of franchise, bond, rate schedule, consideration; providing for rate changes; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 1814 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1828—A bill to be entitled An act relating to Clay County; repealing section 1 of chapter 30656, Laws of Florida, 1955, as amended, relating to the $5,000 limitation on funds used from the board of county commissioners' annual budget for publicity and promotional purposes and the $1,000 limitation on display advertising in newspapers, magazines, and other periodicals; providing an effective date.

—was read the second time by title. On motion by Senator Skinner, by two-thirds vote HB 1828 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Thomas, Jon	Trask	Williamson	Winn
Thomas, Pat	Vogt	Wilson	Zinkil
Tobiassen	Ware		

Nays—None

Vote after roll call:

Yea—McClain

HB 1848—A bill to be entitled An act relating to Hillsborough County; amending sections 5, 8, 17, and 21 of chapter 69-1121, Laws of Florida, as amended, relating to the Hillsborough County Civil Service Board; recognizing those persons paid principally by virtue of certain state or federal funds as temporary unclassified employees; allowing certain unclassified employees and permanent classified employees who transfer to permanent classified or permanent unclassified positions to incur no loss of benefits by virtue of said transfer; requiring hearings before the board to exclude irrelevant evidence; requiring the board to state its findings in writing; providing an effective date.

—was read the second time by title. On motion by Senator Castor, by two-thirds vote HB 1848 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1857—A bill to be entitled An act relating to the City of Milton, Santa Rosa County; adding subsections (29) and (30) to s. 1 of chapter 73-551, Laws of Florida, and amending ss. 19(2), 20, 21(1), 25(1)(a), (4), (5) and (6), and 31(1)(c) of said chapter, relating to the civil service system of the City of Milton; providing for duties to be performed by the city clerk, in the case of clerk employees, with respect to filling vacancies, probationary periods, reductions in force, disciplinary action, and physical and mental examinations; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote HB 1857 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1874—A bill to be entitled An act relating to the City of Pensacola, Escambia County; providing for a civil service system for certain employees of the City; establishing a Civil Service Board to administer the system; setting the powers; duties and responsibilities of the Board and the term of office, qualification, election and disqualification of Board members; providing methods and terms of employment and provisions for promotion, discipline, discharge and determination of disability of employees under the system; stating general and specific provisions for the regulation and administration of the system and its employees; providing that violations of certain provisions shall constitute crimes; repealing chapters 63-1775, 65-2097, 67-1903, 69-1467, 70-887, 71-851, 73-589, 76-468, 77-629, and 77-631, Laws of Florida, relating to Civil Service of the City of Pensacola; providing an effective date.

—was read the second time by title.

Senators Tobiassen and W. D. Childers offered the following amendment which was moved by Senator Tobiassen and adopted:

Amendment 1—On page 36, strike all of lines 1 through 22 inclusive and insert:

(F) No person discharged for cause by the Civil Service Board who has a vested interest or vested right to pension benefits in the City Pension System shall be deprived of those benefits unless the findings and decisions of the Civil Service Board certify that the charges upon which this person has been found guilty constitute a felony under the laws of the State of Florida.

(G) Any person who has been discharged from the service of the City by action of the Civil Service Board and on the date of his discharge held a vested interest and vested rights to pension benefits and the findings and decisions of the Civil Service Board on the charge or charges upon which he was discharged do not constitute a felony under the laws of the State of Florida shall, upon his request to the Civil Service Board, have his discharge reviewed and if it is found that the findings and decision on the charges do not, in fact, constitute a felony under the laws of the State of Florida, the Civil Service Board shall thereupon certify this person to the city Pension Board as eligible for a pension to which his period of service entitles him, effective to the date of his discharge by the Civil Service Board. It is the intention of this Act that no person be deprived of pension rights, except upon grounds that would constitute a felony under the laws of the State of Florida, notwithstanding any act, law, order, or resolution or ordinance to the contrary.

On motion by Senator Tobiassen, by two-thirds vote HB 1874 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1876—A bill to be entitled An act relating to Escambia County; creating an Escambia County Charter Commission; providing for the appointment and duties of members and alternates; providing for organization and meetings; authorizing the acceptance of support services, grants, or donations and the use or expenditure of same; authorizing review of county records; providing for the filing of a proposed charter; providing for a referendum; declaring the commission to be serving a county purpose; declaring that this act shall prevail over certain general law provisions; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote HB 1876 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1924—A bill to be entitled An act relating to the Putnam County Development Authority; amending section 6 of chapter 61-2727, Laws of Florida, to allow five rather than seven members of the Putnam County Development Authority to constitute a quorum thereof; providing an effective date.

—was read the second time by title. On motion by Senator Glisson, by two-thirds vote HB 1924 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1974—A bill to be entitled An act relating to Okaloosa County; repealing chapter 63-1685, Laws of Florida, as amended, relating to the Ocean City-Wright fire control district; providing for the creation and boundaries of the Ocean City-Wright fire control district; providing for a board of commissioners to manage the district; providing for terms of office; providing for officers and meetings; providing for audits of the district pursuant to state law; providing for suits against the board; providing for the powers of the board of commissioners; providing for a fire inspector and fireman; providing for special assessments; providing for indebtedness; providing for the use of district funds; providing for the extension of limits of district; providing for changes with respect to calls outside of the district; providing a penalty; providing for liberal construction of the act; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote HB 1974 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1979—A bill to be entitled An act relating to Collier County; creating the Immokalee Water and Sewer District in the county; defining its boundaries; providing definitions; authorizing the district to operate a water and sewer system; creating the governing board of the district; restricting the use of funds of the district; providing the powers of the board; providing for water rates and service charges; providing for special assessments; providing for the collection of rates and charges; requiring certain persons to connect to the sewer system established under the act under certain circumstances; providing a declaration of policy; providing for annual audits; providing for a referendum.

—was read the second time by title. On motion by Senator Scott, by two-thirds vote HB 1979 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 2017—A bill to be entitled An act relating to Gulf County; creating, establishing, and organizing a fire control district in said county to be known and designated as the Overstreet Fire Control District; defining its territorial boundaries; providing for a board of fire commissioners; providing for government, administration, jurisdiction, powers, and privileges of said district; authorizing the Overstreet Fire District commissioners under certain conditions to purchase, operate and maintain fire control machinery and equipment; providing for the operation and use of said equipment; providing for the cooperation of the district with other fire control units adjacent to said district; providing for the interchange and use of fire control machinery and equipment with other fire control units adjacent to said district; providing for the appointment of a fire chief and assistants; providing for and authorizing upon the approval of a majority of the freeholders of the district voting in a millage election, the levy of an ad valorem tax upon all real and personal property in said district, not to exceed one half (½) mill for the purpose of purchasing, maintaining and operating fire control equipment and machinery; providing that the district shall not purchase such equipment unless funds are on hand to pay for same; providing that the fire chief of said district shall have full power to enforce all fire control laws of the state within the district; providing an effective date.

—was read the second time by title. On motion by Senator Pat Thomas, by two-thirds vote HB 2017 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 2067—A bill to be entitled An act relating to Lake County; amending sections 1 and 2 of chapter 67-1609, Laws of Florida, declaring emergency medical treatment and service to be a county purpose; authorizing the board of county commissioners to acquire equipment for, pay the costs of, and charge fees for such treatment and service and to render such treatment and service free to indigent persons; authorizing the board to enter into agreements with certain agencies and entities including private nonprofit hospitals to provide such treatment and service; providing an effective date.

—was read the second time by title. On motion by Senator Glisson, by two-thirds vote HB 2067 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 2068—A bill to be entitled An act relating to Lake County; declaring the establishment, construction, operation and maintenance of certain hospitals in the county to be a public purpose and that the operation thereof by the Leesburg Hospital Association, Inc., is for the public good; providing an effective date.

—was read the second time by title. On motion by Senator Glisson, by two-thirds vote HB 2068 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 2069—A bill to be entitled An act relating to Lake County; providing for the relief of the Leesburg Hospital Association, Inc.; authorizing and directing the Board of County Commissioners of Lake County to pay certain funds to the association; providing an effective date.

—was read the second time by title. On motion by Senator Glisson, by two-thirds vote HB 2069 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 2070—A bill to be entitled An act relating to Lake County; creating the Northwest Lake County Hospital District; creating a board of trustees of the district; providing the qualifications and duties of the members of the board; authorizing the board to contract with various agencies and entities to provide certain medical care and services; requiring the board to levy a tax to fund such services; providing procedures for the tax levy; authorizing the board to expend its funds for the district; requiring the board to periodically file financial statements of the district; authorizing the board to accept certain funds; providing for a referendum.

—was read the second time by title. On motion by Senator Glisson, by two-thirds vote HB 2070 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 2114—A bill to be entitled An act relating to Escambia County; amending Sections 1, 2, 3, 4, 5, 6 and 7 of Chapter 67-1369, Laws of Florida; providing for the fixing and determining of setback lines and distances from roads for the construction of buildings and other structures; providing for penalties for violations; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote HB 2114 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 2121—A bill to be entitled An act relating to Escambia County; amending sections 3.1., 3.2., 8.9., 8.91., 8.92., and 8.93. of chapter 76-370, Laws of Florida, as amended by chapter 77-548, Laws of Florida, and adding section 26 to said chapter, relating to the Civil Service system of Escambia County; defining the applicability of said system; providing for holidays;

providing for an Employees Advisory Committee; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote HB 2121 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 2132—A bill to be entitled An act relating to Monroe County; authorizing and empowering the School Board of Monroe County to enter into interlocal agreements with the Lower Florida Keys Hospital District and other governmental agencies for joint food purchase programs and other joint ventures legally authorized; authorizing said board to adopt procedures, rules, and regulations for the operation of said joint ventures; repealing all laws and parts of laws, whether general or special, in conflict herewith; providing an effective date.

—was read the second time by title. On motion by Senator Poston, by two-thirds vote HB 2132 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 2133—A bill to be entitled An act relating to Okaloosa County; repealing chapter 63-1684, Laws of Florida, as amended, relating to the county election commission; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote HB 2133 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 2146—A bill to be entitled An act relating to the Yankeetown-Inglis Special Water and Sewerage District, Levy County; repealing chapter 69-1251, Laws of Florida, as amended, relating to the creation of the Yankeetown-Inglis Special Water and Sewerage District; providing for the transfer of the assets of the district; providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote HB 2146 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 2175—A bill to be entitled An act relating to Gulf County; amending Section 6 of Chapter 30787, Laws of Florida, 1955, removing the maximum amount of $3,000,000 for revenue bonds or certificates of indebtedness of the Port St. Joe Port Authority; providing an effective date.

—was read the second time by title. On motion by Senator Pat Thomas, by two-thirds vote HB 2175 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 2190—A bill to be entitled An act relating to Okaloosa County; authorizing Okaloosa County, Florida, through its board of county commissioners, to acquire, construct, operate and regulate industrial sites, airports and air navigation facilities in Okaloosa County; vesting expressly in the county commissioners the governing and regulatory authority and powers necessary, with the power to delegate administrative functions to a board to work directly under the county commissioners; prescribing duties, number and terms of members appointed to such board; abolishing the Okaloosa County Airport and Industrial Authority; providing for the payment of outstanding obligations of such authority; declaring the ownership and operation of such industrial sites, airports, and air navigation facilities to be a public and governmental purpose; authorizing the board of county commissioners of Okaloosa County to exercise its powers of eminent domain and appropriate money through bond issues and levying of taxes, or otherwise to accomplish necessary purposes and goals; employing needed per-

sonnel; repealing all special acts and laws in conflict herewith; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote HB 2190 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

HB 1648—A bill to be entitled An act relating to Pinellas County; amending section 2 and subsection (c) of section 3 of chapter 72-666, Laws of Florida, increasing membership of the Pinellas Police Standards Council to include one member from each municipality having its own police department; providing for a quorum of 11 members; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote HB 1648 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McClain

SPECIAL ORDER

By the Committee on Personnel, Retirement and Collective Bargaining and Senator Chamberlin—

CS for SB 415—A bill to be entitled An act relating to public school personnel; amending s. 231.40(3), Florida Statutes, and the introductory paragraph of said section; adding s. 231.40(4), Florida Statutes; deleting provision which limits amount of compensation for certain personnel when on sick leave; authorizing any school board to establish policies and prescribe standards to permit certain participating employees to pool accrued sick leave days for disbursement to any participating employee who is in need of sick leave in excess of amount he has accrued; providing an effective date.

—was read the first time by title and SB 415 was laid on the table.

On motion by Senator Johnston, by two-thirds vote CS for SB 415 was read the second time by title.

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

Amendment 1—On page 2, line 10, after the word "accrued" insert: *and used*

Amendment 2—On page 2, line 10, after the words "accrued *and used*" insert: *The school board shall fix and determine a maximum number of sick leave days which an employee may draw down from the sick leave pool.*

On motion by Senator Johnston, by two-thirds vote CS for SB 415 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	Graham	Plante	Thomas, Pat
Castor	Hair	Poston	Tobiassen
Chamberlin	Henderson	Renick	Trask
Childers, Don	Holloway	Sayler	Vogt
Childers, W. D.	Johnston	Scott	Williamson
Gallen	MacKay	Skinner	Wilson
Glisson	Myers	Spicola	Winn
Gorman	Peterson	Thomas, Jon	Zinkil

Nays—None

Vote after roll call:

Yea—Firestone

CS for HB's 691 and 839—A bill to be entitled An act relating to the financing of new local government duties; providing that any general law requiring municipalities or counties to administer any program or provide any service or facility shall include an economic impact statement estimating total costs, and shall provide a method of financing such program or service; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, strike all of lines 11 through 26.

Senator Chamberlin moved the following amendment which failed:

Amendment 2—On page 1, line 31, after the word "municipality" insert: , school board,

Senator MacKay moved the following amendment which was adopted:

Amendment 3—On page 2, line 29 after the period, strike "Should a rule promulgated by a state department pursuant to any such general law have the effect of causing the estimated cost to municipalities and counties to exceed the amount contained in the economic impact statement, the Governor shall, in his next succeeding legislative budget, include provision for the funding of such excess costs to the municipalities and counties out of state revenue."

Senator Gordon moved the following amendments which were adopted:

Amendment 4—On page 2, line 8, after "facility" insert: this information shall be furnished by the municipalities, counties or other local units on their respective associations.

Amendment 5—On page 3, line 13, after "law" insert: further, this act shall not apply to any general law which is overtly supported, advocated or defended by a municipality, county, or other local unit, or their respective associations.

On motion by Senator Glisson, by two-thirds vote CS for HB's 691 and 839 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—20

Castor	Gorman	Peterson	Trask
Childers, Don	Graham	Skinner	Ware
Childers, W. D.	Henderson	Spicola	Wilson
Gallen	MacKay	Thomas, Pat	Winn
Glisson	McClain	Tobiassen	Zinkil

Nays—11

Chamberlin	Johnston	Renick	Vogt
Gordon	Myers	Sayler	Williamson
Holloway	Poston	Thomas, Jon	

Votes after roll call:

Yea—Hair
Nay to Yea—Poston, Renick

On motion by Senator Spicola, the rules were waived and the Senate reverted to Introduction for the purpose of introducing the following resolution:

INTRODUCTION

By Senators Spicola and MacKay—

SCR 1361—A concurrent resolution requesting the Governor of the State of Florida to return Senate Bill 721 to the Legislature for the purpose of further consideration.

—which was read the first time in full. On motion by Senator Spicola by two-thirds vote SCR 1361 was read the second time by title, adopted, and certified to the House. The vote on adoption was:

Yeas—28

Mr. President	Gorman	Renick	Trask
Castor	Graham	Sayler	Vogt
Childers, Don	Holloway	Skinner	Ware
Childers, W. D.	Johnston	Spicola	Williamson
Gallen	MacKay	Thomas, Jon	Wilson
Glisson	Myers	Thomas, Pat	Winn
Gordon	Poston	Tobiassen	Zinkil

Nays—None

SPECIAL ORDER, continued

SB 790 was taken up and on motions by Senator Vogt the rules were waived and by two-thirds vote HB 1230 was withdrawn from the Committees on Natural Resources and Conservation; and Appropriations. On motion by Senator Vogt—

HB 1230—A bill to be entitled An act relating to the Game and Fresh Water Fish Commission; directing the Division of Fisheries of the Game and Fresh Water Fish Commission to manage the promotion, marketing, and quality control of all freshwater organisms produced in the state and used commercially; providing specific guidelines for such management; providing an appropriation; providing an effective date.

—a companion measure, was substituted for SB 790 and read the second time by title.

Senator Vogt moved the following amendments which were adopted:

Amendment 1—On page 2, line 4, strike lines 4 through 10 and insert new Section 2: Section 2. The responsibility with which the Division of Fisheries is charged under Section 1 of this Act shall in no way supercede or duplicate the responsibilities of the Florida Department of Agriculture and Consumer Services under Chapter 500, F.S., the Florida Food, Drug and Cosmetic Law, and the rules promulgated thereunder.

(Renumber subsequent sections.)

Amendment 2—On page 1 in title, line 9, strike everything after the word "management;" and add the following: providing for the prevention of duplication of responsibilities with the Florida Department of Agriculture and Consumer Services; providing an appropriation; providing an effective date.

On motion by Senator Vogt, by two-thirds vote HB 1230 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Gorman	Poston	Vogt
Castor	Graham	Renick	Ware
Chamberlin	Holloway	Skinner	Williamson
Childers, Don	Johnston	Spicola	Winn
Childers, W. D.	MacKay	Thomas, Jon	Zinkil
Gallen	McClain	Thomas, Pat	
Glisson	Myers	Tobiassen	
Gordon	Plante	Trask	

Nays—None

Votes after roll call:

Yeas—Hair, Peterson, Scott

SB 790 was laid on the table.

SB 462 was taken up and on motions by Senator Jon Thomas, the rules were waived and by two-thirds vote HB 220 was withdrawn from the Committees on Natural Resources and Conservation; Commerce; and Appropriations. On motion by Senator Jon Thomas—

HB 220—A bill to be entitled An act relating to freshwater fish or frog dealers; amending s. 372.65, Florida Statutes; providing for ten separate classes of licenses, and requirements and fees therefor; permitting certain license substitution; requiring that a licensed person be aboard a commercial fishing boat; restricting sale by and purchase from unlicensed persons; providing an effective date.

—a companion measure, was substituted for SB 462 and read the second time by title. On motion by Senator Jon Thomas, by two-thirds vote HB 220 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—26

Mr. President	Gorman	Poston	Vogt
Chamberlin	Holloway	Renick	Ware
Childers, Don	Johnston	Skinner	Williamson
Childers, W. D.	MacKay	Thomas, Jon	Winn
Gallen	McClain	Thomas, Pat	Zinkil
Glisson	Myers	Tobiassen	
Gordon	Plante	Trask	

Nays—None

Votes after roll call:

Yeas—Hair, Peterson, Scott, Wilson

SB 462 was laid on the table.

On motion by Senator Barron, consideration of SB 1253 was deferred.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 1629 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Governmental Operations and Representative Boyd—

CS for HB 1629—A bill to be entitled An act relating to the Department of Revenue; amending s. 20.21(2), Florida Statutes, to restructure the divisions within the department along functional lines; requiring reports; providing a time period for implementation; providing an effective date.

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

SPECIAL ORDER, continued

CS for SB 1053, by the Committee on Governmental Operations and Senator Gordon (by request), was read the first time by title and SB 1053 was laid on the table.

On motion by Senator Gordon, CS for HB 1629, a companion measure to CS for SB 1053 was substituted therefor. On motions by Senator Gordon, by two-thirds vote CS for HB 1629 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

CS for SB 1053 was laid on the table.

SB 851—A bill to be entitled An act relating to the Florida Cemetery Act; amending s. 559.33(2), Florida Statutes; increasing the filing fee for establishment of any cemetery; amending s. 559.34, Florida Statutes; increasing the filing fee for change of control of any cemetery company; amending s. 559.37(4), Florida Statutes; increasing the fee for examination of the affairs of any cemetery company; amending s. 559.46, Florida Statutes; requiring an annual fixed license fee for every cemetery company, broker, sales organization, and management organization; providing a fine for late license renewal; repealing ss. 559.49, 559.50, Florida Statutes, which require a surety bond under certain circumstances and prescribe the form of such bond; providing an effective date.

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

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Hair

HM 1898—A memorial to the Congress of the United States urging Congress to direct the Administrator of the United States Veterans Administration to construct a veterans' administration hospital in East Central Florida.

—was read the second time in full. On motion by Senator Vogt HM 1898 was adopted and certified to the House. The vote on adoption was:

Yeas—30

Mr. President	Gordon	Plante	Trask
Barron	Gorman	Poston	Vogt
Castor	Graham	Renick	Ware
Childers, Don	Hair	Scott	Williamson
Childers, W. D.	Holloway	Skinner	Wilson
Dunn	Johnston	Spicola	Winn
Gallen	MacKay	Thomas, Pat	
Glisson	Myers	Tobiassen	

Nays—None

Vote after roll call:

Yea—Peterson

CS for HB 1068—A bill to be entitled An act relating to retail theft; adding paragraph (d) to s. 812.014(2), Florida Statutes, requiring a written judgment and fingerprints in the record of judgment of guilty of petit theft; providing for admissibility as evidence; creating s. 812.015, Florida Statutes, providing definitions; providing minimum jail term for second convictions for certain theft; transferring s. 901.34, Florida Statutes, provisions relating to detention and arrest of persons by merchants or their employees or by peace officers; repealing s. 901.34, Florida Statutes, to conform to the act; providing an effective date.

—was read the second time by title. On motion by Senator Dunn, by two-thirds vote CS for HB 1068 was read the third time by title.

On motion by Senator Myers, further consideration of CS for HB 1068 was deferred.

Consideration of HJR 253 was deferred.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB's 518, 590, 591 and 893 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Judiciary and Representative Fox and others—

CS for HB's 518, 590, 591 and 893—A bill to be entitled An act relating to public defenders; amending s. 27.53(2) and (3), Florida Statutes, providing that special assistant public defenders shall be paid in the same manner and amount as counsel fees are paid in capital cases; adding subsection (7) to s. 925.035, Florida Statutes, limiting the amount of fees for special assistant public defenders in capital cases; providing an effective date.

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

On motion by Senator Myers, by two-thirds vote CS for HB's 518, 590, 591 and 893 was withdrawn from the Committee on Judiciary-Criminal and placed on the calendar.

On motion by Senator Myers, by unanimous consent CS for HB's 518, 590, 591 and 893 was taken up out of order. On motions by Senator Myers, by two-thirds vote CS for HB's 518, 590, 591 and 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—30

Mr. President	Gorman	Peterson	Thomas, Pat
Barron	Graham	Plante	Trask
Chamberlin	Hair	Poston	Williamson
Childers, W. D.	Holloway	Renick	Wilson
Firestone	Johnston	Sayler	Winn
Gallen	MacKay	Skinner	Zinkil
Glisson	McClain	Spicola	
Gordon	Myers	Thomas, Jon	

Nays—None

Votes after roll call:

Yea—Castor, Vogt

On motion by Senator MacKay, by two-thirds vote SB 720, with House amendments, was withdrawn from the Committee on Commerce and placed on the Calendar.

On motion by Senator MacKay, by unanimous consent—

SB 720—A bill to be entitled An act relating to the Savings Association Act; amending Section 665.061, Florida Statutes, to provide for the conversion of federal stock associations to capital stock associations or vice verse; providing an effective date.

—was taken up out of order.

House Amendment 1—On page 1, strike everything after the enacting clause and insert the following: Section 1. Subsections (1) and (2) of section 665.061, Florida Statutes, are amended to read:

665.061 Conversion *without change of business form.*—

(1) CONVERSION INTO FEDERAL SAVINGS ASSOCIATION.—At an annual meeting or at any special meeting of the members *or stockholders* called to consider such action, any association or corporation of this state doing a home-financing business may convert itself into a federal savings association or federal savings and loan association, hereinafter called "Federal Association," in accordance with the laws of the United States, as now or hereafter amended, upon a vote of 51 percent or more of the total number of votes of the members *or stockholders* eligible to be cast. A copy of the minutes of the proceedings of such meeting of the members *or stockholders*, verified by the affidavit of the secretary or an assistant secretary, shall be filed with the department within 10 days after the date of such meeting. A sworn copy of the proceedings of such meeting, when so filed, shall be presumptive evidence of the holding and action of such meeting. Within 3 months after the date of such meeting, the association shall take such action in the manner prescribed and authorized by the laws of the United States as shall make it a federal association. There shall be filed with the department a copy of the charter issued to such Federal association by the Federal Home Loan Bank Board or a certificate showing the organization of such association as a federal association, certified by the secretary or assistant secretary of the Federal Home Loan Bank Board. A similar copy of the charter, or of such certificate, shall be filed by the association with the Department of State. No failure to file any such instruments with either the Department of Banking and Finance or the Department of State shall affect the validity of such conversion. Upon the grant to any association of a charter by the Federal Home Loan Bank Board, the association receiving such charter shall cease to be an association incorporated under this chapter and shall no longer be subject to the supervision and control of the department. Upon the conversion of any association into a federal association, the corporate existence of such association shall not terminate, but such federal association shall be deemed to be a continuation of the entity of the association so converted and all property of the converted association, including its rights, titles, and interest in all and to all property of whatever kind, whether real, personal, or mixed, and things in action, and every right, privilege, interest, and asset of any conceivable value or benefit then existing, or pertaining to it, or which would inure to it, shall immediately by operation of law and without any conveyance or transfer and without any further act or deed remain and be vested in and continue and be the property of such federal association into which the state association has converted itself, and such federal association shall have, hold, and enjoy the same in its own right as fully and to the same extent as the same was possessed, held, and enjoyed by the converting association. Such federal association as of the time of the taking effect of such conversion shall continue to have and succeed to all the rights, obligations, and relations of the converting association. All pending actions and other judicial proceedings to which the converting state association is a party shall not be deemed to have abated or to have discontinued by reason of such conversion, but may be prosecuted to final judgment, order, or decree in the same manner as if such conversion into such federal association had not been made and such federal association resulting from such conversion may continue such action in its corporate name as a federal association, and any judgment, order or decree may be rendered for or against it which might have been rendered for or against the converting state association theretofore involved in such judicial proceedings. Any association or corporation, which has heretofore converted itself into a federal association under the provisions of the Laws of the United States and has received a charter from the Federal Home Loan Bank Board, shall hereafter be recognized as a federal association, and its federal charter shall be given full recognition by the courts of this state to the same extent as if such conversion had taken place under the provisions of this section; provided, however, that there shall have been compliance with the foregoing requirements with respect to the filing with the department of a copy of the federal charter or a certificate showing the organization of such association as a federal association. All such conversions are hereby ratified and confirmed, and all the obligations of such an association which has so converted shall continue as valid and subsisting obligations of such federal association, and the title to all of the property of such an association shall be deemed to have continued and vested, as of the date of issuance of such federal charter, in such federal association as fully and completely as if such conversion had taken place since the enactment of this chapter pursuant to this section.

(2) CONVERSION INTO STATE CHARTERED ASSOCIATION.—At an annual meeting or at any special meeting of the members *or stockholders* called to consider such action, any federal association may convert itself into an association under this chapter upon a vote of 51 percent or more of the total number of votes of the members *or stockholders* of such federal association eligible to be cast. Copies of the minutes of the proceedings of such meeting of members *or stockholders*, verified by the affidavit of the secretary or an assistant secretary, shall be filed in the office of the department and mailed to the Federal Home Loan Bank Board, Washington, D.C., within 10 days after such meeting. Such verified copies of the proceedings of the meeting when so filed shall be presumptive evidence of the holding and action of such meeting. At the meeting at which conversion is voted upon, the members *or stockholders* shall also vote upon the directors who shall be the directors of the state-chartered association after conversion takes effect. Such directors shall then execute two copies of the petition for certificate of incorporation and two copies of the bylaws. The department shall insert in the certificate of incorporation, at the end of the paragraph preceding the testimonium clause, the following: "This association is incorporated by conversion from a federal association." All of the directors who are chosen for the association shall sign and acknowledge the petition for certificate of incorporation as subscribers thereto and the proposed bylaws as incorporators of the association. The provisions of this chapter shall, so far as applicable, apply to such conversion under this *section* ~~chapter~~. The department may provide, by *rule* ~~regulation,~~ for the procedure to be followed by any ~~such~~ federal association converting into *a state-chartered* ~~an~~ association. All the *applicable* provisions regarding property and other rights contained in the preceding subsection shall apply~~, in reverse order,~~ to the conversion of a federal association into an association incorporated under this chapter, so that the state-chartered association shall be a continuation of the corporate entity of the converting federal association and continue to have all of its property and rights.

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

House Amendment 2—On page 1, strike the entire title and insert: A bill to be entitled An act relating to the Savings Association Act; amending s. 665.061(1) and (2), Florida Statutes, to provide for the conversion of federal stock associations to capital stock associations or vice versa; providing an effective date.

On motions by Senator MacKay, the Senate concurred in the House Amendments.

SB 720 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—27

Mr. President	Gorman	Myers	Trask
Barron	Graham	Peterson	Ware
Castor	Hair	Plante	Williamson
Childers, Don	Holloway	Poston	Wilson
Firestone	Johnston	Renick	Winn
Glisson	MacKay	Thomas, Jon	Zinkil
Gordon	McClain	Thomas, Pat	

Nays—None

Votes after roll call:

Yea—W. D. Childers, Tobiassen, Vogt

The bill was ordered engrossed and then enrolled.

On motion by Senator Plante, by unanimous consent—

HB 815—A bill to be entitled An act relating to marriage licenses; amending s. 741.04, Florida Statutes; deleting provisions relating to parental consent for marriage of minors; revising the population limitation with respect to the requirement for posting applications for marriage licenses at the courthouse door; creating s. 741.0405, Florida Statutes; providing conditions for issuance of marriage licenses to persons under 18 years of age; providing an effective date.

—was taken up out of order and read the second time by title. On motion by Senator Plante, by two-thirds vote HB 815 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, Pat
Barron	Gordon	Peterson	Tobiassen
Castor	Gorman	Plante	Trask
Childers, Don	Graham	Poston	Ware
Childers, W. D.	Hair	Renick	Williamson
Dunn	Holloway	Skinner	Wilson
Firestone	Johnston	Spicola	Winn
Gallen	MacKay	Thomas, Jon	Zinkil

Nays—None

Vote after roll call:

Yea—Vogt

SPECIAL ORDER, continued

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

—was read the second time in full. On motion by Senator Glisson, HCR 2001 was adopted and certified to the House. The vote on adoption was:

Yeas—26

Mr. President	Gorman	Peterson	Thomas, Pat
Castor	Graham	Plante	Trask
Childers, Don	Hair	Poston	Ware
Firestone	Holloway	Sayler	Williamson
Gallen	Johnston	Skinner	Winn
Glisson	MacKay	Spicola	
Gordon	McClain	Thomas, Jon	

Nays—1

Zinkil

Vote after roll call:

Yea—Vogt

HCR 1932—A concurrent resolution recognizing the twenty-second floor of the new Capitol Building as an area within the public domain, to be kept open for the free use and enjoyment of all the people of Florida.

—was read the second time in full. On motion by Senator Glisson HCR 1932 was adopted and certified to the House. The vote on adoption was:

Yeas—21

Castor	Graham	Poston	Tobiassen
Childers, Don	Holloway	Renick	Ware
Childers, W. D.	Johnston	Skinner	Williamson
Gallen	McClain	Spicola	
Gordon	Peterson	Thomas, Jon	
Gorman	Plante	Thomas, Pat	

Nays—None

Votes after roll call:

Yea—MacKay, Myers, Trask, Vogt

HB 1209—A bill to be entitled An act relating to district courts of appeal; amending s. 35.22(1), Florida Statutes, relating to the qualifications and salary of clerks of the district courts of appeal; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote HB 1209 was read the third time by title.

Senator Williamson moved the following amendment which was adopted by two-thirds vote:

Amendment 1—On page 1, strike everything after "and" on line 15 through the period on line 18.

The vote was:

Yeas—24

Castor	Gorman	Poston	Thomas, Pat
Chamberlin	Henderson	Renick	Trask
Childers, Don	Holloway	Sayler	Vogt
Firestone	Myers	Scott	Williamson
Glisson	Peterson	Skinner	Winn
Gordon	Plante	Spicola	Zinkil

Nays—6

Graham	Johnston	Thomas, Jon	Ware
Hair	McClain		

Votes after roll call:

Yea—MacKay
Nay to Yea—Graham

Senator Williamson moved the following amendment which was adopted:

Amendment 2—On page 1 in title, line 4, strike "the qualifications and"

On motion by Senator Hair, by two-thirds vote HB 1209 as amended was read by title, passed and certified to the House. The vote on passage was:

Yeas—24

Mr. President	Glisson	Myers	Spicola
Castor	Graham	Peterson	Thomas, Jon
Chamberlin	Hair	Plante	Trask
Childers, Don	Holloway	Renick	Vogt
Firestone	Johnston	Sayler	Ware
Gallen	McClain	Skinner	Williamson

Nays—2

Gorman Poston

Votes after roll call:

Yeas—Winn, Zinkil

HB 1501—A bill to be entitled An act relating to hospitalization insurance coverage for officers and employees of counties; authorizing the governing bodies of such counties to provide such coverage; providing an effective date.

—was read the second time by title. On motion by Senator Renick, by two-thirds vote HB 1501 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Gorman	Peterson	Thomas, Pat
Castor	Graham	Poston	Trask
Childers, Don	Holloway	Renick	Vogt
Dunn	Johnston	Scott	Ware
Firestone	MacKay	Skinner	Williamson
Gallen	McClain	Spicola	Winn
Glisson	Myers	Thomas, Jon	Zinkil

Nays—None

Vote after roll call:

Yea—Hair

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 second time by title. On motion by Senator Myers, by two-thirds vote HB 405 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	Poston	Trask
Chamberlin	Graham	Renick	Vogt
Childers, Don	Hair	Sayler	Ware
Childers, W. D.	Holloway	Scott	Williamson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 6—A bill to be entitled An act relating to insurance; creating s. 627.7285, Florida Statutes, to provide that the experience of certain persons associated with operating a vehicle or train as a public conveyance shall not be a factor in setting their motor vehicle liability insurance rates; providing an effective date.

—was read the second time by title.

Senator McClain moved the following amendment:

Amendment 1—On page 1, strike all of lines 23 and 24 and insert: Section 2. In any action brought for damages for a death or injury on the right of way of any railroad, the contributory negligence of a person shall not bar recovery in an action brought by any person or his legal representative to recover damages for negligence resulting in such person's death or injury to his person or his property, if the contributory negligence was not greater than the combined negligence of the person or persons against whom recovery is sought, or person or persons who caused the injury or death, but any damages awarded to the person bringing the action shall be diminished in proportion to the amount his negligence contributed to his damages.

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

Amendment 1 was adopted. The vote was:

Yeas—17

Barron	Hair	Sayler	Vogt
Childers, Don	Henderson	Skinner	Zinkil
Childers, W. D.	MacKay	Thomas, Jon	
Glisson	McClain	Tobiassen	
Gorman	Renick	Trask	

Nays—14

Castor	Gordon	Peterson	Ware
Chamberlin	Graham	Plante	Williamson
Dunn	Holloway	Scott	
Gallen	Johnston	Spicola	

Vote after roll call:

Nay—Myers

Senators Holloway and Williamson offered the following amendments which were moved by Senator Williamson and adopted:

Amendment 2—On page 1, line 14, strike "train" and insert: public conveyance vehicle

Amendment 3—On page 1, line 22, strike the "period" and insert: , guideways, public roads, or highways.

Senator McClain moved the following amendment which was adopted:

Amendment 4—On page 1 between lines 7-8 in title, insert: providing that contributory negligence shall not bar recovery in certain actions under certain circumstances;

Senator McClain moved that the rules be waived and HB 6 be read the third time by title and the motion failed. The vote was:

Yeas—13

Childers, Don	Holloway	Renick	Vogt
Childers, W. D.	McClain	Thomas, Jon	
Hair	Peterson	Tobiassen	
Henderson	Plante	Trask	

Nays—16

Castor	Glisson	MacKay	Spicola
Chamberlin	Gordon	Myers	Thomas, Pat
Dunn	Graham	Sayler	Ware
Gallen	Johnston	Scott	Williamson

SB 1198 was taken up and on motions by Senator MacKay, the rules were waived and by two-thirds vote HB 2037 was withdrawn from the Committees on Economic, Community and Consumer Affairs; and Health and Rehabilitative Services. On motion by Senator MacKay—

HB 2037—A bill to be entitled An act relating to dentistry; amending s. 466.24(3)(g) and (k), Florida Statutes; authorizing certain types of advertising; creating s. 466.261, Florida Statutes; authorizing dentists to advertise, providing terms and conditions for such advertising, authorizing the Florida State Board of Dentistry to promulgate rules, and prohibiting false or misleading advertising; amending s. 466.27(3), Florida Statutes; providing for certain information to appear in professional announcements; providing an effective date.

—a companion measure, was substituted for SB 1198 and read the second time by title. On motion by Senator MacKay, by two-thirds vote HB 2037 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	Tobiassen
Chamberlin	Graham	Poston	Trask
Childers, Don	Hair	Renick	Vogt
Childers, W. D.	Henderson	Sayler	Williamson
Dunn	Holloway	Scott	Winn
Firestone	Johnston	Skinner	Zinkil
Gallen	MacKay	Spicola	
Glisson	McClain	Thomas, Jon	

Nays—None

SB 1198 was laid on the table.

On motion by Senator Plante, by unanimous consent—

SB 733—A bill to be entitled An act relating to moneys received by the state; amending s. 215.32, Florida Statutes, as amended; establishing the Federal Aid Trust Fund; prohibiting an agency from consolidating funds in its Federal Aid Trust Fund account with other trust funds; prohibiting expenditure of funds in the Federal Revenue Sharing Fund or the Federal Aid Trust Fund except pursuant to appropriations by the Legislature; prohibiting the Comptroller from issuing a warrant for funds derived in whole or in part from federal funds or which funds will be used as matching funds unless the federal funds have been appropriated by the Legislature; amending s. 216.212, Florida Statutes, as amended; prohibiting the expenditure of federal funds unless appropriated by the Legislature; providing appropriation for federal funds received prior to the effective date of this act; providing an effective date.

—was taken up out of order and read the second time by title. On motion by Senator Plante, by two-thirds vote SB 733 was read the third time by title, and failed to pass. The vote was:

Yeas—13

Dunn	Graham	Renick	Williamson
Gallen	Hair	Thomas, Pat	
Gordon	Holloway	Vogt	
Gorman	MacKay	Ware	

Nays—22

Mr. President	Glisson	Poston	Tobiassen
Castor	Johnston	Sayler	Trask
Chamberlin	McClain	Scott	Winn
Childers, Don	Myers	Skinner	Zinkil
Childers, W. D.	Peterson	Spicola	
Firestone	Plante	Thomas, Jon	

PAIR

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Scarborough on SB 733.

If he were present he would vote "Nay" and I would vote "Yea."

Senator Henderson, 25th District

CS for SB 1246, by the Committee on Commerce, was read the first time by title and SB 1246 was laid on the table.

On motion by Senator Ware, the rules were waived and by two-thirds vote HB 1933 was withdrawn from the Committee on Commerce. On motion by Senator Ware—

HB 1933—A bill to be entitled An act relating to health studio services; amending s. 501.012(3), Florida Statutes, and adding a subsection; providing for penalty-free cancellation of health studio service contracts within certain time periods; providing for cancellation of health studio service contracts if the health studio goes out of business or moves its facilities more than 5 miles from the location designated in the contract; providing for the cancellation of health studio service contracts upon the death or disability of the buyer; providing that contracts shall not be for more than 36 months; providing bond or financial responsibility requirements; providing for applicability; providing an effective date.

—a companion measure, was substituted for CS for SB 1246 and read the second time by title. On motion by Senator Ware, by two-thirds vote HB 1933 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—1

Gallen

CS for SB 1246 was laid on the table.

On motion by Senator Myers 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 2180 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Appropriations and Representatives Bloom and Smith—

HB 2180—A bill to be entitled An act relating to county, city, municipality, or hospital district contributions to the medical assistance program; creating s. 409.2671, Florida Statutes, providing definitions; requiring the Department of Health and Rehabilitative Services to establish a 1-year pilot project to determine feasibility of increasing hospital outpatient service benefits through local contributions to eligible Medicaid recipients; requiring each county, city, municipality, or hospital district to participate; establishing the administration of the project; establishing certain limitations on local participation; authorizing the Department of Banking and Finance to withhold certain moneys from local agencies for contribution purposes; establishing a special trust fund; requiring certain expenditure reports; establishing procedures for administering the special trust fund; providing for administrative costs; providing for the reduction of benefits based on local agency contributions and recipient utilization; providing an appropriation; providing an effective date.

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

SPECIAL ORDER, continued

CS for SB 1285, by the Committee on Appropriations and Senator Myers, was read the first time by title and SB 1285 was laid on the table.

On motions by Senator Myers—

HB 2180—A bill to be entitled An act relating to county, city, municipality, or hospital district contributions to the medical assistance program; creating s. 409.2671, Florida Statutes, providing definitions; requiring the Department of Health and Rehabilitative Services to establish a 1-year pilot project to determine feasibility of increasing hospital outpatient service benefits through local contributions to eligible Medicaid recipients; requiring each county, city, municipality, or hospital district to participate; establishing the administration of the project; establishing certain limitations on local participation; authorizing the Department of Banking and Finance to withhold certain moneys from local agencies for contribution purposes; establishing a special trust fund; requiring certain expenditure reports; establishing procedures for administering the special trust fund; providing for administrative costs; providing for the reduction of benefits based on local agency contributions and recipient utilization; providing an appropriation; providing an effective date.

—a companion measure, was substituted for CS for SB 1285 and by two-thirds vote was read the second time by title. On motion by Senator Myers, by two-thirds vote HB 2180 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Barron	Gorman	Peterson	Trask
Chamberlin	Graham	Poston	Vogt
Childers, Don	Hair	Renick	Ware
Childers, W. D.	Henderson	Scott	Williamson
Firestone	Holloway	Spicola	Wilson
Gallen	Johnston	Thomas, Jon	Winn
Glisson	McClain	Thomas, Pat	Zinkil
Gordon	Myers	Tobiassen	

Nays—3

MacKay	Sayler	Skinner

CS for SB 1285 was laid on the table.

On motion by Senator Renick, by two-thirds vote SB 1282 was removed from the special order calendar and indefinitely postponed.

CS for SB 1059, by the Committee on Commerce and Senator MacKay, was read the first time by title and SB 1059 was laid on the table.

On motion by Senator MacKay, the rules were waived and by two-thirds vote HB 777 was withdrawn from the Committee on Commerce. On motion by Senator MacKay—

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.

—a companion measure, was substituted for CS for SB 1059 and read the second time by title. On motion by Senator MacKay, by two-thirds vote HB 777 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

CS for SB 1059 was laid on the table.

Consideration of SB 1061 was deferred.

SB 246 was taken up and on motion by Senator Johnston, the rules were waived and by two-thirds vote HB 141 was withdrawn from the Committee on Rules and Calendar. On motion by Senator Johnston—

HB 141—A bill to be entitled An act relating to state government; defining "agency," "dispute," and "legal action"; prohibiting the institution of an action by an agency against another agency without prior approval from the Administration Commission, providing for voluntary disposition of interagency disputes; providing for final resolution of interagency disputes by the Administration Commission; providing an exception to chapter 120, Florida Statutes, for some proceedings under this act; providing that this act shall be liberally construed and that it shall supersede all inconsistent laws; providing for severability; providing an effective date.

—a companion measure, was substituted for SB 246 and read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 141 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Wilson

SB 246 was laid on the table.

SB 961—A bill to be entitled An act relating to the Department of Education; amending s. 229.085(2), Florida Statutes, providing for duration of employment and retention rights of personnel employed for specific projects under certain grants or contracts; providing an exemption; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, line 26, after the word "notwithstanding" insert: , *nor shall such employees be eligible to participate in unemployment compensation benefits as provided in Chapter 443, Florida Statutes*

Amendment 2—On page 1, line 7, strike "an exemption" and insert: exemptions

On motion by Senator Peterson, by two-thirds vote SB 961 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	Poston	Trask
Barron	Graham	Renick	Vogt
Castor	Hair	Sayler	Ware
Chamberlin	Holloway	Scott	Williamson
Childers, Don	Johnston	Skinner	Wilson
Childers, W. D.	MacKay	Spicola	Winn
Firestone	Myers	Thomas, Jon	Zinkil
Gallen	Peterson	Thomas, Pat	
Glisson	Plante	Tobiassen	

Nays—None

On motion by Senator Peterson, the rules were waived and by two-thirds vote CS for SB 296, with House amendments, was withdrawn from the Committee on Education.

On motion by Senator Peterson, by unanimous consent—

CS for SB 296—A bill to be entitled An act relating to the 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.

—was taken up out of order.

On motions by Senator Peterson, the Senate refused to concur in the House amendments and the House was requested to recede, and in the event that the House refused to recede a Conference Committee was requested. The action of the Senate was certified to the House. The vote was:

Yeas—31

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

Nays—None

Votes after roll call:

Yea—Spicola, Wilson

On motion by Senator Peterson, by unanimous consent, SB 436 was taken up out of order.

By the Committee on Appropriations and Senator MacKay—

CS for SB 436—A bill to be entitled An act relating to cooperatively developed educational facilities; amending s. 235.195(2), Florida Statutes; changing the limitation on the amount of state participation in each approved project; requiring that each project be specifically authorized in the General Appropriations Act, requiring that the participating boards

commit funds for one-third of the project cost; providing that the cooperating boards shall provide a site for such facility; providing an effective date.

—was read the first time by title and SB 436 was laid on the table.

On motions by Senator Peterson, by two-thirds vote CS for SB 436 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—1

Zinkil

Vote after roll call:

Yea—Spicola

On motions by Senator Peterson, the rules were waived and by two-thirds vote House Bills 1721, 2138, 2156, 2197 and CS for HB 2018 were withdrawn from the Committee on Education.

Senator Trask presiding

By the Committee on Health and Rehabilitative Services and Senator Jon Thomas—

CS for SB 992—A bill to be entitled An act relating to radiologic technology; providing a declaration of policy; providing definitions; prohibiting the use of x-rays and x-ray producing equipment by certain persons; providing for certain rules; providing for certification of persons as radiologic technologists; providing standards for certification; providing for examinations and fees; providing qualifications for certification; providing for issuance, possession, and display of certification; providing for temporary certification; providing for certification based on prior experience or training; providing for duration, renewal, issuance, suspension, and revocation of certification; prohibiting certain actions and activities; providing a penalty; providing for creation of a fund; providing an effective date.

—was read the first time by title and SB 992 was laid on the table.

On motion by Senator Jon Thomas, by two-thirds vote CS for SB 992 was read the second time by title.

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

Amendment 1—On page 10, line 26, strike the period (.) and insert: for advanced levels of radiologic technology. Continuing education which may be required for persons certified in basic safety may be provided by the department through home study courses.

Senator Jon Thomas moved the following amendments which were adopted:

Amendment 2—On page 5, line 21, after the word "be" insert: registered

Amendment 3—On page 9, line 31, and page 10, line 1, strike "after the effective date of this act who is acting as a" and insert: in accordance with this act who is a certified

On motion by Senator Jon Thomas, by two-thirds vote CS for SB 992 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

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

Nays—None

HB 276—A bill to be entitled An act relating to uniform traffic control; amending s. 316.295(2), Florida Statutes, deleting provisions which prohibit the operation of a motor vehicle with certain reflective window glass on the rear or side windows; exempting certain persons from the prohibition to operate a motor vehicle with nontransparent side windows based upon medical necessity; requiring the attachment of a sticker to each exempted window; providing an effective date.

—was read the second time by title.

Senator Vogt offered the following amendment which was moved by Senator Myers and adopted:

Amendment 1—On page 1, line 16, strike everything after the enacting clause and insert: Section 1. Paragraph (e) is added to subsection (2) of section 316.295, Florida Statutes, 1977, to read:

316.295 Windshields required to be unobstructed, fixed upright and equipped with safety glass and wipers.—

(2)(a) No person shall operate any motor vehicle upon any public highway, road, or street, on which the front windshield is composed of, covered by, or treated with, any material which has the effect of making the windshield reflective or in any other way nontransparent.

(b) No person shall operate any motor vehicle upon any public highway, road, or street, on which the rear window is composed of, covered by, or treated with, any material which has a highly reflective or mirrored appearance and which has a total solar reflectance, when applied to automotive glass, greater than 35 percent in the visible light range.

(c) No person shall operate any motor vehicle upon any public highway, road, or street, on which the rear window is composed of, covered by, or treated with, any material which has the effect of making the rear window nontransparent unless the vehicle is equipped with side mirrors on both sides that meet the requirement of s. 316.294.

(d) No person shall operate any motor vehicle upon any public highway, road, or street, on which the sidewings and side windows on either side forward of or adjacent to the operator's seat are composed of, covered by, or treated with, any material which has the effect of making these glass areas nontransparent in any way or which has a highly reflective or mirrored appearance and a total solar reflectance, when applied to automotive glass, greater than 35 percent in the visible light range.

(e) Any person required for medical reasons to be shielded from the direct rays of the sun, and any person operating a motor vehicle belonging to such person or in which such person is a habitual passenger, shall be exempt from the provisions of paragraphs (b) and (d). Such requirement must be attested to by a physician licensed to practice in this state. Before placing any such shielding material upon any window, a person desiring the exemption shall submit an application to the Florida Highway Patrol who shall record such exemption and who, upon granting such exemption, shall distribute a sufficiently noticeable sticker which shall be adhered to each exempted window.

Section 2. This act shall take effect July 1, 1978.

Senators Myers and Vogt offered the following amendment which was moved by Senator Myers and adopted:

Amendment 2—On page 1, in title, strike all of lines 4 through and including line 9 and insert: exempting certain persons from the prohibition to operate a motor vehicle with nontransparent or reflective or mirrored side or rear windows based upon medical

On motion by Senator Myers, by two-thirds vote HB 276 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Castor	Gorman	Peterson	Trask
Chamberlin	Graham	Poston	Vogt
Childers, Don	Hair	Renick	Wilson
Childers, W. D.	Henderson	Sayler	Winn
Dunn	Holloway	Spicola	Zinkil
Firestone	Johnston	Thomas, Jon	
Glisson	McClain	Thomas, Pat	
Gordon	Myers	Tobiassen	

Nays—2

Skinner	Williamson

The President presiding

HB 2041—A bill to be entitled An act relating to pari-mutuel wagering; creating s. 550.215, Florida Statutes, authorizing the Division of Pari-mutuel Wagering to assess certain charges relating to determining the eligibility of an applicant for a transfer of a pari-mutuel permit; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 2041 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

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

Nays—None

CS for HB 320—A bill to be entitled An act relating to the security of communications; amending s. 934.03(2)(a), Florida Statutes, and adding paragraph (g), permitting officers, employees, and agents of communication common carriers to provide certain assistance to law enforcement officers in interception of wire or oral communications; authorizing certain persons to intercept and record wire communications; amending s. 934.09(4), Florida Statutes, requiring, upon request, that the court order authorizing interception of a wire or oral communication direct certain persons to assist in the interception; providing for compensation for such assistance; amending s. 934.10, Florida Statutes, providing an additional defense to liability; providing an effective date.

—was taken up with pending Amendment 2 by Senator Dunn:

Amendment 2—On page 2, line 23 through page 3, line 26, strike everything and insert: Section 2. Section 934.07, Florida Statutes, is amended to read:

934.07 Authorization for interception of wire or oral communications.—The Governor, the Attorney General, or any State Attorney may authorize an application to a judge of competent jurisdiction for, and such judge may grant in conformity with this chapter, an order authorizing or approving the interception of wire or oral communications by the Department of Criminal Law Enforcement or any law enforcement agency of this state or any political subdivision thereof having responsibility for the investigation of the offense as to which the application is made, when such interception may provide or has provided evidence of the commission of the offense of murder, kidnapping, gambling, robbery, burglary, theft, *receiving* ~~dealing~~ ~~in~~ stolen property, prostitution, criminal usury, bribery, extortion, *arson, obscenity, illegal possession or use of a destructive device, forgery, counterfeiting, obstruction of justice, tampering with jurors, evidence, or witnesses, any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, bookmaking,* or dealing in narcotic drugs or other dangerous drugs, any violation of the provisions of the Florida Anti-Fencing Act; or any conspiracy to commit any violation of the laws of this state relating to the crimes specifically enumerated above.

Section 3. Subsections (3) and (5) of section 934.08, Florida Statutes, are amended to read:

934.08 Authorization for disclosure and use of intercepted wire or oral communications.—

(3) Any person who has received, by any means authorized by this chapter, any information concerning a wire or oral communication or evidence derived therefrom intercepted in accordance with the provisions of this chapter may disclose the contents of that communication or such derivative evidence while giving testimony under oath or affirmation in any ~~criminal~~ proceeding in any court of *any* ~~the~~ state or of the United States in any grand jury proceedings, or in any investigation or proceeding in connection with the Judicial Qualifications Commission, if such testimoy is otherwise admissible.

(5) When an investigative or law enforcement officer, while engaged in intercepting wire or oral communications in the manner authorized herein, intercepts wire or oral communications *not* relating to offenses ~~for which an order or authorization or approval could have been secured pursuant to s. 934.07, other than those~~ specified in the order of authorization or approval *and relating to offenses not specified in the order of authorization or approval,* the contents thereof and evidence derived therefrom may be disclosed or used as provided in subsections (1) and (2) of this section. Such contents and any evidence derived therefrom may be used under subsection (3) of this section when authorized or approved by a judge of competent jurisdiction when such judge finds on subsequent application that the contents were otherwise intercepted in accordance with the provisions of this chapter. Such application shall be made as soon as practicable.

Section 4. Subsections (4), (8), and (9) of section 934.09, Florida Statutes, are amended to read:

934.09 Procedure for interception of wire or oral communications.—

(4) Each order authorizing or approving the interception of any wire or oral communication shall specify:

(a) The identity of the person, if known, whose communications are to be intercepted;

(b) The nature and location of the communications facilities as to which, or the place where, authority to intercept is granted;

(c) A particular description of the type of communication sought to be intercepted and a statement of the particular offense to which it relates;

(d) The identity of the agency authorized to intercept the communications and of the person authorizing the application; and

(e) The period of time during which such interception is authorized, including a statement as to whether or not the interception shall automatically terminate when the described communication has been first obtained. *An order authorizing the interception of a wire or oral communication shall, upon request of the applicant, direct a communication common carrier, landlord, custodian, or other person to furnish the applicant forthwith with all information, facilities, and technical assistance necessary to accomplish the interception unobstrusively and with a minimum of interference with the services that such carrier, landlord, custodian, or person is according the person whose communications are to be intercepted. Any communication common carrier, landlord, custodian, or other person furnishing such facilities or technical assistance shall be compensated therefor by the applicant at the prevailing rates.*

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 Senator Plante at 2:00 p.m. A quorum present-37:

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

SPECIAL ORDER, continued

The Senate resumed—

CS for HB 320—A bill to be entitled An act relating to the security of communications; amending s. 934.03(2)(a), Florida Statutes, and adding paragraph (g), permitting officers, employees, and agents of communication common carriers to provide certain assistance to law enforcement officers in interception of wire or oral communications; authorizing certain persons to intercept and record wire communications; amending s. 934.09(4), Florida Statutes, requiring, upon request, that the court order authorizing interception of a wire or oral communication direct certain persons to assist in the interception; providing for compensation for such assistance; amending s. 934.10, Florida Statutes, providing an additional defense to liability; providing an effective date.

—together with pending Amendment 2 which failed.

Senator Dunn moved the following amendment which was adopted:

Amendment 3—On page 4, line 16, insert: Section 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

(Renumber subsequent sections.)

On motion by Senator Dunn, by two-thirds vote CS for HB 320 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—4

Gordon	Henderson	Skinner	Wilson

On motion by Senator W. D. Childers, the Senate reconsidered the vote by which—

HB 1974—A bill to be entitled An act relating to Okaloosa County; repealing chapter 63-1685, Laws of Florida, as amended, relating to the Ocean City-Wright fire control district; providing for the creation and boundaries of the Ocean City-Wright fire control district; providing for a board of commissioners to manage the district; providing for terms of office; providing for officers and meetings; providing for audits of the district pursuant to state law; providing for suits against the board; providing for the powers of the board of commissioners; providing for a fire inspector and fireman; providing for special assessments; providing for indebtedness; providing for the use of district funds; providing for the extension of limits of district; providing for changes with respect to calls outside of the district; providing a penalty; providing for liberal construction of the act; providing an effective date.

—passed this day.

Senator W. D. Childers moved the following amendment which was adopted by two-thirds vote:

Amendment 1—On page 16, strike all of lines 12 and 13 and insert new Sections 19 and 20: Section 19. This act shall take effect upon becoming a law except as provided for in Section 20.

Section 20. The provisions of Section 9 of this act which authorize the levy of special assessments shall take effect only upon express approval by a majority vote of those qualified electors of the district, as required by Section 9 of Article VII of the State Constitution, voting in a referendum held by the Board of Commissioners of the Ocean City-Wright Fire Control District in conjunction with the September 12, 1978 regular primary election. Such election shall be held in accordance with the provisions of law relating to elections currently in force in the District.

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

Amendment 2—On page 1 in title, line 21, strike "." and insert: ; providing a referendum.

HB 1974 as amended was read by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

The President presiding

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 1715 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Burnsed and others—

HCR 1715—A resolution commending Mrs. James Satterwhite, Florida Mother of the Year for 1978.

—was read the first time in full. On motions by Senator Gallen, by two-thirds vote HCR 1715 was placed on the calendar and by two-thirds vote read the second time by title, adopted and certified to the House. The vote on passage was:

Yeas—35

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

MacKay	Renick	Thomas, Jon	Williamson
Myers	Scarborough	Thomas, Pat	Wilson
Peterson	Scott	Trask	Winn
Plante	Skinner	Vogt	Zinkil
Poston	Spicola	Ware	

Nays—None

Vote after roll call:

Yea—Glisson

Senator Gallen introduced Mrs. Satterwhite and her daughter, Carol, to the Senate.

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Lewis, by two-thirds vote HB 1508 was withdrawn from the Committees on Commerce; Health and Rehabilitative Services; and Appropriations.

On motion by Senator Henderson, by two-thirds vote HB 2183 was withdrawn from the Committee on Governmental Operations.

On motion by Senator Henderson, by two-thirds vote HB 1507 was withdrawn from the Committee on Commerce.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 2A to House Amendment 2; has amended Senate Amendment 1A to House Amendment 1 concurred in same as amended and passed SB 860, as amended, and requests the concurrence of the Senate.

Allen Morris, Clerk

By Senator Gallen and others—

SB 860—A bill to be entitled An act relating to administrative procedures; amending s. 120.52(1)(b), Florida Statutes; providing an exception from the definition of agency for entities created under the provisions of chapter 361, Part II, Florida Statutes; amending s. 120.54(2)(a), (7), (11)(b), Florida Statutes; deleting certain requirements from the economic impact statement of a rule; requiring that the citation for law implemented be to the Florida Statutes or the Laws of Florida; providing the time for filing certain rules; amending s. 120.565, Florida Statutes; providing that a declaratory statement set out the agency's opinion as to applicability of a statute, rule, or order to the petitioner only; amending s. 120.68(3), Florida Statutes, providing that a petition to an agency for a stay is not a prerequisite to a petition for a supersedeas; amending s. 120.71, Florida Statutes; providing an exemption from s. 112.-3143, Florida Statutes, to permit an agency head or member thereof to be disqualified from serving in an agency proceeding; providing an effective date.

(Senate Amendment 1A and House Amendment 1 attached to original bill.)

House Amendment to Senate Amendment 1A to House Amendment 1—On page 10, lines 23-33 and on page 11, lines 1-13, strike all of said lines and insert: 8. Except as provided herein, the hearing officer shall complete and submit to the agency and all parties a recommended order consisting of his findings of fact, conclusions of law, interpretation of ~~administrative~~ rules, recommended penalty, if applicable, and any other information required by law or agency rules to be contained in the final order. *Presiding officers other than an agency head, and hearing officers conducting hearings concerning applications for licenses, conversions or mergers pursuant to Title XXXVI or Title XXXVII, Florida Statutes, shall complete and submit to the agency and to all parties a written report including findings of fact and rulings on evidentiary matters. The agency may provide by rule that the presiding officer or hearing officer include in the report conclusions of law, interpretations of rules, recommended penalty or any other information to be contained in the final order.* The agency shall allow each party at least 10 days in which to submit written exceptions to the recommended order *or report.*

9. The agency may adopt the recommended order *or report* as the agency's final order. The agency in its final order may reject or modify the conclusions of law and interpretation of ~~administrative~~ rules in the recommended order *or report,* but may not reject or, modify the findings of fact unless the agency first determines from a review of the complete record, and states with particularity in the order that the findings of fact were not based upon competent substantial evidence or that the proceedings on which the findings were based did not comply with essential requirements of law. The agency may accept or reduce the recommended penalty in a recommended order *or report,* but may not increase it without a review of the complete record. In the event a court reverses an agency's order, the court in its discretion may award attorney's fees and costs to the aggrieved prevailing party.

On motion by Senator Ware, the Senate refused to concur in the House amendment and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Lew Brantley, President

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

By Senator Gallen—

SB 764—A bill to be entitled An act relating to health-care facilities; amending s. 381.497, Florida Statutes; providing that ss. 381.493-381.495 and 400.504, Florida Statutes, shall not affect any health-care facility project or agency determined by the Department of Health and Rehabilitative Services to be exempt from the certificate of need requirement or grandfathered under the provisions of the Health Facilities and Health Services Planning Act prior to March 30, 1977; providing that certain health-care facility projects may reduce the number of authorized beds without prior approval; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, lines 21-31, and on page 2 lines 1-7 strike all of said lines and insert: 381.497 Inapplicability of ss. 381.493-381.495 to certain projects.—

(1) Sections 381.493-381.495 shall not affect any health-care facility project for which land has been acquired and preliminary construction plans have been prepared and filed with the Department of Health and Rehabilitative Services prior to July 1, 1973, or any ambulatory surgical center constructed or in operation by January 1, 1976.

(2) On or before July 15, 1978, the department shall provide notice to each health-care facility project determined by the department to be exempt or grandfathered under the Health Facilities and Health Services Planning Act. If a health-care facility project has been previously notified in writing by the department that it is exempt or grandfathered under the provisions of the Health Facilities and Health Services Planning Act, such notice shall be considered as valid evidence of inapplicability of ss. 381.493-381.495 to said project, and exemption from the Health Facilities and Health Services Planning Act.

(3) Any health facility project exempted from the provisions of sections 381.493-381.495 pursuant to subsections (1) or (2) of this section may reduce the number of authorized beds without prior approval by the department or health systems agency.

Section 2. Section 381.498, Florida Statutes, is amended to read:

381.498 Special circumstances.—In the event of the destruction of any part of a health-care facility of health maintenance organization as a result of fire, civil disturbance, or storm or any other act of God, the Department *of Health and Reha-*

bilitative Services shall *expedite* ~~automatically grant~~ a certificate of need *determination* to the extent *that the application includes* ~~of, but not to exceed,~~ replacement of the previously existing facilities. *The department shall adopt rules providing procedures for expeditious consideration of certificate of need applications.*

Section 3. Section 381.497, Florida Statutes, as amended by chapters 77-147 and 77-400, Laws of Florida, and by this act is hereby repealed.

Section 4. This act shall take effect July 1, 1978 except that section 3 of this act shall take effect July 1, 1979.

Amendment 2—On page 1 in title, lines 1-15, strike all of said lines and insert: A bill to be entitled An act relating to health-care facilities; amending s. 381.497, Florida Statutes; providing that ss. 381.493-381.495, Florida Statutes, shall not affect any health-care facility project determined by the Department of Health and Rehabilitative Services to be exempt or grandfathered under the provisions of the Health Facilities and Health Services Planning Act prior to July 15, 1978; requiring the Department of Health and Rehabilitative Services to provide notice to certain health-care facility projects under such act; providing for reduction of authorized beds for such projects; amending s. 381.498, Florida Statutes, modifying certificate of need determination procedure when a part of a health-care facility is destroyed under certain circumstances; repealing s. 381.497, Florida Statutes, relating to inapplicability of the Health Facilities and Health Services Planning Act to certain projects; providing an effective date.

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

SB 764 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Votes after roll call:

Yea—Graham, Hair

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

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

By Senator Scarborough (by request)—

SB 1240—A bill to be entitled An act relating to unemployment compensation; amending s. 20.17(5) to change the title of the Board of Review to the Unemployment Appeals Commission; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, strike all after the enacting clause and insert: Section 1. Section 20.17, Florida Statutes, is amended by amending subsections (2) (5) and adding subsection (6) to read:

20.17 Department of Commerce.—There is created a Department of Commerce.

(2) The following divisions, ~~and bureaus within these divisions~~, of the Department of Commerce are established:

~~(a) Division of Labor~~

~~1. Bureau of Human Resources. This bureau shall encourage the development of state programs by the various departments for the productive use of human resources.~~

(a) ~~(b)~~ Division of Economic Development.

(b) ~~(c)~~ Division of Tourism.

~~(d) Division of Employment Security.~~

~~1. Bureau of Urban Manpower Services.~~

~~2. Bureau of Rural Manpower Services.~~

~~3. Bureau of Unemployment Compensation.~~

(5) (a) There is created within the Department of Commerce *an Unemployment Appeals Commission* ~~a Board of Review~~, hereinafter referred to as the "*commission*" ~~"board."~~ Effective July 1, *1978* ~~1977~~, all powers, duties, and responsibilities relating to unemployment compensation appeals shall be exercised by the *commission* ~~board~~. The *commission* ~~board~~ shall consist of a chairman and two other members to be appointed by the Governor, subject to confirmation by the Senate. Not more than one appointee shall be a person who, on account of his previous vocation, employment, or affiliation, shall be classified as a representative of employers; and not more than one such appointee shall be a person who, on account of his previous vocation, employment, or affiliation, shall be classified as a representative of employees.

1. The chairman shall devote his entire time to his *commission* ~~board~~ duties and shall be responsible for the administrative functions of the *commission* ~~board~~.

2. The chairman shall have the authority to appoint a general counsel and such other personnel as may be necessary to carry out the duties and responsibilities of the *commission* ~~board~~.

3. The chairman shall have the qualifications required by law for a Judge of the Circuit Court and shall not engage in any other business vocation or employment. Notwithstanding any other provisions of existing law, the chairman shall be paid a salary equal to that paid under state law to a Judge of the Circuit Court.

4. The remaining members shall be paid an honorarium of $100 for each day they are engaged in the work of the *commission* ~~board~~. The chairman and the other members shall also be reimbursed for traveling expenses, as provided in s. 112.061.

5. The total salary and traveling expenses of each member of the *commission* ~~board~~ shall be paid from the Employment Security Administration Trust Fund.

(b) Members shall serve for terms of 4 years each, except that, beginning July 1, 1977, the chairman shall be appointed for a term of 4 years, one member for 3 years, and one member for 2 years. A vacancy for the unexpired term of a member shall be filled in the same manner as provided in this subsection for an original appointment. The presence of two members shall constitute a quorum for any called meeting of the *commission* ~~board~~.

(c) The *commission* ~~board~~ is vested with all authority, powers, duties, and responsibilities relating to unemployment compensation appeal proceedings under chapter 443.

(d) The property, personnel, and appropriations relating to the *commission's* ~~board's~~ specified authority, powers, duties, and responsibilities shall be provided to the *commission* ~~board~~ by the Department of Commerce.

(e) The *commission* ~~board~~ shall not be subject to control, supervision, or direction by the Department of Commerce in the performance of its powers and duties under chapter 443.

(f) The *commission* ~~board~~ shall make such expenditures, including expenditures for personal services and rent at the seat of government and elsewhere; for law books, books of reference, periodicals, furniture, equipment, and supplies; and for printing and binding as may be necessary in exercising its authority and powers and carrying out its duties and responsibilities. All such expenditures of the *commission* ~~board~~ shall be allowed and paid as provided in s. 443.14 upon the presentation of itemized vouchers therefor approved by the chairman.

(g) The *commission* ~~board~~ may charge, in its discretion, for publication, subscriptions, and copies of records and docu-

ments. Such fees shall be deposited in the Employment Security Administration Trust Fund.

(h) The *commission* ~~board~~ shall maintain and keep open during reasonable business hours an office, which shall be provided in the Capitol or some other suitable building in the City of Tallahassee, for the transaction of its business, at which office its official records and papers shall be kept. The offices shall be furnished and equipped by the *commission* ~~board~~. The *commission* ~~board~~ may hold sessions and conduct hearings at any place within the state.

(i) The *commission* ~~board~~ shall prepare and submit a budget covering the necessary administrative cost of the *commission* ~~board~~.

(j) The *commission* ~~board~~ shall have a seal for authentication of its orders, awards, and proceedings upon which shall be inscribed the words "State of *Florida Unemployment Appeals Commission* ~~Florida Board of Review~~ Seal," and it shall be judicially noticed.

(k) The *commission* ~~board~~ shall, in accordance with chapter 120, adopt, promulgate, amend, or rescind such rules as it deems necessary and administratively feasible to carry out its responsibilities.

(l) Orders of the *commission* ~~board~~ relating to unemployment compensation under chapter 443 shall be subject to review only by petition for writ of certiorari to the District Court of Appeal in the manner provided in s. 443.07 (4)(e).

(6)(a) There is created within the Division of Economic Development the Economic Development Advisory Council, hereinafter referred to as the "council." The council shall consist of 19 persons who are resident citizens of the state, each of whom is, or has been, actively engaged in industry or a related business area. The members of the council shall possess the qualifications provided herein and shall, with the consent of the Secretary of Commerce, be appointed by the Director of the Division of Economic Development for terms of 4 years, except that of the initial appointment ten members shall be appointed to 4-year terms, and nine members shall be appointed to 3-year terms. The council shall function as a body from which the secretary may obtain differing and varying views as to what actions or proposals are needed throughout the state regarding economic development. The council shall meet no less than quarterly, to offer its views on the state of economic development and to recommend proposed actions.

Section 2. Section 20.265, Florida Statutes, is created to read:

(1) The following divisions of the Department of Labor and Employment Security are established:

(a) Division of Labor.

(b) Division of Employment Security.

(c) Division of Administrative Services.

(2) The following commissions are established within the Department of Labor and Employment Security:

(a) Public Employees Relations Commission.

(b) Industrial Relations Commission.

(c) Unemployment Appeals Commission.

Section 3. The Division of Labor, Division of Employment Security, Public Employees Relations Commission, Industrial Relations Commission, and Unemployment Appeals Commission within the Department of Commerce are hereby transferred to the Department of Labor and Employment Security, with all of their statutory powers and jurisdictions, duties and functions, records, personnel, property and unexpended balances of appropriations, allocations or other funds left intact. The Office of the Secretary and Administrative Services within the Department of Commerce is transferred by a type three transfer, pursuant to s. 20.06, to the Department of Labor and Employment Security, except that the Department of Administration may authorize the retention within the Department of Commerce of any employees, records, equipment, properties, and unexpended balances of appropriations and allocations of other funds of the office of the Secretary and Administrative Services necessary to provide administrative support to the Department of Commerce.

Section 4. In editing manuscript for the next edition of the official Florida Statutes, the Division of Statutory Revision of the Joint Legislative Management Committee shall transfer and renumber such provisions of s. 20.17 and change "Department of Commerce" to "Department of Labor and Employment Security" in chapters 20, 215, 443, 446, 447, 450 and any other chapters, as may be necessary to reflect the provisions of this act. In addition, the Division of Statutory Revision shall reflect by appropriate footnotes in the next supplement to the official Florida Statutes the provisions of this act.

Section 5. In the event that any provision of application of this act is held invalid, it is the legislative intent that the other provisions and applications thereof shall not be affected.

Section 6. There is hereby appropriated general revenue in the amount of $71,510 to the Department of Commerce and 3 positions and $8,000 to the Department of Labor and Employment Security.

Section 7. This act shall take effect July 1, 1978.

Amendment 2—On page 1, strike title and insert: A bill to be entitled an act relating to governmental reorganization; amending s. 20.17, Florida Statutes, removing from the Department of Commerce the Divisions of Labor and Employment Security; renaming the Board of Review the Unemployment Appeals Commission; creating the Economic Development Advisory Council within 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 Unemployment Appeals Commission; directing that certain changes be made in the Florida Statutes to conform to the provisions of this act; providing an appropriation; providing an effective date.

Senator Plante moved that consideration of SB 1240 be deferred. The motion failed. The vote was:

Yeas—14

Childers, W. D.	Peterson	Tobiassen	Williamson
Gallen	Plante	Trask	Wilson
Gorman	Scott	Vogt	
Henderson	Thomas, Jon	Ware	

Nays—19

Mr. President	Glisson	MacKay	Scarborough
Castor	Gordon	McClain	Skinner
Chamberlin	Graham	Myers	Spicola
Dunn	Hair	Poston	Winn
Firestone	Holloway	Renick	

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

Amendment 1A—On page 7, line 16, strike "July 1, 1978" and insert: October 1, 1978

Senator Scarborough moved that the Senate concur in House Amendment 2 and House Amendment 1 as amended and requested the House to concur in the Senate amendment. The motion was adopted. The vote was:

Yeas—23

Mr. President	Glisson	MacKay	Scott
Castor	Gordon	McClain	Spicola
Chamberlin	Graham	Myers	Thomas, Jon
Childers, Don	Hair	Poston	Vogt
Dunn	Holloway	Renick	Winn
Firestone	Johnston	Scarborough	

Nays—16

Barron	Henderson	Sayler	Trask
Childers, W. D.	Lewis	Skinner	Ware
Gallen	Peterson	Thomas, Pat	Williamson
Gorman	Plante	Tobiassen	Wilson

SB 1240 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—24

Mr. President	Gordon	MacKay	Scott
Chamberlin	Graham	McClain	Spicola
Childers, Don	Hair	Myers	Thomas, Jon
Firestone	Holloway	Poston	Vogt
Gallen	Johnston	Renick	Winn
Glisson	Lewis	Scarborough	Zinkil

Nays—13

Childers, W. D.	Plante	Tobiassen	Wilson
Gorman	Sayler	Trask	
Henderson	Skinner	Ware	
Peterson	Thomas, Pat	Williamson	

Votes after roll call:

Yea to Nay—Gallen
Nay to Yea—Pat Thomas

On motion by Senator Tobiassen, the Senate reconsidered the vote by which—

HB 1712—A bill to be entitled An act relating to the City of Pensacola, Escambia County; amending section 5 of chapter 61-2655, Laws of Florida, relating to the qualifications for benefits for membership to the General Pension and Retirement Fund of the City of Pensacola; clarifying certain provisions therein with relation to the period of time of service in order for an employee to have vested rights therein and be eligible for benefits thereunder; providing a repealing clause; providing an effective date.

—passed this day.

On motion by Senator Tobiassen, the Senate reconsidered the vote by which HB 1712 was read the third time.

On motion by Senator Tobiassen, the Senate reconsidered the vote by which Amendment 1 was adopted.

By permission, Amendment 1 was withdrawn.

On motion by Senator Tobiassen, by two-thirds vote HB 1712 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Gordon, the rules were waived and by two-thirds vote HB 677 was withdrawn from the Committees on Finance, Taxation and Claims; and Commerce.

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 161 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Hill—

HB 161—A bill to be entitled An act relating to drivers' licenses; creating s. 322.252, Florida Statutes, requiring courts which adjudicate a person incompetent to collect and forward such person's driver's license to the Department of Highway Safety and Motor Vehicles; adding subsection (8) to s. 322.26, Florida Statutes, requiring revocation of license if the court having jurisdiction so recommends due to the seriousness of the offense and surrounding circumstances; amending s. 322.-27(1), Florida Statutes, requiring suspension of license if the court having jurisdiction so recommends due to the seriousness of the offense and surrounding circumstances; providing an effective date.

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

On motion by Senator Myers, by two-thirds vote HB 161 was withdrawn from the Committee on Transportation.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1A to House Amendment 1 has further amended, concurred in same as amended and passed CS for SB 185, as amended, and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Economic, Community and Consumer Affairs and Senators J. 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. 468.128, 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.

Amendment 3—On page 8, lines 7-9, strike all of said lines

On motion by Senator Jon Thomas, the Senate refused to concur in the House amendment and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed SB 1220.

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted SCR 1361.

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed SB 798, SB 876.

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed SB 498.

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed SB 1098.

Allen Morris, Clerk

The bills contained in the above messages were ordered enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments and passed as amended—

HB 1837	HB 51	HB 1487
HB 378	HB 1645	HB 873
HB 1532		

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendments 1 and 2 and passed SB 567.

Allen Morris, Clerk

The bill contained in the above message was ordered enrolled.

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 SB 1015 was withdrawn from the Committee on Rules and Calendar.

On motions by Senator W. D. Childers, by two-thirds vote HB 2118 was withdrawn from the Committees on Commerce and Appropriations.

On motions by Senator Plante, the rules were waived and by two-thirds vote CS for HB 720 was withdrawn from the Committees on Governmental Operations and Appropriations.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 2193 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Commerce—

HB 2193—A bill to be entitled An act relating to unemployment compensation; amending s. 443.06(2), Florida Statutes, providing that after a claimant has received 25 weeks of benefits, a job that pays 120 percent or more of the weekly benefit amount is suitable; amending s. 443.05(3), Florida Statutes, providing that benefits shall not be paid to educational personnel between regular academic terms; adding subsection (18) to s. 443.03, Florida Statutes, providing a definition of "reimbursable employer"; amending s. 443.07(5)(b), Florida Statutes, and adding paragraph (c), providing that only employers liable for contributions may be noncharged; adding paragraphs (k) and (l) to s. 443.08(3), Florida Statutes, and amending subsection (4)(b), providing that reimbursable employers shall be charged for all benefits paid; providing an effective date.

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

On motions by Senator Lewis, by two-thirds vote HB 2193 was withdrawn from the Committee on Commerce and by two-thirds vote placed on the special order calendar to be considered at 4:00 p.m. this day.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 304 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Allen and others—

HB 304—A bill to be entitled An act relating to Indian Key in Monroe County; providing an appropriation for research, interpretation and development thereof by the Division of Recreation and Parks of the Department of Natural Resources; providing an effective date.

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

On motion by Senator Poston, by two-thirds vote HB 304 was withdrawn from the Committee on Appropriations.

On motion by Senator Plante, the Senate reconsidered the vote by which SB 415 passed this day. Consideration of SB 415 was deferred.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed CS for HB's 1140 and 2093 as amended by the Conference Committee Report.

Allen Morris, Clerk

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for HB's 1140 and 2093

The Honorable Lew Brantley
President of the Senate

The Honorable Donald L. Tucker
Speaker, House of Representatives

Sirs:

Your conference committee on the disagreeing vote of the two Houses on CS/HB 1140 & HB 2093, same being:

A bill to be entitled An act relating to retirement; amending s. 121.021(15), (24), and (29)(b), Florida Statutes, redefining the terms "special risk member," "average final compensation," and "normal retirement date" for the purposes of the Florida Retirement System; creating s. 121.022, Florida Statutes, providing legislative intent and providing for criteria, designation and removal of special risk members; amending s. 121.052(4)(a) and (b), Florida Statutes, relating to employers' contributions for members of the Elected State Officers' Class of the system; increasing certain employers' contributions; amending s. 121.071(1), (2), (3)(b), and (5), Florida Statutes, requiring special risk members or employers to contribute 4.52 percent of gross compensation each pay period; increasing employers' contributions; providing certain refunds; providing procedure for payment of contributions; amending s. 121.091(1)(a), Florida Statutes, and adding subsection (11) to said section; providing procedures for the determination of benefit amounts with respect to certain members of the system; providing that members of the system who are school district or community college em-

ployees with 30 years of creditable service may retire as of August 1, 1978; creating s. 238.072, Florida Statutes; providing for retirement benefits for all state and county cooperative extension personnel who are presently under chapter 238, Florida Statutes, who may retire at age 55 upon completion of 30 years of creditable service; providing an effective date.

having met, and after full and free conference, do recommend to their respective Houses as follows:

1. That the Senate recede from Senate Amendments 1 and 2.

2. That the House and Senate adopt Conference Committee Amendments 1 and 2 attached hereto, and by reference made a part of this report.

s/ *Harry A. Johnston, Chairman*
s/ *Philip D. Lewis*
David H. McClain
s/ *Henry B. Sayler*
Dan I. Scarborough

Managers on the part of the Senate

s/ *Thomas L. Hazouri, Co-Chairman*
s/ *J. Hyatt Brown*
A. M. Fontana
Bill James
s/ *C. Fred Jones*

Managers on the part of the House of Representatives

MINORITY REPORT

The Honorable Lew Brantley
President of the Senate

The Honorable Donald L. Tucker
Speaker, House of Representatives

Sirs:

Your conference committee on the disagreeing votes of the two Houses on CS/HB 1140 and HB 2093, same being:

A bill to be entitled An act relating to retirement; amending s. 121.021(15), (24), and (29)(b), Florida Statutes, redefining the terms "special risk member," "average final compensation," and "normal retirement date" for the purposes of the Florida Retirement System; creating s. 121.022, Florida Statutes, providing legislative intent and providing for criteria, designation and removal of special risk members; amending s. 121.052(4)(a) and (b), Florida Statutes, relating to employers' contributions for members of the Elected State Officers' Class of the system; increasing certain employers' contributions; amending s. 121.071(1), (2), (3)(b), and (5), Florida Statutes, requiring special risk members or employers to contribute 4.52 percent of gross compensation each pay period; increasing employers' contributions; providing certain refunds; providing procedure for payment of contributions; amending s. 121.091(1)(a), Florida Statutes, and adding subsection (11) to said section; providing procedures for the determination of benefit amounts with respect to certain members of the system; providing that members of the system who are school district or community college employees with 30 years of creditable service may retire as of August 1, 1978; creating s. 238.072, Florida Statutes; providing for retirement benefits for all state and county cooperative extension personnel who are presently under chapter 238, Florida Statutes, who may retire at age 55 upon completion of 30 years of creditable service; providing an effective date.

having met, and after full and free conference, recommended to their respective Houses as follows:

1. That the Senate recede from Senate Amendments 1 and 2.

2. That the House and Senate adopt Conference Committee Amendments 1 and 2 attached hereto, and by reference made a part of this report

We, the undersigned, do respectfully dissent from recommendation 2, above, and offer herewith our minority report for your consideration:

Retirement benefits are an integral component of an employee's total compensation package. Effective employee relations and personnel management dictate that compensation for a class of employees—in terms of salary, retirement benefits, insurance coverage, etc.—should not be reduced unless the employer is experiencing severe economic duress. Under most circumstances, it is unconscionable to reward employees a benefit increase one moment, and then to abruptly remove it.

According to actuarial reports, the special risk class of the Florida Retirement System is underfunded. Several avenues of remedy are apparent: (1) Special risk member benefits may be reduced, (2) Member contributions may be required, (3) Eligibility for special risk benefits may be more closely monitored and restricted, (4) Or, some combination of the preceding.

If compensation is to be reduced, it would be most reasonable to reduce that element of compensation which apparently is of secondary importance to the employees. In law enforcement and firefighting, retirement benefits—future compensation—has been traditionally and is currently more valuable to the rank and file employee than direct wage and salary compensation. In part, this may be a result of the shorter working lives of these employees. Therefore, rather than reduce special risk benefits, it would be more appropriate to require member contributions for funding special risk benefits, or at least provide that option for members. This approach is more acceptable to special risk members and can result in full funding of the special risk retirement system.

There is agreement that special risk membership eligibility must be closely controlled and limited. Through restricting special risk eligibility, the total cost of the Florida Retirement System is limited. Amendments were offered to the Conference Committee to restrict special risk eligibility, but at the same time provide guarantees that employees who are promoted to management positions through their careers as law enforcement officers would retain eligibility in special risk membership. Without such *guarantees*, it has been asserted that law enforcement officers are faced with a dilemma: Should they accept a promotion to a management level position, when such a promotion may result in the loss of special risk membership eligibility? Without such guarantees of continual special risk eligibility, law enforcement officers realize that their long term economic security is jeopardized by accepting promotions that result in management responsibilities.

Paragraph (d) of subsection (3) of section 121.011, F.S., provides,

(d) The rights of members of the retirement system established by this chapter shall not be impaired by virtue of the conversion of the Florida Retirement System to an employee noncontributory system. As of July 1, 1974, the rights of members of the retirement system established by this chapter are declared to be of a *contractual* nature, entered into between the member and the state, and such rights shall be legally enforceable as valid contract rights and shall not be abridged in any way.

Since these benefits are clearly of a contractual nature, it is our opinion that a reduction of special risk benefits from a 3% credit to a 2% credit with respect to those members already in the system is in violation of the Article I, Section 10, Constitutional proscription against any law impairing the obligation of contracts. Therefore, we accordingly dissent from the position of the majority of the members of this conference committee.

David H. McClain
Dan I. Scarborough

Dissenting Managers on the part of the Senate

A. M. Fontana
Bill James

Dissenting Managers on the part of the House of Representatives

Conference Committee Amendment 1—On pages 1-5 of Senate Amendment 1, strike All and insert: (A new body to read) Section 1. Subsection (15) and subsection (24) of section 121.021, Florida Statutes, as amended by chapter 77-467, Laws of Florida, are amended to read:

121.021 Definitions.—The following words and phrases as used in this chapter have the respective meanings set forth unless a different meaning is plainly required by the context:

(15)*(a) Until October 1, 1978,* "Special risk member" means any officer or employee whose application is approved by the administrator and who receives salary payments for work

performed as a peace officer; law enforcement officer; policeman; highway patrolman; custodial employee at a correctional or detention facility; correctional agency employee whose duties and responsibilities involve direct contact with inmates, but excluding secretarial and clerical employees; fireman; or an employee in any other job in the field of law enforcement or fire protection if the duties of such person are certified as hazardous by his employer.

(b) Effective October 1, 1978, "special risk member" means a member of the Florida Retirement System who is designated as a special risk member by the division in accordance with s. 121.022. Such member must be employed as a law enforcement officer, a firefighter, or a correctional officer and must meet certain other special criteria as set forth in s. 121.022.

(24) "Average final compensation" means the average annual compensation of the 5 best years *of the last 10 years* ~~of a career, if requested by the retiree,~~ of creditable service prior to retirement, termination, or death. *However, if requested by the member, "average final compensation" shall mean the 5 best years of the member's total years of creditable service prior to retirement, termination, or death.* For disability benefits, "average final compensation" means *the average annual compensation of* ~~[the average annual compensation of]~~ the total number of years of creditable service, not to exceed 5 if less than 10 years of creditable service have been completed. However, a member of the Legislature may use the average of the 5 years of highest compensation out of the last 10 years of creditable service prior to becoming a member of the Legislature. Each year used in the calculation of average final compensation shall commence on an annual calendar anniversary of the date of determination of such average final compensation. The payment for accumulated sick leave, whether paid as salary or otherwise, shall not be used in the calculation of the average final compensation.

Section 2. Section 121.022, Florida Statutes, is created to read:

121.022 Special risk membership; legislative intent; criteria; designation and removal of special risk membership.—

(1) LEGISLATIVE INTENT.—In creating the special risk class of membership within the Florida Retirement System, it is the intent and purpose of the Legislature to recognize that persons employed in certain categories of law enforcement, firefighting, and criminal detention positions are required as one of the essential functions of their positions to perform work that is physically demanding or arduous, or work that requires extraordinary agility and mental acuity, and that such persons, because of diminishing physical and mental faculties may find that they are not able, without risk to the health and safety of themselves, the public, or their coworkers, to continue performing such duties and thus enjoy the full career and retirement benefits enjoyed by persons employed in other positions, and that, if such persons find it necessary, due to the physical and mental limitations of their age, to retire at an earlier age and usually with less service, they will suffer an economic deprivation therefrom. Therefore, as a means of recognizing the peculiar and special problems of this class of employees, it is the intent and purpose of the Legislature to establish a class of retirement membership that awards more retirement credit per year of service than that awarded to other employees; provided nothing contained herein shall require ineligibility for special risk membership upon reaching age 55.

(2) CRITERIA.—A member, to be designated as a special risk member, must meet the following criteria:

(a) The member must be employed as a law enforcement officer and be certified in compliance with s. 943.14, or be on temporary waiver as provided by s. 943.14 until certified; however, sheriffs and elected police chiefs shall be excluded from meeting the certification requirements of this paragraph. In addition, the member's duties and responsibilities must include the pursuit, apprehension, and arrest of law violators or suspected law violators, or the member must be the supervisor or command officer of a member or members who have such responsibilities; provided, however, administrative support personnel, including, but not limited to, those whose primary duties and responsibilities are in accounting, purchasing, legal, and personnel, shall not be included; or

(b) The member must be employed as a firefighter and be certified, or required to be certified, in compliance with s. 633.35, and be employed solely within the fire department of the employer or agency of state government. In addition, the member's duties and responsibilities must include on-the-scene fighting of fires or direct supervision of fire fighting units, or the member must be the supervisor or command officer of a member or members who have such responsibilities; provided, however, administrative support personnel, including, but not limited to, those whose primary duties and responsibilities are in accounting, purchasing, legal, and personnel, shall not be included; or

(c) The member must be employed as a correctional officer and be certified in compliance with s. 944.585. In addition, the member's primary duties and responsibilities must be the custody, and physical restraint when necessary, of prisoners or inmates within a prison, jail, or other criminal detention facility, or while on work detail outside the facility, or while being transported; providing, however, administrative support personnel, including, but not limited to, those whose primary duties and responsibilities are in accounting, purchasing, legal, and personnel, shall not be included; however, superintendents and assistant superintendents shall participate in the special risk class.

(3) PROCEDURE FOR DESIGNATING.—

(a) Any member of the Florida Retirement System employed by a county, city, or special district who feels that he meets the criteria set forth in this section for membership in the special risk class may request that his employer submit an application to the division requesting that the division designate him as a special risk member. If the employer agrees that the member meets the requirements for special risk membership, he shall submit an application to the division in behalf of the employee, containing a certification that the member meets the criteria for special risk membership set forth in this section, and such other supporting documentation as may be required by administrative rule. The division shall, within 90 days, either designate or refuse to designate the member as a special risk member. If the employer declines to submit the member's application to the division or if the division does not designate the member as a special risk member, the member or the employer may appeal to the State Retirement Commission as provided in s. 121.23, for designation as a special risk member.

(b)1. Applying the criteria set forth in this section, the Department of Administration shall specify which current and newly created classes of positions under the uniform classification plan established pursuant to chapter 110 entitled the incumbents of positions in those classes to membership in the special risk class. Only employees employed in the classes so specified shall be special risk members.

2. Where a class is not specified by the department as provided in subparagraph 1., the employing agency may petition the State Retirement Commission for approval in accordance with s. 121.23.

(4) REMOVAL OF SPECIAL RISK MEMBERSHIP.—Any member who is a special risk member on October 1, 1978, and who fails to meet the criteria for special risk membership established by this section shall have his special risk designation removed and shall thereafter be a regular member and shall earn only regular membership credit. The division shall have the authority to review the special risk designation of members to determine whether or not those members continue to meet the criteria for special risk membership.

Section 3. Subsection (1) and paragraph (a) of subsection (2) of section 121.051, Florida Statutes, are amended to read:

121.051 Participation in the system.—

(1) COMPULSORY PARTICIPATION.—

(a) The provisions of this law shall be compulsory as to all officers and employees who are employed on or after December 1, 1970, of an employer other than those referred to in paragraph (2)(b), and each officer or employee, as a condition of employment, shall become a member of the system as of his date of employment, except that a person who is retired from any state retirement system and is reemployed on or after December 1, 1970, shall not be permitted to renew his membership in any state retirement system except as provided in s. 121.091(4)(e), for a person who recovers from disability, and s. 121.091(9)(d), for a person who is elected to public office.

(b) After June 30, 1978, the compulsory participation provisions of paragraph (a) shall not be construed to require par-

ticipation in the Florida Retirement System by a member of an existing system who is reemployed after terminating his employment, or who otherwise interrupts his employment under an existing system, provided he leaves his accumulated contributions on deposit under the existing system. Such member shall continue to have membership in the existing system upon reemployment or resumption of employment, and shall not be permitted to become a member of the Florida Retirement System, except by transferring to the Florida Retirement System as authorized by subsection (2)(a) or s. 121.052(1), or by being reemployed after terminating his employment and receiving a refund of his accumulated contributions made to the existing system.

(2) OPTIONAL PARTICIPATION.—

(a)1. Any officer or employee who is a member of an existing system, except any officer or employee of any nonprofit professional association or corporation, may elect, if eligible, to become a member of this system at any time between April 15, 1971, and June 1, 1971, inclusive, by notifying his employer in writing of his desire to transfer membership from the existing system to this system. Any officer or employee who was a member of an existing system on December 1, 1970, and who did not elect to become a member of this system shall continue to be covered under the existing system subject to the provisions of s. 121.045. A person who has retired under any state retirement system shall not be eligible to transfer to the Florida Retirement System created by this chapter subsequent to such retirement. Any officer or employee who prior to July 1, 1947 filed a written rejection of membership in a state retirement system and who continues employment without participating in the Florida Retirement System, may withdraw his rejection in writing and, if otherwise eligible, participate in the Florida Retirement System and purchase prior service in accordance with this chapter.

2. Any member transferring from the existing system under chapter 238 shall retain his rights to survivor benefits under said chapter through November 30, 1975, or until fully insured for disability benefits under social security, whichever is the earliest date, and thereafter no such rights shall exist.

3. Any officer or employee who is a member of an existing system on April 15, 1972, and who was eligible to transfer to this system under the provisions of subparagraph 1., but who elected to remain in the existing system, may elect, if eligible under the Social Security Act, 42 U.S.C.S. 418(d)(6)(F), to become a member of this system at any time between April 15, 1972 and June 30, 1972, inclusive, by notifying his employer in writing of his desire to transfer membership from an existing system to this system. Such transfer shall be subject to the following conditions:

a. All persons electing to transfer to the Florida Retirement System under subparagraph 3. shall be transferred on July 1, 1972, and shall thereafter be subject to the provisions of the Florida Retirement System retroactively to November 30, 1970, and at retirement have their benefits calculated in accordance with the provisions of s. 121.091.

b. Social security coverage incidental to such elective membership in the Florida Retirement System shall be effective November 30, 1970, and all amounts required from a member for retroactive social security coverage shall, at the time such election is made, be deducted from the individual account of the member, and the difference between the amount remaining in the individual account of such member and the total amount which such member would have contributed had he become a member of the Florida Retirement System on November 30, 1970, shall be paid into the system trust fund and added to his individual account prior to July 1, 1975, or by his date of retirement, if earlier. Interest at the rate of 8 percent per annum, compounded annually until paid, shall be charged on any balance remaining unpaid on said date.

c. There is appropriated out of the system trust fund into the Social Security Contribution Trust Fund the amount required by federal laws and regulations to be contributed with respect to social security coverage for the years after November 30, 1970, of the members of an existing system who transfer to the Florida Retirement System in accordance with subparagraph 3. and who qualify for retroactive social security coverage. The amount paid from this appropriation with respect to the employees of any employer shall be charged to the employing agency. There shall be credited against this charge the difference between the matching contributions actually made for the affected employees from November 30, 1970, to June 30, 1972, and the amount of matching contributions that would have been required under the Florida Retirement System.

d. The net amounts charged the employing agencies for employees transferring to the Florida Retirement System under subparagraph 3. shall be paid to the system trust fund prior to July 1, 1975. Interest at the rate of 8 percent per annum, compounded annually until paid, shall be charged on any balance remaining unpaid on said date.

e. The administrator shall request such modification of the state's agreement with the Social Security Administration, or any referendum required under the Social Security Act governing social security coverage, as may be required to implement the provisions of this law. Retroactive social security coverage for service with an employer prior to November 30, 1970, shall not be provided for any member who was not covered under the agreement as of November 30, 1970.

4. Any officer or employee who was a member of an existing system on December 1, 1970, and who is still a member of an existing system, except any officer or employee of any nonprofit professional association or corporation, may elect, if eligible, to become a member of this system at any time between September 1, 1974, and November 30, 1974, inclusive, by notifying his employer in writing of his desire to transfer membership from the existing system to this system. This decision to transfer or not to transfer shall become irrevocable on November 30, 1974. All members electing to transfer during the transfer period shall become members of the Florida Retirement System on January 1, 1975, and shall be subject to the provisions of the Florida Retirement System on and after that date. Any officer or employee who was a member of an existing system on December 1, 1970, and who does not elect to become a member of this system shall continue to be covered under the existing system, subject to the provisions of s. 121.045. Any member transferring from the Teachers' Retirement System of Florida under chapter 238 to the Florida Retirement System on January 1, 1975, shall retain his rights to survivor benefits under chapter 238 from January 1, 1975, through December 31, 1979, or until fully insured for disability benefits under the Social Security Act, whichever is the earliest date, and thereafter no such rights shall exist.

5. Any officer or employee who was a member of an existing system on December 1, 1970, and who is still a member of an existing system, except any officer or employee of any nonprofit professional association or corporation, may elect, if eligible, to become a member of this system at any time between September 1, 1978 and November 30, 1978, inclusive, by notifying his employer in writing of his desire to transfer membership from the existing system to this system. This decision to transfer or not to transfer shall become irrevocable on November 30, 1978. All members electing to transfer during the transfer period shall become members of the Florida Retirement System on January 1, 1979, and shall be subject to the provisions of the Florida Retirement System on and after that date. Any officer or employee who was a member of an existing system on December 1, 1970, and who does not elect to become a member of this system shall continue to be covered under the existing system, subject to the provisions of s. 121.045. Any member transferring from the Teachers' Retirement System under chapter 238 to the Florida Retirement System on January 1, 1979 shall retain his rights to survivor benefits under chapter 238 from January 1, 1979 through December 31, 1983 or until fully insured for disability benefits under the federal Social Security Act, whichever is the earliest date, and thereafter no such rights shall exist.

6. Any deficit, as determined by the state actuary, accruing to the Survivors' Benefit Trust Fund of the Teachers' Retirement System, resulting from the passage of this act, shall become an obligation of the Florida Retirement Trust Fund.

Section 4. Paragraph (d) of subsection (1), paragraphs (a) and (b) of subsection (4) and paragraph (c) of subsection (5) of section 121.052, Florida Statutes, 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, *1978* ~~1975~~, through December 31, *1978* ~~1975~~, to transfer to, and become a member of, this class on January 1, *1979* ~~1976~~, and be subject to the benefits and provisions of the Elected State Officers' Class on and after that date. After December 31, *1978* ~~1975~~, no such election may be made~~, except as permitted under paragraph (c)~~.

(4)(a) From and after *October 1, 1978* ~~July 1, 1972~~, and except as provided in paragraph (b), the employer paying the salary of a member of the Elected State Officers' Class shall withhold 8 percent of his gross salary, which shall constitute the contribution of said member with respect to retirement and other benefits payable to members of this class, and one-half of the entire contribution of the member required for social security coverage. The employer withholding such contributions shall set aside the funds necessary to pay the matching contributions required pursuant to s. 121.061, and shall *contribute an amount equal to 10.57 percent of such member's gross compensation and one-half of the entire contribution with respect to the member's social security coverage* ~~remit without delay such matching funds and member contributions to the administrator of the Florida Retirement System~~.

(b) From and after October 1, *1978* ~~1977~~, the employer paying the salary of any member of the Elected State Officers' Class who is a Governor, Lieutenant Governor, Cabinet Officer, Supreme Court Justice, District Court of Appeal Judge, Circuit Judge, County Court Judge, State Attorney, Public Service Commissioner, or Public Defender shall contribute an amount equal to *16.78* ~~12~~ percent of such member's gross compensation and shall withhold 4 percent of such member's gross compensation, the sum of which shall constitute the entire contribution with respect to such member. The employer shall, however, withhold one-half of the entire contribution of the member required for social security coverage.

(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 8 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.

Section 5. Subsection (2) of section 121.071, Florida Statutes, as amended by chapter 77-467, Laws of Florida to take effect October 1, 1978, and subsection (5) of said section, is amended to read:

121.071 Contributions.—Contributions to the system shall be made as follows:

(2) Until January 1, 1975, each employer shall contribute an amount equal to the total of its member contributions, made under subsection (1), each pay period. Effective January 1, 1975 and until October 1, 1978, each employer shall contribute 9 percent of gross compensation each pay period for each of its regular members, and 13 percent of gross compensation each pay period for each of its special risk members. Effective October 1, 1978, each ~~employee shall contribute 1 percent, and each~~ employer shall contribute *9.10* ~~9.2~~ percent of gross compensation each pay period for each of its regular members, and *13.95* ~~13~~ percent of gross compensation each pay period for each of its special risk members.

(5) Contributions made in accordance with subsections (2), (3), and (4) shall be paid by the employer into the system trust funds in accordance with rules ~~and regulations~~ promulgated by the administrator *pursuant to*~~. Such rules are to be filed in accordance with~~ chapter 120. *Such contributions are due and payable no later than the 25th day of the month immediately following the month during which the payroll period ended. The division may by rule establish a different due date which shall supersede the date specified herein; however, said date shall not be established earlier than the 20th day of the month immediately following the month during which the payroll period ended. Contributions received in the offices of the Division of Retirement of the Department of Administration after said date shall be considered delinquent and, in the case of retirement contributions due under subsections (2) and (3), each employer shall be assessed a delinquent fee of 0.5 percent of the contributions due for each calendar month or part thereof that said contributions are delinquent. Delinquent social security contributions shall be assessed a delinquent fee as authorized by s. 650.05(4).*

Section 6. Paragraph (a) of subsection (1) of section 121.091, Florida Statutes, is amended and subsection (11) is added to said section to read:

121.091 Benefits payable under the system.—

(1) NORMAL RETIREMENT BENEFIT.—Upon attaining his normal retirement date, the member, upon application to the administrator, shall receive a monthly benefit which shall commence on the last day of the month of retirement and be payable on the last day of each month thereafter during his lifetime. The amount of monthly benefit shall be determined as the product of A and B, subject to the adjustment of C, if applicable, when:

(a) A is 1.60 percent of his average monthly compensation, up to his normal retirement age. The first year after his normal retirement age, A is 1.63 percent of his average monthly compensation. The second year after his normal retirement age, A is 1.65 percent of his average monthly compensation. The third year after his normal retirement age, A is 1.68 percent of his average monthly compensation. A shall not exceed 1.68 percent of his average monthly compensation, except that for all creditable years of special risk service, A is 2 percent of his average monthly compensation for all creditable years prior to October 1, 1974, for which additional retirement credit has not been purchased, and 3 percent of his average monthly compensation *until October 1, 1978, when all years of creditable service thereafter as a special risk member shall be worth 2 percent of his average monthly compensation* ~~for all others~~; provided that the normal retirement benefit, including any past or additional retirement credit, does not exceed 100 percent of the average final compensation.

(11) 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, 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.

Section 7. There is hereby appropriated out of the Florida Retirement System Trust Fund to the Division of Retirement a lump sum amount of $100,000 for administrative and other expenses as may be required to implement this act and other amendments to the retirement laws pertaining to a 30 year retirement plan, minimum benefit adjustments for certain retired public employees and changes in the special risk class of membership of the Florida Retirement System which may be enacted by the 1978 Legislature. The Department of Administration is authorized to establish up to 6 time-limited positions, not to exceed 12 months, in order to implement the various amendments to the retirement laws enacted by the 1978 Legislature.

Section 8. 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.

Section 9. Any employee of a school district or community college who is a regular member of the Florida Retirement System and who has 30 years of creditable service, regardless of age, as of August 1, 1978, may retire as of such date, and such date shall be such employee's normal retirement date.

Section 10. This act shall take effect October 1, 1978, except that this section, section 3, and section 7 shall take effect July 1, 1978; section 9 and the provisions of section 5 with respect to employer's contributions by school districts and community colleges for regular members of the Florida Retirement System shall take effect August 1, 1978.

Conference Committee Amendment 2—On pages 1 and 2 of Senate Amendment 2 in title, strike all and insert a new title to

read: A bill to be entitled An act relating to retirement; amending s. 121.021(15) and (24), Florida Statutes, redefining the terms "special risk member" and "average final compensation;" creating s. 121.022, Florida Statutes, providing legislative intent and providing for criteria, designation and removal of special risk members; amending s. 121.051(1) and (2)(a), Florida Statutes, to provide that after June 30, 1978, the compulsory participation requirements of said section shall not be construed to require participation in the Florida Retirement System by a member of an existing system who returns to employment following a break in service, provided such member leaves his contributions on deposit with the existing system; reopening the Florida Retirement System to members of certain existing retirement systems and extending survivor benefits for members transferring from the Teachers' Retirement System of Florida to the Florida Retirement System; providing that any deficit accruing to the Survivors' Benefit Trust Fund of the Teachers' Retirement System, resulting from the passage of this act, shall become an obligation of the Florida Retirement System Trust Fund; 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 an increased employer contribution on behalf of members of the Elected State Officers' Class; providing for the applicability of s. 121.091(11), Florida Statutes; amending s. 121.071(2), Florida Statutes; as amended by Chapter 77-467, Laws of Florida, and amending subsection (5) of said section; 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; providing a procedure for payment of contributions; 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 a method of computing actuarial equivalency in certain cases; providing an appropriation; providing for severability; 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 Johnston the Conference Committee Report was adopted, and CS for HB's 1140 and 2093 passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—20

Barron	Gordon	Myers	Thomas, Jon
Castor	Gorman	Peterson	Trask
Chamberlin	Johnston	Plante	Vogt
Childers, Don	Lewis	Sayler	Williamson
Dunn	MacKay	Spicola	Wilson

Nays—18

Childers, W. D.	Henderson	Scarborough	Ware
Firestone	Holloway	Scott	Winn
Gallen	McClain	Skinner	Zinkil
Glisson	Poston	Thomas, Pat	
Graham	Renick	Tobiassen	

Votes after roll call:

Yea—Hair
Nay—Mr. President

Explanation of Vote

I support the Conference Committee Report, having been advised by the conferees during debate on the report and final passage of CS for HB's 1140 and 2093, that the effect of the language on page 5, lines 10 through 17 of the report is not intended to deny special risk eligibility of supervisors and command officers of police units which have the responsibilities set forth in lines 10 through 13 of the report.

Edgar M. Dunn, Jr., 10th District

On motion by Senator Firestone 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 SB 155, SB 1087.

Allen Morris, Clerk

The bills contained in the foregoing message were ordered enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 2053 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Agriculture & General Legislation—

HB 2053—A bill to be entitled An act relating to citrus; amending s. 601.15(7), Florida Statutes, relating to advertising campaigns financed by certain excise taxes levied on citrus products, specifying that such advertising shall be commodity advertising, merchandising, publicity and sales promotion of citrus fruits and products; authorizing the use of 10 percent of funds collected for noncommodity advertising, including brand advertising rebate programs, for up to 3 years; providing an effective date.

—was read the first time by title. On motion by Senator Scarborough, the rules were waived and 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 as amended HB 1570 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Craig—

HB 1570—A bill to be entitled An act relating to state contracts; creating s. 286.27, Florida Statutes, to restrict substitution of subcontractors on projects let pursuant to competitive bidding, subsequent to the time the bids are opened; providing an effective date.

—was read the first time by title. On motion by Senator Scarborough, the rules were waived and 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 HB 2116 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Community Affairs—

HB 2116—A bill to be entitled An act relating to public funds; creating the Direct Deposit of Public Funds Act; providing legislative intent; providing for the direct deposit of public funds; providing for the investment of public funds; amending ss. 136.06, 155.11, and 219.05(2), Florida Statutes, authorizing direct deposits of county funds and county hospital funds; providing an effective date.

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

SPECIAL ORDER, continued

SB 943 was taken up and on motion by Senator Firestone, HB 2116, a companion measure, was substituted therefor. On motions by Senator Firestone, by two-thirds vote HB 2116 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

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

Nays—None

Votes after roll call:

Yeas—Hair, McClain

SB 943 was laid on the table.

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

CS for SB 925—A bill to be entitled An act relating to coastal construction control lines; amending s. 161.021(4), Florida Statutes, and adding a new subsection (5) to said section; providing a definition of the term "inlet sediment bypassing"; amending s. 161.041, Florida Statutes; requiring a permit for certain activities; creating s. 161.042, Florida Statutes; authorizing the Department of Natural Resources to direct that any sediment from inlet excavation be used for beach nourishment; amending s. 161.053, Florida Statutes, changing construction setback lines to construction control lines; authorizing any local government to establish coastal construction codes subject to approval of the department; authorizing the department to issue permits for construction, excavation, or alteration seaward of control lines under certain circumstances; providing a penalty; amending s. 161.091(1)(k), Florida Statutes, correcting cross reference; amending s. 161.101, Florida Statutes, authorizing department participation in nonfederally authorized beach restoration projects; providing an effective date.

—was read the first time by title and SB 925 was laid on the table.

On motion by Senator Graham, by two-thirds vote CS for SB 925 was read the second time by title.

Senator Graham moved the following amendments which were adopted:

Amendment 1—On page 3, line 25, insert: the following and renumber subsequent sections.

Section 4. Subsection (9) is added to section 161.052, Florida Statutes, to read:

161.052 Coastal construction and excavation; regulation.—

(9) The executive director of the department may make recommendations to the Governor and Cabinet as head of the department concerning the purchase of the fee or any lesser interest in any lands seaward of the setback requirement as environmentally endangered lands or as outdoor recreation lands.

Senator Plante presiding

Amendment 2—On page 9, line 9, insert: (11) Concurrent with the establishment of a coastal construction setback line, the executive director of the department shall make recommendations to the Governor and Cabinet as head of the department concerning the purchase of the fee or any lesser interest in any lands seaward of the setback line as environmentally endangered lands or as outdoor recreation lands; and, with respect to those setback lines established pursuant to this section prior to the effective date of this amendment, the executive director may make such recommendations.

Senator Ware moved the following amendment which was adopted:

Amendment 3—On page 8, line 14, strike "on September 1, 1971" and insert: prior to the establishment of the coastal construction control line as provided herein.

Senator Vogt moved the following amendment which was adopted:

Amendment 4—On page 10, line 31, after the word "necessary" insert: agreements

Senator Graham moved the following amendment which was adopted:

Amendment 5—On page 1 in title, line 12, insert: adding ss. 161.052(9), 161.053(9), Florida Statutes; providing for recommendations by the executive director of the Department of Natural Resources concerning the purchase, as environmentally endangered or outdoor recreation lands, of the fee or any lesser interest in any land seaward of the setback requirements of s. 161.052, Florida Statutes, or of the coastal construction setback lines established under s. 161.053, Florida Statutes; providing an effective date.

Senator Vogt moved the following amendment which was adopted:

Amendment 6—On page 1, in title, line 17, after the semicolon insert: changing the date of application for structures that are existing or under construction;

On motion by Senator Vogt, by two-thirds vote CS for SB 925 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

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

Nays—4

Gallen	Johnston	McClain	Plante

Votes after roll call:

Yeas—Hair, Lewis

SB 939—A bill to be entitled An act relating to retirement; amending s. 112.0515, Florida Statutes; providing that any consolidated local government which includes a former county government or function of a county government shall be a county for retirement purposes and that all new employees shall be required to participate in the Florida Retirement System; amending s. 121.081(1)(f), Florida Statutes; providing that the limitation imposed on the rate of contributions paid by a consolidated government to a local retirement system shall not prevent the consolidated government from making provisions for the sound actuarial funding of the local retirement systems which are absorbed in the consolidation; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote SB 939 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Hair

SB 910—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.071(5), Florida Statutes; establishing a due date for making retirement contributions; authorizing the Division of Retirement of the Department of Administration to establish a different due date within specified limits; imposing a penalty for delinquent contributions; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote SB 910 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

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

Nays—None

Votes after roll call:

Yeas—Hair, Peterson

The President presiding

On motion by Senator Wilson 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 1242 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Maxwell and Boyd—

HB 1242—A bill to be entitled An act relating to the excise tax on documents; creating s. 201.24, Florida Statutes, exempting political subdivisions of the state, public utilities and others from the tax on notes, mortgages, and bonds under certain circumstances; providing an effective date.

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

SPECIAL ORDER, continued

SB 845 was taken up. Senator Wilson moved that the rules be waived and HB 1242 be withdrawn from the Committee on Rules and Calendar. The motion failed to receive the required two-thirds vote. The vote was:

Yeas—16

Castor	Gorman	Sayler	Trask
Childers, Don	Hair	Scott	Vogt
Gallen	McClain	Spicola	Ware
Glisson	Plante	Thomas, Jon	Wilson

Nays—15

Chamberlin	Holloway	Poston	Williamson
Dunn	Lewis	Renick	Winn
Firestone	MacKay	Scarborough	Zinkil
Gordon	Myers	Skinner	

Vote after roll call:

Nay to Yea—Skinner

On motion by Senator Wilson, further consideration of SB 845 was deferred.

SB 847—A bill to be entitled An act relating to probation; creating s. 948.08, Florida Statutes, prohibiting the granting of probation, withholding of adjudication of guilt, or the suspension, deferral, or withholding of sentence to persons convicted of specified offenses against specified victims; requiring admission or finding of facts supporting such prohibition; providing an effective date.

—was read the second time by title.

The Committee on Corrections, Probation and Parole offered the following amendments which were moved by Senator Sayler and adopted:

Amendment 1—On page 1, line 24, after "such" insert: age or

Amendment 2—On page 2, line 5, strike "(h) Burglary."

On motion by Senator Sayler, by two-thirds vote SB 847 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	Gorman	Plante	Thomas, Jon
Castor	Hair	Poston	Trask
Chamberlin	Holloway	Renick	Vogt
Childers, Don	Johnston	Sayler	Ware
Dunn	Lewis	Scarborough	Williamson
Firestone	MacKay	Scott	Wilson
Gallen	McClain	Skinner	Winn
Glisson	Peterson	Spicola	Zinkil

Nays—None

Vote after roll call:

Yea—Graham

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 532 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Culbreath—

HB 532—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08(5), Florida Statutes, to include feed for race horses and certain other horses under the exemption from sales and use tax; providing an effective date.

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

SPECIAL ORDER, continued

SB 730 was taken up and on motion by Senator MacKay, by two-thirds vote HB 532 was withdrawn from the Committee on Commerce. On motion by Senator MacKay, HB 532, a companion measure, was substituted for SB 730. On motions by Senator MacKay, by two-thirds vote HB 532 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	Glisson	Johnston	Plante
Castor	Gordon	Lewis	Poston
Chamberlin	Gorman	MacKay	Renick
Childers, Don	Graham	McClain	Sayler
Firestone	Hair	Myers	Scarborough
Gallen	Holloway	Peterson	Scott

Skinner	Thomas, Pat	Williamson	Winn
Spicola	Trask	Wilson	Zinkil
Thomas, Jon	Vogt		

Nays—None

SB 730 was laid on the table.

On motion by Senator MacKay consideration of SB 732 was deferred.

On motion by Senator Gordon consideration of SB 523 was deferred.

SB 416—A bill to be entitled An act relating to ancient motor vehicles; amending s. 325.12, Florida Statutes; providing that licensed ancient motor vehicles are exempt from safety equipment inspection requirements; repealing s. 325.18, Florida Statutes, concerning safety equipment inspection of ancient automobiles; providing an effective date.

—was taken up with House amendments.

House Amendment 1—On page 1, strike all of lines 27 and 28 and insert: Section 3. At least one inspection station in every county shall be open for the inspection of motor vehicles on Saturday. The several boards of county commissioners may select a weekday on which the aforesaid stations shall normally be closed. The provisions of this subsection shall not apply to any county having a population of 25,000 or fewer persons and shall not apply to privately run inspection stations.

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

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

Amendment 1A—On page 1, line 7, after the word "to" insert: counties having

Amendment 1B—On page 1, strike all of line 9.

House Amendment 2—On page 1, line 8, after the word "automobiles"; insert: requiring at least one county-operated inspection station be open on Saturday; permitting the closing of such station on a weekday; providing exceptions; specifying that such requirement does not apply to privately run inspection stations;

House Amendment 3—On page 1, line 27, strike "Section 3. This act shall take effect upon becoming a law." and insert: Section 3. Paragraph (a) of subsection (1) of section 320.02, Florida Statutes, is amended to read:

320.02 Application for registration; forms.—

(1) Every owner, or person in charge, of a motor vehicle which shall be operated or driven upon the highways of the state, or which shall be maintained in this state, shall, for each such vehicle so owned, cause to be filed by mail or otherwise, in the office of the department, a certified application for registration of same on a blank to be furnished for that purpose, containing:

(a) A description of each motor vehicle to be registered, including: the purpose for which it is to be used; the name of the manufacturer; the style, type, engine number, or permanent vehicle identification number (VIN); the horsepower; the net weight in pounds; in case of motor trucks, trailers, and semitrailers, the factory-rated load capacity; the maximum gross weight as stated by the person requesting registration; and, in case of motor vehicles for carrying passengers, the seating capacity. *However, if the application is for the registration of an antique automobile, antique truck, or vehicle which qualifies for a horseless carriage license plate, the application shall contain the engine number and the year and model of the engine.*

Section 4. Paragraph (a) of subsection (2) and paragraph (f) of subsection (3) of section 320.08, Florida Statutes, are amended to read:

320.08 License taxes.—There are hereby levied and imposed annual license taxes for the operation of motor vehicles and mobile homes, as defined in s. 320.01, which shall be paid to and collected by the department upon the registration or reregistration of the following:

(2) AUTOMOBILES FOR PRIVATE USE.—

(a) Antique automobiles: $7.50 flat. An "antique automobile" is defined as any passenger automobile manufactured more than 20 years prior to the current *date* ~~year~~ *and equipped with an engine manufactured more than 20 years prior to the current date, or an engine manufactured to the specifications of the original engine.*

(3) TRUCKS.—

(f) Antique trucks: $7.50 flat. An "antique truck" is defined as any truck with a net weight of not more than 3,000 pounds manufactured more than 20 years prior to the current date *and equipped with an engine manufactured more than 20 years prior to the current date, or an engine manufactured to the specifications of the original engine.*

Section 5. Section 320.086, Florida Statutes, is amended to read:

320.086 Ancient motor vehicles; "horseless carriage" license plates.—Notwithstanding any other provision of law, any owner of a motor vehicle of the age of 35 years or more from the date of manufacture, *equipped with an engine of the age of 35 years or more from the date of manufacture, and* operated or moved over the highway primarily for the purpose of historical exhibition or other similar purpose, *shall,* upon application in the manner and at the time prescribed by the department, ~~shall~~ be issued a special license plate for such motor vehicle at a fee of $7.50 for each such plate, which shall be permanent and valid for use thereon without renewal so long as the vehicle is in existence in lieu of the regular license plate. In addition to the payment of all other fees required by law, the applicant shall pay such fee for the issuance of the special license plate as may be prescribed by the department commensurate with the cost of manufacture. The registration numbers and special license plates assigned to such motor vehicles shall run in a separate numerical series, commencing with "Horseless Carriage No. 1" and the plates shall be of a distinguishing color.

Section 6. This act shall take effect July 1, 1978.

House Amendment 4—On page 1, line 8, strike "providing an effective date." and insert: amending s. 320.02(1)(a), Florida Statutes, requiring registration applications for antique or horseless carriage vehicles to include the engine's number, age, and model; amending ss. 320.08(2)(a) and (3)(f) and 320.086, Florida Statutes, requiring the engine of the vehicle to be a specific age for the vehicle to qualify as an antique or horseless carriage vehicle; providing an effective date.

On motion by Senator Williamson, the Senate concurred in House Amendment 1 as amended and the House was requested to concur in the Senate amendments. On motions by Senator Williamson, the Senate concurred in House Amendments 2, 3 and 4.

SB 416 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—27

Mr. President	Gordon	Myers	Trask
Castor	Gorman	Peterson	Vogt
Chamberlin	Graham	Poston	Williamson
Childers, Don	Hair	Renick	Wilson
Firestone	Holloway	Scott	Winn
Gallen	Johnston	Spicola	Zinkil
Glisson	McClain	Thomas, Jon	

Nays—None

Votes after roll call:

Yea—W. D. Childers, Tobiassen

SB 1097 was taken up and on motion by Senator Scott—

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.

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

Senator Myers moved the following amendment which was adopted:

Amendment 1—On page 6, strike all of lines 23 and 24, and insert: Section 7. Section 105.085, Florida Statutes, is created to read:

105.085 Judicial campaign trust funds.—

(1) Each organized local or county bar association or The Florida Bar is authorized to establish a judicial campaign trust fund, to be approved in form by the Division of Elections, for the purpose of soliciting, receiving, and distributing contributions to candidates for circuit and county court judge.

(2) All contributions to a judicial campaign trust fund shall be used solely for distribution of funds in equal amounts to all candidates in a given race who qualify according to preestablished criteria on a judicial poll approved by the Supreme Court and administered by the local or county bar association or The Florida Bar.

(3) Administrators of judicial campaign trust funds shall report all contributions received, and expenditures made, in accordance with procedures set forth in s. 106.07. Any candidate receiving contributions from a judicial campaign trust fund shall report in like manner the total sum received from the trust fund.

(4) Contributions made to candidates from judicial campaign trust funds shall not be subject to the limitations provided in s. 106.08, except that no contributor to a judicial campaign trust fund shall contribute more than $1,000 to any judicial campaign trust fund, by whatever name known, during any 2-year calendar period.

(5) All contributors to a judicial campaign trust fund shall, as a condition of making a contribution to a judicial candidate through a judicial campaign trust fund, agree in writing not to make any other contribution to any candidate for circuit or county court judge except through the fund. However, nothing herein shall preclude contributions to candidates for circuit or county court judge in circuits of counties wherein a judicial campaign trust fund has not been established.

(6) Candidates who have received contributions from a judicial campaign trust fund, by whatever name known, shall, as a condition of accepting such contributions, agree in writing not to accept a contribution from any member of The Florida Bar other than through the judicial campaign trust fund.

(7) A judicial campaign trust fund established pursuant to this section shall not be considered a "political committee" as defined in s. 106.011(1) or a "committee of continuous existence" as defined in s. 106.011(2). However, any violation of this section shall be subject to the provisions of chapter 106.

Section (8) This law shall be applicable only to counties having in excess of 30 circuit judges.

Section (9) This act shall take effect upon becoming a law.

The vote was:

Yeas—16

Chamberlin	Gorman	MacKay	Renick
Firestone	Graham	Myers	Thomas, Jon
Glisson	Henderson	Plante	Winn
Gordon	Holloway	Poston	Zinkil

Nays—9

Mr. President	Gallen	Skinner	Thomas, Pat
Castor	Hair	Spicola	
Childers, Don	Scarborough		

Senator Sayler moved the following amendments which were adopted:

Amendment 2—On page 6, between lines 22 and 23, insert: Section 7. Present subsection (4) of section 106.143, Florida Statutes, is renumbered as subsection (5) and a new subsection (4) is added to said section to read:

106.143 Political advertisements circulated prior to election; requirements.—

(4) It is unlawful for any candidate or person on behalf of a candidate to knowingly disseminate any political advertisement which contains a factual statement that is not true.

(Renumber subsequent section.)

Amendment 3—On page 2 in title, strike all of line 3 and insert: withdrawal, elimination, or election; renumbering s. 106.-143(4), Florida Statutes, and adding a new subsection (4) to said section; making it unlawful for a candidate or person on behalf of a candidate to disseminate any political advertisement which contains a factual statement that is untrue; providing

Senator Myers moved the following amendment which was adopted:

Amendment 4—On page 2 in title, line 3, after the semicolon insert: creating s. 105.085, Florida Statutes; providing for establishment of judicial campaign trust funds consisting of contributions to candidates for circuit and county court judge; providing for approval thereof; providing restrictions and limitations with respect thereto; providing for certain reports; providing that judicial campaign trust funds shall not be considered "political committees" or "committees of continuous existence"; providing for enforcement and penalties; providing for applicability; providing an effective date.

On motion by Senator Scott, by two-thirds vote CS for HB 531 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—24

Chamberlin	Graham	Myers	Spicola
Childers, Don	Henderson	Plante	Thomas, Jon
Firestone	Holloway	Poston	Thomas, Pat
Glisson	Johnston	Renick	Vogt
Gordon	Lewis	Sayler	Williamson
Gorman	MacKay	Scott	Winn

Nays—7

Castor	Hair	Scarborough	Zinkil
Gallen	Peterson	Skinner	

Vote after roll call:

Yea to Nay—Spicola

SB 1097 was laid on the table.

On motion by Senator Wilson, the Senate resumed consideration of—

SB 845—A bill to be entitled An act relating to the excise tax on documents; creating s. 201.24, Florida Statutes, exempting political subdivisions of the state from the tax on notes, mortgages, and bonds under certain circumstances; providing an effective date.

—which was read the second time by title.

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

Amendment 1—On page 1, line 15, after "mortgage made" strike "to" and insert: by

On motion by Senator Wilson, by two-thirds vote SB 845 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	Hair	Poston	Vogt
Castor	Henderson	Renick	Williamson
Childers, Don	Holloway	Sayler	Wilson
Firestone	Johnston	Scarborough	Winn
Gallen	McClain	Skinner	Zinkil
Glisson	Myers	Spicola	
Gorman	Peterson	Thomas, Jon	
Graham	Plante	Thomas, Pat	

Nays—None

Vote after roll call:

Yea—Chamberlin

On motion by 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 taken up pending roll call, having been reconsidered on May 25 and referred to a select committee.

On motion by Senator Gallen, the Senate reconsidered the vote by which CS for SB 970 was read the third time by title.

Senators Gallen, Ware, Plante, Dunn and Vogt (Select Committee) offered the following amendment which was moved by Senator Gallen:

Amendment 2—On pages 1-5, beginning on line 19, strike everything after the Enacting Clause and insert:

Section 1. Subsection (7) of section 712.03, Florida Statutes, is added to read:

712.03 Exceptions to marketability.—Such marketable record title shall not affect or extinguish the following rights:

(7) State title to lands beneath navigable waters owned by virtue of its sovereignty which have not been specifically alienated by the state.

Section 2. Section 712.11, Florida Statutes, is added to read:

712.11 Alienation of Sovereignty Lands Study Commission

(1) There is hereby created an Alienation of Sovereignty Lands Study Commission composed of eight members of the legislature, four to be appointed by the President of the Senate and four to be appointed by the Speaker of the House of Representatives. The persons appointed shall designate one member of the commission to serve as chairman, and the commission shall meet at the call of the chairman. Members of the commission shall receive no compensation but shall receive travel and per diem as provided by s. 122.061.

(2) The Alienation of Sovereignty Lands Study Commission shall make a study of the alienation by sale or conveyance of state lands as such sales or conveyances relate to sovereignty lands. In making its study, the commission shall consider, but not be limited to:

a. The effect of the Marketable Record Title Act, Chapter 712, Florida Statutes, has upon prior or future sales or conveyances of sovereignty lands.

(b) The effect Chapter 95, Florida Statutes, and any other statutes limiting the time within which cause of action must be asserted, have upon any cause of action relating to prior or future sales or conveyances of sovereignty lands.

(3) The alienation of Sovereignty Lands Study Commission shall report the results of its study to the Governor, the President of the Senate, and the Speaker of the House of Representatives as expeditiously as possible but no later than March 1, 1979. At that time, it may also recommend legislation designed to implement its findings including, if appropriate, amendments to either, or both, Chapters 712 and 95, Florida Statutes. Upon the rendering of such report and recommendations, the Alienation of Sovereignty Lands Study Commission shall expire.

Section 3. Subsection (3) of section 95.031, Florida Statutes, is added to read:

95.031 Computation of time.—Except as provided in subsection 95.051(2) and elsewhere in these statutes, the time within which an action shall be begun under any statute of limitation runs from the time the cause of action accrues.

(3) No cause of action on behalf of the state for conversion of property severed from, for trespass upon, or for other unauthorized use or invasion of state-owned lands, including sovereignty lands, shall be barred by any provision of this chapter.

Section 4. Section 253.111, Florida Statutes, is amended to read:

253.111 Notice to board of county commissioners before sale.—The Board of Trustees of the Internal Improvement Trust Fund of the state shall not sell or convey any land to which they hold title unless and until they shall afford an opportunity to the county in which such land is situated to receive such land for public purposes on the following terms and conditions:

(1) If an application is filed with the board requesting that they sell certain land to which they hold title and the board shall decide to sell such land or if the board shall, without such application, decide to sell such land, the board shall, before consideration of any private offers, notify the board of county commissioners of the county in which such land is situated that such land is available to such county. Such notification shall be given by registered mail, return receipt requested.

(2) The board of county commissioners of the county in which such land is situated shall, within 90 days after receipt of such notification from the board, determine by resolution whether or not it proposes to devote such land to public parks, public beaches, public fishing piers, public boat ramps, public dockage facilities or other public ~~outdoor~~ ~~recreational~~ purposes, hereinafter referred to generally as public ~~outdoor~~ ~~recreational~~ purposes.

(3) If the board of county commissioners shall determine that it proposes to devote such land in perpetuity to public ~~outdoor~~ ~~recreational~~ purposes, it shall adopt a resolution specifying such determination and setting forth:

(a) The specific public ~~outdoor~~ ~~recreational~~ purpose or purposes to which it proposes to devote such land;

(b) A tentative plan of development for such land;

(c) A tentative time schedule of development, which tentative time schedule shall set a date of commencement of development not later than 2 years after the date of such resolution and a date of conclusion of development not later than 4 years after the date of such resolution. A certified copy of such resolution shall be furnished to the board with-

in such 90-day period by registered mail, return receipt requested.

(4) If the board of county commissioners determines that it does not propose to devote such land to public ~~outdoor recreational~~ purposes, it shall notify the board of such determination by sending, immediately after adoption, a certified copy of the resolution so specifying to the board by registered mail, return receipt requested. If the board of county commissioners shall fail to act as provided in subsection (3) within the 90-day period, such failure shall constitute a determination that it does not propose to devote such land to public ~~recreational~~ purposes.

(5) If the board receives within the 90-day period the certified copy of the resolution provided in subsection (3), the board shall forthwith convey to the county such land upon such terms and conditions and at such price as the board shall determine (but in no case at a price higher than such property would be disposed of under any other provisions of this chapter), but subject to a reverter to the board if such land shall not be devoted to the public ~~outdoor recreational~~ purpose or purposes specified in such resolution in substantial accordance with the plan of development and the time schedule for development set forth in such resolution, and shall not be devoted in perpetuity to some public purpose.

(6)(a) If the board of county commissioners shall determine that it does not propose to devote the land to public ~~outdoor recreational~~ purposes, the board may dispose of the property as otherwise provided in this chapter.

(b) It shall not be a violation of the reverter clause of any deed from the board to a county under this section if the county shall in fact use the property for a public ~~outdoor recreational~~ purpose other than that specified in the resolution provided in subsection (3) or not in substantial accordance with the plan of development and time schedule set forth in such resolution, if the board shall by appropriate resolution approve such change or such failure to act in substantial accordance with the plan of development or time schedule.

(c) Nothing in this section shall restrict any right otherwise granted to the board by this chapter to convey land to which they hold title to the state or any department, office, authority, board, bureau, commission, institution, court, tribunal, agency or other instrumentality of or under the state. The word "land" as used in this act means all lands vested in the Board of Trustees of the Internal Improvement Trust Fund.

(7) If any riparian owner shall exist with respect to any land to be sold by the board, such riparian owner shall have a right to secure such land, which right shall be prior in interest to the right in the county created by this section, provided that such riparian owner shall be required to pay for such land upon such prices, terms and conditions as determined by the trustees. Such riparian owner may waive this prior right in which case this section shall apply.

Section 5. This act shall take effect upon becoming a law.

Senator Dunn moved the following amendment to Amendment 2 which was adopted:

Amendment 2A—On page 1, lines 7 and 8, strike "which have not been specifically alienated by the state."

The vote was:

Yeas—19

Chamberlin	Graham	MacKay	Thomas, Pat
Childers, Don	Hair	Myers	Vogt
Dunn	Henderson	Scarborough	Williamson
Glisson	Johnston	Skinner	Winn
Gordon	Lewis	Spicola	

Nays—18

Barron	McClain	Sayler	Ware
Childers, W. D.	Peterson	Scott	Wilson
Firestone	Plante	Thomas, Jon	Zinkil
Gallen	Poston	Tobiassen	
Holloway	Renick	Trask	

Senator Vogt moved the following amendment to Amendment 2 which was adopted:

Amendment 2B—On page 1, between lines 8 and 9, insert new Section 2:

Section 2. Section 712.10, Florida Statutes, is amended to read:

Law to be liberally construed.—This law shall be liberally construed to effect the legislative purpose of simplifying and facilitating land title transactions by allowing persons to rely on a record title as described in s. 712.02 subject only to such limitations as appear in s. 712.03. *The Legislature recognizes that sovereignty lands beneath the navigable waters of the state have throughout history been held in trust for the benefit of the citizens. It is therefore deemed contrary to this public trust relationship to allow this chapter to operate against the state's claims to sovereignty lands, nor is it the intent of the Legislature to divest the state of title to sovereignty lands by this chapter.*

[and re-number.]

Amendment 2 as amended was adopted. The vote was:

Yeas—19

Childers, Don	Graham	Myers	Thomas, Pat
Dunn	Hair	Renick	Vogt
Firestone	Johnston	Scarborough	Winn
Glisson	Lewis	Skinner	Zinkil
Gordon	MacKay	Spicola	

Nays—17

Barron	Holloway	Sayler	Ware
Childers, W. D.	McClain	Scott	Williamson
Gallen	Peterson	Thomas, Jon	
Gorman	Plante	Tobiassen	
Henderson	Poston	Trask	

Vote after roll call:

Yea—Chamberlin

Senators Gallen, Ware, Plante, Dunn and Vogt (Select Committee) offered the following amendment which was moved by Senator Gallen:

Amendment 3—On page 1, strike all of lines 1 through 15 and insert:

A bill to be entitled An act relating to state lands; amending chapter 712.03, Florida Statutes, by adding new subsection (7) providing that the sovereignty status of state-owned lands which have not been specifically alienated by the State shall not be affected by the Marketable Record Title Act; creating s. 712.11, Florida Statutes, to provide for the creation and duties of the Alienation of Sovereignty Lands Study Commission; amending s. 95.031, Florida Statutes, by adding new subsection (3), exempting causes of action for the unauthorized use of sovereignty lands from the statutes of limitations; 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.

Senator Vogt moved the following amendment to Amendment 2 which was adopted:

Amendment 3A—On page 1, line 7, after the semicolon ";" insert: amending s. 712.10, Florida Statutes; providing additional legislative intent;

Amendment 3 as amended was adopted.

Senator Gallen moved that CS for SB 970 be read the third time by title and the motion failed.

On motion by Senator Trask, the rules were waived and the Senate reconsidered the vote by which—

HB 1495—A bill to be entitled An act relating to the City of Lakeland, Polk County; amending the Lakeland Downtown De-

velopment Authority Act; amending sections 2(j), 5(a)(1) and (f), 6(a), 9, and 13, chapter 77-588, Laws of Florida, to define the term freeholder; to clarify the term elector; to provide for vacancies; to provide for formulation and amendment of bylaws; to provide for the levy of ad valorem tax; providing a referendum.

—passed this day.

Senator Trask moved the following amendment which was adopted:

Amendment 1—On page 1 in title, line 11, strike period "." and insert: ; providing an effective date.

HB 1495 as amended was read by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

On motion by Senator Plante, the rules were waived and time of adjournment was extended until 5:15 p.m.

Senator Trask moved that the Senate reconsider the vote by which CS for HB's 1140 and 2093 passed as amended by the Conference Committee report. The motion failed. The vote was:

Yeas—18

Mr. President	Holloway	Scott	Ware
Childers, W. D.	McClain	Skinner	Wilson
Firestone	Poston	Thomas, Pat	Winn
Graham	Renick	Tobiassen	
Hair	Scarborough	Trask	

Nays—20

Barron	Glisson	Lewis	Sayler
Chamberlin	Gordon	MacKay	Spicola
Childers, Don	Gorman	Myers	Thomas, Jon
Dunn	Henderson	Peterson	Vogt
Gallen	Johnston	Plante	Williamson

Vote after roll call:

Nay to Yea—Glisson

The Senate resumed—

CS for SB 415—A bill to be entitled An act relating to public school personnel; amending s. 231.40(3), Florida Statutes, and the introductory paragraph of said section; adding s. 231.40(4), Florida Statutes; deleting provision which limits amount of compensation for certain personnel when on sick leave; authorizing any school board to establish policies and prescribe standards to permit certain participating employees to pool accrued sick leave days for disbursement to any participating employee who is in need of sick leave in excess of amount he has accrued; providing an effective date.

On motion by Senator Plante, the Senate reconsidered the vote by which CS for SB 415 was read the third time by title.

On motions by Senator Plante, the Senate reconsidered the vote by which Amendments 1 and 2 were adopted. Amendments 1 and 2 failed.

On motion by Senator Plante, by two-thirds vote CS for SB 415 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

On motion by Senator Lewis, by two-thirds vote—

HB 2193—A bill to be entitled An act relating to unemployment compensation; amending s. 443.06(2), Florida Statutes, providing that after a claimant has received 25 weeks of benefits, a job that pays 120 percent or more of the weekly benefit amount is suitable; amending s. 443.05(3), Florida Statutes, providing that benefits shall not be paid to educational personnel between regular academic terms; adding subsection (18) to s. 443.03, Florida Statutes, providing a definition of "reimbursable employer"; amending s. 443.07(5)(b), Florida Statutes, and adding paragraph (c), providing that only employers liable for contributions may be noncharged; adding paragraphs (k) and (l) to s. 443.08(3), Florida Statutes, and amending subsection (4)(b), providing that reimbursable employers shall be charged for all benefits paid; providing an effective date.

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

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Holloway

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Jon Thomas, the rules were waived and by two-thirds vote SB 1210 was withdrawn from the Committee on Appropriations.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Message from the House of Representatives containing SB 539 with 2 House amendments was referred to the Committee on Economic, Community and Consumer Affairs.

Message from the House of Representatives containing SB 679 with 2 House amendments was referred to the Committee on Health and Rehabilitative Services.

Message from the House of Representatives containing SB 410 with 2 House amendments was referred to the Committee on Agriculture.

Message from the House of Representatives containing SB 262 with 14 House amendments was referred to the Committee on Judiciary-Civil.

ENROLLING REPORTS

SCR 1359 has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on May 31, 1978.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 30 was corrected and approved.

On motion by Senator W. D. Childers, the Senate adjourned at 5:10 p.m. to convene at 8:30 a.m., Thursday, June 1, 1978 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m.