



Journal of the Senate

Number 34

Saturday, June 2, 1979

The Senate was called to order by the President at 3:00 p.m.

A quorum present—39:

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McClain	Steinberg
Barron	Grizzle	McKnight	Stuart
Carlucci	Hair	Myers	Thomas
Chamberlin	Henderson	Neal	Tobiassen
Childers, D.	Hill	Peterson	Vogt
Childers, W. D.	Holloway	Poole	Ware
Dunn	Jenne	Scarborough	Williamson
Fechtcl	Johnston	Scott	Winn
Frank	MacKay	Skinner	

Excused: Senator Trask

Prayer by Senator Carlucci:

Bless the Lord, O my soul, and all that is within me, bless his holy name. Lord, when we are weak, you give us strength. You are our salvation as these great leaders of the state of Florida work today, and in the next few, give them your strength and wisdom to do those works that will help all your people. We know that where two or more gather, you will be there, and we thank you for it. Amen.

The Senate recessed at 3:48 p.m. to reconvene at 4:30 p.m.

The Senate was called to order by the President at 4:30 p.m. A quorum present.

Senator Scarborough presiding

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9 & 10, has further amended and passed HB 1815 as further amended and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Regulatory Reform—

HB 1815—A bill to be entitled An act relating to osteopathic physicians; creating chapter 459, Florida Statutes, providing intent and definitions; providing applicability of the chapter; providing for a Board of Osteopathic Medical Examiners and providing the membership and terms of the board; providing eligibility requirements for examination; authorizing issuance of licenses without examination; providing certain privileges and obligations of osteopathic physicians; providing disciplinary actions and penalties and specifying grounds therefor; prohibiting sexual misconduct in the practice of osteopathic medicine; requiring medical organizations to provide certain notification of disciplinary actions taken against osteopathic physicians and providing a penalty for noncompliance; providing that acceptance of a license constitutes agreement to certain activities relating to handwriting samples and confidentiality of medical records; providing for search pursuant to a search warrant under certain circumstances; authorizing the department to subpoena records; providing criminal penalties for specified unlawful acts with respect to the practice and licensing of osteopathic medicine; providing procedures for the renewal of licenses; providing for inactive status; providing for rules; providing for certification of hospital residents and interns in osteopathic medicine; providing duties of osteopathic hospitals; providing penalties; providing for osteopathic physicians' assistants and providing

procedures for the approval of programs for such assistants; providing penalties; providing for effect on certain rules; providing for licenses and certificates which are valid, and proceedings which are pending, on the effective date of the act; providing for repeal and legislative review; repealing chapter 459, Florida Statutes; providing an effective date.

Amendment 1—On page 15, line 13, strike Such evidence shall include, but not be limited to, all medical records regardless of the patient's consent thereto, and insert: Such evidence shall not include any medical records of patients unless pursuant to the patient's written consent. Notwithstanding the consent of the patient, such records shall be treated as confidential and shall not be transferred to any other agency. Provided that this section shall not limit the psychotherapist-patient privileges of s. 90.503.

Amendment 2—On page 15, lines 13-15, strike all of said lines and insert: prosecution. Such evidence shall not include any medical records of patients unless pursuant to the patient's written consent. Notwithstanding the consent of the patient, such records shall be treated as confidential and shall not be transferred to any other agency. Provided that this section shall not limit the psychotherapist-patient privileges of section 90.503

On motions by Senator Dunn, the Senate concurred in House Amendments 1 and 2.

On motion by Senator Dunn, the Senate reconsidered the vote by which HB 1815 passed June 1.

Senator Dunn moved the following amendment to the bill as amended which was adopted by two-thirds vote:

Amendment 11—On page 13, line 14, after the period insert: The board may, by rule, require all licensees to complete continuing education courses not exceeding 30 hours each biennium as a prerequisite to licensure renewal. Such courses shall be approved by the board and shall build on the basic educational requirements for licensure as an osteopathic physician.

HB 1815 passed as further amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

Mr. President	Gorman	Maxwell	Stuart
Anderson	Grizzle	McKnight	Thomas
Barron	Henderson	Poole	Tobiassen
Chamberlin	Hill	Scarborough	Trask
Childers, D.	Holloway	Scott	Vogt
Childers, W. D.	Jenne	Skinner	Ware
Dunn	Johnston	Spicola	Williamson
Fechtcl	MacKay	Steinberg	Winn

Nays—None

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1, 2, 3, 5, 6, 7, 8, 11, 13, 14, 16, 20 & 22 to HB 1822; has refused to concur in Senate Amendments 4, 10, 12, 19 & 21 and requests the Senate to recede; and has amended Senate Amendments 15 and 18, concurred in same as amended and passed as amended and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Regulatory Reform—

HB 1822—A bill to be entitled An act relating to dentistry, dental hygiene and dental laboratories; creating part I of chap-

ter 466, Florida Statutes, providing intent and definitions; providing applicability of the chapter; providing for a Board of Dentistry and providing the membership and terms of the board; providing eligibility requirements for examination for licensure for dentists and dental hygienists; providing for re-examination; authorizing issuance of licenses by endorsement; requiring licenses to be displayed; providing for license renewals; providing for inactive status; reenacting existing provisions relating to advertising by dentists; providing criminal penalties for specified unlawful acts with respect to the practice and licensing of dentistry and dental hygiene; providing for prosecutions; providing disciplinary actions and penalties and specifying grounds therefor; prohibiting sexual misconduct; providing primary responsibility of the dentist of record; restricting the employment by dentists of unlicensed persons and providing a penalty; entitling dentists to prescribe and use certain drugs and anesthesia and to use and permit dental auxiliaries to use x-ray equipment; providing for permits for dental interns and restricting their practice; providing for permits for certain nonprofit corporations; prescribing the scope and area of practice for dental hygienists; exempting dental hygienists from certain provisions relating to radiology; restricting the delegation of duties by dentists; requiring the board to determine the authorized duties of registered dental practitioners under the supervision of dentists; authorizing the board to enter into reciprocity agreements; creating part II of chapter 466, Florida Statutes, providing definition of dental laboratory; providing for registration of dental laboratories; providing for change of address; providing for the issuance of a registration certificate; prohibiting certain advertising; providing for periodic inspection; providing for suspension and revocation of certificates; specifying violations; providing for the effect of the act on existing licenses and proceedings; providing for effect on certain rules; providing for repeal and legislative review; repealing chapter 466, Florida Statutes; providing an effective date.

House Amendment 1 to Senate Amendment 15—On page 1, strike the entire amendment and on page 8, lines 19 & 20, strike all of said lines and insert: (b) Is a graduate of a dental school accredited by the Commission on Accreditation of the American Dental Association or its successor agency, if any, or any other nationally recognized accrediting agency.

House Amendment 1 to Senate Amendment 18—On page 1, strike the entire amendment and insert: (1) Applying pit and fissure sealants.

(m) Placing amalgam restorations, not including the cutting of any tooth or tissue.

(n) Carving amalgam restorations.

(o) Placing and finishing composite resin or silicate cement restorations not including the cutting of any tooth or tissue. Nothing in this subsection shall be construed to limit remediable tasks to those specified therein.

(2) Notwithstanding subsection (1) a dentist may delegate the tasks of gingival curettage and root planning to a dental hygienist but not a dental auxiliary.

(3) The procedures described in paragraphs (l), (m), (n) and (o) of subsection (1) shall be performed under the direct supervision of a dentist and only by dental hygienists or dental auxiliaries who have completed formal educational requirements to be established by rule of the board, with a minimum of 100 classroom hours, part of which may be waived for a dental hygienist who has taken identical coursework as part of the curriculum of the dental hygiene college or school, and has successfully completed an examination on such procedures administered by the department. All other remediable tasks shall be performed under the direct, indirect or general supervision of a dentist, as determined by rule of the board, and after such formal or on the job training by the dental hygienist or dental auxiliary as the board by rule may require. The board by rule may establish a certification process for expanded duty dental auxiliaries, establishing such training or experience criteria or examinations as it deems necessary, and specifying which tasks may be delegable only to such auxiliaries. If the board does establish such a certification process, the department shall implement the application process for such certification and administer any examinations required.

On motions by Senator Henderson, the Senate refused to recede from Senate Amendments 4, 10, 12, 19 and 21; con-

curred in the House Amendment to Senate Amendment 15; refused to concur in the House Amendment to Senate Amendment 18 and the House was requested to recede.

On motion by Senator Dunn the Senate reconsidered the vote by which the Senate refused to concur in the House Amendment to Senate Amendment 18.

Senator Dunn moved the following amendment to House Amendment 1 to Senate Amendment 18 which was adopted by two-thirds vote:

Amendment 1—On page 1, strike all on lines 2-17 on page 1 and all on page 2, striking the inserted language.

On motion by Senator Dunn, the Senate concurred in the House amendment to Senate Amendment 18 as amended.

On motions by Senator Dunn, the Senate reconsidered the vote by which the Senate refused to recede from Senate Amendments 10, 12 and 21.

On motions by Senator Dunn, the Senate receded from Senate Amendments 10, 12 and 21.

HB 1822 passed as further amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

Mr. President	Gorman	McKnight	Steinberg
Anderson	Grizzle	Myers	Stuart
Carlucci	Hair	Neal	Thomas
Chamberlin	Henderson	Peterson	Tobiassen
Childers, D.	Hill	Poole	Ware
Childers, W. D.	Holloway	Scarborough	Williamson
Dunn	MacKay	Scott	
Fechtcl	Maxwell	Skinner	
Frank	McClain	Spicola	

Nays—None

On motion by Senator Dunn, the Senate reconsidered the vote by which HB 1822 passed.

On motion by Senator Dunn, the Senate reconsidered the vote by which the Senate refused to recede from Senate Amendment 19.

On motion by Senator Dunn, the Senate receded from Senate Amendment 19.

HB 1822 passed as amended. The vote was:

Yeas—24

Anderson	Fechtcl	Johnston	Steinberg
Carlucci	Gordon	McKnight	Tobiassen
Chamberlin	Gorman	Neal	Vogt
Childers, D.	Grizzle	Poole	Ware
Childers, W. D.	Hill	Scott	Williamson
Dunn	Jenne	Spicola	Winn

Nays—None

On motion by Senator MacKay, by two-thirds vote of the Senate the following bill was considered:

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 2; has amended Senate Amendment 1, concurred in same as amended and passed HB 553 as amended and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Young and others—

HB 553—A bill to be entitled An act relating to the district school system; amending s. 230.23(9)(b), Florida Statutes, 1978

Supplement, to delete certain restrictions on lease or lease-purchase arrangements between school boards and private individuals or corporations; amending s. 230.2311(1), Florida Statutes relating to early childhood and basic skills development programs; requiring basic skills to be developed through certain basic programs; adding subsection (6) to s. 236.013, Florida Statutes, defining the term "basic programs" as it relates to the Florida Education Finance Program; providing an effective date.

House Amendment 1 to Senate Amendment 1—On page 7, line 2, strike all of line 2 and insert: responsibilities.

Senator Peterson moved the following amendment to the House amendment to Senate amendment 1 which was adopted:

Amendment 1—On page 1 of House amendment strike everything after the page number and insert lines 2 through 18, strike all of lines 2 through 18 and insert responsibilities. *The school board shall provide for reimbursement of reasonable expenses for legal services for officers and employees of said boards who are charged with civil or criminal actions arising out of and in the course of the performance of assigned duties and responsibilities upon successful defense by the employee or officer. However, in any case in which the officer or employee pleads guilty or nolo contendere or is found guilty of any such action, the officer or employee shall reimburse the board for any legal services which the board may have supplied pursuant to this section. Each expenditure by determination of the school board to expend funds for legal defense of an officer or employee shall be made at a public meeting with notice pursuant to paragraph 120.53(1)(d). The providing of such legal services under the conditions described above is declared to be a district school purpose for which district school funds may be expended.*

Section 10. Section 228.071, Florida Statutes, is amended to read:

228.071 Community education school program.—

(1) **SHORT TITLE.**—This section shall be known and may be cited as the "Florida Community Education School Act of 1979."

(2) **PURPOSE.**—The community school is an expression of the philosophy that the school, as the prime educational institution of the community, is most effective when it involves the people of the community in a program designed to fulfill their educational, recreational, cultural, social, health, and other shared needs. The Community education school promotes a more efficient use of schools, school and other community public facilities through an extension of personnel, buildings, and equipment. The purpose of this section is to provide state leadership and financial support to encourage by encouraging and assist existing local school boards, districts, the board of trustees of the Florida School for the Deaf and the Blind, and other local governmental or nongovernmental agencies in the establishment and maintenance of community education schools.

(3) **DEFINITIONS.**—The following terms, wherever used or referred to in this section, have the following meanings unless a different meaning clearly appears from the context:

(a) "Community education school program" means:

1. *The process in which a school or other public or available facility is utilized as a community center operated in conjunction with educational, recreational, social, civic, cultural, health, and other public, private, and governmental organizations and agencies to provide educational, recreational, cultural, social, health, and community services for persons of all ages in the community in accordance with the needs, interests, and concerns of that community. Community education includes, but is not limited to, maximum utilization of human physical, and financial resources of a community in providing learning experiences and services for community members of all ages, systematic involvement of representative community members in the identification of needs and community involvement in suggesting or implementing organizational structures to meet these identified needs, and inter-agency coordination and cooperation; and*

2. *The composite of those activities and services described in a grant application of a board pursuant to rules of the State Board of Education provided to the citizens of the community by official authorization and as specified in the school board's community school plan.*

(b) "Community education school coordinator" means that person who is employed by a board school district on a full-

time basis to promote, organize, coordinate, and direct a community education school program.

(c) "Board" means a district school board or the board of trustees of the Florida School for the Deaf and the Blind.

(d) "Department" means the Department of Education.

(e) "Operational funds" means funds appropriated to provide a coordinator or director with supplies, materials, and part-time clerical assistance as provided by rules of the State Board of Education.

(4) **COMMUNITY EDUCATION GRANT SCHOOL PROGRAM.**—Pursuant to rules policies and regulations to be adopted by the State Board of Education, each school board and the board of trustees for the Florida School for the Deaf and the Blind may submit to the department a request for a community education school grant. A school board applying for a grant shall include in its grant application a description of its community education process school program. The district school board shall give priority to centers the programs serving the maximum number of persons within the limits of resources available and to programs which will allow for matching funds or for joint funding from the federal government or other public or private sources and which may be efficiently and effectively developed in conjunction with the community education school program.

(5) **COMMUNITY EDUCATION SCHOOL GRANTS.**—

(a) For those grant applications programs approved for funding, the department shall authorize distribution of a community education school grant not to exceed one-half of the total compensation salary of each person employed as a the community education school coordinator on a full-time basis by a board during the fiscal year for which a community education grant is authorized or \$6,000 per school year per community school.

(b) Pursuant to rules adopted by the State Board of Education, the department shall authorize distribution of operational funds.

(6) **TECHNICAL ASSISTANCE; CONSULTANTS.**—Upon the request of any school board or the board of trustees for the Florida School for the Deaf and the Blind, The department is authorized to shall provide such technical assistance as is necessary to develop and maintain submit a community education school program. The department may use its own staff or such consultants as may be necessary to accomplish this purpose.

(7) **RECOMMENDATIONS BY COMMISSIONER.**—The Commissioner of Education shall recommend the level of funding for the community education school program each fiscal year and make any other recommendations or reports he deems necessary or as required by rules regulations of the State Board of Education.

(8) **BUDGET.**—The department shall include in its legislative budget funds necessary to implement this section program.

(9) **USE OF SCHOOL PROPERTY.**—The buildings, land, equipment, and other property owned by a board local school districts may be used by the providers of community education school programs and services on a shared or leased basis.

(10) **JOINT PROPERTY.**—A board local school districts, jointly with other governmental bodies, may acquire, own, maintain, and dispose of real and personal property for use in community education schools.

Section 11. The presiding officer of any district school board may order the removal, from a public meeting held by the school board, of any person interfering with the expeditious or orderly process of such meeting, provided such officer has first issued a warning that continued interference with the orderly processes of the meeting will result in removal. Any law enforcement authority or a sergeant-at-arms designated by the officer shall remove any person ordered removed pursuant to this section.

Section 12. Paragraph (m) of subsection (1) of section 235.435, Florida Statutes, 1978 Supplement, is amended to read:

235.435 Funds for comprehensive educational plant construction and debt service.—The annual allocation from the Public Education Capital and Debt Service Trust Fund to each board, including the Board of Regents, for comprehensive construction and debt service shall be determined as follows:

(1) Pursuant to rules of the state board, the commissioner shall determine annually the projected educational plant and annual debt service needs for each board. In determining the needs of the state system of public education, the office shall recommend, and the commissioner shall use, equitably uniform standards for all types of like space, regardless of the level of education. These standards shall also establish a uniform utilization rate of 85 percent of all postsecondary classrooms, based on 45 hours per week Monday through Friday. The commissioner shall include at least the following elements:

2. Seven secondary school classroom teachers;
3. One elementary school principal;
4. One middle or junior high school principal;
5. One secondary school principal;
6. One supervisor; and
7. One superintendent.

[and renumber subsequent section.]

(m) Relocatables provided under ~~s. 235.211~~ shall be included in the school district inventory of educational facilities for boards, including the Board of Regents, but shall only be rated at one-half of actual student capacity for purposes of the inventory and future needs determination as provided under this section and s. 235.15. Relocatables acquired or constructed and in use prior to 1975 shall be rated at zero student capacity. Application of this subsection in the determination of available student capacity shall occur at the next regularly scheduled educational plant survey as required under s. 235.15, but no later than October 1, 1984.

On motion by Senator MacKay, the Senate concurred in the House Amendment to Senate Amendment 1 as amended.

On motion by Senator MacKay the Senate reconsidered the vote by which HB 553 passed June 1.

Senator Peterson moved the following amendment to the bill as amended which was adopted:

Section 13. Paragraph (c) of subsection (1) of section 231.40, Florida Statutes, is amended to read:

Amendment 3—On page 1 in title, line 2, after the semicolon insert: amending s. 228.071, Florida Statutes, the Florida Community School Act of 1970; changing the name of the act, its definitions, purpose, and all other segments of the act to provide for community education; providing for grants and technical assistance; authorizing the presiding officer of a district school board to order removal of persons interfering with the expeditious or orderly process of any public meeting held by the school board; providing for removal of such persons; amending s. 231.57(1)(b), Florida Statutes, 1978 Supplement; requiring one of the elementary school classroom teacher-members to be a representative of a nonpublic school; amending s. 235.435(1)(m), Florida Statutes, 1978 Supplement, to provide for capacity ratings of school district temporary portable and relocatable facilities; providing definitions of such facilities; amending s. 231.40(1)(c), Florida Statutes, providing a new basis for determining terminal pay for accumulated sick leave for instructional staff members; providing for conditional repeal;

231.40 Sick leave.—Any member of the instructional staff employed on a full-time basis in the public schools of the state who is unable to perform his duty in the school because of illness, or because of illness or death of father, mother, brother, sister, husband, wife, child, other close relative, or member of his own household and consequently has to be absent from his work shall be granted leave of absence for sickness by the superintendent or by someone designated in writing by him to do so. The following provisions shall govern sick leave:

HB 553 as amended passed and the action of the Senate was certified to the House. The vote on passage was:

(1) EXTENT OF LEAVE.—

(c) A school board may establish policies to provide terminal pay for accumulated sick leave to a member of the instructional staff at normal retirement or to his beneficiary if service is terminated by death. However, such terminal pay shall not exceed an amount determined as follows:

Yeas—36

1. During the first 3 years of service the daily rate of pay multiplied by 35 percent times the number of days of accumulated sick leave.

Anderson	Gordon	MacKay	Spicola
Barron	Gorman	Maxwell	Steinberg
Carlucci	Grizzle	McClain	Stuart
Chamberlin	Hair	McKnight	Thomas
Childers, D.	Henderson	Neal	Tobiassen
Childers, W. D.	Hill	Peterson	Vogt
Dunn	Holloway	Poole	Ware
Fechtcl	Jenne	Scarborough	Williamson
Frank	Johnston	Skinner	Winn

2. During the next 3 years of service the daily rate of pay multiplied by 40 percent times the number of days of accumulated sick leave.

3. During the next 3 years of service the daily rate of pay multiplied by 45 percent times the number of days of accumulated sick leave.

Nays—None

4. During and after the 10th year of service the daily rate of pay multiplied by 50 percent times the number of days of accumulated sick leave. by the daily rate of pay of the member of the instructional staff at retirement or death, multiplied by one-half of the total number of accumulated sick leave days credited to the member of the instructional staff at time of retirement or death or 60 days, whichever is less. "Normal retirement," as used in this subsection, shall mean retirement under plan A, B, C, D, or E of the Teachers' Retirement System or any other plan established by the legislature with either full or reduced benefits as provided by law or mandatory retirement due to the attainment of the age of 70 years. "Normal retirement" shall not be interpreted to include disability retirement.

On motions by Senator Johnston, by two-thirds vote HB 1643 was withdrawn from the Committees on Commerce and Judiciary-Civil and placed on the calendar, and by two-thirds vote of the Senate was considered.

Section 14. If chapter 231, Florida Statutes, is repealed in accordance with the intent expressed in the Regulatory Reform Act of 1976, as amended by chapter 77-457, Laws of Florida, or as subsequently amended, it is the intent of the Legislature that this act shall also be repealed on the same date as is therein provided.

HB 1643—A bill to be entitled An act relating to the Uniform Commercial Code; amending s. 671.105(2)(e), Florida Statutes, relating to the application of the code; amending s. 671.201(9) and (37), Florida Statutes, redefining the terms "buyer in ordinary course of business" and "security interest"; amending s. 672.107(1) and (2), Florida Statutes, including oil and gas within the term minerals as goods; amending s. 672.702(3), Florida Statutes, eliminating lien creditors with respect to seller's remedies under certain circumstances; amending s. 675.116(2), Florida Statutes, clarifying language relating to transfers and assignments; amending s. 679.102(1), Florida Statutes, relating to the policy and subject matter of the secured transactions provisions of the Uniform Commercial Code; amending s. 679.103, Florida Statutes, relating to the perfection of security interests in multiple state transactions; amending s. 679.104(1), (5), (6), (7), (8), and (11), Florida Statutes, and adding subsection (12) thereto, relating to transactions excluded from the secured transactions provisions of the Uniform Commercial Code; amending s. 679.105(1), (2), and (3), Florida Statutes, redefining various terms and adding the terms "deposit account," "encumbrance," "mortgage," "advances made "pursuant to a commitment," and "transmitting utility"; creating a new subsection (5); providing legislative intent; amending s. 679.106, Florida Statutes, redefining the terms "account" and "general intangibles" and eliminating the definition of the term "contract right"; creating s. 679.114, Florida

Section 15. Paragraph (b) of subsection (1) of section 231-57, Florida Statutes, 1978 Supplement, is amended to read:

231.57 Professional Practices Council.—

(b) The council shall be composed of:

1. Seven elementary school classroom teachers, at least one of whom must be a middle school teacher and at least one of whom shall be a representative of a nonpublic school;

Statutes, relating to consignment; amending s. 679.203, Florida Statutes, combining the concepts of attachment and enforceability of security interests; amending s. 679.204, Florida Statutes, relating to after-acquired property and future advances; amending s. 679.205, Florida Statutes, relating to the use or disposition of collateral without accounting; amending s. 679.301, Florida Statutes, relating to persons who take priority over unperfected security interests and to the rights of lien creditors; amending s. 679.302(1)(c) and (e), (3), and (4), Florida Statutes, and adding paragraph (g) to subsection (1) of said section, relating to the use of filing to perfect security interests; amending s. 679.304(1) and (5)(a), Florida Statutes, relating to the perfection of certain security interests; amending s. 679.305, Florida Statutes, deleting the term "instruments" from a list of collateral in which a security interest may be perfected by possession, without filing; amending s. 679.306(1), (2), (3), and (4), Florida Statutes, relating to proceeds and the secured party's rights on the disposition of collateral; amending s. 679.307(2), Florida Statutes, relating to the protection of a buyer of goods under the code; amending s. 679.308, Florida Statutes, relating to the purchase of chattel paper and instruments; amending s. 679.312(1), (3), (4), (5), and (6), Florida Statutes, 1978 Supplement, and adding subsection (7) thereto, relating to priorities among conflicting security interests in collateral; amending s. 679.318(2), (3), and (4), Florida Statutes, relating to defenses against an assignee; amending s. 679.401, Florida Statutes, relating to filing to perfect a security interest; amending s. 679.402, Florida Statutes, relating to financing statements; amending s. 679.403(2), (3), (4), and (5), Florida Statutes, and adding subsections (6) and (7) thereto, relating to what constitutes filing, the duration of filing, the effect of lapsed filing and the duties of the filing officer; amending s. 679.404, Florida Statutes, relating to termination statements; amending s. 679.405(1) and (2), Florida Statutes, relating to assignments of security interests; amending s. 679.406, Florida Statutes, relating to the release of collateral; amending s. 679.407(1), Florida Statutes, relating to duties of filing officers; creating s. 679.408, Florida Statutes, relating to filings by consignors or lessors; amending s. 679.501(3), Florida Statutes, relating to default; amending s. 679.502(2), Florida Statutes, relating to the collection rights of secured parties; amending s. 679.504(1)(a), (2), and (3), Florida Statutes, relating to the secured party's right to dispose of collateral after default and the effect of disposition; amending s. 679.505(2), Florida Statutes, relating to compulsory disposition of collateral; amending s. 680.101, Florida Statutes, relating to the effective date and transition period under the Uniform Commercial Code; creating s. 680.108, Florida Statutes, relating to transition provisions on place of filing; creating s. 680.109, Florida Statutes, relating to required refilings; creating s. 680.110, Florida Statutes, providing for transition provisions with respect to priorities; creating s. 680.111, Florida Statutes, providing a presumption; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 1643 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gordon	Maxwell	Stuart
Anderson	Gorman	McClain	Thomas
Barron	Grizzle	McKnight	Tobiassen
Carlucci	Hair	Neal	Vogt
Chamberlin	Henderson	Peterson	Ware
Childers, D.	Hill	Poole	Williamson
Childers, W. D.	Holloway	Scarborough	Winn
Dunn	Jenne	Skinner	
Fechtcl	Johnston	Spicola	
Frank	MacKay	Steinberg	

Nays—None

On motion by Senator Anderson, by two-thirds vote of the Senate the following bill was considered:

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 12, 14, and 16; has amended Senate Amendments 13 and 15, concurred in same as amended and passed CS for HB 109 as amended and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Appropriations and Representative Robinson and others—

CS for HB 109—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.051(1)(a), Florida Statutes, 1978 Supplement, providing that legislators are not subject to the compulsory participation requirements of the system; amending s. 121.052(1), Florida Statutes, 1978 Supplement, providing that legislators elected to office after July 1, 1980, may elect to become members of the Elected State Officers' Class of the Florida Retirement System or not participate at all; providing a 6-month option period; providing that legislators elected on or before July 1, 1980, shall remain in the system unless they elect, prior to January 1, 1981, to withdraw therefrom; directing the administrator to refund legislators' contributions to the system under certain circumstances; providing an effective date.

House Amendment 1 to Senate Amendment 13—Strike: Senate Amendment 13 and insert: after "unless" on page 3, line 7, "such legislator is a participant, or is intending to participate, in any plan qualified under Subchapter D, Chapter 1, Subtitle A of the Internal Revenue Code of 1954, as amended and in effect on January 1, 1979 and unless"

House Amendment 1 to Senate Amendment 15—On page 2, line 29, strike Senate Amendment 15 and insert: after "1980," on page 2 line 29 "who is a participant, or is intending to participate, in any plan qualified under Subchapter D, Chapter 1, Subtitle A of the Internal Revenue Code of 1954, as amended and in effect on January 1, 1979"

On motions by Senator Anderson, the Senate concurred in the House Amendments to Senate Amendments 13 and 15.

CS for HB 109 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McClain	Steinberg
Barron	Grizzle	McKnight	Stuart
Carlucci	Hair	Myers	Thomas
Chamberlin	Henderson	Neal	Tobiassen
Childers, D.	Hill	Peterson	Vogt
Childers, W. D.	Holloway	Poole	Ware
Dunn	Jenne	Scarborough	Williamson
Fechtcl	Johnston	Scott	Winn
Frank	MacKay	Skinner	

Nays—None

The Honorable Philip D. Lewis, President

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

SB 128	SB 129	CS for SB 370
SB 487	CS for SB 864	SB 866
SB 955	CS for SB 958	SB 1016
SB 1176	SB 1316	CS for SB 705

Allen Morris, Clerk

The bills contained in the above message were ordered enrolled.

On motion by Senator Scarborough, the Senate recessed at 5:30 p.m., awaiting the call of the President.

The Senate was called to order by Senator Scarborough at 6:10 p.m. A quorum present.

On motion by Senator Scarborough, the Senate recessed at 6:18 p.m. to reconvene at 6:45 p.m.

The Senate was called to order by the President at 6:45 p.m. A quorum present.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of June 1 was corrected and approved.

On motion by Senator Barron, the Senate adjourned at 6:55 p.m. to reconvene at 3:00 p.m. Monday, June 4, 1979.