

# JOURNAL OF THE SENATE

Tuesday, April 25, 1967

The Senate was called to order by the President Pro Tempore at 11:00 a.m. The following Senators were recorded present:

Mr. President	de la Parte	Hollahan	Sayler
Askew	Edwards	Horne	Slade
Bafalis	Elrod	Johnson	Spencer
Barron	Fincher	Knopke	Stockton
Barrow	Fisher	Lane	Stolzenburg
Bell	Friday	McClain	Stone
Boyd	Gibson	Mathews	Thomas
Broxson	Gong	O'Grady	Weber
Chiles	Griffin	Ott	Weissenborn
Clayton	Gunter	Plante	Wilson
Cross	Haverfield	Poston	Young
Deeb	Henderson	Reuter	

47. A quorum present.

Excused: Senator Shevin.

Prayer by the Senate Chaplain, Reverend T. Newton Wise:

Eternal God, our heavenly father. We would not be true to the deep feelings of our soul lest we paused a moment to express our gratitude to thee for the beauty of this spring morning, for the strength of our nation and glory of our flag; for the warmth of friends and the challenge of duty. Come close to each one of us this day and beyond the power of any human prayer, meet thou our secret inner needs. Oh God, bless our beloved state. Bless all who are in places of responsibility, here in the Senate and in other places of trust. May we unite our best efforts to give thy people sound government and the joys of life. In the name of God, we pray. Amen.

The reading of the Journal was dispensed with.

The Journal of April 24 was corrected and approved as follows: Page 151, counting from the bottom of column 2, line 1 strike "799" and insert 790

Page 161, column 2, between lines 20 and 21 insert the following: The bill was ordered engrossed.

Page 164, column 2, between lines 9 and 10 insert the following: The bill was ordered engrossed.

## REPORTS OF COMMITTEES

The Committee on Education—Public Schools and Junior Colleges recommends the following pass:

SB 300

The bill was placed on the Calendar.

The Committee on Mental Health, Retardation and State Institutions recommends the following pass:

SB 449

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

The Committee on Mental Health, Retardation and State Institutions recommends the following pass:

SB 280

The bill was placed on the Calendar.

The Committee on Mental Health, Retardation and State Institutions recommends the following pass:

SB 236 SB 238

The bills were referred to the Committee on Judiciary "A" under the original reference.

The Committee on Agriculture and Livestock recommends the following pass:

SB 448 SB 485 SB 522

The bills were placed on the Calendar.

The Committee on Agriculture and Livestock recommends the following not pass:

SB 527

The bill was laid on the table.

The Committee on Agriculture and Livestock recommends the following pass:

SB 378 with 1 amendment SB 470 with 4 amendments

The bills were referred to the Committee on Judiciary "A" under the original reference.

The Committee on Ethics and Privileged Businesses recommends the following pass:

SB 146 with 2 amendments SB 189 with 1 amendment

The bills were placed on the Calendar.

The Committee on Ethics and Privileged Businesses recommends the following pass:

SB 75 with 4 amendments SB 199 with 2 amendments

The bills were referred to the Committee on Finance and Taxation under the original reference.

The Committee on Judiciary "B" recommends the following be adopted:

SCR 438

The Resolution was placed on the Calendar.

The Committee on Judiciary "B" recommends the following pass:

SB 124	SB 242
SB 154 with 1 amendment	SB 103
SB 196	SB 214 with 1 amendment
SB 43 with 1 amendment	HB 14
SB 241	HB 40

The bills were placed on the Calendar.

The Committee on Transportation and Safety recommends the following pass:

SB 166 with 3 amendments

The bill was placed on the Calendar.

The Committee on Transportation and Safety recommends the following pass:

SB 168 with 1 amendment

The bill was referred to the Committee on Public Roads and Highways under the original reference.

The Committee on Transportation and Safety recommends the following pass:

SB 153 with 1 amendment

The bill was referred to the Committee on Judiciary "A" under the original reference.

The Committee on Transportation and Safety recommends the following not pass:

SB 131

The bill was laid on the table.

The Committee on Urban Affairs and Local Government recommends the following pass:

SB 392 HB 12  
HB 10 with 2 amendments

The bills were placed on the Calendar.

The Committee on Urban Affairs and Local Government recommends the following pass:

SB 250

The bill was referred to the Committee on Judiciary "B" under the original reference.

The Committee on Judiciary "A" recommends the following pass:

HB 66 with 1 amendment      HB 89 with 2 amendments  
HB 69 with 1 amendment

The bills were placed on the Calendar.

The Committee on Judiciary "A" recommends the following not pass:

SB 334

The bill was laid on the table.

### ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

SB 26 with 1 amendment      SB 169 with 1 amendment  
SB 133 with 1 amendment      SB 225 with 1 amendment  
SB 137 with 3 amendments      SB 297 with 5 amendments  
SB 139 with 1 amendment      SB 332 with 2 amendments  
CS for SB 29 with 1 amendment

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

EDWIN G. FRASER  
Secretary of the Senate

The bills were certified to the House.

Your Engrossing Clerk to whom was referred—

SB 134 with 1 amendment

—reports that the House amendment has been incorporated and the bill is returned herewith.

EDWIN G. FRASER  
Secretary of the Senate

The bill was ordered enrolled.

### INTRODUCTION

By Senators Shevin, Thomas, Fisher, Bafalis and Haverfield—

SB 567—A bill to be entitled An act relating to parole; amending section 947.16(1), Florida Statutes, relating to eligibility by changing the requirements as length of time; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary "B".

By Senators Saylor, Deeb, de la Parte, McClain, Hollahan, Knopke, Ott, Young and Wilson—

SB 568—A bill to be entitled An act relating to the construction of a regional community center for the mentally retarded in Pinellas county; providing an appropriation; providing an effective date.

Was read the first time by title and referred to the Committees on Mental Health, Retardation and State Institutions; and Appropriations.

By Senators Ott and McClain—

SJR 569—A joint resolution proposing amendments to sections 8 and 10, and repealing section 10A, of article XII, Florida constitution, relating to education; amending section 8 by providing a maximum tax assessment of twenty (20) mills; amending section 10 by providing that each county constitute one (1) school district, abolishing the office of county special tax school district trustee, and eliminating special tax school district millage elections.

Was read the first time in full and referred to the Committees on Rules and Calendar; and Finance and Taxation.

By Senator Barrow—

SB 570—A bill to be entitled An act providing for the effect of the closing of any public highway, road, street or other place

of travel without the corporate limits of any municipality which is bordered on one side by a body of water and that the legal title to such vacated public highway, road, street or other place of travel shall inure to the upland owner; providing that the county by reason of ownership of a street shall not be deemed to be an upland owner.

Was read the first time by title and referred to the Committees on Public Roads and Highways; and Judiciary "A".

By Senator Barrow—

SB 571—A bill to be entitled An act authorizing the creation of special county water and sewer district; providing for the manner of creation and incorporation thereof; providing that after creation such special county water and sewer districts shall have, and enjoy the same rights, powers and duties as county water and sewer districts created under chapters 153.50 to 153.88, inclusive, Florida Statutes (the same being chapter 59-466, General Laws of Florida, 1959, as amended), including but not limited to the same authority to govern, operate, maintain, regulate and control, construct, acquire or purchase water and sewer systems or any combination thereof and improvements, additions and extensions thereto and the operation thereof; to finance, construct, acquire and purchase systems by the issuance of revenue bonds or assessment bonds or certificates of indebtedness or any combinations thereof; and the exercise of same authority as a county water and sewer district relating to the defraying of the cost of operation and maintenance and other corporate purposes, the fixing of rates and collecting of charges for use of such systems and the levy and collection of special assessments on property benefited by the construction or acquisition or the operation of the systems; and, granting to the holders of securities issued pursuant to this law the same rights and remedies and privileges granted to holders of similar securities issued pursuant to any provision of chapter 153.50 to 153.88, inclusive; providing that notwithstanding the provisions of chapter 153.50 to 153.88, inclusive, Florida Statutes, no special water or sewer district shall be authorized to issue general obligation bonds, nor to levy any ad valorem taxes for the payment of any such bonds or for any other purpose; providing that special water and sewer districts may contract with any private party or corporation for the operation of such systems and to contract, subject to certain conditions, for the furnishing of water or sewer service to users without or within the district.

Was read the first time by title and referred to the Committees on Urban Affairs and Local Government; and Judiciary "B".

By Senators Poston, Deeb, Stone, Hollahan, McClain, de la Parte, Gong and Haverfield—

SB 572—A bill to be entitled An act relating to contractors; authorizing boards of county commissioners to require contractors to obtain certificates before engaging in business; providing for examination; providing exemptions; authorizing fees; providing for revocation of certificates; providing for the expenditure of funds; providing for referendum; providing an effective date.

Was read the first time by title and referred to the Committees on Urban Affairs and Local Government; and Judiciary "B".

By Senators Deeb and Wilson—

SB 573—A bill to be entitled An act relating to probation, amending section 948.03(1), Florida Statutes; providing additional terms and conditions of probation; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary "B".

By Senator Barron—

SB 574—A bill to be entitled An act relating to the insurance code; amending section 627.0851, Florida Statutes, by adding a new subsection (1) setting forth a declaration of policy; by renumbering subsection (1) of section 627.0851, Florida Statutes, as subsection (2) and amending said subsection to provide the option of rejecting uninsured motorist coverage to lessee of a vehicle leased for one year or more; by renumbering subsection (2) of section 627.0851, Florida Statutes, as subsection (3); by renumbering subsection (3) of section 627.0851, Florida Statutes, as subsection (4); by renumbering subsection

(4) of section 627.0851, Florida Statutes, as subsection (6); by amending section 627.0851, Florida Statutes, by providing for a new subsection (5) providing for terms and conditions of uninsured motorist coverage, limiting recovery to persons insured thereunder to financial responsibility limits, whether insured under one or more policies covering uninsured motorist coverage or covered by uninsured motorist coverage and workmen's compensation coverage and requiring coverage on the vehicle in which the injured person is riding, if any, to be primary coverage; and providing for an effective date.

Was read the first time by title and referred to the Committee on Insurance.

By Senator Barron—

SB 575—A bill to be entitled An act relating to the insurance code; amending subsection (3) of section 626.221, section 626.0216, part VI of chapter 626 by adding sections 626.04071 and 626.05072, and subsection (2) of section 627.0404, Florida Statutes; providing exemption from examination of certain applicants for license as life insurance agent, extending reciprocal nonresident life insurance agent license privilege to residents of Canada; and providing an effective date.

Was read the first time by title and referred to the Committee on Insurance.

By Senator Barrow—

SB 576—A bill to be entitled An act relating to the taxation of court costs in cases wherein the State of Florida or any county, board of county commissioners, county board of public instruction, or any officer, department and agency of such state, county or boards, may be parties in such cases.

Was read the first time by title and referred to the Committee on Judiciary "A".

By Senator Barron—

SB 577—A bill to be entitled An act relating to the insurance code amending subsection (2) of section 624.0312, Florida Statutes, to provide that an insurer operating in two states and one (1) or more foreign countries may qualify as a regional home office; and providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary "A".

By Senator Barron—

SB 578—A bill to be entitled An act relating to the insurance code amending chapter 629, Florida Statutes, (reciprocal insurance) by repealing sections 629.071, 629.081, 629.111, 629.121, 629.131, 629.141, 629.151, 629.161, 629.191, 629.201, repealing subsections (1) and (2) of section 629.211 and transferring subsection (3) thereof to section 629.221 and renumbering current subsections (1) and (2) of section 629.221 as subsections (2) and (3) thereof, repealing sections 629.231, 629.241, 629.251, amending subsection (1) of 629.261, repealing subsection (3) thereof, repealing sections 629.281, 629.291, 629.301, and adding a new section 629.302, to prohibit the formation of domestic reciprocal insurers and to conform chapter 629, Florida Statutes, to this purpose; and providing an effective date.

Was read the first time by title and referred to the Committee on Insurance.

By Senator Barron—

SB 579—A bill to be entitled An act relating to the insurance code; amending part VI of chapter 626, Florida Statutes, by adding sections 626.05071 and 626.05072, Florida Statutes, relating to unauthorized insurers; subjecting unauthorized insurers to the jurisdiction of the insurance commissioner; providing method of substitute service; imposing a penalty; and providing an effective date.

Was read the first time by title and referred to the Committee on Insurance.

By Senator Barron—

SB 580—A bill to be entitled An act relating to the state fire marshal amending section 633.01, Florida Statutes, to refer to the state treasurer and insurance commissioner as state fire marshal in chapter 633, Florida Statutes, and to

specify and define the powers and duties of the state fire marshal; amending section 633.05, Florida Statutes, to specify and define the rule-making authority of the state fire marshal; amending section 633.051(1), Florida Statutes, to require thirty (30) instead of sixty (60) days notice of public hearing and to require ten (10) instead of sixty (60) days before effective date of rules and regulations, and dispensing with publication; and providing an effective date.

Was read the first time by title and referred to the Committee on Governmental Reorganization.

By Senator Barron—

SB 581—A bill to be entitled An act relating to arson; amending sections 806.05, Florida Statutes; adding sections 806.061 and 806.111 to chapter 806, Florida Statutes; providing penalties for attempts to burn, for making false and fraudulent claim under a fire insurance policy, for certain possession, manufacture or disposal of fire bombs; and providing an effective date.

Was read the first time by title and referred to the Committees on Insurance and Judiciary "A".

By Senator Barron—

SB 582—A bill to be entitled An act relating to public education; authorizing county boards of public instruction to construct school facilities on land leased from a governmental agency; providing an effective date.

Was read the first time by title and referred to the Committee on Education—Public Schools and Junior Colleges.

By Senator Barron—

SB 583—A bill to be entitled An act relating to the insurance code; amending subsection (2) of section 627.0404, Florida Statutes, relating to trustee group life insurance by removing the restriction that an individual proprietor or partner must have five (5) or more full time employees other than his parents, spouse, or children to participate in a trustee group; and providing an effective date.

Was read the first time by title and referred to the Committee on Insurance.

By Senator Barron—

SB 584—A bill to be entitled An act relating to outdoor recreation and conservation; amending chapter 375, Florida Statutes, by deleting all provisions relating to the outdoor recreational planning committee; providing for the development of a multipurpose state outdoor recreation and conservation plan; deleting land management division of trustees of the internal improvement fund; creating an inter-agency advisory committee; authorizing council to sell and dispose of land; providing an effective date.

Was read the first time by title and referred to the Committee on Water Conservation, Salt Water and Natural Resources.

By Senator Barrow—

SB 585—A bill to be entitled An act authorizing and providing procedure for the consolidation and merger of any domestic corporation into a domestic corporation not for profit; providing that the consolidation and merger and agreement of merger of the corporation not for profit need be approved by its governing board of directors or governors only; providing for the fees payable with respect thereto and that after any such consolidation or merger the surviving corporation shall operate under the law as a non profit corporation and shall not operate as a corporation for profit.

Was read the first time by title and referred to the Committee on Judiciary "A".

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Fincher, by two-thirds vote, SB 459 was also referred to the Committee on Retirement and Claims.

On motion by Senator Boyd, by two-thirds vote, SB 353 was also referred to the Committee on Education—Public Schools and Junior Colleges.

On motion by Senator de la Parte, by two-thirds vote, SB 361 was withdrawn from the Committee on Health and Welfare and re-referred to the Committee on Mental Health, Retardation and State Institutions.

On motion by Senator Haverfield, by two-thirds vote, Senate Bills 216, 217 and 218 were withdrawn from the Committee on Ethics and Privileged Businesses.

On motion by Senator Askew, by two-thirds vote, SB 542 was also referred to the Committee on Appropriations.

On motion by Senator de la Parte, the Committee on Mental Health, Retardation and State Institutions was granted an additional 15 days for the consideration of SB 155.

On motion by Senator Chiles, the Committee on Ethics and Privileged Businesses was granted an additional 10 days for the consideration of Senate Bills 113 and 118.

On motion by Senator Gong, the Committee on Apportionment, Resolutions and Memorials was granted an additional 10 days for the consideration of Senate Concurrent Resolutions 127 and 207, Senate Memorials 318 and 347, and House Concurrent Resolutions 39 and 3.

On motion by Senator Gunter, the Committee on Citrus was granted an additional 15 days for the consideration of SB 203.

On motion by Senator Horne, the Committee on Judiciary "B" was granted an additional 10 days for the consideration of Senate Bills 82, 123, 144, 167 and 180.

On motion by Senator Mathews, by two-thirds vote, SB 371, SB 372 and SB 373 were also referred to the Committee on Rules and Calendar.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages were read:

*The Honorable Verle A. Pope* April 25, 1967  
*President of the Senate*

Sir:

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

SB 119

SB 231

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The bills, contained in the above message, were ordered enrolled.

*The Honorable Verle A. Pope* April 25, 1967  
*President of the Senate*

Sir:

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

SB 136

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The bill, contained in the above message, was ordered enrolled.

*The Honorable Verle A. Pope* April 25, 1967  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendments to—

HB 112

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

*The Honorable Verle A. Pope* April 24, 1967  
*President of the Senate*

Sir:

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

By Representative Lewis and others—

HB 13—A bill to be entitled An act relating to the opening and closing of polls, amending section 100.011, Florida Statutes, to extend the closing hour of the polls.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 13, contained in the above message, was read the first time by title and referred to the Committee on Judiciary "B".

*The Honorable Verle A. Pope*  
*President of the Senate*

April 24, 1967

Sir:

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

By Representative Briggs and others—

HCR 189—A concurrent resolution commending Clarence R. Walker, Escambia County, Florida, retired manager of Escambia County Agricultural Stabilization Conservation services, past president and director of Escambia County Farm Bureau, farmer, fisherman, friend, advisor, dedicated public servant, statesman, leader, and interested citizen.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HCR 189, contained in the above message, was read the first time in full and referred to the Committee on Apportionment, Resolutions and Memorials.

*The Honorable Verle A. Pope*

April 24, 1967

Sir:

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

By the Committee on Local Government—

CS for HB 87—A bill to be entitled An act relating to boards of county commissioners, zoning and building regulations; authorizing all boards of county commissioners to adopt zoning and building regulations in the unincorporated areas within their respective counties; authorizing boards of county commissioners to divide said territory into districts or zones, and to regulate and redistrict the uses of lands, water, buildings and other structures for trade, industry, residence or other purposes; authorizing the adoption, change and enforcement of codes; providing for the method of procedure and appointment of a zoning board and prescribing its powers and duties; and of administrative officials and their powers and duties; providing for appeals; authorizing fees to be charged; authorizing expenditures to carry out the provisions of this act, prescribing procedures of enforcing the rules, orders and regulations adopted under authority of this act; prescribing penalties for the violation of this act or any related code, providing for local referendum; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

CS for HB 87, contained in the above message, was read the first time by title and referred to the Committees on Urban Affairs and Local Government; and Judiciary "B".

#### HOUSE CONCURRENT RESOLUTION ON SECOND READING

HCR 581—A concurrent resolution in Memoriam Dr. Kathryn Abbey Hanna.

WHEREAS, on the 16th day of April, 1967, in the death of Dr. Kathryn Abbey Hanna, who had long been an able and faithful servant to her community and state, making unique

and invaluable contributions to the cultural and political progress of this state and nation and laboring long and successfully to make the citizens of Florida aware of their unusual past and of their opportunities to build a better tomorrow; and

WHEREAS, this dedicated woman was appointed by a succession of Florida governors to serve on the state library board, Florida citizens committee on education, the Florida board of parks and historical memorials, the quadricentennial commission, and the Florida constitution advisory commission; and

WHEREAS, the contributions made by this truly great woman to the betterment of government and humanity in general are such that the members of the Florida legislature would record an expression of recognition, appreciation and bereavement, NOW, THEREFORE,

*Be It Resolved by the House of Representatives of the State of Florida, the Senate Concurring:*

That there is hereby recorded this testimonial to her who so nobly lived and so graciously and unstintingly gave of her time and talents for the benefit of her fellow man.

IN MEMORIAM

DR. KATHRYN ABBEY HANNA

Kathryn Abbey Hanna was born in Chicago on November 5, 1895. She was graduated from Northwestern College, received an honorary degree from Rollins College, was awarded a citation from the University of Florida, and was decorated by the French government.

In 1941, she was married to Dr. A. J. Hanna, and they resided in Winter Park, Florida. She attended the Episcopal Church, was a member of the Florida Federation of Women's Clubs, League of Women Voters, Advisory Board of the American Scholar, and the National Society of Colonial Dames.

BE IT FURTHER RESOLVED that a copy of this Concurrent Resolution be spread upon the Journals of the House of Representatives and the Senate and that copies be forwarded to her husband, Dr. A. J. Hanna, Winter Park, Florida, President Hugh McKean, Rollins College, Winter Park, Florida, and her brother, Stuart C. Abbey, Chicago, Illinois, by the Secretary of State under the Great Seal of the State of Florida, with the condolences of the respective bodies of this Legislature.

Was taken up and read the second time in full. On motion by Senator Gunter, HCR 581 was unanimously adopted and certified to the House.

MOTIONS TO RECONSIDER

The motion by Senator Stockton that the Senate reconsider the vote by which—

SM 558—A memorial requesting the congress of the United States to propose an amendment to the constitution of the United States to provide for election of the president by a direct vote of the people.

—was adopted on April 24, was taken up.

The question was put and the Senate refused to reconsider. Senator Stockton was recorded as voting "Yea".

The motion by Senator Elrod that the Senate reconsider the vote by which—

SB 133—A bill to be entitled An act relating to elections; amending section 98.082, Florida Statutes, providing that electors who request removal of their names from the registration books shall not register in a different party until after the next general election; providing an effective date.

—passed as amended on April 24, was taken up.

The question was put and the Senate refused to reconsider.

The vote was:

Yeas—22

Bafalis	Deeb	Johnson	Saylor
Barrow	Fisher	Lane	Slade
Bell	Gong	McClain	Stockton
Clayton	Henderson	Reuter	Stolzenburg

Stone Thomas	Weber Weissenborn	Wilson	Young
Nays—22			
Mr. President	de la Parte	Gunter	Ott
Askew	Elrod	Haverfield	Plante
Barron	Fincher	Hollahan	Poston
Boyd	Friday	Knopke	Spencer
Broxson	Gibson	Mathews	
Chiles	Griffin	O'Grady	

SENATE BILLS ON SECOND READING

SB 233—A bill to be entitled An act providing for a referendum to be submitted to the electorate of Florida at the next general election on the question of whether Florida shall exempt itself from the daylight savings time provision of section 3(a) of public law 89-387, as enacted by the 89th Congress of the United States; providing an effective date.

Was taken up. On motion by Senator Chiles, the rules were waived and SB 233 was read the second time by title.

The Committee on Ethics and Privileged Businesses offered the following amendment which was adopted on motion by Senator Chiles:

In Section 1, line 1, page 1, strike the word "general," and insert the word, state-wide.

The Committee on Ethics and Privileged Businesses also offered the following amendment which was adopted on motion by Senator Chiles:

In Section 2, line 2, page 1, strike: the word "general," and insert the word state-wide.

The Committee on Ethics and Privileged Businesses also offered the following amendment which was adopted on motion by Senator Chiles:

In the title, line 3, page 1, strike the word "general", and insert the word, state-wide.

On motion by Senator Chiles, the rules were waived and SB 233 as amended was read the third time in full and failed to pass. The vote was:

Yeas—20

Mr. President	Chiles	Gibson	Knopke
Askew	Cross	Gong	O'Grady
Barron	de la Parte	Griffin	Ott
Bell	Edwards	Gunter	Poston
Broxson	Fisher	Haverfield	Thomas

Nays—26

Bafalis	Henderson	Plante	Stone
Barrow	Hollahan	Reuter	Weber
Clayton	Horne	Saylor	Weissenborn
Deeb	Johnson	Slade	Wilson
Elrod	Lane	Spencer	Young
Fincher	McClain	Stockton	
Friday	Mathews	Stolzenburg	

PAIR

The following Pair was announced by the Secretary:

I am paired with Senator Shevin on SB 233.

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

Dated April 25, 1967

Wilbur Boyd  
Senator, 31st District

EXPLANATION OF VOTE

I voted against SB 233 because there is a serious constitutional question on whether a general law can have a referendum attached.

William Dean Barrow  
Senator, 3rd District

SB 70—A bill to be entitled An act defining and regulating the business of building construction and contracting in this state; creating the Florida Construction Industry Licensing

**Board; fixing qualifications of members and providing powers and duties of such Board; fixing registration and certification procedures and fees therefor; providing exemptions; providing penalties; providing effective date.**

With the following pending amendment offered by the Committee on Judiciary "A" was taken up, having been temporarily deferred on April 24:

In Section 6, Subsection (3), line 1, page 7, strike: entire subsection (3) and insert the following: (3) Following receipt of the fee and application and successful completion of the examination, the board shall investigate the financial responsibility and credit, and business reputation of the applicant and of any business organization on behalf of which he proposes to engage in contracting, as well as the education and experience of the applicant. Within thirty (30) days from the date of the examination, the board shall inform the applicant in writing whether he has qualified or not and, if the applicant has qualified, that it is ready to issue a certificate in the category for which application was made, subject to compliance with the requirements of subsection (4) of this section.

The foregoing amendment was adopted on motion by Senator Poston.

The Committee on Judiciary "A" also offered the following amendment which was adopted on motion by Senator Poston:

In Section 7, page 8, strike: entire section 7 and insert the following: Section 7. Partnerships, corporations, and trusts.— (1) Application shall be received only from individuals and registration or certification, when granted, shall be issued only to an individual. If the applicant proposes to engage in contracting on behalf of a partnership, or a corporation, or a business trust, the applicant shall state the name of the partnership and of its partners, or the name of the corporation and of its officers and directors, or the name of the business trust and of its trustees, and furnish evidence of statutory compliance if a fictitious name is used. At least one member of a partnership, or one officer or director of a corporation, or one trustee of a business trust shall hold a current certificate in the category of business conducted by the partnership, corporation, or business trust.

(2) The applicant shall furnish evidence from the partnership, corporation, or business trust that he is legally qualified to act for it in all matters connected with its contracting business and his authority to supervise construction undertaken by the partnership, corporation, or business trust.

(3) The name of the partnership, or the corporation, or the business trust shall appear below the individual's name on the certificate. If the individual should cease to engage in contracting on behalf of such partnership, corporation, or business trust, he shall inform the board as provided in section 10, subsection (2) of this act. He shall also inform the board in writing when he proposes to engage in contracting on behalf of another business organization and shall supply the same information about such organization as provided in subsections (1) and (2) above.

After an investigation of the financial responsibility and credit reputation of the new business organization which is favorable, then upon surrender of his certificate, the board shall forthwith furnish the individual without charge a new certificate reflecting the name of the new business organization below the individual's name.

The Committee on Judiciary "A" offered the following amendment which was adopted on motion by Senator Poston:

In Section 14 following subsection (13), page 17, insert the following: (14) Any person as defined and licensed under chapter 527, Florida Statutes.

Senator Poston offered the following amendment which was adopted:

Page 6, at the end of Section 5 insert a new subsection 4 to read as follows: The Board may receive an application on prescribed forms with supporting data; and upon finding of fact supporting the need or justification, the Board may grant a limited and restricted registration to a contractor not domiciled in the State of Florida for one project. Renewal application or registration cannot be granted. During such registration the Board shall have complete authority to require compliance with this and other Statutes of the State of Florida.

Senator Poston also offered the following amendment which was adopted:

In Section 13, page 14, after subsection 3, insert a new subsection as follows: (4) Nothing in this chapter shall be construed to waive any requirements of any existing local ordinance or resolution of a board of county commissioners regulating the type of work required to be performed by specialty contractor. Renumber subsections (4)-(10) as subsections (5)-(11)

**Senator Horne presiding.**

**The President presiding.**

On motion by Senator Poston, the rules were waived and further consideration of SB 70 as amended was deferred, the bill retaining its place on the Calendar.

#### CO-INTRODUCERS

By permission, Senator Weber was recorded as a co-introducer of SB 386.

By permission, Senator Barrow was recorded as a co-introducer of Senate Bills 301, 353, 355, 356 and 357.

By permission, Senator Fisher was recorded as a co-introducer of SB 70.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 1:03 p.m. to reconvene at 11:00 a.m., April 26, 1967.