

# JOURNAL OF THE SENATE

Wednesday, May 10, 1967

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

Mr. President	de la Parte	Hollahan	Saylor
Askew	Edwards	Horne	Shevin
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 Slade.

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

We would wait upon thee, O God, and be of good courage for thou shalt strengthen our lives. Thou who are the God of all, be our God. We confess that all too often we have worshipped other gods that we made with our own hands. Be thou the God of our private lives. Walk through the secret corridors of our souls and blow through us thou wind of God. Shine through us, thou Son of righteousness. Be thou the God of our families. We thank thee today for our families and even while we are away from them, we invoke thy blessings and care upon them. Be thou the God of our land. For the riches of our State and wealth of our resources, we give thee thanks. Give us grace that our inner qualities may be superior to our wealth. In the name of God, we pray. Amen.

The reading of the Journal was dispensed with.

The Journal of May 9 was corrected and approved as follows:

Page 296, column 2, line 25, strike "601.50" and insert 601.59

Page 303, column 2, line 17, after "Cross" insert O'Grady

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends:

SB 756 be referred to the Committee on Finance and Taxation.

SB 751 be referred to the Committee on Governmental Reorganization.

SB 795 be referred to the Committee on Public Roads and Highways.

The Committee report was adopted.

The Committee on Banking, Securities and Loans recommends the following pass:

SB 466                      SB 682                      SB 683                      SB 742

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

SB 359 with 2 amendments                      HB 38                      HB 284  
SB 604 with 1 amendment                      HB 153

The Committee on Finance and Taxation recommends the following pass:

SB 157 with 1 amendment                      SB 288 with 1 amendment  
SB 158 with 2 amendments                      SB 453  
SB 230    SB 493  
SB 283 with 1 amendment                      SB 552  
SB 284 with 1 amendment                      SB 555  
SB 285 with 1 amendment

The Committee on Governmental Reorganization recommends the following pass:

SB 99    SB 765

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

SB 759 with 2 amendments

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

HB 16    SB 708

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

The Committee on Education—Public Schools and Junior Colleges recommends a Committee Substitute for the following:

SB 630

The Committee on Judiciary "A" recommends a Committee Substitute for the following:

SB 74 with 2 amendments                      SB 640

The bills with Committee Substitutes attached were placed on the Calendar.

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

SB 358

The Committee on Finance and Taxation recommends the following not pass:

SB 276

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

The Committee on Governmental Reorganization recommends the following pass:

SB 624 with 3 amendments                      SB 301

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

SB 592 with 2 amendments

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

A point of order was raised by Senator Hollahan, and SB 721 was also referred to the Committee on Appropriations.

The Committee on Governmental Reorganization recommends the following pass:

SB 161 with 3 amendments                      SB 721

The bills contained in the foregoing report were referred to the Committee on Appropriations.

The Committee on Anti-Crime recommends the following pass:

SB 351

The Committee on Rules and Calendar recommends the following pass:

SB 772

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

The Committee on Governmental Reorganization recommends the following pass:

SB 833    SB 836

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

SB 834 with 1 amendment

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

The Committee on Rules and Calendar recommends the following pass:

SB 796

The bill was referred to the Committee on Ethics and Privileged Businesses under the original reference.

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

SB 550 with 4 amendments

The bill was referred to the Committee on Finance and Taxation under the original reference.

**ENGROSSING REPORT**

Your Engrossing Clerk to whom was referred—

SB 195 with 1 amendment      SB 636 with 1 amendment  
 SB 635 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.

**INTRODUCTION**

By Senators de la Parte, Poston, Horne, Friday, Stolzenburg, Bell, Knopke, Lane, Ott, Shevin, Stone, Weissenborn, Haverfield, Spencer, Fincher, Hollahan and Gong—

SB 901—A bill to be entitled An act relating to state probation and parole services; removing an unequal financial burden from certain counties; provides for an appropriation from general revenue fund to provide the same probation and parole services for such counties as are provided for the other counties of the state; providing an effective date.

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

By Senator Shevin—

SB 902—A bill to be entitled An act relating to passenger vessels, passage tickets; requiring written authorization prior to selling tickets; prohibiting misleading advertisements; requiring reference to registry of vessels; requiring certain information on tickets; making violation a misdemeanor; providing an effective date.

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

By Senator Gong—

SB 903—A bill to be entitled An act relating to and requiring, with stated exceptions, the payment of ten thousand dollars (\$10,000.00) when an officer, deputy, agent or employee of a state board, commission, department, division, bureau or agency, or of a county or municipality, is killed or receives bodily injury which results in the loss of his life within one hundred eighty (180) days thereafter, while engaged in the performance of prescribed duties relating to the enforcement of penal statutes or penal ordinances, apprehending and dealing with violators thereof and subjecting them to punishment; providing that such state board, commission, department, division, bureau or agency, or such county or municipality, shall be liable for such payment and shall be deemed to be self-insured unless it maintains insurance in accordance herewith to secure such payment; prescribing to whom such payment shall be made and providing that it shall be exempt from the claims and demands of creditors of such officer, deputy, agent or employee and shall be in addition to any workmen's compensation and pension benefits; and providing an effective date.

Was read the first time by title and referred to the Committees on Retirement and Claims; and Appropriations.

By Senator Gong—

SB 904—A bill to be entitled An act relating to elections, amending Section 99.161 (8)(c) requiring candidates to sign campaign reports; providing an effective date.

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

By Senators Griffin, Fincher, Ott, Horne, Boyd, Henderson, Friday, Bafalis and Barrow—

SB 905—A bill to be entitled An act relating to tax assessments and tax sales; amending section 193.65(1), (7), Florida Statutes; increasing the commissions of county tax assessors from certain date; providing an effective date.

Was read the first time by title and referred to the Committees on Urban Affairs and Local Government; and Finance and Taxation.

By Senators Bafalis, Thomas, O'Grady, Johnson and Edwards—

SB 906—A bill to be entitled An act relating to game and fresh water fish; amending subsections (5),(7) and (9) of section 372.57, Florida Statutes, by increasing the hunting license fees; removing exemption of hunting licenses for certain non-residents; repealing subsection (8) of said section which provides hunting licenses for residents for counties other than county of residence; renumbering present subsections (9) through (18) as subsections (8) through (17) of said section.

Was read the first time by title and referred to the Committees on Game and Fish; and Finance and Taxation.

By Senator Bafalis—

SB 907—A bill to be entitled An act relating to expenses of a governor-elect and newly elected cabinet members; appropriating fifty thousand dollars; providing an effective date.

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

By Senators Stone, Hollahan, Shevin and Haverfield—

SB 908—A bill to be entitled An act relating to free distribution of the journals of the senate and house of representatives; authorizing the senate and house of representatives of the Florida legislature to furnish free copies of said journals to all high schools in this state.

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

By Senators Ott, Knopke and McClain—

SB 909—A bill to be entitled An act relating to Hillsborough county, hospital and welfare board; amending chapter 63-1402, Laws of Florida, by adding section 16-A; providing that the board may charge off, extinguish, settle or compromise accounts certified to board as uncollectible in whole or in part after three (3) years; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 909.

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

By Senators Ott, Knopke and McClain—

SB 910—A bill to be entitled An act relating to Tampa port authority; ratifying Tampa port authority promotional expenditures for the period of October 1, 1955 through September 30, 1965; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 910.

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

By Senators Ott, de la Parte, Knopke and McClain—

SB 911—A bill to be entitled An act relating to Hillsborough county, amending section 7 of chapter 63-1402, Laws of Florida; providing for an annual budget; requiring certification of the millage to the board of county commissioners; providing for an annual tax; deleting any ceiling on limitation on the annual millage, subject to freeholder approval in excess of ten (10) mills; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 911.

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

By Senators Ott, de la Parte, Knopke and McClain—

SB 912—A bill to be entitled An act relating to the city of Plant City, Hillsborough county; amending section 72-C of chapter 13282, Laws of Florida, 1927; authorizing the city planning board to extend planning studies within one (1) mile beyond the corporate limits of the city and review proposed land use regulations within said area; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 912.

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

By Senators Ott, McClain, Knopke and de la Parte—

SB 913—A bill to be entitled An act relating to the city of Tampa, Hillsborough county; providing for the regulation of watercraft; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 913.

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

By Senators Knopke, McClain, Ott and de la Parte—

SB 914—A bill to be entitled An act relating to the city of Tampa, Hillsborough county; amending sections 2, 3, 4 and 5 of chapter 59-1923, Laws of Florida; providing an additional purpose of the barrio latino commission to control certain changes to buildings and structures not designated as having architectural and historical value; declaring this purpose to be a public purpose; providing that the provisions of this act shall apply to land, buildings and structures on either side of the streets comprising the boundaries of the barrio latino section; requiring prior approval of the barrio latino commission before the issuance of permits for changes to certain buildings and structures; repealing chapter 63-1979, Laws of Florida; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 914.

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

By Senators Knopke, McClain, Ott and de la Parte—

SB 915—A bill to be entitled An act relating to the city of Temple Terrace, Hillsborough county; amending sections 69 and 70, chapter 31320, Laws of Florida, 1955, as amended; authorizing the zoning board of appeal to transfer all duties and responsibilities to the zoning board of adjustment; providing for appeals from decisions of the zoning board of adjustment; and providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 915.

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

By Senators Knopke, McClain, Ott and de la Parte—

SB 916—A bill to be entitled An act relating to the city of Temple Terrace, Hillsborough county; ratifying certain actions of the zoning board of appeal and the zoning board of adjustment of the city; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 916.

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

By Senators Knopke, McClain, Ott and de la Parte—

SB 917—A bill to be entitled An act relating to civil service boards in counties having a population of not less than three hundred ninety thousand (390,000) and not more than four hundred fifty thousand (450,000), according to the latest official decennial census; amending chapter 65-697, Laws of Florida, by adding section 3A; authorizing municipalities within such counties to enter into cooperative agreements with the county civil service board; providing an effective date.

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

By Senators Knopke, McClain, Ott and de la Parte—

SB 918—A bill to be entitled An act relating to county civil service boards in all counties of the state having a population of not less than three hundred ninety thousand (390,000) and not more than four hundred fifty thousand (450,000), according to the latest official decennial census; amending section 16 of chapter 65-697, Laws of Florida; prohibiting payment for irregular employment; prescribing regulations; providing an effective date.

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

By Senator Hollahan—

SB 919—A bill to be entitled An act relating to the turnpike authority; repealing paragraph (e) of subsection (2) of section 340.04, Florida Statutes; removing the requirement that the turnpike authority shall not permit any person, firm or corporation the right to sell Florida citrus fruits at more than one (1) plaza.

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

By Senators Plante, de la Parte, Gunter and Horne—

SB 920—A bill to be entitled An act relating to the approval by the supervising architect or engineer of the hotel and restaurant commission of plans for the construction or remodeling of any building to be used as a public lodging or public food service establishment; providing that such approval shall be required of plans for any building which may be located on the premises of an establishment and will be used by the guests thereof; amending subsection (4) of 509.211 Florida Statutes; providing an effective date.

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

By Senator McClain—

SB 921—A bill to be entitled An act relating to public education, school lunches; amending section 236.75(2), Florida Statutes, increasing the rate per meal and determining the amount and procedure for expending state funds for school lunches; providing an effective date.

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

By Senator Gibson—

SB 922—A bill to be entitled An act relating to Madison county; authorizing the board of county commissioners to levy a tax of not more than three and one half (3-1/2) mills on all tangible property in said county for the benefit of Madison county memorial hospital; providing that the millage so levied shall be for the tax years 1967-68 and 1968-69 and shall be in addition to all other millage authorized by law to be levied by the county board; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 922.

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

By Senator Hollahan—

SB 923—A bill to be entitled An act relating to public schools; payments under construction contracts; amending section 235.33, Florida Statutes; providing for payment under construction contracts by county boards of public instruction having seven (7) member board of public instruction, having abolished the office of special tax school district trustees and having an appointive superintendent except those counties having a population of not less than three hundred fifty thousand (350,000) nor more than three hundred eighty-five thousand (385,000) according to the latest official decennial census; providing for the retention of three (3) times the amount of incompleting items or ten per cent (10%), whichever is the lesser amount, of contracts which have been substantially completed; providing an effective date.

Was read the first time by title and referred to the Committees on Rules and Calendar; and Education—Public Schools and Junior Colleges.

By Senator Cross—

SCR 924—A concurrent resolution directing the legislative council to make a study and evaluation of existing water and sewer regulatory laws of the state, and to make recommendations to the 1969 session of the legislature concerning the advisability of revising such laws; authorizing the establishment of a study committee; providing for the appointment of members; authorizing the establishment of an advisory committee.

Was read the first time in full and referred to the Committee on Rules and Calendar.

By Senator Wilson—

SB 925—A bill to be entitled An act relating to voting, absentee ballots; amending sections 101.62(1) and (2), 101.65 (1) and 101.66, all Florida Statutes, to provide that application for absentee ballot may be made by oral communication to the supervisor; providing that application and ballot may be delivered at same time; providing an effective date.

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

By Senator Boyd—

SB 926—A bill to be entitled An act relating to the meetings and records of public bodies; providing that such bodies shall hold no secret, executive or closed meetings and that all fiscal records of such bodies shall be open to public inspection.

Was read the first time by title and referred to the Committees on Urban Affairs and Local Government; and Rules and Calendar.

By Senator Boyd—

SB 927—A bill to be entitled An act relating to public education, school lunches; amending section 236.75(2), Florida Statutes; determining the amount and procedure for expending state funds for school lunches; providing an effective date.

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

By Senator Boyd—

SB 928—A bill to be entitled An act relating to the Florida barbers' sanitary commission; amending section 476.17(3), (4), Florida Statutes, relating to terms of office of the members of the commission, to define the word "term"; providing an effective date.

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

By Senators Mathews and Chiles—

SB 929—A bill to be entitled An act relating to group life insurance; amending section 627.0402, Florida Statutes, by adding subsection (5), providing amount limitations and terms on certain policies; providing an effective date.

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

By Senator Stone—

SB 930—A bill to be entitled An act relating to boards of county commissioners, regional planning councils and public corporations; amending section 125.01, Florida Statutes, by adding subsection (18); amending chapter 125, Florida Statutes, by adding sections 125.57 and 125.58; amending section 159.02 (2), Florida Statutes; amending chapter 617, Florida Statutes, by adding sections 617.031, 617.051(2)(d), 617.052(2)(d), and 617.04; authorizing county commissioners to enter into agreements with commissioners of other counties to establish public corporations for the performance of public functions conducive to the public health, welfare, convenience, safety, utility and efficient economy in the use of public revenues; providing method of creating public corporations and giving such corporations certain powers and duties to carry out purposes of this act; providing an effective date.

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

By Senator Fincher—

SB 931—A bill to be entitled An act relating to educational television; creating a Florida advisory commission on educational television; prescribing the duties of the state board and the Florida advisory commission on educational television; abolishing the Florida educational television commission, and transferring any appropriation for the 1967-1968 biennium made to the Florida educational television commission to the state board of education for educational television use; repealing sections 246.01 through 246.15, Florida Statutes; providing an effective date.

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

By Senator Pope—

SB 932—A bill to be entitled An act relating to investments of state and county officers and employees retirement trust fund; amending section 122.14(7), Florida Statutes, by adding paragraph (e); authorizing investment of ten percent (10%) of retirement trust fund in real property in the state of Florida; providing repayment procedure by state agencies acquiring real property so purchased; providing effective date.

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

By Senator de la Parte—

SCR 933—A CONCURRENT RESOLUTION directing the legislative council to make a study of accidents at railroad crossings of highways, roads and streets throughout the state and the cause thereof and methods to reduce the incidence of such accidents; to make recommendations and prepare such bills as it deems necessary to implement such recommendations; providing for the appointment of a select committee; and providing for the payment of expenses.

Was read the first time in full and referred to the Committee on Rules and Calendar.

By Senator Thomas—

SCR 934—A concurrent resolution prohibiting introduction of certain bills except by three fifths (3/5) vote of members of either house during last twelve (12) days of the regular session.

Was read the first time in full and referred to the Committee on Rules and Calendar.

#### MOTIONS RELATING TO COMMITTEE REFERENCES

On motion by Senator Gunter, by two-thirds vote, HB 436 was withdrawn from the Committee on Citrus and placed on the Calendar.

On motion by Senator Askew, by two-thirds vote, SB 808 was withdrawn from the Committee on Appropriations.

On motion by Senator Askew, by two-thirds vote, SB 563 was referred only to the Committee on Judiciary "A".

On motion by Senator Gunter, by two-thirds vote, HB 431 was withdrawn from the Committee on Finance and Taxation and placed on the Calendar.

On motion by Senator Gong, the Committee on Apportionment, Resolutions and Memorials was granted an additional 10 days for the consideration of House Concurrent Resolutions 118, 39, 189, 3; House Memorials 47, 180; Senate Concurrent Resolutions 127, 207, 771; Senate Memorials 318, 420, 639, 673, 347; SB 735 and SR 671.

#### MESSAGE FROM THE GOVERNOR

*The Honorable Verle A. Pope  
President of the Senate  
The Capitol  
Tallahassee, Florida*

May 10, 1967

Dear Sir:

I have filed in the office of the Secretary of State the following acts which originated in the Senate, Regular Session, 1967,

same having remained in my office for the full constitutional period of five days and will become law without my approval:

SB 60

SB 237

Respectfully,  
CLAUDE KIRK  
Governor

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages were read:

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

May 9, 1967

*Sir:*

I am directed to inform the Senate that the House of Representatives has adopted by the required Constitutional 3/5ths vote of all members elected to the House of Representatives—

SCR 634

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The concurrent resolution, contained in the above message, was ordered enrolled.

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

May 9, 1967

*Sir:*

I am directed to inform the Senate that the House of Representatives has granted the request of the Senate and returns herewith—

By Representative Arnold—

HB 77—A bill to be entitled An act relating to receiving or depositing passengers from automobiles on limited access facilities; amending section 339.30, Florida Statutes, by adding (1)(j); providing an effective date.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

On motion by Senator Friday, the rules were waived and the Senate immediately reconsidered the vote by which HB 77 as amended, contained in the above message, passed on May 5.

Senator Friday moved that the Senate immediately reconsider the vote by which HB 77 was placed on third reading. The question was put and agreed to and HB 77 was placed back on second reading.

Senator Friday offered the following amendment which was adopted:

In Section 1, line 8, page 1, strike: "(j)" and insert the following: (i)

Senator Friday also offered the following amendment which was adopted:

In Title, line 4, strike: "(j)" and insert the following: (i)

On motion by Senator Friday, HB 77 as further amended was read in full and passed. The vote was: Yeas—45 Nays—None

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

The bill was certified to the House.

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

May 9, 1967

*Sir:*

I am directed to inform the Senate that the House of Representatives has passed by the required Constitutional 2/3rds vote of all members elected to the House of Representatives—

By Representative Murphy and others—

HB 773—A bill to be entitled An act for the relief of Barney Godwin; providing for the payment of monies from funds under the jurisdiction of the board of county commissioners of Pinellas County and budgeted for expenditure by the sheriff of Pinellas County; providing an effective date.

Proof of Publication attached.

By Representative Bird—

HB 511—A bill to be entitled An act for the relief of Norman Chase for damages in connection with the death of his son; providing an appropriation from the Broward county board of public instruction; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 773.

Evidence of notice and publication was established by the Senate as to HB 511.

House Bills 773 and 511, contained in the above message, were read the first time by title and referred to the Committee on Retirement and Claims.

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

May 9, 1967

*Sir:*

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

By Representative Myers and others—

HB 2—A bill to be entitled An act to be known as the "uniform deceptive trade practices act"; prohibiting certain acts as deceptive trade practices; providing a penalty for willful violation; providing for injunctive relief and other equitable and legal remedies; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 2, contained in the above message, was read the first time by title and referred to the Committee on Judiciary "A".

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

May 10, 1967

*Sir:*

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

By Representative King and others—

HB 370—A bill to be entitled An act relating to forcible entry and unlawful detainer; providing for trial before the court when jury trial not demanded; providing for entry of a default when defendant does not respond to summons; providing for pleadings by the defendant; providing for entry of judgment after default and for methods for service of process; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 370, contained in the above message, was read the first time by title and referred to the Committee on Judiciary "A".

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

May 10, 1967

Sir:

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

By Representative Matthews—

HB 67—A bill to be entitled An act relating to sentence for indeterminate period for non-capital felonies; amending section 921.18, Florida Statutes, by providing that court may impose any minimum sentence, not less than six months, when sentencing for an indeterminate period; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 67, contained in the above message, was read the first time by title and referred to the Committee on Judiciary "A".

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

May 10, 1967

Sir:

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

By Representatives Stevens and Savage—

HB 710—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.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 710, contained in the above message, was read the first time by title. On motion by Senator Barron the rules were waived and the bill was placed on the Calendar.

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

May 9, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all members elected to the House of Representatives—

By Representative Murphy and others—

HB 772—A bill to be entitled An act for the relief of Ruby Godwin; providing for the payment of monies from funds under the jurisdiction of the board of county commissioners of Pinellas County and budgeted for expenditure by the Sheriff of Pinellas County; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 772.

HB 772, contained in the above message, was read the first

time by title and referred to the Committee on Retirement and Claims.

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

May 10, 1967

Sir:

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

By the Committee on Insurance & Workmen's Compensation—

CS for HB 135—A bill to be entitled An act relating to workmen's compensation; amending subsections (2) and (3) of section 440.12, Florida Statutes; increasing the weekly compensation rate; providing an effective date.

By Representative Chappell—

HB 763—A bill to be entitled An act relating to the Caldwell Building in Tallahassee, Florida; authorizing the Florida Industrial Commission to use special administration trust funds to repay monies loaned by the Internal Improvement Fund as part of the cost of constructing an addition to the Caldwell Building; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

CS for HB 135, contained in the above message, was read the first time by title and referred to the Committees on Labor and Industry; Insurance; and Judiciary "A".

HB 763, contained in the above message, was read the first time by title and referred to the Committee on Appropriations.

On motion by Senator Stone, the rules were waived and the Senate immediately reconsidered the vote by which SM 393 was adopted on May 9. By permission, Senator Stone withdrew SM 393 from the Senate.

#### SENATE BILLS ON SECOND READING

SB 541—A bill to be entitled An act relating to unemployment compensation; amending section 443.08(3)(g), Florida Statutes, to provide for automatic transfer of employment records for experience rating purposes in total successions; and providing an effective date.

Was taken up. On motions by Senator Bafalis, the rules were waived and SB 541 was read the second time by title, the third time in full and passed, title as stated. The vote was:

Yeas—46

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

Nays—1

Broxson

The bill was certified to the House.

SB 430—A bill to be entitled An act relating to close corporations; amending the introductory paragraph of section 608.0102, Florida Statutes, providing that fewer than three (3) stockholders may manage corporation; providing an effective date.

Was taken up. On motion by Senator Stone, the rules were waived and SB 430 was read the second time by title.

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

In Section 2, page 1, strike: entire Section 2. and insert the following: Section 2. This act shall take effect September 1, 1967.

On motion by Senator Stone, the rules were waived and SB 430 as amended was read the third time in full and passed. The vote was: Yeas—47 Nays—None

Mr. President	de la Parte	Hollahan	Sayler
Askew	Edwards	Horne	Shevin
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	

The bill was ordered engrossed.

SB 402—A bill to be entitled An act relating to soil and water conservation; amending chapter 582, Florida Statutes, to change the name of the state soil conservation board to state soil and water conservation board; amending section 582.01 (3), Florida Statutes, to redefine the term "board"; amending subsections (1) and (2) of section 582.06, Florida Statutes, creating the state soil conservation board by making same the state soil and water conservation board; authorizing the statutory revision department of the state attorney general's office to redenominate the "state soil conservation board" and "soil conservation districts" as "the state soil and water conservation board" and "soil and water conservation districts" respectively wherever they may appear in the Florida Statutes and in particular in chapter 582 thereof; providing an effective date.

Was taken up. On motion by Senator Friday, the rules were waived and SB 402 was read the second time by title.

The Committee on Water Conservation, Salt Water and Natural Resources offered the following amendment which was adopted on motion by Senator Friday:

In Section 4, line 7, page 3, strike Section 4 and insert the following: Section 4. This act shall take effect September 1, 1967.

On motion by Senator Friday, the rules were waived and SB 402 as amended was read the third time in full and passed. The vote was: Yeas—47 Nays—None

Mr. President	de la Parte	Hollahan	Sayler
Askew	Edwards	Horne	Shevin
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	

The bill was ordered engrossed.

SB 590—A bill to be entitled An act relating to minimum standards for school building construction; amending section 235.26(1) and (2), Florida Statutes, providing that standards be cumulative to those of governmental entity in which located.

Was taken up. On motion by Senator Knopke, the rules were waived and SB 590 was read the second time by title.

The Committee on Education—Public Schools and Junior Colleges offered the following amendment which was adopted on motion by Senator Boyd:

On page 3, add new section to read as follows:

Section 2. This act shall take effect on January 1, 1968.

The Committee on Education—Public Schools and Junior Colleges also offered the following amendment which was adopted on motion by Senator Boyd:

In title, line 7, page 1, strike: "." (the period) and insert the following: ; providing an effective date.

Senator Shevin offered the following amendment which was adopted:

In Section 1, line 12, page 2, strike: the period and insert the following: provided, however, that when conflicts occur between Chapter 130-2, State Board of Education Regulations and Municipal Ordinances or appropriate resolutions, Chapter 130-2, State Board of Education Regulations shall prevail.

The vote was:

Yeas—27

Mr. President	de la Parte	Henderson	Poston
Askew	Edwards	Hollahan	Shevin
Bafalis	Gibson	Knopke	Spencer
Barron	Gong	McClain	Stockton
Barrow	Griffin	Mathews	Stone
Boyd	Gunter	O'Grady	Thomas
Broxson	Haverfield	Ott	

Nays—14

Bell	Elrod	Reuter	Wilson
Clayton	Fisher	Sayler	Young
Cross	Johnson	Stolzenburg	
Deeb	Lane	Weber	

On motion by Senator Knopke, the rules were waived and SB 590 as amended was read the third time in full and passed. The vote was:

Yeas—39

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

Nays—4

Cross	Elrod	Johnson	Stolzenburg
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The bill was ordered engrossed.

Senator Broxson presiding.

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 taken up. On motions by Senator Barron, the rules were waived and SB 582 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—47 Nays—None

Mr. President	de la Parte	Hollahan	Sayler
Askew	Edwards	Horne	Shevin
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	

The bill was certified to the House.

SB 151—A bill to be entitled An act relating to the federal highway safety act of 1966; authorizing the governor to contract and cooperate with federal and state agencies in obtaining the benefits of the federal highway safety act of 1966 for Florida; providing an effective date.

Was taken up. On motions by Senator Young, the rules were waived and SB 151 was read the second time by title,

the third time in full and passed, title as stated. The vote was:  
Yeas—47 Nays—None

Mr. President	de la Parte	Hollahan	Sayer
Askew	Edwards	Horne	Shevin
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	

The bill was certified to the House.

Consideration of SB 580 was deferred, the bill retaining its place on the Calendar.

SB 167—A bill to be entitled **An act relating to chemical tests as to intoxication of persons operating a motor vehicle within this state; providing for implied consent; adding new sections 322.261 and 322.262, Florida Statutes; providing for suspension of drivers' licenses of persons refusing to submit to such tests; providing for presumptions of intoxication based upon the results of such tests; providing for making of rules and regulations; and providing an effective date.**

Was taken up. On motion by Senator Chiles, the rules were waived and SB 167 was read the second time by title.

The Committee on Judiciary "B" offered the following amendment which was moved by Senator Wilson and failed:

In Section 1, line 9, page 5, strike: "." (the period) and insert the following: the person administering the test shall ascertain by reasonable inquiry that the person to be tested does not have hemophilia, or has a heart condition and is using an anticoagulant, or has any other condition which would render the administration of the test dangerous to the life or health of the person to be tested.

The vote was:

Yeas—17

Mr. President	Clayton	O'Grady	Weissenborn
Bafalis	Deeb	Plante	Wilson
Barron	Elrod	Shevin	
Bell	Friday	Spencer	
Broxson	Henderson	Thomas	

Nays—25

Askew	Gibson	Lane	Stolzenburg
Boyd	Gong	McClain	Stone
Chiles	Griffin	Mathews	Weber
Cross	Haverfield	Ott	Young
de la Parte	Hollahan	Reuter	
Fincher	Johnson	Sayer	
Fisher	Knopke	Stockton	

The President presiding.

The Committee on Judiciary "B" also offered the following amendment which was moved by Senator Wilson and failed:

In Section 1, line 30, page 5, strike "." (the period) and add the following: and if in the opinion of the person administering the test, the test will not endanger the life of the person tested nor adversely affect his health.

The vote was:

Yeas—15

Bafalis	Deeb	O'Grady	Thomas
Bell	Friday	Plante	Weissenborn
Boyd	Haverfield	Shevin	Wilson
Clayton	Henderson	Spencer	

Nays—25

Mr. President	Fincher	Lane	Stolzenburg
Askew	Fisher	McClain	Stone
Broxson	Gibson	Mathews	Weber
Chiles	Gong	Ott	Young
Cross	Griffin	Reuter	
de la Parte	Johnson	Sayer	
Elrod	Knopke	Stockton	

The Committee on Transportation and Safety offered the following amendment which was adopted on motion by Senator Young:

In Section 2, line 10, page 6, strike: the words "civil or"

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

Section 2, pages 6 and 7, strike: The entire section

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

In title, lines 8, 9, 10 and 11, page 1, strike: "providing for presumptions of intoxication based upon the results of such tests; providing for making of rules and regulations;"

Senator Lane offered the following amendment which was adopted:

In Section 1, line 29, page 3, and line 1, page 4, strike: Sections g and h and redesignate subsequent subsection.

Senators Shevin and Bafalis offered the following amendment which was moved by Senator Shevin and failed:

In Section 1, line 9, page 1, strike: "blood"

The vote was:

Yeas—14

Bafalis	Deeb	Plante	Thomas
Barron	Friday	Shevin	Wilson
Boyd	Henderson	Spencer	
Clayton	O'Grady	Stolzenburg	

Nays—32

Mr. President	Edwards	Haverfield	Poston
Askew	Elrod	Hollahan	Reuter
Barrow	Fincher	Johnson	Sayer
Bell	Fisher	Knopke	Stockton
Broxson	Gibson	Lane	Stone
Chiles	Gong	McClain	Weber
Cross	Griffin	Mathews	Weissenborn
de la Parte	Gunter	Ott	Young

On motion by Senator Chiles, the rules were waived and SB 167 as amended was read the third time in full and passed. The vote was:

Yeas—32

Mr. President	Edwards	Hollahan	Reuter
Askew	Elrod	Johnson	Sayer
Barrow	Fincher	Knopke	Spencer
Broxson	Fisher	Lane	Stockton
Chiles	Weber	McClain	Stone
Cross	Griffin	Mathews	Weber
Deeb	Gunter	Ott	Weissenborn
de la Parte	Haverfield	Poston	Young

Nays—14

Bafalis	Clayton	O'Grady	Thomas
Barron	Friday	Plante	Wilson
Bell	Gibson	Shevin	
Boyd	Henderson	Stolzenburg	

The bill was ordered engrossed.

EXPLANATION OF VOTE

I voted against this bill on final passage reluctantly. My vote was due to the following two reasons:

1. Two amendments adopted by the Senate did, in my eyes, great damage to the bill. They eliminated an exemption from the blood test which had been provided for persons afflicted with hemophilia or a heart condition.

2. The Senate rejected an amendment to eliminate the blood test as one of the required tests under the bill. I'm of the firm view that the "breath, urine and saliva" tests are sufficient-ly accurate and adequate to accomplish the purposes of this bill. Surely, it is not necessary when these other tests are

provided for in the bill to require every person to submit to a blood test as well.

If not for these two basic objections I would have earnestly and eagerly voted for this bill, as I do subscribe to the basic concept and need for an "implied consent" law.

ROBERT L. SHEVIN  
Senator, 43rd District

#### CO-INTRODUCERS

By permission, Senator Stolzenburg was recorded as a co-introducer of SB 809.

By permission, Senator Clayton was recorded as a co-introducer of SB 807.

By permission, Senator Sayler was recorded as a co-introducer of Senate Bills 36, 518 and 592.

By permission, Senators Fisher and Gong were recorded as co-introducers of SB 167.

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