

# JOURNAL OF THE SENATE

Tuesday, June 13, 1967

The Senate was called to order by the President Pro Tempore at 10:00 a.m. The following Senators were recorded present:

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

48. A quorum present.

Prayer by Senator Lee Weissenborn from the Forty-second Senatorial District:

Almighty God we know that you bring no man into the conflicts of life to desert him. We each have a friend in heaven whose resources are unlimited; help us to remember that on you we may call at any hour and find guidance and assistance. And may we learn that simply following God is the true philosophy of life. In Christ's name we pray. Amen.

The reading of the Journal was dispensed with.

The Journal of June 13 was corrected and approved.

The Journal of June 7 was further corrected and approved as follows:

Page 719, counting from the bottom of column 2, strike line 33 and insert the following: HB 817 as amended was read the third time in full and passed.

The Journal of June 9 was further corrected and approved as follows:

Page 747, column 2, line 9, strike "SCR 1536"

Page 768, column 1, line 35, strike "2338" and insert 23338

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends:

House Bills 2398, 2401 and 2466 be re-referred to the Committee on Judiciary "A".

House Bills 2278, 2369, 2410 and 2607 be re-referred to the Committee on Ethics and Privileged Businesses.

House Bills 1626, 1863, 1882, 2399, 2408, 2428, 2438, 2439, 2440, 2450, 2475, 2476, 2477, 2483, and 2703 be re-referred to the Committee on Finance and Taxation.

SB 1535 be re-referred to the Committee on Health and Welfare.

HB 2732 be re-referred to the Committee on Water Conservation, Salt Water and Natural Resources.

SB 1534 be re-referred to the Committees on Judiciary "A"; and Urban Affairs and Local Government.

The Committee on Rules and Calendar recommends that the following bills be placed on the Local Calendar:

SB 1531	HB 2384	HB 2420	HB 2469
HB 1878	HB 2385	HB 2421	HB 2470
HB 2064	HB 2387	HB 2425	HB 2479
HB 2152	HB 2388	HB 2434	HB 2480
HB 2165	HB 2393	HB 2436	HB 2482
HB 2168	HB 2394	HB 2437	HB 2485
HB 2220	HB 2395	HB 2442	HB 2487
HB 2236	HB 2400	HB 2464	HB 2492
HB 2305	HB 2407	HB 2467	HB 2286
HB 2328	HB 2412	HB 2468	

The Committee reports were adopted.

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

June 12, 1967

Sir:

Your Committee on Rules and Calendar herewith submits as Special and Continuing Order pursuant to Rule 7.2 for Tuesday, June 13, 1967, immediately following consideration of Unfinished Business, the consideration of the following bills:

SB 270—By Senator Young et al.—Relating to police officers.

HB 342—By Representative Reedy et al.—Relating to regulation of traffic on highways.

HB 589—By Representative Graham et al.—Relating to select council on post-high-school education.

SB 18—By Senator Shevin et al.—Relating to prisoners, releases.

SB 1025—By Senator Cross—Relating to state attorney and assistant state attorneys, eighth judicial circuit.

SB 1139—By Senator Thomas—Relating to beverage law.

SB 683—By Senator Mathews—Relating to definition of the term "dealer".

SB 981—By Senator Gunter—Relating to unfair commercial discrimination.

SB 1236—By Senator Gunter—Relating to section 323.29, Florida Statutes, regulation by the Florida public service commission.

SB 1197—By Senators Askew and Mathews—Relating to legislative spending philosophy.

SB 707—By Senators Ott and Mathews—Relating to sale of gasoline.

SB 894—By Senator Gunter—Relating to power of county commissioners.

SB 520—By Senators Griffin and Stone—Relating to control, regulation and prohibition of pollution of the environment of this state.

SB 698—By Senator Weissenborn et al.—Relating to taxation, assessors, etc.

SB 398—By Senator Hollahan et al.—Relating to state budget and planning commission.

SB 316—By Senator Mathews—Relating to common trust funds.

SB 491—By Senator Knopke—Relating to state fire marshal.

SB 726—By Senator Friday—Relating to uniform commercial code.

SB 784—By Senator Horne—Relating to conservation.

HB 961—By the Committee on Retirement and Personnel and Representative Tyre—Relating to supplemental benefits.

HB 848—By Representative Mattox et al.—Relating to game and fresh water fish commission.

HB 1309—By Representative Brower et al.—Relating to state attorneys, powers, duties and compensation.

SB 620—By Senator Griffin—Relating to Robert LaMar Watson, relief of.

HB 936—By Representative Turlington et al.—Relating to animal disease diagnostic laboratories.

SB 1230—By Senator Gong et al.—Relating to establishing standards of conduct for state officers and employees.

SB 319—By Senators Haverfield and Hollahan—Relating to specialized state educational institutions.

- SB 758—By Senator Barron—Relating to the deleting of references to rate filings in part VI of Chapter 626, Florida Statutes.
- SB 1190—By Senator Elrod et al.—Relating to instruments to be recorded in the office of the clerk of the circuit court.
- SB 394—By Senator Shevin—Relating to public officers and employees.
- SB 177—By Senators Young and Fincher—Relating to regulation of traffic on highways.
- SB 178—By Senator Young et al.—Relating to regulation of traffic on highways.
- SB 526—By Senator Friday—Relating to division of water resources and conservation of the state board of conservation.
- SB 844—By Senator Horne—Relating to state retirement.
- SB 1141—By Senator Thomas et al.—Relating to tax assessments.
- SB 654—By Senator Haverfield—Relating to the department of public welfare.
- SB 489—By Senator Knopke et al.—Relating to control of water well drilling and protection of ground water resources.
- CS For  
HB 87—By the Committee on Local Government—Relating to boards of county commissioners.
- SB 1263—By Senator Mathews et al.—Relating to apportionment of the Senate and House of Representatives.
- SB 545—By Senators Plante and McClain—Relating to workmen's compensation.
- SB 1004—By Senator Horne et al.—Relating to assessment of a compensatory road tax.
- SB 544—By Senators Plante and McClain—Relating to workmen's compensation.
- SB 1059—By Senator Mathews—Relating to recovery of civil damages.
- SB 996—By Senator Thomas et al.—Relating to automobile liability insurance.
- HB 623—By Representatives Crider and Rust—Relating to beverage law.
- SB 762—By Senator Hollahan—Relating to elections.
- SB 278—By Senator Shevin et al.—Relating to taxation.
- SB 853—By Senators Spencer and Weissenborn—Relating to witnesses' pay.
- SB 681—By Senators Mathews and Weissenborn—Relating to workmen's compensation.
- SB 708—By Senator Haverfield—Relating to housing authorities.
- SB 45—By Senators Barrow and Saylor—Relating to juveniles.
- SB 905—By Senator Griffin et al.—Relating to tax assessments and tax sales.
- SB 955—By Senator Chiles et al.—Relating to beverage law.
- HB 1371—By Representative Schultz—Relating to changing the name of the state budget commission.
- SB 621—By Senator Edwards—Relating to animal disease diagnostic laboratories.
- SB 947—By Senator Friday et al.—Relating to authorizing the board of regents.
- SB 203—By Senator Thomas et al.—Relating to Florida citrus code.
- SB 584—By Senator Barron—Relating to outdoor recreation and conservation.
- SB 655—By Senator Hollahan—Relating to mortgage brokerage act.
- SB 811—By Senator Chiles et al.—Relating to game and fresh water fish.
- SB 640—By Senator Edwards—Relating to chauffeurs' licenses.
- SB 99—By Senator Fincher et al.—Relating to milk commission.
- SB 536—By Senator Horne—Relating to eminent domain proceedings.
- SB 848—By Senator Chiles—Relating to drivers' licenses.
- SB 687—By Senator Edwards—Relating to prohibiting corporations.
- SB 628—By Senator Haverfield—Relating to larceny.
- HB 19—By Representative Myers et al.—Relating to Florida state hospitals.
- SB 945—By Senator Broxson—Relating to watches, clock or jewelry repair shops.
- SB 1183—By Senator Thomas—Relating to banks and banking.
- SB 855—By Senator McClain—Relating to county school system.
- SB 856—By Senator McClain—Relating to financing of school buildings by Florida development commission.
- SB 592—By Senator Horne et al.—Relating to creation and establishment of the commission on marine sciences and technology.
- SB 1415—By Senator Chiles—Relating to public education.
- SB 468—By Senator Weissenborn et al.—Relating to public schools personnel contracts.
- SB 786—By Senator Knopke et al.—Relating to specifically appropriate moneys for construction.
- SB 998—By Senator Chiles—Relating to additional ground for divorce.
- SB 1089—By Senator Gunter et al.—Relating to issuance of worthless checks.
- SB 202—By Senator Wilson et al.—Relating to taxation, homes for aged.
- SB 982—By Senator Barrow—Relating to court reporters.
- SB 1150—By Senator Deeb—Relating to financial matters generally.
- SB 359—By Senator Griffin et al.—Relating to cruelty to animals.
- SB 1002—By Senator Weissenborn—Relating to credit cards.
- SB 502—By Senator Weber—Relating to protection of policemen and other officials against false and irresponsible charges, etc.
- SB 602—By Senator Stone et al.—Relating to education minimum foundation.
- SB 961—By Senator Barron—Relating to no ascertainable value for tax on raw, annual agricultural crops.
- SB 1436—By Senators Askew and Broxson—Relating to board of regents of Florida and board of public instruction of Escambia county jointly and severally.
- SB 593—By Senator Poston et al.—Relating to graduate study of oceanography.
- SB 74—By Senator Thomas et al.—Relating to electronic technicians.
- CS for  
HB 1207—By the Committee on Judiciary C—Relating to submerged lands.

Respectfully submitted,

JOHN E. MATHEWS, JR., Chairman  
Committee on Rules and Calendar

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

June 12, 1967

Sir:

Your Committee on Rules and Calendar submits herewith as Special and Continuing Order beginning at 2:30 p. m., Tuesday, June 13, 1967, the consideration of the following bills:

- SB 1001—By Senator Barrow—Relating to compensation of prosecuting attorneys for county judge's courts.
- SB 353—By Senator Griffin et al.—Relating to board of cosmetology.
- SB 355—By Senator Griffin et al.—Relating to cosmetology, permit or certificate to practice.
- SB 963—By Senator Stolzenburg—Relating to tax roll, no tax or assessment in an amount less than one dollar (\$1.00).
- SB 553—By Senator Hollahan—Relating to increasing the bond of the comptroller.
- SB 312—By Senators Johnson and Reuter—Relating to elections.
- SB 729—By Senator Thomas—Relating to real estate license law.
- SB 1187—By Senator Chiles—Relating to probate law, dower proceedings.
- SB 1088—By Senator Spencer—Relating to revenue bond act of 1953.
- SB 275—By Senator Barron et al.—Relating to office building construction.
- HM 180—By Representative Wells et al.—Relating to refund of federal income taxes to be used for general state purposes.
- HB 8—By Representative Ashler—Relating to driver's license fees.
- SB 730—By Senator Thomas—Relating to custodian of a minor.
- SB 1370—By Senator Boyd—Relating to insurance code.
- SB 1061—By Senator Thomas—Relating to sale of securities.
- SB 1038—By Senator Chiles—Relating to Florida public service commission, appropriations.
- HB 1003—By Representative Hartnett et al.—Relating to junior colleges.
- HB 274—By Representative Wolfson—Relating to bureau of vital statistics.
- HB 1276—By Representative Craig—Relating to traffic control.

Respectfully submitted,  
JOHN E. MATHEWS, JR., Chairman  
Committee on Rules and Calendar

The Committee on Rules and Calendar recommends the following pass:

SB 862

The Committee on Citrus recommends the following pass:

SB 1340 with 4 amendments

The Committee on Insurance recommends the following pass:

HB 798  
HB 1407

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

SB 1176 with 3 amendments      HB 414 with 9 amendments  
HB 850 with 1 amendment

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

SB 1114                      HB 717                      HB 1016

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

SB 478	SB 1131
SB 484 with 3 amendments	SB 1356 with 1 amendment
SB 839	HB 533
SB 1020 with 1 amendment	CS for HB 130

The Committee on Health and Welfare recommends the following pass:

SB 1504

The Committee on Finance and Taxation recommends the following pass:

SB 299 with 2 amendments	SB 1276 with 1 amendment
HB 1462	SB 1262 with 2 amendments
SB 1218	

The bills contained in the foregoing reports were placed on the Calendar of the Committee on Rules and Calendar.

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

SB 595                      HB 1185

The Committee on Judiciary "B" recommends a Committee Substitute with 2 amendments in lieu of the Committee Substitute recommended by the Committee on Agriculture and Livestock for:

SB 1277

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

The Committee on Finance and Taxation recommends the following pass:

SB 1070

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

SB 1445 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 Agriculture and Livestock recommends the following not pass:

SB 1397

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

SB 206

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

SB 760                      SB 1028                      HB 614

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

SB 1067                      SB 1068

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

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

HB 1167 with 1 amendment			
HB 1472	HB 1609	HB 1954	HB 2038
HB 1502	HB 1884	HB 1994	

The bills were placed on the Local Calendar.

The Committee on Water Conservation, Salt Water and Natural Resources recommends a Committee Substitute for the following:

SB 1248 with 4 amendments

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

The Committee on Health and Welfare recommends the following pass:

SB 1258

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

The Committee on Health and Welfare recommends the following pass:

SB 1496 with 1 amendment

The bill was referred to the Committee on Urban Affairs and Local Government under the original reference.

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

HB 1344

The bill was referred to the Committee on Game and Fish under the original reference.

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

HB 630 with 5 amendments

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

#### ENGROSSING REPORT

Your Engrossing Clerk to whom was referred—

SB 727 with 1 amendment      SB 1260 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 the required Constitutional two-thirds vote of the Senate the following bills were admitted for introduction and consideration:

By Senator Johnson—

SB 1542—A bill to be entitled An act relating to incompetents, who may file petition; amending section 394.22(2)(b), Florida Statutes, requiring a physician's certificate when any three (3) citizen's file an incompetency petition; providing an effective date.

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

By Senators Griffin, Mathews, Horne, Haverfield and Bafalis—

SB 1543—A bill to be entitled An act relating to exemption from intangible personal property taxation; amending chapter 199.031, Florida Statutes, by adding subsection (6) thereto, which exempts from intangible personal property taxation stock of a bank holding company registered under the Bank Holding Company Act of 1956 of the United States; providing an effective date.

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

By Senator Pope—

SB 1544—A bill to be entitled An act relating to the disposal of unclaimed bodies; amending section 125.44, Florida Statutes, authorizing boards of county commissioners to provide for the burial of any such body when the deceased died possessed of real or personal property; providing an effective date.

Was read the first time by title and referred to the Committees on Health and Welfare; and Judiciary "B".

Senator Friday moved that the Senate reconsider the vote by which CS for HB 135 as amended passed on June 12. The motion went over under the rule.

#### MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Griffin, by two-thirds vote, SB 1406 was withdrawn from the Committee on Finance and Taxation and placed on the Calendar of the Committee on Rules and Calendar.

On motion by Senator Askew, by two-thirds vote, HB 789 was withdrawn from the Committee on Appropriations and placed on the Calendar of the Committee on Rules and Calendar.

On motion by Senator Fincher, by two-thirds vote, SB 834 was withdrawn from the Committee on Judiciary "B" and placed on the Calendar of the Committee on Rules and Calendar.

On motion by Senator Griffin, by two-thirds vote, SB 1140 was withdrawn from the Committee on Finance and Taxation and placed on the Calendar of the Committee on Rules and Calendar.

On motion by Senator Barrow, the Committee on Judiciary "A" was granted an additional 10 days for the consideration of all bills now in the Committee.

On motion by Senator Griffin, the Committee on Finance and Taxation was granted an additional 10 days for the consideration of Senate Bills 540, 749, 216, 217, 218, 906, 983, 1327 and 1342, and CS for HB 101.

#### MESSAGES FROM THE GOVERNOR

*The Honorable Verle A. Pope*      June 13, 1967  
*President of the Senate*  
*The Capitol*  
*Tallahassee, Florida*

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:

CSSB 77	SB 497	SB 1066	SB 1104
SB 223	SB 802	SB 1077	
SB 230	SB 883	SB 1078	
SB 328	SB 909	SB 1079	

Respectfully,  
CLAUDE KIRK  
Governor

*The Honorable Verle A. Pope*      June 12, 1967  
*President of the Senate*  
*The Capitol*  
*Tallahassee, Florida*

Dear Sir:

I have today filed with the office of the Secretary of State the following acts which originated in the Senate, Regular Session, 1967, and which I approved on June 12, 1967, at 4:00 P.M.:

SB 486	SB 744
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Respectfully,  
CLAUDE KIRK  
Governor

*The Honorable Verle A. Pope*      June 12, 1967  
*President of the Senate*  
*The Capitol*  
*Tallahassee, Florida*

Dear Sir:

I have today filed with the office of the Secretary of State the following acts which originated in the Senate, Regular Session, 1967, and which I approved on June 12, 1967, at 3:00 P.M.:

SB 55	SB 499
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Respectfully,  
CLAUDE KIRK  
Governor

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

June 13, 1967

Dear Sir:

I have today filed with the office of the Secretary of State the following act which originated in the Senate, Regular Session, 1967, and which I approved on June 13, 1967, at 12:00 Noon:

SB 1171

Respectfully,  
CLAUDE KIRK  
Governor

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

June 13, 1967

Dear Sir:

I have transmitted to the office of the Secretary of State the following act which originated in the Senate, Extended Session, 1967:

SCR 1538

Respectfully,  
CLAUDE KIRK  
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages were read:

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

June 12, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has recalled from the Senate, reconsidered the vote by which indefinitely postponed on May 3, 1967, and passed—

SB 40

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

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

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

June 12, 1967

Sir:

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

By J. Fortune and others—

HB 2009—A bill to be entitled An act authorizing and empowering the board of county commissioners of Orange County, Florida, to supervise and control the methods and means of providing public water and sewage systems in Orange County outside of municipalities, to grant franchises to install, operate and maintain water and sewer systems for a uniform term of years, either exclusive or non-exclusive, and to fix reasonable rates and fees therefor and to establish reasonable rules and regulations to protect the public health and general welfare of the inhabitants of said county; to provide for inspection of such facilities and to correct improper conditions found to exist; providing the method of applying for and receiving such franchises, and providing for public notice and hearing, and providing for the forfeiture of any such franchise; providing that the board of county commissioners may purchase water or sewage disposal systems operating under a franchise granted hereunder after the expiration of five (5) years or upon termination of any franchise granted herein for any reason; providing the method of arriving at a price therefor; requiring the owner, tenant or occupant of each lot or parcel of land which abuts upon a street or other public way containing a sanitary sewer or water system constructed under the provisions of this act, upon which a building has been constructed for residential, commercial or industrial use, if required by the rules and regulations of said board, to connect such building with such sani-

tary sewer and/or water system and to cease to use any other method for disposal of sewage for such building, such connections to be made in accordance with rules and regulations as said board may adopt, including a reasonable charge therefor; providing for the effective date of any order or regulation, the method of appeals and the cost thereof; requiring a deposit of not less than five hundred and no/100 (\$500.00) dollars by applicant to defray the cost of investigation hearings and granting of such franchises, with the excess payable to the general revenue fund of the county; providing that provisions of this act shall not affect the jurisdiction and powers of the Orlando utilities commission or any other water or sewer tax district in said county; declaring the same to be for a proper county public purpose and for a liberal construction of this act to protect the health and general welfare of the inhabitants of Orange County; severability clause; providing for the repeal of chapter 367, Florida Statutes, 1961, as to Orange County; 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 2009.

HB 2009, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

June 12, 1967

Sir:

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

By Representative McDonald—

HB 2147—A bill to be entitled An act relating to Suwannee county race track funds; amending section 1 (c) of chapter 30250, Laws of Florida, acts of 1955, as amended by chapter 59-727, Laws of Florida, acts of 1959, and chapter 65-1215, Laws of Florida, Acts of 1965; providing a method of distribution of race track funds; 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 2147.

HB 2147, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

June 12, 1967

Sir:

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

By Representative McKinley—

HB 2604—A bill to be entitled An act authorizing and empowering the Board of County Commissioners of Highlands County, Florida, to adopt zoning and building regulations in the territory within Highlands County which is not included in the corporate limits of any city or town; authorizing and empowering said Board of County Commissioners to divide said territory into districts or zones, and to regulate and restrict the uses of lands, water, buildings and other structures for trade, industry, residence or other purposes within said districts or zones, and to regulate and restrict the construction, reconstruction, erection, alteration, repair, height, number of stories, size and location of buildings and other structures within said districts or zones, and to regulate and restrict the area, dimensions and size of lots or tracts of land or yards, and the percentage and portion of lots that may be occupied in connection

with the construction and location of buildings or other structures within said districts or zones; 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; appointment of a Board of Adjustment and prescribing its powers and duties, and of administrative officials and their powers and duties; providing for certain appeals to such Board of Adjustment from orders, requirements, decisions, determinations or actions of administrative officials; providing for review by the Board of County Commissioners of the county for relief in certain cases, and limiting the time in which such application may be made; authorizing a system of fees to be charged, and authorizing expenditures in order to carry out the provisions of this Act; prescribing procedures of enforcing the rules, orders and regulations adopted under authority of this Act; and prescribing penalties for the violation of this Act or any code; repealing all laws and parts of laws in conflict herewith; 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 2604.

HB 2604, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

June 12, 1967

Sir:

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

By Representative J. Fortune and others—

HB 2758—A bill to be entitled An act relating to Seminole County; amending Section 3 of Chapter 59-1861, Laws of Florida; providing methods for the creation of Special Improvement Districts; providing an effective date.

Proof of Publication attached.

By Representative Pfeiffer and others—

HB 2309—A bill to be entitled An act relating to Brevard County, Florida, creating a Special Act in and for Brevard County, Florida, relating to municipal officers' arrest outside corporate limits in fresh pursuit and within other corporate limits while in fresh pursuit; 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 2758.

Evidence of notice and publication was established by the Senate as to HB 2309.

House Bills 2758 and 2309, contained in the above message, were read the first time by title and referred to the Committee on Rules and Calendar.

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

June 12, 1967

Sir:

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

By Representative Davis and others—

HB 2108—A bill to be entitled An act authorizing the county of Brevard, Florida, to construct, acquire, own, maintain and

operate a solid waste disposal system in said county for the collection and disposal of garbage and other waste matter; authorizing said county to establish, fix and collect fees, rentals or other charges for the services and facilities of said solid waste disposal system, and to issue bonds of said county to finance the cost of the construction, acquisition or improvement of said solid waste disposal system, and purposes related thereto; providing that said bonds may be revenue bonds payable solely from the fees, rentals or other charges derived from said solid waste disposal system or from other funds of said county other than ad valorem taxes; providing for the exercise of the power of eminent domain by said county for the purposes of said solid waste disposal system; providing for a receiver of said solid waste disposal system on default of the county in the payment of such bonds or of covenants with the holders of such bonds; providing for covenants of the state of Florida with respect to the rights of the holders of said bonds; providing for the issuance of refunding bonds; authorizing said county to covenant with holders of such bonds to include the amounts necessary for debt service and reserves on said bonds in each year in the budget of such county for such year but payable only from funds other than ad valorem taxes; authorizing said county to require the use of the facilities of said solid waste disposal system by all of the inhabitants of said county, including municipalities if approval is given by the governing bodies of not less than two thirds (2/3) of the municipalities; authorizing said county to make other valid and legally binding covenants with the holders of said bonds relative to said solid waste disposal system and the rights, security and remedies of the holders of said bond; providing for 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 2108.

HB 2108, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

June 12, 1967

Sir:

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

By Representative Davis and others—

HB 2406—A bill to be entitled An act to amend section 3.10, section 3.16, subsection (a), section 8.03 and section 8.04 of chapter 65-2166, Laws of Florida, Special Acts of 1965, being the charter of the City of St. Cloud; said section 3.10 relating to municipal judge and court to provide additional persons authorized to issue warrants and summons; said section 3.16 (a) providing procedure for amendments to city ordinances; said section 8.03 to provide for appointment of deputy registration officers and section 8.04 to provide for run-off election in case of certain tie votes, 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 2406.

HB 2406, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

June 12, 1967

Sir:

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

By Representatives Gallen and Pratt—

HB 2060—A bill to be entitled An act relating to the city of Bradenton, creating and establishing a new pension fund for firemen to incorporate provisions of the present city fireman's pension fund and provisions of chapter 175, Florida Statutes, repealing chapter 59-637, Special Laws of Florida; 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 2060.

HB 2060, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

June 12, 1967

Sir:

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

By Representative Pfeiffer and others—

HB 2091—A bill to be entitled An act authorizing the board of county commissioners of Brevard county, Florida to provide for the construction, acquisition or purchase of water or sewer systems or any combination thereof and improvements, additions and extensions thereto and the operation and maintenance thereof, excluding municipal systems except by consent; to provide for the creation of a department of public works; to provide authority to enter into contracts with any governmental agency relating to the supply or treatment of water and sewage under certain conditions, to fix and collect rates and other charges for the services furnished by any county owned system; to regulate the operation of all water supply systems and sanitary sewerage systems in the unincorporated areas of the county excluding municipalities operating systems beyond their corporate limits, to compel owners of property to connect with any county system, to grant exclusive or non-exclusive franchises to private utility companies and imposing certain conditions to said franchises; to provide authority to fix rates of private utility companies and to define the rate base thereof and to exclude from the rate base contributions from developers or landowners for treatment plant capacity or in aid of construction; to provide for optional methods of financing of such construction, acquisition, purchase or improvement of any such water or sewer system by the issuance of revenue bonds or assessment bonds or any combination thereof; to provide authority to fix the schedule of rates for the use of any such county system; to provide for the fixing and collecting of rates and charges to users of such systems to pay such revenue bonds, and the levy and collection of special assessments on property benefited by such systems, including a summary proceeding for the collection thereof; to provide for the exemption from taxation any bonds issued pursuant to said act; to provide said bonds as constituting legal investments for public funds; to provide authority to use bonds as payment for the improvements or construction of any water or sewer system; to provide for the combining of any such systems for financing or administrative purposes; to provide for any such systems to be exclusive within an area of operation under certain conditions; to provide for conditional dissolution of the water and sanitary sewage authority of Brevard county; to provide for the ratification of existing franchises issued by the county; to provide said act to be supplemental authority; to provide a means by which municipalities may participate in such systems without the necessity of a referendum in said municipality; and provide for 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 2091.

HB 2091, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

June 12, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required two-thirds vote and passed—

By Representatives Gustafson and others—

HB 2850—A bill to be entitled An act amending chapter 65-772, Laws of Florida, general laws of 1965, prescribing the compensation of the official court reporter and the deputy court reporter of the court of record of Broward county; providing an effective date.

Proof of Publication attached.

By Representative Reedy and others—

HB 2869—A bill to be entitled An act amending section 2 of chapter 63-1509, Laws of Florida, as amended by chapter 65-1782, Laws of Florida, to require the board of county commissioners of Lake county, Florida, to levy the special tax of one mill on the value of all real and personal property within the area of the northeast Lake county hospital district; 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 2850.

Evidence of notice and publication was established by the Senate as to HB 2869.

House Bills 2850 and 2869, contained in the above message, were read the first time by title and referred to the Committee on Rules and Calendar.

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

June 12, 1967

Sir:

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

By the Committee on Local Government—

HB 2744—A bill to be entitled An act amending chapter 145, Florida statutes, relating to compensation of county officers; amending 145.011 relating to legislative intent; amending section 145.031, 145.041, 145.061, 145.071, 145.08, 145.09, 145.10, 145.11, providing for annual compensation of county officers; amending section 145.13, providing for construction of chapter 145; adding section 145.15, providing a severability section; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 2744, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

June 12, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required two-thirds vote and adopted—

By Representative Reeves and others—

**HCR 2917—A concurrent resolution expressing appreciation for the life and contributions of Langley Bell and deepest regret over his death.**

WHEREAS, the late Langley Bell served an extraordinary forty-five years in the public service, as an employee in the office of the clerk of the circuit court in Escambia county, as city tax assessor of Pensacola and as clerk of the circuit court of the first judicial circuit for more than thirty-three years, and

WHEREAS, this Legislature by concurrent resolution in 1959 commended Langley Bell, who was born in Escambia county in 1893 and lived his life there, for his devoted service in government and for his exemplary contributions to civic life, and

WHEREAS, Langley Bell served on many civic organizations and directly contributed to major civic improvements, most particularly in his work for the Crippled Children's Clinic and the Diagnostic Eye Clinic, which work indicates the special concern he had for young people which was also evidenced through his generous support of 4-H programs in the county, and

WHEREAS, Langley Bell's wisdom, restraint, charitable and progressive spirit and depth of friendship have indelibly marked those who knew him and those he served and because his contributions and example have greatly enriched Escambia county and all Florida, NOW, THEREFORE,

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

That on behalf of the people of Florida, this Legislature does hereby express its gratitude for the long and rich life and the service of Langley Bell, and its deepest sense of regret and loss at his death.

BE IT FURTHER RESOLVED that a copy of this Resolution, signed by the Speaker of the House of Representatives and the President of the Senate, be sent to the family of the late Langley Bell.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HCR 2917, contained in the above message, was read the first time in full. On motion by Senator Askew, the rules were waived and HCR 2917 was read the second time by title, unanimously adopted, and certified to the House.

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

June 12, 1967

Sir:

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

By Representative Reedy and others—

**HB 386—A bill to be entitled An act relating to parking in the capitol center area; amending section 272.16, Florida Statutes, by adding subsections (3), (4) and (5); to provide for a capitol center area trust fund; the rental of parking facilities in the capitol center area; providing for funds to be used for maintenance and construction of parking facilities in the capitol center area; providing for funds to be used for maintenance and construction of parking facilities in the capitol center area after the obtaining approval by the Capitol Center Planning Commission; providing effective date.**

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 386, contained in the above message, was read the first time by title and referred to the Committees on Appropriations and Judiciary "B".

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

June 12, 1967

Sir:

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

By Representative Rainey and others—

**HB 796—A bill to be entitled An act relating to homestead exemption; providing for mailing of notice to persons entitled to exemption to file claim on or before April 1 of current year; providing for publication of notice to such persons who have not filed claim by March 1 of current year.**

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 796, contained in the above message, was read the first time by title and referred to the Committee on Finance and Taxation.

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

June 12, 1967

Sir:

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

By the Committee on Ad Valorem Taxation—

**CS for HB 1186—A bill to be entitled An act to create an interim committee on local government efficiency and organization; establishing purposes, duties; designation composition; providing for research and professional assistance by the several cabinet officers and the legislative reference bureau; providing an effective date.**

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

CS for HB 1186, contained in the above message, was read the first time by title and referred to the Committees on Rules and Calendar; and Urban Affairs and Local Government.

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

June 12, 1967

Sir:

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

By Representative Register and others—

**HB 2299—A bill to be entitled An act relating to submerged lands in the Hillsborough county port district; providing procedures and conditions for the granting of dredge or fill permits by the Tampa port authority; requiring preliminary biological and hydrographic surveys and ecological study by the state board of conservation; requiring recommendations from the state board of conservation and the city-county planning commission to the Tampa port authority upon all applications for such permits; providing that the board of county commissioners of Hillsborough county may approve or rescind permits granted by the Tampa port authority; providing certain exceptions; providing for removal of unauthorized fill; providing a manner for appeal; providing a severability clause; 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 2299.

HB 2299, contained in the above message, was read the first time by title and referred to the Committee on Urban Affairs and Local Government.

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

June 12, 1967

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

June 8, 1967

Sir:

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

By Representative Pratt and others—

**HB 584—A bill to be entitled An act relating to educational organizations; prohibiting the application of certain words to public educational institutions by organizations other than the state board of education; providing penalties; providing for study; providing an effective date.**

—and requests the concurrence of the Senate therein.

Respectfully,  
**ALLEN MORRIS**  
Clerk, House of Representatives

HB 584, contained in the above message, was read the first time by title and referred to the Committees on Rules and Calendar; and Education—Public Schools and Junior Colleges.

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

June 12, 1967

Sir:

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

By Representative Inman—

**HB 1141—A bill to be entitled An act relating to office building construction; authorizing state department of public welfare to construct office building at Quincy, Gadsden county, pursuant to section 288.17, Florida Statutes; authorizing the state agency to issue revenue certificates for payment thereof; providing an effective date.**

—and requests the concurrence of the Senate therein.

Respectfully,  
**ALLEN MORRIS**  
Clerk, House of Representatives

HB 1141, contained in the above message, was read the first time by title and referred to the Committees on Appropriations; and Health and Welfare.

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

June 12, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has adopted the Conference Committee Report on HB's 1800, 1888, 1889, 1890, 1891, 1892, 1893, 1894 and 1912—

—and pursuant thereto, has adopted the Conference Committee Amendment to HB 1800 and has passed HB 1800, as amended by the Conference Committee Amendment—

—and further pursuant thereto, has adopted the Conference Committee Amendment to HB 1912 and has passed HB 1912, as amended by the Conference Committee Amendment.

Respectfully,  
**ALLEN MORRIS**  
Clerk, House of Representatives

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

June 13, 1967

Sir:

I am directed to inform the Senate that the House of Representatives requests the return of HB 1696.

—and requests the concurrence of the Senate therein.

Respectfully,  
**ALLEN MORRIS**  
Clerk, House of Representatives

On motion by Senator Askew, HB 1696 was returned to the House as requested.

Sir:

I am directed to inform the Senate that the House of Representatives requests the return of SB 243.

—and requests the concurrence of the Senate therein.

Respectfully,  
**ALLEN MORRIS**  
Clerk, House of Representatives

On motion by Senator de la Parte, the Senate refused to return SB 243 as requested, and the action of the Senate was certified to the House.

By permission, Senator Gunter withdrew SB 747 from the Senate.

**UNFINISHED BUSINESS**

Consideration of CS for SB 30, with pending amendments was deferred, the bill retaining its place on the Calendar.

**SPECIAL AND CONTINUING ORDER**

Consideration of SB 270 was deferred, the bill retaining its place on the Calendar.

**HB 342—A bill to be entitled An act relating to regulation of traffic on highways; amending section 317.021, Florida Statutes, relating to a manual for a uniform system of traffic-control devices; authorizing the road department to revise and update the same; authorizing the road department to call upon various governmental agencies for assistance in so doing; providing an effective date.**

Was taken up. On motions by Senator Young, the rules were waived and HB 342 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—48 Nays—None

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

The bill was certified to the House.

SB 178 was laid on the table.

**HB 589—A bill to be entitled An act establishing a select council on post-high-school education; providing for the membership of the council; providing for the duties and responsibilities of said council; providing an effective date.**

Was taken up. On motions by Senator Mathews, the rules were waived and HB 589 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—48 Nays—None

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

The bill was certified to the House.

**SB 18—A bill to be entitled An act relating to prisoners, releasees; creating section 944.291, Florida Statutes, providing that prisoners released after serving terms less statutory gain time be released subject to the supervision and control of the**

state probation and parole commission for remainder of term for which sentenced; providing exception; providing such supervision be as prescribed by chapter 947, Florida Statutes, for parolees; providing an effective date.

Was taken up. On motion by Senator Shevin the rules were waived and SB 18 was read the second time by title.

The Committee on Appropriations offered the following amendment which was adopted on motion by Senator Shevin:

In Section 1, page 1, following subsection (2) and preceding Section 2 insert the following: (3) There is appropriated from the general revenue fund to the probation and parole commission the sum of eighty-seven thousand (\$87,000.00) dollars for carrying out the purposes of this act.

The Committee on Appropriations also offered the following amendment which was adopted on motion by Senator Shevin:

In title, line 10, page 1, following the word: "parolees;" insert the following: providing an appropriation;

On motion by Senator Shevin, the rules were waived and SB 18 as amended was read the third time in full and passed. The vote was:

Yeas—43

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

Nays—5

Clayton	Johnson	Stockton	Young
Deeb			

The bill was ordered engrossed.

**SB 1025—A bill to be entitled An act relating to the state attorney and assistant state attorneys of the eighth judicial circuit; providing for one (1) additional assistant state attorney in said circuit and prescribing his duties, powers, etc.; prescribing the salary of such assistant state attorney and providing for its payment from state funds; and providing an effective date.**

Was taken up. On motions by Senator Cross the rules were waived and SB 1025 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—48 Nays—None

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

The bill was certified to the House.

**SB 1139—A bill to be entitled An act relating to beverage law, enforcement; amending section 562.13, Florida Statutes, by extending exceptions to include high school graduates and lowering minimum age of employment by certain vendors; providing an effective date.**

Was taken up. On motion by Senator Thomas, the rules were waived and SB 1139 was read the second time by title.

Senator de la Parte offered the following amendment:

In Section 1, line 27, page 1, after "he is a" insert the following: senior high school student with written permission of the principal of said senior high school or senior high school graduate or any

Senator Stolzenburg offered the following amendment to the amendment which failed:

In Section 1, line 4, following "or any" insert the following: or any person seventeen (17) years of age who is not a student or a high school graduate.

The question recurred on the original amendment and the amendment was adopted.

On motion by Senator Thomas, the rules were waived and SB 1139 as amended was read the third time in full and passed. The vote was:

Yeas—31

Bafalis	Fisher	Lane	Spencer
Barron	Friday	Mathews	Stockton
Barrow	Gong	O'Grady	Stolzenburg
Boyd	Griffin	Plante	Stone
Chiles	Haverfield	Reuter	Thomas
Deeb	Hollahan	Sayler	Weber
de la Parte	Horne	Shevin	Wilson
Fincher	Knopke	Slade	

Nays—13

Askew	Cross	Henderson	Young
Bell	Edwards	Johnson	
Broxson	Elrod	Poston	
Clayton	Gunter	Weissenborn	

The bill was ordered engrossed.

**SB 683—A bill to be entitled An act relating to the definition of the term "dealer" within the contemplation of the uniform sale of securities law; amending section 517.02(4), Florida Statutes, to enlarge the exclusions from the term "dealer" by excluding banks or trust companies authorized to exercise trust powers in this state which perform certain services as agent or in other fiduciary capacities; and providing an effective date.**

Was taken up. On motions by Senator Mathews, the rules were waived and SB 683 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—48 Nays—None

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

The bill was certified to the House.

**SB 981—A bill to be entitled An act relating to unfair commercial discrimination; amending section 540.01 by adding a provision to sub-section (1); providing for and permitting the sale of commodities in any one locality in order to fairly meet competition; providing an effective date.**

Was taken up. On motion by Senator Gunter, the rules were waived and SB 981 was read the second time by title.

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

In Section 1, line 30, page 1, after the words "good faith", insert the following: in an amount necessary

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

Strike: title of the Bill and insert the following: A bill to be entitled An act relating to unfair commercial discrimination; amending section 540.01 by adding a provision to subsection (1) to permit discrimination in prices in the same or different sections, communities or cities of the state made in good faith to meet competition; providing an effective date.

On motion by Senator Gunter, the rules were waived and

SB 981 as amended was read the third time in full and passed. The vote was:

Yeas—47

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

Nays—1

Cross

The bill was ordered engrossed.

**SB 1236—A bill to be entitled An act amending section 323.29, Florida Statutes, by adding a new subsection (5) to authorize the regulation by the Florida public service commission of motor carriers engaged in the transportation of household goods within municipalities and their suburban territories; removing the exemption presently applicable to such transportation, and providing an effective date.**

Was taken up. On motions by Senator Gunter, the rules were waived and SB 1236 was read the second time by title, the third time in full and passed, title as stated. The vote was:

Yeas—47

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

Nays—1

Weissenborn

The bill was certified to the House.

**SB 1197—A bill to be entitled An act relating to legislative spending philosophy; amending Sections 282.021, 282.051, 282.061 and 282.081, Florida Statutes; and providing an effective date.**

Was taken up. On motion by Senator Askew, the rules were waived and SB 1197 was read the second time by title.

The Committee on Appropriations offered the following amendment which was adopted on motion by Senator Askew:

In Section 2, line 25, page 8, strike: all of item 2. and insert the following: 2. Within the classification and pay plan approved and administered by the board of regents for those positions in the state university system which are determined by the board of regents to be teaching and research faculty positions and comparable administrative and professional positions.

Senator Poston offered the following amendment which was adopted:

In Section 2, sub-section 3 (B), lines 5 through 12, page 8, strike: "however, that reclassification of established positions may be accomplished where such reclassifications are limited to changing an established position in one class in a series to the next higher or lower class in the same series where the higher class does not involve supervision over subordinate employees." and insert the following: however, that reclassification of established positions may be accomplished where justified in accordance with the established procedures for reclassifying positions as approved by the State Personnel Board.

On motion by Senator Askew, the rules were waived and SB 1197 as amended was read the third time in full and passed. The vote was: Yeas—48 Nays—None

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

The bill was ordered engrossed.

Consideration of SB 707 was deferred, the bill retaining its place on the Calendar.

**SB 894—A bill to be entitled An act relating to power of county commissioners amending chapter 125, Florida Statutes by adding section 125.57, Florida Statutes to enable county commissioners to use county funds for construction of facilities on state lands where such structures or additions will be used predominantly for county purposes.**

Was taken up. On motion by Senator Gunter, the rules were waived and SB 894 was read the second time by title.

The Committee on Urban Affairs and Local Government offered the following amendment which was adopted on motion by Senator Gunter:

In Section 3, line 25, page 1, strike: "immediately upon becoming a law." and insert the following: September 1, 1967.

The Committee on Urban Affairs and Local Government also offered the following amendment which was adopted on motion by Senator Gunter:

In title, line 9, page 1, strike: the period (.) and insert the following: ; providing an effective date.

On motion by Senator Gunter, the rules were waived and SB 894 as amended was read the third time in full and passed. The vote was: Yeas—48 Nays—None

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

The bill was ordered engrossed.

Consideration of Senate Bills 520 and 698 was deferred, the bills retaining their places on the Calendar.

On motion by Senator Hollahan, by two-thirds vote, HB 560 was withdrawn from the Committee on Appropriations and placed on the Calendar of the Committee on Rules and Calendar.

Unanimous consent was granted Senator Hollahan to take up out of order—

**HB 560—A bill to be entitled An act relating to the state budget and planning commission; requiring each state agency and every county, special district and other political subdivisions of the state including municipalities to submit a financial statement to the state budget and planning commission; providing that the act shall be continued upon the passage of legislation creating a state budget and planning commission.**

On motion by Senator Hollahan, the rules were waived and HB 560 was read the second time by title.

Senator Hollahan offered the following amendment which was adopted:

In title, lines 7 and 8, strike: "Continued" and insert the following: contingent.

On motion by Senator Hollahan, the rules were waived and HB 560 as amended was read the third time in full and passed. The vote was: Yeas—48 Nays—None

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

The bill as amended was certified to the House.

SB 398 was laid on the table.

**SB 316—A bill to be entitled An act relating to common trust funds of banks and trust companies and the investment authority in connection therewith; amending section 660.11, Florida Statutes, to authorize a bank or trust company to invest managing agency funds in a common trust fund established by the bank or trust company; and providing an effective date.**

Was taken up. On motions by Senator Mathews, the rules were waived and SB 316 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—48 Nays—None

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

The bill was certified to the House.

**SB 491—A bill to be entitled An act relating to the state fire marshal, inspection of buildings and equipment; amending section 633.081, Florida Statutes, by adding a provision extending to certain local officials authority to make inspections; providing an effective date.**

Was taken up. On motion by Senator Knopke, the rules were waived and SB 491 was read the second time by title.

The Committee on Urban Affairs and Local Government offered the following amendment which was adopted on motion by Senator Knopke:

In Section 1, line 1, page 2, strike "or" and insert the following: , members of fire prevention divisions, and

The Committee on Urban Affairs and Local Government also offered the following amendment which was adopted on motion by Senator Knopke:

In Section 1, lines 2 and 3, page 2, strike: "and their deputies"

The Committee on Urban Affairs and Local Government also offered the following amendment which was adopted on motion by Senator Knopke:

In Section 2, lines 7 and 8, page 2, strike: "upon becoming a law." and insert the following: September 1, 1967.

The Committee on Insurance offered the following amendment which was adopted on motion by Senator Knopke:

Line 3 of title, page 1, after the word "Statutes" strike: ", by" and insert the following: ;

On motion by Senator Knopke, the rules were waived and SB 491 as amended was read the third time in full and passed. The vote was: Yeas—48 Nays—None

Mr. President	Barron	Boyd	Clayton
Askew	Barrow	Broxson	Cross
Bafalis	Bell	Chiles	Deeb

de la Parte	Gunter	Mathews	Spencer
Edwards	Haverfield	O'Grady	Stockton
Elrod	Henderson	Ott	Stolzenburg
Fincher	Hollahan	Plante	Stone
Fisher	Horne	Poston	Thomas
Friday	Johnson	Reuter	Weber
Gibson	Knopke	Saylor	Weissenborn
Gong	Lane	Shevin	Wilson
Griffin	McClain	Slade	Young

The bill was ordered engrossed.

**SB 726—A bill to be entitled An act relating to the uniform commercial code; amending section 679.9-402, Florida Statutes; authorizing the secretary of state to promulgate approved and uniform forms for filing in the office of the secretary of state; providing for an additional fee for the filing of instruments in the office of the secretary of state not approved by the secretary of state; providing an effective date.**

Was taken up. On motions by Senator Friday, the rules were waived and SB 726 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—48 Nays—None

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

The bill was certified to the House.

Senator Askew presiding.

**SB 784—A bill to be entitled An act relating to conservation; amending section 378.04, Florida Statutes, providing for disbursement to navigation districts for works; providing an effective date.**

Was taken up. On motion by Senator Friday, the rules were waived and SB 784 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 1, page 1, strike: line 11 through line 29 and substitute in lieu thereof:

378.04 Disbursements from water resources development account.—Subject to the provisions of this chapter, there shall be available to any flood control or water management district created under this chapter or by special acts of legislature, out of said water resources development account upon the approval of the board of conservation a sum or sums of money not exceeding in the aggregate the total estimated amount required to cover the costs allocated to the district for constructing the works of said districts, for the acquisition of lands for water storage areas, for highway bridge construction, for administration and promotion. Said sum or sums shall be available as money is required for said purposes and may be a grant to said districts. Also subject to the provisions of this chapter there shall be available to any navigation district or agency created under chapter 374 or by special act of the legislature out of said water resources development account upon approval of the board of conservation a sum or sums of money not exceeding in the aggregate the total estimated amount required to cover the costs allocated to the district for constructing the works, for highway bridge construction, for the acquisition of land for rights of way, for water storage areas, for administration and promotion. Said sum or sums shall be available as money is required for said purposes and may be a grant to said districts or agencies.

On motion by Senator Friday, the rules were waived and

SB 784 as amended was read the third time in full and passed. The vote was: Yeas—48 Nays—None

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

The bill was ordered engrossed.

The President Pro Tempore presiding.

**HB 961—A bill to be entitled An act relating to supplemental benefits payable to retired members under the state's retirement systems; providing an appropriation; and providing an effective date.**

Was taken up. On motion by Senator Slade, the rules were waived and HB 961 was read the second time by title.

Senator Horne offered the following amendment which was adopted:

Line 9, page 3, strike: the comma following "2(2)" and insert the following: and any permanently and totally disabled retired member who became thus disabled in the line of duty and while performing the duties incident to his employment.

On motion by Senator Slade, the rules were waived and HB 961 as amended was read the third time in full and passed. The vote was: Yeas—48 Nays—None

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

The bill as amended was certified to the House.

**HB 848—A bill to be entitled An act relating to game and fresh water fish commission; authorizing said commission to sell certain lands in Polk county to which it holds title; requiring the proceeds of sale of said lands to be deposited in the state game trust fund; providing an effective date.**

Was taken up. On motion by Senator Griffin, the rules were waived and HB 848 was read the second time by title.

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

In Section 2, lines 15, 16, page 1, strike: "immediately upon becoming a law." and insert the following: September 1, 1967.

On motion by Senator Griffin, the rules were waived and HB 848 as amended was read the third time in full and passed. The vote was: Yeas—48 Nays—None

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

The bill as amended was certified to the House.

Unanimous consent was granted Senator Griffin to take up out of order, SB 520 together with:

By the Committee on Water Conservation, Salt Water and Natural Resources—

**CS for SB 520—A bill to be entitled An act relating to the control, regulation and prohibition of the pollution of the environment of this state; amending Chapter 381 of the Florida Statutes by redesignating the state board of health as the board of health and environment; relating to the powers, duties and responsibilities of the board; expanding the membership of the board to nine (9); providing qualifications and appointment of the members; redesignating the state health officer as the commissioner of health and environment; establishing and assigning duties to a division of health and a division of environmental control within the board; authorizing a deputy commissioner for health and a deputy commissioner for environmental control and assigning duties; providing for the classification of the air, water and land of this state for the purpose of pollution control; providing for construction in relation to other law; providing for civil and criminal penalties; repealing Chapter 403 of the Florida Statutes; providing an effective date.**

—which was read the first time by title and SB 520 was laid on the table.

On motion by Senator Griffin, the rules were waived and CS for SB 520 was read the second time by title.

Senator Poston offered the following amendment which was adopted on motion by Senator Griffin:

In Section 1, line 24, page 3, strike: "An engineering authority" and insert the following: An industrial engineer

Senator Poston also offered the following amendment which was adopted on motion by Senator Griffin:

In Section 1, line 28, page 3, strike: "An authority on local government" and insert the following: A veterinarian

On motion by Senator Stone, the time of adjournment was extended until final action on CS for SB 520.

Senators Reuter and Henderson offered the following amendment which was adopted on motion by Senator Reuter:

In Section 16, lines 19, 21, 25, 26, 28, page 15, strike: "air"

Senator Barrow offered the following amendment which was adopted:

In Section 16, line 22, page 15, between words "program;" and "provided;" insert now in existence

Senator Stone offered the following amendment which was adopted:

In Section 17, Subsection (3), page 16, strike: the first sentence and insert the following: except as provided in Section 16 hereof, the power and authority of the board to control, regulate and prohibit pollution of the air, water and land of this state shall be exclusive.

The Committee on Water Conservation, Salt Water and Natural Resources offered the following amendment which was moved by Senator Barrow:

In Section 17, page 16, add a new subsection designated (4) as follows:

(4) This act shall limit and restrict the application of Chapter 24952, Laws of Florida, Acts of 1947, to any person operating any industrial plant that has located in the State of Florida in reliance thereon and exercised rights and powers granted thereby on and before the effective date of this act; provided such person shall henceforth in the exercise of such rights and powers install and use treatment works or control measures generally equivalent to those installed and used by other similar industrial plants pursuant to the requirements of the board.

Pending further consideration of the foregoing amendment, on motion by Senator Griffin the Senate recessed at 12:11 p. m. until 1:30 p. m.

## AFTERNOON SESSION

The Senate was called to order by the President at 1:30 p. m.

The following Senators were recorded present:

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

48. A quorum present.

On motion by Senator Mathews, a special Rule proposed by the Committee on Rules and Calendar was adopted that when the Senate adjourns it adjourn to reconvene at 10:00 a.m. June 14 and remain in continuous session until 2:00 p.m., and that the session for Monday, June 19, convene at 2:00 p. m. and adjourn at 4:00 p. m.

The Senate resumed consideration of CS for SB 520 which was pending at time of recess.

The question recurred on the adoption of the amendment offered by the Committee on Water Conservation, Salt Water and Natural Resources and the amendment was adopted. The vote was:

Yeas—24

Bafalis	Gibson	Lane	Slade
Barrow	Griffin	McClain	Stockton
Clayton	Gunter	Ott	Stolzenburg
Deeb	Henderson	Plante	Weber
Elrod	Johnson	Reuter	Wilson
Friday	Knopke	Sayler	Young

Nays—22

Mr. President	Chiles	Hollahan	Spencer
Askew	Cross	Horne	Stone
Barron	Fincher	Mathews	Thomas
Bell	Fisher	O'Grady	Weissenborn
Boyd	Gong	Poston	
Broxson	Haverfield	Shevin	

Senator Chiles offered the following amendment which was adopted:

In Section 10, line 1, page 13, insert the following: new subsection: (17) Adopt, modify and repeal rules governing the specifications, construction and maintenance of industrial reservoirs or dams which store or retain industrial waste of a deleterious nature. Renumber present section (17) to (18)

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

In line 3, page 3, strike: all after the enacting clause and insert the following:

Section 1. Sections 403.01 through 403.211, of chapter 403, Florida Statutes, are repealed. (Said sections created a Florida air pollution control commission within the state board of health.) All rule making jurisdiction over air and water pollution matters now held by other agencies within the state of Florida is repealed including, but without limitation, such jurisdiction held by the Florida state board of health, the Florida game and fresh water fish commission, the Florida state board of conservation and the several water management districts within the state.

Section 2. Chapter 403, Florida Statutes, 1965, is amended and revised to read:

403.011 Short title.—This act shall be known and cited as the Florida air and water pollution control act.

403.021 Legislative declaration.—The pollution of the air and waters of this state constitutes a menace to public health and welfare, creates public nuisances, is harmful to wildlife, fish and other aquatic life, and impairs domestic, agricultural, industrial, recreational, and other beneficial uses of air and water.

It is declared to be the public policy of this state to conserve the waters of the state and to protect, maintain, and improve the quality thereof for public water supplies, for the propagation of wildlife, fish and other aquatic life, and for domestic, agricultural, industrial, recreational, and other beneficial uses, and to provide that no wastes be discharged into any waters of the state without first being given the degree of treatment necessary to protect the beneficial uses of such water.

It is declared to be the public policy of this state and the purpose of this act to achieve and maintain such levels of air quality as will protect human health and safety, and to the greatest degree practicable, prevent injury to plant and animal life and property, foster the comfort and convenience of the people, promote the economic and social development of this state and facilitate the enjoyment of the natural attractions of this state.

It is declared that local and regional air and water pollution control programs are to be supported to the extent practicable as essential instruments to provide for a coordinated statewide program of air and water pollution prevention, abatement and control for the securing and maintenance of appropriate levels of air and water quality.

It is hereby declared that the prevention, abatement and control of the pollution of the air and waters of this state are affected with a public interest, and the provisions of this act are enacted in the exercise of the police powers of this state for the purpose of protecting the health, peace, and safety, and general welfare of the people of this state.

The Legislature finds and declares that control, regulation, and abatement of the activities which are causing or may cause pollution of the air or water resources in the state of Florida and which are or may be detrimental to human, animal, aquatic, or plant life, or to property, or unreasonably interfere with the comfortable enjoyment of life or property be increased to insure conservation of natural resources, to insure a continued safe environment, to insure purity of air and water, to insure domestic water supplies, to insure protection and preservation of the public health, safety, welfare, and economic well being, to insure and provide for recreational and wildlife needs as the population increases and the economy expands, to insure a continuing growth of the economy and industrial development.

403.031 Definitions.—In construing this chapter, or rules and regulation adopted pursuant thereto, the words, phrases or terms, unless the context otherwise indicates, shall have the following meanings:

(1) Commission is the Florida air and water pollution control commission.

(2) Director is the director of the commission.

(3) Pollution is the presence in the outdoor atmosphere or waters of the state of any one or more substances or contaminants in quantities which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property, or unreasonably interfere with the enjoyment of life or property, including outdoor recreation.

(4) Waters shall include, but not be limited to, rivers, lakes, streams, springs, impoundments, and all other waters or bodies of waters, including fresh, brackish, saline, tidal, surface, or underground. Provided, however, that artificial or man made ponds, lakes, channels with no discharge, wholly owned by one or more persons, are included only in regard to possible discharge onto other property or water. Underground waters include, but are not limited to, all underground waters passing through pores of rock or soils or flowing through in channels, whether man made or natural.

(5) Contaminant is any organic or inorganic matter or energy in the form of any of the state of matter solid, liquid, or gas or any phase or phase system combination, or any combination thereof, including, but not limited to, alteration of the properties of water or air, waste or discharge products, industrial waste, excrement, sewage, surface runoff water, solid waste, garbage, trash, dust, fumes, gas, odor, smoke, vapor, particulate matter, or substances or any combination thereof as provided for in the rules and regulations of the commission when created on private property, in public places, or in any place or manner whatsoever.

(6) Emission is the act of passing into the atmosphere or water any contaminant.

(7) Smoke is any solid particles produced by incomplete combustion including, but not limited to, particles, fly ash, cinders, tarry matter, soot, and carbon.

(8) Gas is any formless fluid which occupies space and which can be changed to a liquid or solid state only by increasing pressure with decreased or controlled temperature, or by decreased temperature with increased or controlled pressure.

(9) Fluorides is fluorine or compounds of the element fluorine (atomic weight 19). The quantitative expressions are in parts per million (ppm) fluoride ion.

(10) Wastes means sewage, industrial wastes, and all other liquid, gaseous, solid, radioactive, or other substances which may pollute or tend to pollute any waters of the state.

(11) Treatment works and disposal systems means any plant or other works used for the purpose of treating, stabilizing, or holding wastes.

(12) Effluent means any substance or waste discharged from a disposal system or treatment works, regardless of the degree or adequacy of treatment given it.

(13) Sewage system means pipelines or conduits, pumping stations, and force mains, and all other structures, devices, appurtenances, and facilities used for collecting or conducting wastes to an ultimate point for treatment or disposal.

(14) Control measures is any method, process, or equipment which removes, reduces, or renders less noxious air and water contaminants.

(15) Installation is any structure, equipment, facility, or appurtenances thereto, or operation which may emit air or water contaminants in quantities prohibited by rules of the commission.

(16) Plant is any unit operation, complex, area, or multiple of unit operations that produce, process, or cause to be processed any materials, the processing of which can, or may, cause air or water pollution.

(17) Source is any and all points of origin of the items defined in subsection (5) of this section, whether privately or publicly owned or operated.

(18) Undesirable levels of the items defined in subsection (5) of this section is the presence in the atmosphere or water of one or more of such items or combinations thereof in quantities and concentrations and of such characteristics, properties and duration as to appreciably injure human life or materially injure or interfere with the reasonable use of animal or plant life or property or outdoor recreation.

(19) Rule is any regulation, standard, or statement of policy, adopted by the commission to implement, interpret or clarify the laws which it enforces and administers, or which governs its duties, functions, organization and procedure.

(20) Hearing is any proceeding before the commission or its duly authorized representative in which the legal rights, duties, privileges or immunities of a specific party or parties are determined.

(21) Person means the state or any agency or institution thereof, any municipality, political subdivision, public or private corporation, individual, partnership, association, or other entity, and includes any officer or governing or managing body of any municipality, political subdivision, or public or private corporation.

403.041 Florida air and water pollution control commission.—There is hereby created and established the Florida air and water pollution control commission, hereinafter referred to as the commission. The commission shall be composed of the governor, the secretary of state, the attorney general, the comptroller, the treasurer, the superintendent of public instruction and the commissioner of agriculture.

The governor shall serve as the chairman of the commission. A majority of the members of the commission shall constitute a quorum and a majority of the entire commission shall be required to take action on any matter before the commission.

403.051 Commission; compensation; expenses.—Members of the commission shall serve without compensation, but shall be

entitled to per diem and travel expenses as provided by section 112.061, Florida Statutes.

403.061 Commission; powers and duties.—It shall be the duty of the commission to control and prohibit pollution of air and water in accordance with the law and rules and regulations adopted and promulgated by it and for this purpose to:

(1) Approve and promulgate current and long-range plans developed to provide for air and water quality control and pollution abatement.

(2) Employ a director and only such other personnel as may be necessary to effectuate the responsibilities of the commission.

(3) Utilize the facilities and personnel of other state agencies, including the state board of health, and delegate to such agency any duties and functions as may be necessary for the commission to carry out the purposes of this act.

(4) Secure necessary scientific, technical, research, administrative and operational services by interagency agreement, contract, or otherwise. All state agencies, upon direction of the commission, shall make these services and facilities available.

(5) Accept state appropriations, loans and grants from the federal government and from other sources, public or private, which loans and grants shall not be expended for other than the purposes of this act.

(6) Exercise general supervision of the administration and enforcement of the laws, rules and regulations pertaining to air and water pollution.

(7) Adopt, modify and repeal rules and regulations to carry out the intent and purposes of this act. Such rules shall be promulgated in accordance with the provisions of this act or chapter 120, Florida Statutes, cited as the Uniform Administrative Procedure Act, and when so promulgated shall have the full force and effect of law.

(8) Hold hearings relating to the adoption of rules to control or prohibit air and water pollution, including hearings upon complaints for violations and in connection with such hearings, the commission shall administer oaths and affirmations, issue subpoenas to compel the attendance of witnesses and the production of evidence. Such public hearings shall be conducted pursuant to the provisions of the Uniform Administrative Procedure Act, chapter 120, part II, Florida Statutes.

(8) To designate a hearing officer to conduct hearings, who shall have the power to issue notices of hearings, subpoenas requiring the attendance of witnesses and the production of evidence, to administer oaths and to take testimony as may be necessary or in conformity with this chapter, and such hearing officer shall certify and file with the commission, recommendations, findings of fact, and a proposed order; provided, however, that all hearings for the adoption of rules shall be before the commission.

(10) Issue such orders as may be necessary to effectuate the control of air and water pollution and enforce the same by all appropriate administrative and judicial proceedings.

(11) Adopt a comprehensive program for the prevention, control, and abatement of pollution of the air and waters of the state, and from time to time review and modify such program as necessary.

(12) In order to develop a comprehensive program for the prevention, abatement, and control of the pollution of the waters of the state, a grouping of the waters into classes may be made in accordance with the present and future most beneficial uses, such classifications may from time to time be altered or modified; provided, however, before any such classification is made, or any modifications made thereto, public hearings shall be held by the commission.

(13) Establish ambient air quality and water quality standards for the state as a whole or for any part thereof.

(14)(a) Cause field studies to be made and samples to be taken out of the air and from the waters of the state periodically and in a logical geographic manner so as to determine the levels of air quality of the air and water quality of the waters of the state.

(b) Whenever a study is made or a sample collected which proves to be below the air or water quality standard set for

air or water, then the commission shall determine the source of the pollution.

(15) Require persons engaged in operations which may result in pollution, to file reports which may contain information relating to locations, size of outlet, height of outlet, rate and period of emission and composition and concentration of effluent and such other information as the commission shall prescribe to be filed relative to pollution.

(16) Establish a permit system whereby a permit may be required for the operation, construction or expansion of any installation that may be a source of air or water pollution; provide for the issuance and revocation of such permits and for the posting of an appropriate bond to operate.

(17) Consult with any person proposing to construct, install, or otherwise acquire a pollution control device or system, concerning the efficacy of such device or system, or the pollution problem which may be related to the source, device or system. Nothing in any such consultation shall be construed to relieve any person from compliance with this act, rules and regulations of the commission, or any other provision of law.

(18) Require that notice be given to it prior to the undertaking of the construction or installation or expansion of any new air or water contaminant sources. Within thirty (30) days of its receipt of such notice, the commission shall require, as a condition precedent to the construction or installation or expansion of such sources, the submission of plans, specifications, and such other information as it deems necessary in order to determine whether the proposed construction or installation will be in accord with applicable laws, rules and regulations. If within sixty (60) days of the receipt of plans, specifications or other information required pursuant to this chapter, the commission determines that the proposed construction or installation will not be in accord with the requirements of this act or applicable rules and regulations, it shall issue an order prohibiting the construction or installation. Failure of such an order to issue within the time prescribed herein shall be deemed a determination that the construction or installation may proceed; provided, that it is in accordance with plans, specifications or other information, if any, required to be submitted; provided, further, that the failure to issue such an order shall not be construed to relieve any person from compliance with this act, or rules and regulations of the commission.

(19) Encourage voluntary cooperation by persons and affected groups to achieve the purposes of this act.

(20) Encourage local units of government to handle pollution problems within their respective jurisdictions and on a cooperative basis, and provide technical and consultative assistance therefor.

(21) Encourage and conduct studies, investigations, and research relating to pollution and its causes, effects, prevention, abatement and control.

(22) Make a continuing study of the effects of the emission of air contaminants from motor vehicles on the quality of the outdoor atmosphere of this state and the several parts thereof, and make recommendations to appropriate public and private bodies with respect thereto.

(23) Collect and disseminate information and conduct educational and training programs relating to pollution.

(24) Advise, consult, cooperate, and enter into agreements with other agencies of the state, the federal government, other states, interstate agencies, groups, political subdivisions, and industries affected by the provisions of this act, rules or policies of the commission.

(25) Perform any other act necessary to control and prohibit air and water pollution, and to delegate any of its responsibilities, authority and powers to any state agency now or hereinafter established.

403.071 Director; powers and duties.—The commission may employ a director and fix his compensation. The director shall possess experience in bioenvironmental or sanitary engineering and such other qualifications as the commission may prescribe, and he shall serve at the pleasure of the commission. It shall be the duty of the director to act as the agent for the commission in all matters relating to its activities and the discharge of its responsibilities.

403.081 The state health officer, the commissioner of agriculture, the state forester, the director of the Florida board of conservation, the director of the Florida game and fresh water fish commission, the director of the board of parks and historic memorials, county commissioners, county officials, and the administrative officers of all other interested state agencies, and city officials shall make recommendations to the commission as to their respective areas of responsibility and knowledge.

403.091 Performance by other state agencies.—All state agencies, including the state board of health, shall be available to the commission to perform, at its direction, the duties required of the commission under this act.

403.101 Inspections.—Any duly authorized representative of the commission may enter and inspect any property, premises or place, except a building which is used exclusively for a private residence, on or at which an air or water contaminant source is located or is being constructed or installed at any reasonable time for the purpose of ascertaining the state of compliance with the law, or rules and regulations of the commission. No person shall refuse immediate entry or access to any authorized representative of the commission who requests entry for purposes of inspection, and who presents appropriate credentials; nor shall any person obstruct, hamper or interfere with any such inspection. If requested, the owner or operator of the premises shall receive a report setting forth all facts found which relate to compliance status.

403.111 Emission control measures.—The commission may establish such emission control measures by rule, regulation, or order as in its judgment may be necessary to prevent, abate, or control air or water pollution. Such requirements may be for the state as a whole or may vary from area to area, or for any single source of pollution, as may be appropriate to facilitate accomplishment of the purposes of this act.

403.121 Classification and reporting.—

(1) The commission, by rule or regulation, may classify air and water contaminant sources, which in its judgment may cause or contribute to air or water pollution, according to levels and types of emissions and other characteristics which relate to air or water pollution, and may require reporting for any such class or classes. Classifications made pursuant to this section may be for application to the state as a whole or to any designated area of the state, and shall be made with special reference to effects on health, economic, social and recreational factors, and physical effects on property.

(2) Any person operating or responsible for the operation of air or water contaminant sources of any class for which the rules and regulations of the commission require reporting shall make reports containing information as may be required concerning location, size and height of contaminant outlets, processes employed, fuels used and the nature and time period or duration of emissions, and such other information as is relevant to air and water pollution and available or reasonably capable of being assembled.

403.131 Confidential records.—Any information relating to secret processes, methods of manufacture, or productions, which may be required, ascertained, or discovered by inspection or investigation shall not be publicly disclosed in public hearings or otherwise, and shall be kept confidential by any member, officer, or employee of the commission. (If samples of air or water contaminants are taken for analysis, a duplicate of the analytical report shall be furnished promptly to the person who is suspected of causing such air or water pollution or contamination.)

Provided that nothing herein shall be construed to prevent the use of such records in judicial proceedings in connection with the prosecution of violations of this act, when ordered to be produced by appropriate subpoena or by order of the court. No such subpoena or order of the court shall abridge or alter the rights or remedies of persons affected in the protection of trade secrets or secret processes, in the manner provided by law, and such persons affected may taken any and all steps available by law to protect such trade secrets or processes.

403.141 Enforcement.—

(1) Whenever the commission has reason to believe that a violation of any provision of the law, rule or regulation has occurred, it may cause written notice to be served upon the

alleged violator or violators. The notice shall specify the provision of the law, rule or regulation alleged to be violated, and the facts alleged to constitute a violation thereof, and may include an order that necessary corrective action be taken within a reasonable time. Any such order shall become final unless, no later than 15 days after the date the notice and order are served, the person or persons named therein request in writing a hearing before the commission. Upon such request, the commission or its duly designated hearing officer shall hold a hearing. In lieu of an order, the commission may require that the alleged violator or violators appear before the commission for a hearing at a time and place specified in the notice and answer the charges complained of, or the commission may initiate other action.

(2) If, after a hearing is held, the commission finds that a violation or violations have occurred, it shall affirm or modify its order previously issued, or issue an appropriate order or orders for the prevention, abatement or control of the emissions or pollution involved or for the taking of such other corrective action as may be appropriate. Any order issued prior to a hearing as a part of a notice provided in subsection (1) of this section, or any order issued after a hearing may prescribe the date by which the violation shall cease by fixing reasonable timetables for necessary action to prevent, abate or control the pollution. If after hearing on an order contained in a notice the commission finds that no violation is occurring, it shall rescind the order.

(3) Nothing in this act shall prevent the commission from making efforts to obtain voluntary compliance through warning, conference, or any other appropriate means.

(4) In connection with any hearing held pursuant to this section, the commission shall have power and upon application by any party it shall have the duty, to compel the attendance of witnesses and the production of evidence on behalf of all parties.

(5) All testimony taken at such hearing before the commission shall be under oath or affirmation. A full and complete record of all proceedings and testimony presented shall be taken and filed and upon payment and receipt of all costs or fees allowed therefor, a certified transcript of the whole or any part of the record to any party in such hearing requesting the same.

(6) At any hearing, opportunity to be heard with respect to the subject thereof shall be given to the public to the extent deemed reasonable and proper by the commission.

#### 403.151 Emergency procedure.—

(1) Any other provision of law to the contrary notwithstanding, if the director finds that a generalized condition of air or water pollution exists and that it creates an emergency requiring immediate action to protect human health or safety, the director, with the concurrence of the governor, shall order persons to reduce or discontinue immediately the emission of air or water contaminants.

(2) If such person, notwithstanding such order, continues the discharge of such contaminants into the air or water, the commission is authorized to apply to the appropriate court for a temporary restraining order, temporary injunction, or permanent injunction as provided for by law. Such action in the court shall be given precedence over all other matters pending in such court. The institution of such injunction proceedings by the commission shall confer upon said court exclusive jurisdiction to determine finally the subject matter of the proceeding.

(3) In the absence of a generalized condition of air or water pollution of the type referred to in subsection (1), if the director finds the emissions from the operation of one or more air or water contaminant sources is causing imminent danger to human health or safety, he may order the person or persons responsible for the operation or operations in question to reduce or discontinue emissions immediately. In such event, the requirements for hearing and modification or setting aside of orders set forth in section 403.141 shall apply.

(4) Nothing in this section shall be construed to limit any power which the commission or any other officer may have to declare an emergency and act on the basis of such declaration, if such power is conferred by statute, constitutional provision, or inheres in the office.

403.161 Compliance with rules or orders of commission.— All rules or orders of the commission which require action to comply with standards adopted by it, or orders to comply with any provisions of this act, may specify a reasonable time for such compliance.

403.171 Pollution of air and waters of state unlawful.— It shall be unlawful for any person to cause the pollution of any of the air or waters of this state in violation of or by failure to comply with any order of the commission, including orders or rules fixing standards of air and water quality.

#### 403.191 Injunction.—

(1) If any person is engaging, continues to engage, or threatens to engage in any act or practice which constitutes or will constitute a violation of any law, rule or regulation or order of the commission, the commission shall make application, through the attorney general, to any court of competent jurisdiction for injunctive relief to prevent any further violation of such law, order, rule or regulation. The commission shall not be required to furnish an injunction bond pursuant to a final decree, but an injunction bond may be required by the court pending a final decree as provided by law.

(2) In an action for injunction to enforce an order of the commission, any finding of the commission, after proper notice and hearing, shall be prima facie evidence of the fact or facts found therein. An appeal may be taken from any such order of the court in the same manner as is provided in civil cases.

#### 403.201 Review of actions and decisions; appeals.—

(1) Declaratory judgment or validity of rules.—Any person whose interest is substantially affected by the adoption or repeal of any rule or regulation by the commission may obtain a judicial declaratory judgment in the circuit court of the county in which such person resides or in which the executive office of the commission is maintained.

#### (2) Review of orders of the commission.—

(a) Any person whose interest is substantially affected by the entry of any order of the commission may obtain review by the district court of appeal exercising jurisdiction over the major portion of the area affected by the order in the manner prescribed by law or the Florida appellate rules. Except that notice of such appeal shall be filed with the commission within twenty days after the entry of the order of the commission or within ten days after any rehearing is denied, whichever is later. If a petition for rehearing is granted, all time limits for appeal are tolled until the final order upon the rehearing is entered by the commission.

(b) Within twenty days from the receipt of such notice of appeal, the director shall prepare or have prepared and forwarded to the appellant or his attorney a transcript of the proceedings together with a copy of the order or decision of the commission. All documents shall be certified by the director. The appellant shall pay all costs incident to the preparation of said record and all copies thereof desired by said appellant.

#### 403.221 Local air pollution control program.—

(1) Each county or municipality or any combination thereof into a district in the state may establish and administer within its jurisdiction an air pollution control program, which:

(A) Is approved by the commission as adequate to meet the requirements of this act and any applicable rules and regulations pursuant thereto.

(B) Provides by ordinance, regulation, or local law for requirements compatible with, or stricter, or more extensive than those imposed by this act and regulations issued thereunder.

(C) Provides for the enforcement of such requirements by appropriate administrative and judicial process.

(D) Provides for administrative organization, staff, financial and other resources necessary to effectively and efficiently carry out its program.

(2) Any municipality or county may administer all or part of its air pollution control program in cooperation with one or more municipalities or counties of this state or of border states.

(3) If the commission finds that the location, character or extent of particular concentrations of population, air contaminant sources, the geographic, topographic or meteorological considerations, or any combinations thereof, are such as to make impracticable the maintenance of appropriate levels of air quality without an areawide air pollution control program, the commission may determine the boundaries within which such program is necessary and require it as the only acceptable alternative to direct state administration.

(4)(a) If the commission has reason to believe that an air pollution control program in force pursuant to this section is inadequate to prevent and control air pollution in the jurisdiction to which such program relates, or that such program is being administered in a manner inconsistent with the requirements of this act, the commission shall, on due notice, conduct a hearing on the matter.

(b) If, after such hearing, the commission determines that such program is inadequate to prevent and control air pollution in the municipality, county, or municipalities or counties to which such program relates, or that such program is not accomplishing the purposes of this act, it shall require that necessary corrective measures be taken within a reasonable period of time, not to exceed ninety (90) days.

(c) If the municipality, county, or municipalities or counties fail to take such necessary corrective action within the time required, the commission shall administer within such municipality, county, or municipalities or counties all of the regulatory provisions of this act. Such air pollution control program shall supersede all municipal or county air pollution laws, regulations, ordinances and requirements in the affected jurisdiction.

(d) If the commission finds that the control of a particular class of air contaminant source because of its complexity or magnitude is beyond the reasonable capability of the local air pollution control authorities or may be more efficiently and economically performed at the state level, it may assume and retain jurisdiction over that class of air contaminant source. Classifications pursuant to this paragraph may be either on the basis of the nature of the sources involved or on the basis of their relationship to the size of the communities in which they are located.

(5) Any municipality or county in which the commission administers its air pollution control program pursuant to subsection (4) of this section may with the approval of the commission establish or resume a municipal or county air pollution control program which meets the requirements of subsection (1) of this section.

(6) Nothing in this act shall be construed to supersede or oust the jurisdiction of any local air pollution control program in operation on the effective date of this act. Any approval required from the commission shall be deemed granted unless the commission takes specific action to the contrary. All locally approved air pollution control programs shall assume the commission's permit powers and procedures if same have theretofore been established pursuant to the provisions of section 403.061(16), for the areas under their respective jurisdictions.

#### 403.231 Construction in relation to other law.—

(1) It is the purpose of this act to provide additional and cumulative remedies to prevent, abate, and control the pollution of the air and waters of the state. Nothing contained herein shall be construed to abridge or alter rights of action of remedies in equity under the common law or statutory law, criminal or civil, nor shall any provisions of this act, or any act done by virtue thereof, be construed as estopping the state or any municipality, or person affected by air or water pollution, in the exercise of their rights in equity or under the common law or statutory law to suppress nuisances or to abate pollution.

(2) No civil or criminal remedy for any wrongful action which is a violation of any rule or regulation of the commission shall be excluded or impaired by the provisions of this chapter.

403.241 Penalties.—The failure of any owner or operator to institute preventive or corrective measures in accordance with the order of the commission or any person who shall violate any of the emission standards established by the commission shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than three hundred

dollars (\$300.00), or by imprisonment in the county jail for not more than one year or both. Each day during which such a violation occurs shall constitute a separate offense and may be prosecuted in like manner. Penalties collected shall revert to the general revenue fund of the state.

#### 403.251 Civil liability, damages.—

(1) Whoever causes an unlawful discharge of contaminants in the waters of this state which results in the destruction of fish or fish food is liable for payment of any reasonable costs and expenses incurred in tracing the source of the pollution and in restoring the waters as a suitable habitat for fish and fish food and for restocking the waters with fish. Any damage resulting from such pollution of the waters of this state shall be assessed by the Florida game and fresh water fish commission and if not paid to the state within a reasonable time, or if there is any controversy over the amount of damages, the Florida air and water pollution control commission shall bring civil action in the appropriate court where the pollution occurred for a judicial determination of the liability and the amount of damages caused throughout the state.

(2) If any person is enjoined for pollution of the water, such person enjoined shall be liable for damages due to any loss of fish or fish food in any of the waters of the state where such violation or failure to comply occurs, and the state shall be reimbursed in money or kind by the person responsible for such pollution to the extent determined by the court. Any sums so recovered shall be used to restore those waters as nearly as possible to their condition before such pollution.

(3) Any damage, resulting from air pollution to crops or livestock shall, upon the request of any claimant, be assessed by the commissioner of agriculture. If the person responsible for such pollution shall not compensate the owner of the crops or livestock so damaged in the amount so assessed, such owner may bring civil action in the appropriate court having jurisdiction.

403.261 Regulations validated.—Any regulations adopted or orders issued by the Florida air pollution control commission and effective in any air pollution control district on the effective date of this act and rules, regulations and orders of the state board of health relating to air or water quality or pollution, are hereby validated as though adopted pursuant to the provisions of this chapter, and shall continue in effect and be enforced until repealed by the commission.

403.271 Pending proceedings.—No legal proceedings shall be abated because of any transfers made in this section, but the appropriate party exercising like authority or performing like duties or functions shall be substituted in said proceedings.

403.281 Attorney General to represent the state.—The attorney general shall represent the state and its agencies as legal advisor in carrying out the provisions of this act.

[403.291 Transitory provisions.—The statutory revision department of the attorney general's office is authorized to substitute the Florida air and water pollution control commission in the Florida Statutes where any other agency has any authority relating to air and water pollution, with specific reference to chapters 381 and 387, Florida Statutes.]

403.291 Severability clause.—If any provision of this act or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

403.301 Safety clause.—The Legislature hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health and safety.

Section 3. This act shall take effect January 1, 1968.

The vote was:

Yeas—9

Boyd de la Parte Edwards	Gong Haverfield	Poston Shevin	Spencer Weissenborn
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Nays—38

Askew	Barrow	Chiles	Deeb
Bafalis	Bell	Clayton	Elrod
Barron	Broxson	Cross	Fincher

Fisher	Horne	Ott	Stone
Friday	Johnson	Plante	Thomas
Gibson	Knopke	Reuter	Weber
Griffin	Lane	Sayler	Wilson
Gunter	McClain	Slade	Young
Henderson	Mathews	Stockton	
Hollahan	O'Grady	Stolzenburg	

In Section 2, line 10, page 2, strike: all words after the word "effect" and insert the following: September 1, 1967.

Senator Barron offered the following amendment which was adopted:

In Section 1, sub section (2), page 2, strike: Sub Section 2

Senator Askew presiding.

Senator Mathews offered the following amendment which was adopted:

In the title strike: "; providing for the separation of certain gasolines"

Senator Ott moved that the Senate reconsider the vote by which the amendment offered by Senator Barron was adopted. The motion went over under the rule.

Pending further consideration of SB 707 as amended, the hour of 2:30 p.m. having arrived, a point of order was called by Senator Mathews and the Senate proceeded to the consideration of—

**EXPLANATION OF VOTE  
ON FOREGOING AMENDMENT**

In the light of the Governor's veto today of the Central Purchasing Bill and the reason he gave, this amendment would have produced an automatic veto and resulted in no anti-pollution bill being passed this session.

**RICHARD B. STONE**  
Senator, 48th District

On motion by Senator Griffin, the rules were waived and CS for SB 520 as amended was read the third time in full and passed. The vote was:

Yeas—45

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

Nays—2

Gong Weissenborn

CS for SB 520 was ordered engrossed.

**SPECIAL AND CONTINUING ORDER BEGINNING  
AT 2:30 P.M.**

SB 1001—A bill to be entitled An act relating to the compensation of the prosecuting attorneys for the county judge's courts, elected or appointed by the governor under local or special law; and providing for such prosecutors presently holding office to continue holding office until the expiration of the term to which he was elected or appointed; providing effective date.

Was taken up. On motions by Senator Mathews, the rules were waived and SB 1001 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—48 Nays—None

**EXPLANATIONS OF VOTE ON CS for SB 520**

I voted "no" on CS for SB 520 because the Barrow amendment exempting the Buckeye Cellulose Co. in Taylor County does severe violence to my concept of remedial reform legislation. Exemptions for special interests are intolerable when all others are required to comply.

**EDMOND J. GONG**  
Senator, 40th District

I voted against Committee Substitute for Senate Bill 520 simply because I am of the opinion that the "old" State Health Department is not the best agency to administer a sweeping new pollution control act in Florida. I voted for an amendment which would have put our pollution program under the Cabinet. I also object to the manner in which Committee Substitute for Senate Bill 520 revamps the Board of Health as I have serious questions as to the wisdom of having 6 out of 9 members thereof representative of specific professions rather than of the public in general (and I recognize the Governor does not have to appoint representatives of the designated professions). In addition, I have severe reservations about the wisdom of the amendment which grandfathers in existing pollution practices in one county. All in all, Committee Substitute for Senate Bill 520 seems to represent a poor solution to pollution.

**LEE WEISSENBORN**  
Senator, 42nd District

Unanimous consent was granted Senator Ott to take up out of order—

SB 707—A bill to be entitled An act relating to the sale of gasoline; amending chapter 526, Florida Statutes, by adding section 526.12, providing certain pricing restrictions; providing for the separation of certain gasolines; providing an effective date.

On motion by Senator Ott, the rules were waived and SB 707 was read the second time by title.

The Committee on Agriculture and Livestock offered the following amendment which was adopted on motion by Senator Ott:

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

The bill was certified to the House.

SB 353—A bill to be entitled An act relating to the board of cosmetology; amending the following sections of chapter 477, Florida Statutes; section 477.06 by adding subsection (4) providing for the issuance of certificates of registration to practice as specialist in the various skills of cosmetology; prescribing requirements for issuance of such certificates to out-of-state specialists; section 477.09(2) requiring that applicant submit signed photograph with application; section 477.17(1), (3), (5), (6) increasing fees for examinations given by the board and certificates of registration and permits issued by the board; repealing subsection (2) of section 477.17 relating to costs of examinations for resident cosmetologists and renumbering subsections (3) through (6) accordingly; amending section 477.27(2), (14) by declaring the permitting of a specialist employee to practice as such without a certificate of registration, and the failure of a specialist to display a health certificate, each to constitute a misdemeanor; providing an effective date.

Was taken up. On motion by Senator Griffin, the rules were waived and SB 353 was read the second time by title.

The Committee on Governmental Reorganization offered the following amendment which was adopted on motion by Senator Griffin:

In Section 3, lines 6, 7 and 8, page 6, strike: "(t) For the issuance of a student permit authorizing enrollment in any cosmetology study course, five dollars (\$5.00)."

The Committee on Health and Welfare offered the following amendment which was adopted on motion by Senator Griffin:

In Section 2, lines 6, 7 and 8, page 6, strike: "(t) For the issuance of a student permit authorizing enrollment in any cosmetology study course, five dollars (\$5.00)."

On motion by Senator Griffin, the rules were waived and further consideration of SB 353 as amended was deferred, the bill retaining its place on the Calendar.

Unanimous consent was granted Senator Griffin to take up out of order—

**HB 519—A bill to be entitled An act relating to the board of cosmetology; amending the following sections of Chapter 477, Florida Statutes; section 477.06 by adding subsection (4) providing for the issuance of certificates of registration to practice as specialist in the various skills of cosmetology; prescribing requirements for issuance of such certificates to out-of-state specialists; section 477.09 (2) requiring that applicant submit signed photograph with application; section 477.17 (1), (3), (5), (6) increasing fees for examinations given by the board and certificates of registration and permits issued by the board; repealing subsection (2) of section 477.17 relating to costs of examinations for resident cosmetologists and renumbering subsections (3) through (6) accordingly; amending section 477.27 (2), (14) by declaring the permitting of a specialist employee to practice as such without a certificate of registration, and the failure of a specialist to display a health certificate, each to constitute a misdemeanor; providing an effective date.**

On motions by Senator Griffin, the rules were waived and HB 519 was read the second time by title, the third time in full and passed, title as stated. The vote was:

Yeas—47

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

Nays—1

Edwards

The bill was certified to the House.

**SB 355—A bill to be entitled An act relating to cosmetology, permit or certificate to practice; amending sections 477.02(6), 477.10(1) and 477.12(1),(2), Florida Statutes, deleting the authority to issue certain permits and certificates; repealing section 477.07(3), Florida Statutes, relating to interim permits to practice when applicants fail to pass examination.**

Was taken up. On motion by Senator Griffin, the rules were waived and SB 355 was read the second time by title.

The Committee on Health and Welfare offered the following amendment which was adopted on motion by Senator Griffin:

In Section 1, line 13, page 1, following the words: "and pedicurist or specialist" Strike the period (.) and insert the following: or a permit to work issued by the board to graduates of Florida cosmetology schools after requirements for examination have been filed with the board. Such permit will be issued until the next examination given by the board and shall not be extended should the applicant fail to appear for the examination or fail any portion of the examination.

The Committee on Governmental Reorganization offered the following amendment which was adopted on motion by Senator Griffin:

In Section 2 (1), line 10, page 2, strike: "at least eighteen hundred (1800) hours of continuous study and practice of cosmetology." and insert the following: the number of hours of continuous study and practice of cosmetology as required by section 477.08(1), Florida Statutes.

The Committee on Health and Welfare offered the following amendment which was moved by Senator Griffin:

In Section 2, lines 10, 11, page 2, strike: "eighteen hundred (1800)" and insert the following: fifteen hundred (1500)

On motion by Senator Griffin, the rules were waived and further consideration of SB 355 as amended, with pending amendment, was deferred, the bill retaining its place on the Calendar.

SB 963 was taken up, together with:

By the Committee on Finance and Taxation—

**CS for SB 963—A bill to be entitled An act providing no tax or assessment in an amount less than one dollar (\$1.00) shall be extended on tax roll; amending Chapter 192, Florida Statutes; providing an effective date.**

—which was read the first time by title and SB 963 was laid on the table.

On motions by Senator Stolzenburg, the rules were waived and CS for SB 963 was read the second time by title, the third time in full and passed. The vote was:

Yeas—36

Askew	de la Parte	Haverfield	Shevin
Bafalis	Edwards	Hollahan	Slade
Barron	Elrod	Horne	Spencer
Barrow	Fincher	Johnson	Stockton
Bell	Fisher	Knopke	Stolzenburg
Broxson	Friday	Lane	Thomas
Clayton	Gibson	Plante	Weber
Cross	Gong	Poston	Wilson
Deeb	Gunter	Reuter	Young

Nays—6

Boyd*	Mathews	Stone	Weissenborn
Henderson	O'Grady		

CS for SB 963 was certified to the House.

Senator Horne moved that the Senate reconsider the vote by which CS for SB 520 passed this day. The motion went over under the rule.

Unanimous consent was granted Senator Shevin to be recorded as voting "Yea" on June 12 on the passage of HB 591 and CS for HB 135 and on final passage of House Bills 1800 and 1912 as amended by Conference Committee Reports.

On motion by Senator Bafalis, the House was requested to return House Bills 1512, 1515 and 1522.

Senator Haverfield moved that the Senate reconsider the vote by which HB 519 passed this day. The motion went over under the rule.

On motion by Senator Mathews, the rules were waived and the Senate reverted to the consideration of Messages from the House of Representatives.

The President presiding.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages were read:

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

June 13, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has refused to recede from House amendments to—

By Senators Slade and Mathews—

**SB 228—A bill to be entitled An act relating to excise and license taxes and merchandise vending machines; amending chapter 205, Florida Statutes, by adding thereto section 205.633; exempting coin-operated vending machines which dispense only newspapers, and the operators of such machines, from the payment of all excise or license taxes, pertaining to such machines, to the state or any county or municipality thereof; and providing an effective date.**

. And requests the President of the Senate to appoint a Con-

ference Committee to confer with a like committee to be appointed by the Speaker of the House to adjust the differences on House amendments to SB 228.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The President announced the appointment of Senators Slade, Mathews and Chiles as a Conference Committee on the part of the Senate to confer with a like committee on the part of the House to adjust the existing differences on House amendments to SB 228.

The action of the Senate was certified to the House.

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

June 13, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate amendments to House amendments 2 and 3 to—

By Senator Cross and others—

**SB 9—A bill to be entitled An act relating to public meetings and records; formal actions to be taken in open meetings; requiring records to be open to public inspection; providing penalty; providing an effective date.**

And requests the President of the Senate to appoint a Conference Committee to confer with a like Committee to be appointed by the Speaker of the House to adjust the differences on Senate amendments to House amendments to SB 9.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The President announced the appointment of Senators Askew, Chiles and Cross as a Conference Committee on the part of the Senate to confer with a like committee on the part of the House to adjust the existing differences on Senate amendments to House amendments 2 and 3 to SB 9.

The action of the Senate was certified to the House.

A point of order was called by Senator Thomas and SB 1277 was recommitted to the Committee on Judiciary "B".

On motion by Senator Young, the House was requested to return HB 2275.

Unanimous consent was granted Senator Clayton to take up out of order—

**HB 2051—A bill to be entitled An act to abolish the present municipality of the city of Daytona Beach Shores in Volusia county, Florida; to create and establish a new municipality to be known as the city of Daytona Beach Shores in Volusia county, Florida; provide for and authorize the extension of the boundaries; to provide for the government, powers, and privileges of said city and the means for exercising same; to provide the power to raise funds by taxation and borrowing; to authorize the imposition of penalties for the violation or ordinances; to ratify and validate certain acts and proceedings of the governing authority and officers of said city, and to continue in effect the ordinances of the city hereby abolished in so far as same do not conflict herewith; to repeal all laws and ordinances in conflict herewith.**

On motions by Senator Clayton, the rules were waived and HB 2051 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—48 Nays—None

Mr. President	Barron	Boyd	Clayton
Askew	Barrow	Broxson	Cross
Bafalis	Bell	Chiles	Deeb

de la Parte	Gunter	Mathews	Spencer
Edwards	Haverfield	O'Grady	Stockton
Elrod	Henderson	Ott	Stolzenburg
Fincher	Hollahan	Plante	Stone
Fisher	Horne	Poston	Thomas
Friday	Johnson	Reuter	Weber
Gibson	Knopke	Sayler	Weissenborn
Gong	Lane	Shevin	Wilson
Griffin	McClain	Slade	Young

The bill was certified to the House.

Unanimous consent was granted Senator Clayton to take up out of order—

**HB 1505—A bill to be entitled An act relating to Hernando county, impoundment of livestock; reenacting sections 1-4 and 6-20 of chapter 25857, Laws of Florida, 1949; amending section 5 of said chapter providing for the impounding of livestock running at large and fixing the fees therefor; providing an effective date.**

On motions by Senator Clayton, the rules were waived and HB 1505 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—48 Nays—None

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

The bill was certified to the House.

Unanimous consent was granted Senator Gibson to take up out of order—

**HB 2305—A bill to be entitled An act relating to Columbia county, coroners fees; providing for fees and disposition of said fees in certain situations after May 1, 1966; repealing chapter 65-703, Laws of Florida, relating to the same subject; providing an effective date.**

On motions by Senator Gibson, the rules were waived and HB 2305 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—48 Nays—None

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

The bill was certified to the House.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 3:05 p. m. to reconvene at 10:00 a. m., June 14, 1967.