

JOURNAL OF THE SENATE

Thursday, April 17, 1969

The Senate was called to order by the President at 11:00 a.m.
A quorum present—43:

Mr. President	Deeb	Johnson	Saylor
Askew	de la Parte	Karl	Shevin
Bafalis	Ducker	Knopke	Slade
Barron	Fincher	Lane	Stolzenburg
Barrow	Friday	McClain	Trask
Beaufort	Gong	Myers	Weber
Bell	Gunter	Ott	Weissenborn
Boyd	Haverfield	Plante	Williams
Broxson	Henderson	Pope	Wilson
Chiles	Hollahan	Poston	Young
Daniel	Horne	Reuter	

Excused: Senators Scarborough, Saunders, Stone, Thomas and Bishop.

Prayer by Senator Gong:

Father, we thank you for this beautiful and precious day of life and for the fellowship we share together in this session. Now that campaign pledges no longer echo in our home districts, please give us strength in the long days ahead:

To differ with one another if *right* requires it—
To *reject* injustice for justice—
To *disfavor* political expediency for Senate honor—
To repress *self-interest* when it conflicts with the *public interest*
and above all, to be *true* to ourselves. Amen.

The Journal of April 16 was corrected and approved as follows:

Page 93, column 2, line 23, strike "2" and insert 242

Page 96, column 2, line 30, strike "and read the second time by title." and insert a period

The Journal of April 15 was further corrected and approved as follows:

Page 87, column 1, strike lines 9 through 12 and insert the following: HB 33—A bill to be entitled An act relating to mechanics' liens amending sections 713.02, 713.50, 713.74 and 713.75; repealing sections 713.55, 713.51, 713.52, 713.53, 713.54, 713.681 and 713.72; providing that chapter 713, part

Page 87, column 2, line 4, strike "122" and insert 112

REPORTS OF COMMITTEES

The Committee on Judiciary recommends the following pass:

HB 2 with 6 amendments SB 205
SB 95 with 2 amendments

The bills were placed on the Calendar.

The Committee on Insurance recommends the following pass:
SB 294

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

The Committee on Judiciary recommends the following pass:
SB 420 with 1 amendment

The bill was referred to the Committee on Ways and Means under the original reference.

The Committee on Judiciary recommends a Committee Substitute for the following: SB 206

The bill with Committee Substitute attached was placed on the Calendar.

The Committee on Commerce and Licensed Businesses recommends a Committee Substitute for the following: SB 453

The bill with Committee Substitute attached was placed on the Calendar.

The Committee on Commerce and Licensed Businesses recommends the following pass: SB 393 with 3 amendments

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

REPORTS OF SUBCOMMITTEES

The Health and Welfare Subcommittee recommends to the Committee on Health, Welfare, and Institutions SB 408 be reported favorably; SB 423 favorably with amendments.

The Labor and Industrial Relations Subcommittee recommends to the Committee on Judiciary SB 97 be reported favorably; SB 49 favorably with Committee Substitute.

The Law and Order Subcommittee recommends to the Committee on Judiciary Senate Bills 29, 80, 95, 148 and 211 be reported favorably with amendments; Senate Bills 40 and 125, favorably with Committee Substitutes; SB 215 unfavorably.

The Local Government Subcommittee recommends to the Committee on Governmental Organization Senate Bills 31, 32 and 298 be reported favorably; Senate Bills 204 and 297 favorably with amendments.

The Jurisprudence Subcommittee recommends to the Committee on Judiciary Senate Bills 197, 199, 196 and 205 be reported favorably; SB 251 favorably with amendments; Senate Bills 14, 98, 206 and 285 favorably with Committee Substitutes; SB 207 unfavorably.

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

SB 53 with 5 amendments SB 153 with 1 amendment
SB 74 with 1 amendment SB 220 with 3 amendments
SB 78 with 1 amendment

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

EDWIN G. FRASER
Secretary of the Senate

The bills were certified to the House.

Your Engrossing Clerk to whom was referred—

SB 87 with 3 amendments

—reports that the Senate amendments have been incorporated and the bill is returned herewith.

EDWIN G. FRASER
Secretary of the Senate

The bill was placed on the calendar pending roll call.

A motion by Senator Friday was adopted that Rule 2.5 be waived and the Labor and Industrial Relations Subcommittee of the Judiciary Committee be allowed to meet as scheduled today although a mechanical error in the Calendar of April 16 indicated the Subcommittee had not given sufficient notice.

INTRODUCTION

By Senators Poston and Pope—

SB 548—A bill to be entitled An act relating to the state road department and the internal organization thereof; providing an effective date.

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

By Senators Poston and Pope—

SB 549—A bill to be entitled An act relating to the seventh cent gasoline tax, amending sections 208.44(3)2.(b), 334.19(4), 335.041, 339.08(3), and 339.081(1)(a), Florida statutes, providing for the entire proceeds thereof to be paid to the counties; providing an effective date.

Was read the first time by title and referred to the Committees on Transportation and Ways and Means.

By Senators Poston and Beaufort—

SB 550—A bill to be entitled An act relating to public hearings on designation of roads on the state highway system, amending subsection (1) of section 335.02, Florida statutes; providing an effective date.

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

By Senators Poston and Bishop—

SB 551—A bill to be entitled An act relating to eminent domain proceedings, amending subsection (3) of section 74.051, Florida statutes, requiring clerks of the circuit courts to invest in interest earning accounts certain deposits into the court registries; providing an effective date.

Was read the first time by title and referred to the Committees on Transportation and Judiciary.

By Senators Poston and Pope—

SB 552—A bill to be entitled An act amending subsection (3) of section 337.19, Florida statutes, relating to litigation involving the state road department; providing an effective date.

Was read the first time by title and referred to the Committees on Transportation and Judiciary.

By Senators Poston and Beaufort—

SB 553—A bill to be entitled An act relating to the state road department, amending subsection (4), section 337.11, Florida statutes, relating to supplemental agreements and change orders; providing an effective date.

Was read the first time by title and referred to the Committees on Transportation and Judiciary.

By Senators Poston and Pope—

SB 554—A bill to be entitled An act relating to the state road department, amending section 339.09, Florida statutes, relating to the use of gasoline tax revenues; providing an effective date.

Was read the first time by title and referred to the Committees on Transportation and Ways and Means.

By Senators Poston and Beaufort—

SB 555—A bill to be entitled An act relating to a classification plan for state roads in the state highway system, amending section 335.04, Florida statutes, to provide for statewide construction of roads not on a state highway system; providing an effective date.

Was read the first time by title and referred to the Committees on Transportation and Ways and Means.

By Senators Poston and Bishop—

SB 556—A bill to be entitled An act relating to excise taxes on documents; eliminating the need for documentary stamps on all deeds to public agencies; amending section 201.02, Florida statutes; providing an effective date.

Was read the first time by title and referred to the Committees on Judiciary and Ways and Means.

By Senator Shevin—

SB 557—A bill to be entitled An act for the relief of Andrew

J. Perez for damages caused by the false and unlawful imprisonment and detention of said individual; providing an appropriation; providing an effective date.

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

By Senators Haverfield, Hollahan and Gong—

SB 558—A bill to be entitled An act relating to institutions maintained by the board of commissioners of state institutions; amending section 965.08, Florida Statutes, by adding subsection (7) providing for the cost of maintaining those persons awaiting entrance to such institutions; and providing an effective date.

Was read the first time by title and referred to the Committees on Health, Welfare, and Institutions and Ways and Means.

By Senator Haverfield—

SB 559—A bill to be entitled An act relating to child training centers; providing for a feasibility study and if needed the establishment of a child training center in Dade County; authorizing the board of county commissioners of Dade County to convey or acquire and convey suitable lands to the state for the establishment of such center; providing an effective date.

Was read the first time by title and referred to the Committees on Health, Welfare, and Institutions and Ways and Means.

By Senator Weissenborn—

SB 560—A bill to be entitled An act for the relief of Owen Jean Voss providing an appropriation from the General Inspection Trust Fund of the Department of Agriculture to compensate her for damages sustained as a result of the negligence of an agricultural inspector of the Department of Agriculture; providing an effective date.

Was read the first time by title and referred to the Committees on Agriculture and Ways and Means.

By Senator Deeb—

SB 561—A bill to be entitled An act relating to municipal water supplies; requiring an affirmative vote of the people if such municipal water supply is fluoridated; providing for petition from registered voters on the fluoridation question; providing an effective date.

Was read the first time by title and referred to the Committees on Health, Welfare, and Institutions and Governmental Organization.

By Senator Friday—

SB 562—A bill to be entitled An act for the relief of John Pruett and L. P. Castor for damages sustained in a boating accident involving a boat and an officer of the Florida game and fresh water fish commission; providing an appropriation; providing an effective date.

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

By Senators Fincher and Shevin—

SB 563—A bill to be entitled An act relating to statutes which apply discriminately on the basis of race, color, creed, or national origin; repealing section 1.01(6), Florida Statutes, defining the words "Negro," "colored," and so forth; repealing sections 350.21, 352.03, 352.04, 352.05, 352.06, 352.07, 352.08, 352.09, 352.10, 352.11, 352.12, 352.13, 352.14, 352.15, 352.16, 352.17, and 352.18, Florida Statutes, requiring separate railroad accommodations for white and Negro passengers; repealing section 731.32, Florida Statutes, regulating inheritances from persons of color; repealing sections 741.11, 741.12, 741.13, 741.14, 741.15, 741.16, 741.17, 741.19 and 741.20, Florida Statutes, validating certain marriages between white and Negro persons and prohibiting such marriages generally; repealing sections 798.04 and 798.05, Florida Statutes, relating to cohabitation between white and Negro persons; repealing section 955.12, Florida Statutes, requiring separation of the races at the Florida schools for boys; providing an effective date.

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

By Senator de la Parte—

SB 564—A bill to be entitled An act relating to juvenile courts; amending section 39.18(2), Florida Statutes; providing for the compensation of juvenile court judges from county funds; providing an effective date.

Was read the first time by title and referred to the Committees on Governmental Organization, Judiciary and Ways and Means.

By Senator Bell—

SB 565—A bill to be entitled An act relating to unemployment compensation; amending section 443.07(6)(b), Florida Statutes, to provide a two-year period for repayment, or for recoupment from future benefits, of benefit overpayments, and providing an effective date.

Was read the first time by title and referred to the Committees on Commerce and Licensed Businesses and Judiciary.

By Senators Thomas, Chiles and Trask—

SB 566—A bill to be entitled An act designating the State Road 60 Bridge which crosses the Kissimmee River as the Hamilton Disston Bridge; providing for erection of suitable markers by the State Road Department.

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

By Senators Thomas, Gunter, Plante, Ducker, Johnson and Reuter—

SB 567—A bill to be entitled An act designating the State Road 70 Bridge across the Kissimmee River as the Billy Bowlegs III Bridge; providing for suitable markers to be erected by the State Road Department.

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

By Senators Karl and Daniel—

SCR 568—A concurrent resolution expressing great appreciation for the courageous example and sacrifice of aquanaut Berry L. Cannon and sorrow over the loss of this pioneer.

WHEREAS, the late Berry L. Cannon was born in Citrus County, educated in the public schools of Levy County, and attended the University of Florida where he attained a Bachelor of Science degree in Engineering; and

WHEREAS, the challenge of the unknown led Berry L. Cannon to establish a goal to work, study, and grow in proficiency until he became a member of the select team of aquanauts; and

WHEREAS, the courage, dedication, humility, and dynamic drive of men like Berry L. Cannon and the scientific team of Sealab III is the greatest resource of this nation and the world and is the basis for true patriotic service; and

WHEREAS, the desire of Berry L. Cannon to achieve led him into the unknown in quest of valuable knowledge of great and incalculable value to all mankind; and

WHEREAS, the highly hazardous exploration of the resources of the vast ocean depths led to the ultimate sacrifice of Berry L. Cannon in February 1969 off the coast of California during the Sealab III experiment at the depth of six hundred twelve feet; NOW, THEREFORE

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

That on behalf of the people of Florida, this Legislature does hereby recognize aquanaut Berry L. Cannon as a hero and express gratitude for his accomplishments and his love of his work.

BE IT FURTHER RESOLVED that we are proud of the true legacy that Berry L. Cannon has dedicated to Mary Louise,

Patrick, Kevin, and Neal, the legacy of love of God and fellow man, love of family, and the attitude that man will achieve his goals.

BE IT FURTHER RESOLVED that we are profoundly grateful for the example of Berry L. Cannon and the sacrifices of his family, and for his mother, Jimmie Elizabeth Ritz, who loved and taught this pioneer. We are all better able to achieve our goals because of their effort.

BE IT FURTHER RESOLVED that a copy of this resolution signed by the President and attested by the Secretary of the Senate and by the Speaker and Clerk of the House of Representatives of the State of Florida be forwarded to the family and mother of our heroic friend.

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

On motion by Senator Karl, by two-thirds vote, SCR 568 was withdrawn from the Committee on Rules and Calendar and placed on the Calendar.

On motions by Senator Karl, the rules were waived and SCR 568 was read the second time by title, adopted and certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	Ducker	Karl	Slade
Askew	Fincher	Knopke	Stolzenburg
Bafalis	Friday	Lane	Trask
Beaufort	Gong	McClain	Weber
Bell	Gunter	Myers	Williams
Boyd	Haverfield	Ott	Wilson
Broxson	Henderson	Plante	Young
Chiles	Hollahan	Reuter	
Daniel	Horne	Sayler	
de la Parte	Johnson	Shevin	

By Senator Daniel—

SB 569—A bill to be entitled An act relating to tax assessments and tax sales; amending subparagraphs 193.65(2)(b)1., 2. and 3., Florida Statutes; adding subsection 193.65(8), Florida Statutes; increasing the commissions of county tax collectors on the county tax, including licenses; providing an effective date.

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

By Senators Daniel and Karl—

SB 570—A bill to be entitled An act providing for the granting of a reward to person furnishing information leading to the arrest of escapee Marie Dean Arrington; providing for submission of claim therefor; providing an appropriation; providing an effective date.

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

By Senator Henderson—

SB 571—A bill to be entitled An act relating to the preparation and recording of certain legal instruments, amending section 695.24, Florida Statutes, to exclude instruments prepared and executed or acknowledged outside of the state from coming under this section; providing an effective date.

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

By Senator Johnson—

SB 572—A bill to be entitled An act relating to Brevard County; authorizing the board of county commissioners of Brevard County, Florida to make donations and contributions to the Brevard County Community Mental Health Centers, Inc., a nonprofit corporation, located in said county; authorizing the expenditure of general funds; providing that such contributions and donations shall be deemed a lawful county purpose; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 572.

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

By Senator Lane—

SB 573—A bill to be entitled An act relating to the insurance code amending Section 627.0118, Florida Statutes; providing an effective date.

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

By Senators Lane and Stolzenburg—

SB 574—A bill to be entitled An act relating to dog racing and frontons, pari-mutuel taxes; amending subsections (2) and (8) of section 550.16 and subsections (2) and (8) of section 551.09, Florida Statutes, by increasing the tax on contributions to pari-mutuel pools conducted at dog tracks and frontons; providing an effective date.

Was read the first time by title and referred to the Committees on Commerce and Licensed Businesses and Ways and Means.

By Senator Lane—

SB 575—A bill to be entitled An act relating to dentistry, dental hygiene and dental laboratories; amending subsections (1), (2), and (3) of section 466.06, Florida Statutes, to reorganize districts; providing for changing Florida Dental Society to Florida Dental Association; providing an effective date.

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

By Senator Lane—

SB 576—A bill to be entitled An act relating to Broward County; creating and establishing a division of youth services in said county; providing for the administration, supervision, jurisdiction, and powers of the division; providing for the qualifications, powers, and duties of the director; providing methods of employment and protection for employees of the division; providing for the creation of the departments of detention, probation services, and group treatment; prescribing the function and responsibility of each department; providing for the transfer of probation services from the juvenile court to the division of youth services; providing for transfer to the division of all funds relating to probation services now provided for the juvenile court and all funds budgeted for the operation of the present detention facilities in Broward County; providing for transfer of probation personnel from the juvenile court to the division of youth services; providing for the establishment of an advisory board to the division and providing for its membership, method of appointment, and terms of office; abolishing the present juvenile court advisory board and transferring its functions and responsibilities to the division of youth services; providing for the financing of the division; repealing section 2 of chapter 30212, Laws of Florida, 1955; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 576.

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

By Senator Stone—

SB 577—A bill to be entitled An act relating to ambulance service; providing standards of safety, health, equipment, and sanitation for ambulances and operators; authorizing the state board of health to license ambulances, attendants, drivers, and attendant-drivers; providing qualifications for ambulance drivers, attendants, and attendant-drivers; empowering the state board of health to promulgate rules and regulations to carry out the provisions of this act; making the state health officer the license officer for the purposes of this act and empowering him to make investigations of subjects relative to his duties; providing license fees; prescribing penalties; repealing section 877.07, Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committees on Health, Welfare, and Institutions and Judiciary.

By Senator Hollahan—

SB 578—A bill to be entitled An act relating to racing; amending sections 550.16(2),(8),(9), 550.161, and 550.26(4), Florida Statutes, changing the percentage of pari-mutuel pool

taxes to be paid to the commission; changing the maximum percentage of contributions to a pool which may be withheld by a licensee and the state; changing the distribution of the breaks tax; requiring licensees to retain a portion of their commission for the payment of purses and breeder awards; amending chapter 550, Florida Statutes, by adding section 550.261 to establish a common purse pool and provide for revocation of racing license; repealing section 550.26(5), Florida Statutes, providing for the distribution of a percentage of the breaks tax; providing an effective date.

Was read the first time by title and referred to the Committees on Commerce and Licensed Businesses and Ways and Means.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Hollahan, by two-thirds vote, Senate Bills 480 and 481 were withdrawn from the Committee on Governmental Organization.

On motion by Senator Horne, by two-thirds vote, SB 209 was withdrawn from the Committee on Judiciary.

On motions by Senator Stolzenburg, by two-thirds vote, SB 370 was withdrawn from the Committees on Commerce and Licensed Businesses and Ways and Means and from the Senate.

On motions by Senator Bell, by two-thirds vote, SB 330 was withdrawn from the Committee on Judiciary and from the Senate.

On motions by Senator Broxson, by two-thirds vote, SB 495 was withdrawn from the Committee on Education and from the Senate.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable John E. Mathews, Jr. April 16, 1969
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has adopted SCR 493.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

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

The Honorable John E. Mathews, Jr. April 17, 1969
President of the Senate

Sir:

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

By Representative Baker and others—

HB 80—A bill to be entitled An act relating to the rehabilitation of alcoholics; amending section 396.021(3), Florida Statutes, to change the designation of "administrator" of the rehabilitation center to "director"; directing the Statutory Revision Department to effectuate such change throughout chapter 396, Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 80, contained in the above message, was read the first time by title. On motion by Senator Friday, the rules were waived and the bill was placed on the Calendar.

The Honorable John E. Mathews, Jr. April 17, 1969
President of the Senate

Sir:

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

By Representative Stevens and others—

HB 235—A bill to be entitled An act relating to local government; providing procedures for the exercise of ordinance making powers by counties; providing for regular and emergency enactment procedures; providing for codification of ordinances; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 235, contained in the above message, was read the first time by title and referred to the Committee on Governmental Organization.

The Honorable John E. Mathews, Jr.
President of the Senate

April 17, 1969

Sir:

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

By Representative Danahy and others—

HB 188—A bill to be entitled An act relating to local government; authorizing creation of voluntary councils of local public officials; providing for the membership, powers and administration of such councils; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 188, contained in the above message, was read the first time by title and referred to the Committee on Governmental Organization.

The Honorable John E. Mathews, Jr.
President of the Senate

April 17, 1969

Sir:

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

By Representatives Danahy and Ware—

HB 281—A bill to be entitled An act relating to local government; amending section 160.01(1), Florida Statutes, to authorize counties and municipalities to make lump sum contributions to regional planning councils; providing that funds be expended only for public purposes and that annual audit thereof be made; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 281, contained in the above message, was read the first time by title and referred to the Committee on Governmental Organization.

The Honorable John E. Mathews, Jr.
President of the Senate

April 17, 1969

Sir:

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

By Representative Gautier—

HB 200—A bill to be entitled An act relating to police power of municipalities; amending section 168.03, Florida Statutes; by providing that all laws in conflict therewith are repealed.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 200, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

The Honorable John E. Mathews, Jr.
President of the Senate

April 17, 1969

Sir:

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

By Representative James—

HB 168—A bill to be entitled An act relating to drivers' licenses; amending section 322.15, Florida Statutes, providing a twenty-four (24) hour period within which a person may produce an operator's or chauffeur's license after it is demanded by certain officers; providing a penalty; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives.

HB 168, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

The Honorable John E. Mathews, Jr.
President of the Senate

April 17, 1969

Sir:

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

By Representatives Davis and Tyrrell—

HB 158—A bill to be entitled An act relating to municipal taxation; amending section 167.441, Florida Statutes, relating to the limitation on the rate of millage to be levied by municipalities; providing for levy in excess of limitation subject to referendum of certain owners of freeholds; eliminating requirement for referendum under certain circumstances.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 158, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

The Honorable John E. Mathews, Jr.
President of the Senate

April 17, 1969

Sir:

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

By Representative Nichols—

HB 175—A bill to be entitled An act relating to robbery; amending section 813.011, F. S.; providing that robbery by a person armed with a dangerous weapon and commits a battery on the person robbed may be punishable by death; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 175, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

The Honorable John E. Mathews, Jr.
President of the Senate

April 17, 1969.

Sir:

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

By Representative Baker—

HB 208—A bill to be entitled An act relating to mental health; amending section 402.07, Florida Statutes, to put repayment in service on a month to month basis rather than year to year; providing an effective date.

By Representative Baker—

HB 209—A bill to be entitled An act relating to mental health; amending section 402.06, Florida Statutes, to provide that interest on notes given by grantees of scholarships or stipends shall begin ninety (90) days after completion or termination of the training program; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

House Bills 208 and 209, contained in the above message, were read the first time by title and referred to the Committee on Health, Welfare, and Institutions.

The Honorable John E. Mathews, Jr. April 17, 1969
President of the Senate

Sir:

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

By Representative Baker—

HB 206—A bill to be entitled An act relating to mental health; amending section 402.01, Florida Statutes, to change the name of the council provided for therein to Council on Training and Research in Mental Health; providing an effective date.

By Representative Baker—

HB 207—A bill to be entitled An act relating to mental health; repealing section 402.081, Florida Statutes, creating an advisory committee on mental health; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

House Bills 206 and 207, contained in the above message, were read the first time by title and referred to the Committee on Health, Welfare, and Institutions.

The Honorable John E. Mathews, Jr. April 17, 1969
President of the Senate

Sir:

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

By Representatives Culbreath and Alvarez—

HB 223—A bill to be entitled An act relating to eggs; amending chapter 583, Florida Statutes, by adding section 583.021 making certain acts of producers or dealers unlawful; amending section 583.04, Florida Statutes, providing additional rule-making authority; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 223, contained in the above message, was read the first time by title and referred to the Committees on Agriculture and Health, Welfare, and Institutions.

The Honorable John E. Mathews, Jr.
President of the Senate

April 17, 1969

Sir:

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

By the Committee on Higher Education—

HB 262—A bill to be entitled An act relating to the first accredited medical school; amending paragraph (d) of subsection (2) of section 242.62, Florida statutes, by deleting the requirement that enrollment shall be certified sixty days prior to commencement of any school year; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 262, contained in the above message, was read the first time by title and referred to the Committees on Education and Ways and Means.

The Honorable John E. Mathews, Jr. April 17, 1969
President of the Senate

Sir:

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

By Representative Fleece and others—

HB 153—A bill to be entitled An act providing for the cancellation and discharge of judgements discharged in bankruptcy; providing for certification of copies; providing for the effect of orders of cancellation and discharge; providing an effective date.

By Representatives Davis and Tyrrell—

HB 160—A bill to be entitled An act relating to taxation; amending section 193.322, Florida Statutes, providing for referenda to increase millage rate for county purposes by limiting participation in such elections to the owners of freeholds of the county or district not wholly exempt from taxation.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 153, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

HB 160, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

The Honorable John E. Mathews, Jr. April 17, 1969
President of the Senate

Sir:

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

By Representative Nergard—

HB 128—A bill to be entitled An act relating to regulation of traffic on highways; amending section 317.221(4), Florida Statutes, to increase the permissible speed of school buses on limited access roads to fifty-five (55) miles per hour.

By Representatives Davis and Tyrrell—

HB 159—A bill to be entitled An act relating to municipal taxation; amending section 167.442, Florida Statutes, providing for an increase in the rate of millage to be levied by municipalities in excess of limit subject to ratification of referenda of the owners of freeholds not wholly exempt from taxation.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
 Clerk, House of Representatives

HB 128, contained in the above message, was read the first time by title and referred to the Committee on Transportation.

HB 159, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

PENDING ROLL CALL

SB 87—A bill to be entitled An act relating to appeals from municipal courts; amending section 932.52(16), Florida Statutes, authorizing judge to set bond in certain cases at his discretion; providing an effective date.

Was taken up.

On motion by Senator de la Parte, the rules were waived and the Senate immediately reconsidered the vote by which SB 87 as amended was placed on third reading April 16, and the bill was placed back on second reading.

Senator de la Parte offered and moved the following amendment:

In Section 1, line 22, page 1, insert the following after the comma: *not to exceed one thousand dollars*

Senator Daniel offered the following amendment to the amendment which failed.

In Section 1, line 22, page 1, strike “one thousand dollars” and insert five hundred dollars

Senator Saylor offered the following substitute amendment which failed:

In Section 1, line 22, page 1, insert after the comma: not to exceed three thousand dollars

The amendment by Senator de la Parte was adopted.

On motion by Senator Saylor, SB 87 as amended was read by title, passed and ordered engrossed. The vote was:

Yeas—24

Mr. President	Ducker	Knopke	Shevin
Barrow	Gong	Ott	Trask
Bell	Haverfield	Plante	Weber
Chiles	Hollahan	Poston	Weissenborn
Deeb	Horne	Reuter	Wilson
de la Parte	Johnson	Saylor	Young

Nays—13

Askew	Daniel	Karl	Pope
Barron	Friday	Lane	Stolzenburg
Beaufort	Gunter	McClain	Williams
Broxson			

Senator Fincher was recorded as voting nay.

The President appointed Senators Beaufort, Friday and Barrow as a committee to escort the Honorable Haydon Burns, former Governor of Florida, to the rostrum where he received a standing ovation and addressed the Senate briefly.

SECOND READING

SB 54—A bill to be entitled An act relating to bail; amending chapter 903, Florida Statutes, by adding section 903.041 to permit the state to appeal an order admitting defendant to bail.

Was taken up and read the second time by title.

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

In Section 1, lines 11-13, page 1, strike all of lines 11 through 13 and insert the following: An appeal may be taken by the state from an order admitting defendant to bail prior to trial or an order reducing the amount of bail prior to trial; however, such appeal by the state shall not operate as a stay of the trial court's order admitting the defendant to bail unless otherwise ordered by the appellate court.

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

Line 14, page 1, insert the following: Section 2. This act shall take effect September 1, 1969.

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

In title, line 5, page 1, strike the period “.” and insert the following: , or an order reducing the amount of bail prior to trial.

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

In title, line 5, page 1, strike the period and insert the following: ; providing an effective date.

On motion by Senator Shevin, the rules were waived and SB 54 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—40 Nays—None

Mr. President	Deeb	Johnson	Saylor
Askew	de la Parte	Karl	Shevin
Bafalis	Ducker	Knopke	Slade
Barron	Fincher	Lane	Stolzenburg
Barrow	Friday	McClain	Trask
Beaufort	Gong	Myers	Weber
Bell	Gunter	Ott	Weissenborn
Broxson	Haverfield	Plante	Williams
Chiles	Hollahan	Poston	Wilson
Daniel	Horne	Reuter	Young

Senator Boyd was recorded as voting yea.

SB 59—A bill to be entitled An act relating to criminal procedure; amending section 924.07, Florida Statutes, adding sub-section (7) to allow the state to appeal an order admitting defendant to bail, the amount of bail set by the court, or reducing the amount of bail previously set by the court, and adding sub-section (8) to allow the state to appeal an order adjudicating a defendant insane under chapter 917, Florida Statutes.

Was taken up and read the second time by title.

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

In Section 1, lines 1 and 2, 29 and 30, pages 1 and 2, strike: entire subsection (7) and renumber remaining subsection.

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

In title, line 4, page 1, strike: “to allow the state to appeal an order admitting defendant to bail, the amount of bail set by the court, or reducing the amount of bail previously set by the court, and adding subsection (8)”

Pending further consideration of SB 59 as amended, on motion by Senator Shevin, HB 19, a companion measure, was taken up in lieu thereof.

HB 19—A bill to be entitled An act relating to criminal procedure; amending section 924.07, Florida Statutes, adding sub-section (7) to allow the state to appeal an order adjudicating a defendant insane under chapter 917, Florida Statutes.

Was read the second time by title.

Senator Shevin offered the following amendment which was adopted:

In Section 1, line 10, page 1, strike: “and (8)”

Senator Shevin also offered the following amendment which was adopted:

Insert the following on page 1, line 30

Section 2. This act shall take effect on January 1, 1970.

Senator Shevin also offered and moved the following amendment:

In Title, line 6, page 1, strike: the period after the word "statutes" and insert the following: ; providing an effective date.

On motion by Senator Shevin, further consideration of HB 19 with pending amendment was temporarily deferred.

SB 66 was taken up and on motion by Senator Shevin, HB 54, a companion bill, was substituted therefor.

HB 54—A bill to be entitled An act relating to the Florida corrections code; amending section 945.091(1)(b), Florida Statutes, relating to the extension of limits of confinement of certain prison inmates by deleting provision limiting the number of inmates permitted to work at paid employment and participate in certain educational, training and public programs; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Shevin, the rules were waived and HB 54 was read the third time by title, passed and certified to the House. The vote was: Yeas—38 Nays—None

Mr. President	de la Parte	Karl	Shevin
Askew	Ducker	Knopke	Slade
Bafalis	Friday	Lane	Stolzenburg
Barron	Gong	McClain	Trask
Barrow	Gunter	Myers	Weber
Beaufort	Haverfield	Ott	Weissenborn
Bell	Henderson	Plante	Williams
Broxson	Hollahan	Pope	Wilson
Chiles	Horne	Poston	Young
Daniel	Johnson	Saylor	

Consideration of SB 105 was deferred, the bill retaining its place on the Calendar.

SB 194—A bill to be entitled An act designating and naming that bridge located on U. S. 441, between Tavares and Leesburg in Lake county, presently known as the Dead River bridge, as the "A. Slater Cox Bridge," and providing for suitable plaques to be erected thereon by the state road department; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Daniel, the rules were waived and SB 194 was read the third time by title, passed and certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	Ducker	Knopke	Stolzenburg
Askew	Fincher	Lane	Trask
Bafalis	Friday	Myers	Weber
Barron	Gong	Ott	Weissenborn
Barrow	Gunter	Plante	Williams
Beaufort	Henderson	Poston	Wilson
Bell	Hollahan	Reuter	Young
Broxson	Horne	Saylor	
Daniel	Johnson	Shevin	
de la Parte	Karl	Slade	

Senator Boyd was recorded as voting yea.

SB 18 was taken up and on motion by Senator Hollahan, HB 80, a companion measure, was substituted therefor.

HB 80—A bill to be entitled An act relating to the rehabilitation of alcoholics; amending section 396.021(3), Florida Statutes, to change the designation of "administrator" of the rehabilitation center to "director"; directing the Statutory Revision Department to effectuate such change throughout chapter 396, Florida Statutes; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Hollahan, the rules were waived and HB 80 was

read the third time by title, passed and certified to the House. The vote was: Yeas—42 Nays—None

Mr. President	de la Parte	Karl	Shevin
Askew	Ducker	Knopke	Slade
Bafalis	Fincher	Lane	Stolzenburg
Barron	Friday	McClain	Trask
Barrow	Gong	Myers	Weber
Beaufort	Gunter	Ott	Weissenborn
Bell	Haverfield	Plante	Williams
Boyd	Henderson	Pope	Wilson
Broxson	Hollahan	Poston	Young
Chiles	Horne	Reuter	
Daniel	Johnson	Saylor	

SB 60—A bill to be entitled An act relating to the division of corrections; amending chapter 944, Florida Statutes, by adding section 944.091; authorizing the division to board United States prisoners upon request; providing for compensation therefor; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Shevin, the rules were waived and SB 60 was read the third time by title, passed and certified to the House. The vote was: Yeas—42 Nays—None.

Mr. President	de la Parte	Karl	Shevin
Askew	Ducker	Knopke	Slade
Bafalis	Fincher	Lane	Stolzenburg
Barron	Friday	McClain	Trask
Barrow	Gong	Myers	Weber
Beaufort	Gunter	Ott	Weissenborn
Bell	Haverfield	Plante	Williams
Boyd	Henderson	Pope	Wilson
Broxson	Hollahan	Poston	Young
Chiles	Horne	Reuter	
Daniel	Johnson	Saylor	

Consideration of SB 70 was deferred, the bill retaining its place on the Calendar.

A motion by Senator Chiles that SJR 127 be re-referred to an appropriate committee was adopted. The joint resolution was recommitted to the Committee on Constitutional Amendments and Revision.

SB 241—A bill to be entitled An act relating to the Florida alcoholic rehabilitation center; amending chapter 67-313, by combining all items of appropriation for capital outlay into one lump sum item; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Slade, the rules were waived and SB 241 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

Mr. President	de la Parte	Karl	Shevin
Askew	Ducker	Knopke	Slade
Bafalis	Fincher	Lane	Stolzenburg
Barron	Friday	McClain	Trask
Barrow	Gong	Myers	Weissenborn
Beaufort	Gunter	Ott	Williams
Bell	Haverfield	Plante	Wilson
Boyd	Henderson	Pope	Young
Broxson	Hollahan	Poston	
Chiles	Horne	Reuter	
Daniel	Johnson	Saylor	

SB 28—A bill to be entitled An act relating to the state department of agriculture; amending paragraph (b) of subsection (1) of section 570.52, Florida Statutes, by adding members to the pesticides technical committee; providing an effective date.

Was taken up and read the second time by title.

The Committee on Agriculture offered the following amendment which was adopted on motion by Senator Myers:

In Section 1, Subsection (b), line 24, page 1, strike "ten (10)" and insert eleven (11)

The Committee on Agriculture also offered the following amendment which was moved by Senator Myers:

In Section 1, Subsection (b), lines 29-31, page 1, lines 1-3, page 2, strike: one member representing the state board of health; four members from the state agriculture advisory council; one representing each of the following areas or trade interest of the department in beef cattle, field crops, citrus and vegetable. and insert the following: one member representing the Florida Game and Fresh Water Fish Commission; one member representing the State Board of Conservation; one member representing the Florida Air and Water Pollution Control Commission; three members from the State Agricultural Advisory Council; one representing each of the following areas or trade interest of the department in field crops, citrus and vegetable.

Senators Friday and Weissenborn offered the following amendment to the amendment which was adopted on motion by Senator Friday:

After "Water Pollution Control Commission;" insert the following: one member representing the State Board of Health;

On motion by Senator Myers, the amendment as amended was adopted.

On motion by Senator Myers, the rules were waived and SB 28 as amended was read the third time by title.

Senator Friday offered the following amendment which was adopted by a two-thirds vote:

In Section 1, Subsection (b), line 24, page 1, strike "(11)" and insert (12)

SB 28 passed and was ordered engrossed. The vote was:

Yeas-36

Mr. President	Daniel	Johnson	Reuter
Askew	de la Parte	Karl	Shevin
Barron	Ducker	Knopke	Slade
Barrow	Fincher	Lane	Stolzenburg
Beaufort	Friday	Myers	Trask
Bell	Gong	Ott	Weber
Boyd	Gunter	Plante	Weissenborn
Broxson	Haverfield	Pope	Williams
Chiles	Horne	Poston	Wilson

Nays-3

Deeb	Sayler	Young
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SB 242-A bill to be entitled An act relating to safety equipment inspection of motor vehicles; amending sections 325.12, 325.13, 325.16, and 325.24(1), Florida Statutes; providing for annual inspections; authorizing the department of public safety to promulgate a schedule for reinspections; enlarging the time within which repairs may be made; increasing inspection fees; providing an effective date.

Was taken up and read the second time by title.

The Committee on Transportation offered the following amendment which was moved by Senator Pope:

In Section 4, line 28, page 4, strike: "two dollars and fifty cents (\$2.50)" and insert the following: three dollars (\$3.00)

Senator Weissenborn offered and moved the following substitute amendment:

Strike: all after the enacting clause and insert the following: Sections 325.11 through Section 325.32, Florida Statutes, are repealed.

Pending consideration of the substitute amendment, Senator Pope moved that the rules be waived and time of adjournment be extended until final action on SB 242. The vote was:

Yeas-21

Mr. President	Ducker	Lane	Weber
Beaufort	Friday	McClain	Wilson
Chiles	Gong	Myers	Young
Daniel	Gunter	Plante	
Deeb	Karl	Pope	
de la Parte	Knopke	Sayler	

Nays-20

Askew	Boyd	Horne	Slade
Bafalis	Broxson	Johnson	Stolzenburg
Barron	Fincher	Ott	Trask
Barrow	Haverfield	Poston	Weissenborn
Bell	Hollahan	Shevin	Williams

By permission, the following report was received:

BILLS REFERRED TO SUBCOMMITTEES

The following bills were referred to Subcommittees:

Financial Institutions and Consumer Protection: SM 426, Senate Bills 442, 459, 460 and 531 (10 days to report to Committee on Commerce and Licensed Businesses)

Licensed Businesses: Senate Bills 431, 448, 463, 500, 516, 527, 532 and 533 (10 days to report to Committee on Commerce and Licensed Businesses)

Mental Health, Retardation, and Institutions: Senate Bills 536, 558, 559, House Bills 209, 208, 207 and 206 (10 days to report to Committee on Health, Welfare, and Institutions)

Health and Welfare: Senate Bills 481, 561 and 577 (10 days to report to Committee on Health, Welfare, and Institutions)

Law and Order: SB 501 (7 days to report to Committee on Judiciary)

Jurisprudence: Senate Bills 208, 503, 505, 506, 507, 259, 537, 539 and 543 (7 days to report to Committee on Judiciary)

Labor and Industrial Relations: Senate Bills 518, 519, 520, 521, 522, 523, 524, 525, 528, 545, 498, 499 and 512 (7 days to report to Committee on Judiciary)

Taxation: Senate Bills 130, 189, 335, 366, 368 and 382 (30 days to report to Committee on Ways and Means)

CO-INTRODUCERS

By permission, Senator Stolzenburg was recorded as a co-introducer of SB 545.

By permission, Senators de la Parte, Friday, Broxson, Barrow, Sayler, Young, Ducker, Daniel, Williams, Bafalis, Beaufort, Trask, Johnson, Weber, Stolzenburg, Askew, Barron, McClain, Deeb, Wilson, Karl, Lane, Gong, Bell and Mathews were recorded as co-introducers of SB 242.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 1:00 p. m. to reconvene at 11:00 a. m., April 18, 1969.