

# JOURNAL OF THE SENATE

Wednesday, April 23, 1969

The Senate was called to order by the President at 11:00 a.m.  
A quorum present—46:

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

Excused: Senators Gunter and McClain.

Prayer by former Senator L. K. Edwards:

O Spirit of the Living God, breathe upon this assembled company thy gracious power. As the coming of spring rouses Nature from winter sleep, so may thy Spirit revive us, giving us new hope and a livelier faith. If we have never before been conscious of our need, make our souls hungry for thee, O God, that we may no longer be content to be half alive, which is half dead.

Give us fullness of life, set free from fear and doubt, that we may find new joy in our labors. Through Jesus Christ our Lord. Amen.

The Journal of April 22 was corrected and approved as follows:

Page 133, column 1, between lines 5 and 6 insert the following: providing priority for fee holders at sales of tax certificates;

## REPORTS OF COMMITTEES

The Committee on Agriculture recommends the following pass: SB 526

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

The Committee on Agriculture recommends the following pass: HB 223

The bill was referred to the Committee on Health, Welfare, and Institutions under the original reference.

The Committee on Agriculture recommends the following pass: SB 345 with 1 amendment

The bill was referred to the Committee on Commerce and Licensed Businesses under the original reference.

The Committee on Rules and Calendar recommends the following pass: SB 389

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

The Committee on Agriculture recommends the following not pass: SB 258

The bill was laid on the table.

The Committee on Constitutional Amendments and Revision recommends the following not pass: SJR 421

The bill was laid on the table.

The Committee on Rules and Calendar recommends the following not pass: SB 290 SB 291

The bills were laid on the table.

## BILLS REFERRED TO SUBCOMMITTEES

The following bills were referred to Subcommittees:

**Public Schools Subcommittee:** Senate Bills 662, 677, 683, 684, 685, 686 and 687 (7 days to report to the Committee on Education)

**State Government Subcommittee:** Senate Bills 629, 670, 113 and 364 (10 days to report to Committee on Governmental Organization)

**Local Government Subcommittee:** Senate Bills 632, 676 and 679 (10 days to report to Committee on Governmental Organization)

**Jurisprudence Subcommittee:** Senate Bills 10, 154 and 661 (7 days to report to Committee on Judiciary)

## ENGROSSING REPORT

Your Engrossing Clerk to whom was referred—

SB 242 with 12 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 on third reading.

## ENROLLING REPORT

Your Enrolling Clerk to whom was referred—

SB 405

—reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on April 23, 1969.

EDWIN G. FRASER  
Secretary of the Senate

## REPORT OF THE COMMITTEE ON RULES AND CALENDAR

The Committee on Rules and Calendar recommends the following Rule change: Add a new unnumbered paragraph to Rule 4.4, as follows:

General bills and joint resolutions introduced after the forty-fifth day of the regular annual session convening in odd numbered years shall be referenced, but delivery thereof shall be withheld from the committee or committees of reference until adjournment sine die of such session. The bills and joint resolutions affected hereby shall be considered in accordance with rule 3.8. A motion to waive this rule shall be referred to the Committee on Rules and Calendar for a hearing and its advisory recommendation as to the existence of an emergency reasonably compelling consideration of a bill or joint resolution notwithstanding this rule.

Senator Friday moved the adoption of the amendment.

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

Strike the last sentence.

Senator Askew offered the following amendment to the amendment which was adopted:

Line 12, strike the period "." and insert the following: , which recommendation must be reported back to the Senate not later than the next legislative day.

The vote was:

Yeas—24

Mr. President	Beaufort	Broxson	Hollahan
Askew	Bishop	Friday	Horne
Barrow	Boyd	Haverfield	Karl

Knopke	Ott	Scarborough	Thomas
Lane	Poston	Shevin	Trask
Myers	Saunders	Stone	Williams

section 458.17, F. S., by adding a new subsection to be designated 458.17 (5), F. S., authorizing the prosecution of offenses which occurred prior to the effective date of this act; and 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 Broxson—

Nays—17

Bafalis	Ducker	Sayler	Wilson
Barron	Fincher	Slade	Young
Bell	Gong	Stolzenburg	
Daniel	Johnson	Weber	
Deeb	Pope	Weissenborn	

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

SB 694—A bill to be entitled An act relating to school construction; amending sections 235.26 (3) and 235.30, Florida Statutes, requiring the commissioner of education to approve certain materials, designs, and systems; requiring district school boards to provide for inspection and supervision of plans and work by certain persons; providing an effective date.

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

By Senator de la Parte—

SB 695—A bill to be entitled An act relating to the election of justices and judges; amending chapter 105, Florida Statutes, by adding sections 105.011, 105.021, 105.031, 105.041, 105.051, and 105.061; providing for the nonpartisan election of justices of the supreme court and judges of the district courts of appeal and circuit courts; providing an effective date.

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

By Senators Barrow, Young, Horne, Lane and Pope—

SB 696—A bill to be entitled An act relating to the small loan business; amending section 516.02, subsection (1) of section 516.11, subsection (2) of section 516.12, section 516.14, subsection (4) of section 516.15, section 516.16, subsection (1) of section 516.18, sections 516.20, 516.21 and 516.26, all Florida Statutes; 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 Barrow, Young, Horne, Lane and Pope—

SB 697—A bill to be entitled An act relating to the Florida consumer finance law; amending section 519.03, the introductory paragraph and subsections (2) and (4) of section 519.08, subsections (1)(d) and (2) of section 519.10, subsection (4)(c) of section 519.12, section 519.17, all Florida Statutes; providing an effective date.

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

By Senator Trask—

SB 698—A bill to be entitled An act relating to boards of county commissioners; amending chapter 125, Florida Statutes, by adding section 125.295 to authorize boards of county commissioners to enter into lease agreements with the Florida Board of Forestry, department of civil defense, and other governmental agencies for fire fighting equipment which will be subleased or loaned to fire districts and volunteer fire departments in the county; providing an effective date.

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

By Senators Trask, Chiles, Ott, Daniel, Boyd and Horne—

SB 699—A bill to be entitled An act relating to escaped prisoners amending Section 944.40, Florida Statutes to provide that the penalty for escape is a felony; providing an effective date.

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

By Senator Trask—

SB 700—A bill to be entitled An act relating to Avon Park correctional institution; authorizing the board of commissioners of state institutions to negotiate for the purchase of said institution; utilizing 1967 appropriation; authorizing the state planning and budget commission to commit such appropriation for

In last sentence strike "shall" and insert may

The question recurred on the motion by Senator Friday and the amendment as amended was adopted. The vote was:

Yeas—24

Mr. President	Broxson	Karl	Saunders
Askew	Chiles	Knopke	Shevin
Barron	Friday	Lane	Slade
Barrow	Haverfield	Myers	Stone
Beaufort	Hollahan	Ott	Thomas
Boyd	Horne	Poston	Trask

Nays—19

Bafalis	Fincher	Pope	Weissenborn
Bell	Gong	Reuter	Williams
Daniel	Henderson	Sayler	Wilson
Deeb	Johnson	Stolzenburg	Young
Ducker	Plante	Weber	

INTRODUCTION

By Senator Friday—

SB 690—A bill to be entitled An act relating to criminal penalties; amending section 775.07, Florida Statutes; providing that the punishment for misdemeanors when not otherwise provided shall be a fine not exceeding five hundred dollars (\$500) or imprisonment not exceeding six (6) months, or both.

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

By Senator Friday—

SB 691—A bill to be entitled An act relating to the regulation of traffic on highways; amending section 317.701 (2), Florida Statutes, to eliminate the gradation for second and subsequent convictions; providing an effective date.

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

By Senator Friday—

SB 692—A bill to be entitled An act relating to firearms; amending chapter 790, Florida Statutes, by adding section 790.26; providing penalty for stealing firearms.

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

By Senators Lane and de la Parte—

SB 693—A bill to be entitled An act relating to the medical practice act, chapter 458, Florida Statutes, amending section 458.11, F. S., by conferring additional investigation and enforcement powers upon the state board of medical examiners; amending section 458.12, F. S., by enlarging the disciplinary grounds and action which may be taken against a licensed medical doctor; amending subsection 458.121 (7), F. S., by designating the grounds upon which the state board of medical examiners may temporarily suspend a license prior to full hearing; amending section 458.123, F. S., to provide that final orders of the state board of medical examiners shall be reviewable by certiorari by the appropriate district court of appeal; amending section 458.13 (1), F. S., by deleting the words "or physical" and adding the words "physical or mental;" amending

such purchase pending final determination of purchase price; 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 Saylor—

SB 701—A bill to be entitled An act relating to oceanographic activities in the state university system; providing an appropriation to the Board of Regents; providing an effective date.

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

By Senators Saylor, Deeb and Barrow—

SB 702—A bill to be entitled An act relating to strikes by government employees or organizations of government employees; amending section 839.221, Florida Statutes, by adding subsection (5), subjecting such employees or organizations to the injunctive power of the circuit courts; setting a discretionary fine for contempt by such organizations.

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

By Senators Karl and Gunter—

SB 703—A bill to be entitled An act relating to fraudulent practices; prohibiting the fraudulent solicitation of payment of money; providing a penalty; 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 Karl and Gunter—

SB 704—A bill to be entitled An act relating to fraudulent and deceptive trade practices; amending section 570.282(1), Florida Statutes, to designate the commissioner of agriculture the commissioner of consumer services; amending chapter 570, Florida Statutes, by adding section 570.284, authorizing investigation, enforcement, and injunction; 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 Karl and Gunter—

SB 705—A bill to be entitled An act relating to motor vehicles; prohibiting the sale of motor vehicle master keys to fit more than one (1) vehicle; providing a penalty; 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 Senator Karl—

SB 706—A bill to be entitled An act relating to the uniform commercial code; amending section 680.10-101, (2), Florida Statutes; providing for the filing and recordation of instruments required to be filed pursuant to chapters 85, 524 and 673, Florida Statutes, prior to their repeal pursuant to the provisions of the uniform commercial code; 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 Karl and Gunter—

SB 707—A bill to be entitled An act relating to hazardous substances; providing definitions, authorizing determinations, variations and exemptions; providing prohibited acts, penalties and injunctions; authorizing embargo and seizure of misbranded or banned hazardous substances; requiring hearing before reporting for prosecution; authorizing rules; authorizing examination of records; authorizing publication of reports summarizing judgments, decrees and court orders; providing separability clause; providing effective date.

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

By Senator Bell—

SB 708—A bill to be entitled An act relating to election of public officers; providing that all public officers having the power to tax shall be elected; defining "public officers" and "power to tax"; providing an effective date.

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

By Senator Weissenborn—

SB 709—A bill to be entitled An act relating to procedure in traffic violation cases; prescribing scope, purpose, construction, and definitions; providing rules governing procedure and conduct of cases in traffic court; providing an effective date.

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

By Senator Weissenborn—

SB 710—A bill to be entitled An act relating to trespass; amending section 821.01, Florida Statutes; deleting references to labor camps and employees; providing an effective date.

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

By Senator Weissenborn—

SB 711—A bill to be entitled An act relating to discrimination in public employment; amending chapter 112, Florida Statutes, by adding section 112.042; providing that employment discrimination on the basis of race, color, or creed by county or municipal governing bodies or officers is violative of state public policy; providing for judicial review when said public policy is violated; providing an effective date.

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

By Senators Hollahan and Shevin—

SB 712—A bill to be entitled An act relating to obscene, lewd, lascivious, filthy, indecent, immoral, sadistic and masochistic literature, matters, and materials; repealing subsection (9) of section 847.011, Florida Statutes, which exempts from the operation of said section the exhibition of motion picture films permitted by section 521.02, Florida Statutes; and prescribing an effective date.

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

By Senators Hollahan and Shevin—

SB 713—A bill to be entitled An act for the protection of minors from harmful literature, matters and materials; making it unlawful to sell or lend for monetary consideration to a minor who is not accompanied by his parent any literature, matter or material which depicts or describes nudity, sexual conduct, sexual excitement or sadomasochistic abuse and which is harmful to minors; providing definitions; providing criminal penalties for violations; providing for injunctive proceedings in the name of the state on the relation of a prosecuting attorney and providing that neither the state nor the relator prosecuting attorney shall be required to post any bond or undertaking in such proceedings and that neither shall be liable for any costs or damages sustained by reason of a temporary restraining order when the final decree is in favor of the person sought to be enjoined; providing that a defendant in such an injunctive proceeding is charged with knowledge of the content and/or character of the literature, matters or materials involved in such proceedings after he is served with a summons and complaint; repealing section 847.012, Florida Statutes; providing a severability clause; and providing an effective date.

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

By Senator Chiles—

SB 714—A bill to be entitled An act relating to railroad cars; providing for the cleaning of all cars and right-of-way after unloading; fixing responsibility for damages occasioned by failure to properly clean cars and return to carrier in a safe and

clean condition; providing for liability of the consignee; providing an effective date.

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

By Senator Chiles—

SB 715—A bill to be entitled An act relating to the segregation of state funds; amending section 215.32, Florida Statutes, by abolishing the working capital fund and transferring the moneys in the fund to the general revenue fund; providing an effective date.

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

By Senator Chiles—

SB 716—A bill to be entitled An act relating to the state school fund; providing for the liquidation of securities presently held in the fund; providing that moneys in the fund may be temporarily invested; providing an effective date.

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

By Senator Young—

SB 717—A bill to be entitled An act relating to the state road department, amending section 339.05, Florida statutes, relating to assent to federal aid given for construction of roads and other related federally supported projects; providing an effective date.

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

By Senator Young—

SB 718—A bill to be entitled An act relating to the state road department, amending section 208.09, Florida statutes, relating to the state roads trust fund in the construction and maintenance of state roads and related federally supported projects; providing an effective date.

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

By Senator Young—

SB 719—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; permitting the State to spend gas tax revenue for undesirable rodent control; relocation assistance; moving costs and joint or multiple use including appropriate roadside development and other related facilities; providing an effective date.

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

By Senator Stone—

SB 720—A bill to be entitled An act relating to insurance contracts; amending Part II of chapter 627, Florida Statutes, by adding section 627.01135; prohibiting discrimination against professional practitioners of any of the healing arts authorized by state law to perform the services for which payment or reimbursement is authorized.

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

By Senator Stone—

SB 721—A bill to be entitled An act relating to police and fire departments of governmental entities; prohibiting the consolidation, integration, or merger of certain governmental police and fire departments; excepting counties having a population of not less than forty thousand (40,000) and not more than forty-five thousand (45,000), according to the latest official decennial census; providing an effective date.

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

By Senator Stone—

SB 722—A bill to be entitled An act providing for the relief of Mrs. Mollie Brilliant for injuries suffered as a result of the negligence of the state road department; 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 Stone—

SB 723—A bill to be entitled An act repealing certain sections of the Florida Statutes relating to ad valorem taxation pursuant to section 11.242, Florida Statutes, in accordance with the revisor's notes included herein showing the reasons for the repeal of each section.

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

By Senator Stone—

SB 724—A bill to be entitled An act correcting, reorganizing, renumbering and clarifying certain sections of the Florida Statutes relating to ad valorem taxation pursuant to section 11.242, Florida Statutes, in accordance with the revisor's notes included herein showing changes made and the reasons therefore.

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

By Senator Stone—

SB 725—A bill to be entitled An act correcting, reorganizing and renumbering certain sections of the Florida Statutes relating to ad valorem taxation pursuant to section 11.242, Florida Statutes, in accordance with the revisor's notes included herein showing changes made and the reasons therefor.

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

By Senator Saylor—

SB 726—A bill to be entitled An act relating to the leasing of submerged lands; amending section 253.61(1), Florida Statutes; requiring approval by the electors of a municipality of any proposed lease of submerged land lying within twelve (12) miles of the corporate limits of an incorporated municipality, and by the electors of a county of any proposed lease of submerged land lying within twelve (12) miles of an improved beach lying outside of any incorporated municipality; providing an effective date.

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

#### MOTIONS RELATING TO COMMITTEE REFERENCES

On motion by Senator Hollahan, by two-thirds vote, SB 657 was withdrawn from the Committee on Governmental Organization.

On motions by Senator Bell, by two-thirds vote, SB 333 was withdrawn from the Committee on Commerce and Licensed Businesses and from the Senate.

On motion by Senator Askew, the rules were waived and the Committee on Health, Welfare, and Institutions was granted an additional 8 legislative days for the consideration of Senate Bills 407, 408, 409, 410, 411, 416 and 423.

On motion by Senator Friday, the rules were waived and the Committee on Rules and Calendar was granted an additional 10 legislative days for the consideration of Senate Bills 377, 455 and 479.

By direction of the President SB 687 was also referred to the Committee on Insurance.

On motions by Senator Friday, by two-thirds vote, House Bills 449, 453, 678, 679, 735, 736, 737, 738, 739 and Senate Bills 515, 514, 572 and 576 were withdrawn from the Committee on Rules and Calendar and placed on the Local Calendar.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable John E. Mathews, Jr.* April 23, 1969  
*President of the Senate*

Sir:

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

SB 241

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

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

*The Honorable John E. Mathews, Jr.* April 23, 1969  
*President of the Senate*

Sir:

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

SB 122

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

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

*The Honorable John E. Mathews, Jr.* April 23, 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 282—A bill to be entitled An act relating to credit unions; amending sections 657.16, 657.161, 657.17, 657.18, 657.20 and 657.22, F. S.; authorizing officers, directors and committeemen to borrow from their own credit unions with certain restraints; expanding the investment authority and authorizing investments for credit unions; reducing reserve requirement from twenty per cent of capital and deposits to ten per cent of outstanding loans; removing restrictions on number of dividends declared each year and allowing dividends to be paid from undivided earnings rather than net earnings; establishing new and detailed procedures for the voluntary liquidation and providing a basis and procedures for the involuntary liquidation of credit unions; authorizing credit unions to destroy records after five rather than ten years; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 282, contained in the above message, was read the first time by title and referred to the Committee on Commerce and Licensed Businesses.

*The Honorable John E. Mathews, Jr.* April 23, 1969  
*President of the Senate*

Sir:

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

By Representatives Lancaster and Mixson—

HB 308—A bill to be entitled An act relating to commercial feed; amending subsection (8) of section 580.031, Florida Statutes; amending subsections (1) and (4) of section 580.041, Florida Statutes, to provide minor clarifications; amending section 580.041, Florida Statutes, by adding subsection (5) to provide effect of master registration; amending paragraphs (a)

(c) (d) and (e) of subsection (1) of section 580.051, Florida Statutes, to provide minor clarifications; amending section 580.061, Florida Statutes, to provide reorganization and minor clarifications; amending subsection (1) of section 580.071, Florida Statutes, relating to adulteration; amending section 580.101, Florida Statutes, to provide reorganization and additional rule making authority; amending section 580.111, Florida Statutes, to provide an editorial change; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 308, 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.* April 23, 1969  
*President of the Senate*

Sir:

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

By Representative Gallen—

HB 142—A bill to be entitled An act relating to barbers; amending section 476.18(4), Florida Statutes, to require that the director of the Florida Barbers' Sanitary Commission be a licensed barber; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 142, contained in the above message, was read the first time by title and referred to the Committees on Health, Welfare, and Institutions and Governmental Organization.

*The Honorable John E. Mathews, Jr.* April 23, 1969  
*President of the Senate*

Sir:

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

By Representative Lancaster—

HB 305—A bill to be entitled An act relating to animal industry; amending subsection (22) of section 585.34, Florida Statutes, to provide exemptions for animal slaughter; amending section 585.34, Florida Statutes, by adding subsection (23) to regulate commerce in dead, dying, disabled or diseased animals; amending section 585.341, by adding subsection (12) to regulate commerce in dead, dying, disabled or diseased poultry; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 305, contained in the above message, was read the first time by title and referred to the Committee on Health, Welfare, and Institutions.

## THIRD READING

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, 325.24(1), and 325.28, and repealing section 325.32, 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 penalties; providing an effective date.

Was taken up and read the third time by title.

Senator Hollahan offered the following amendment which failed:

Add a new section (and renumber succeeding sections) and insert the following: this act shall not affect any motor vehicle inspection law or ordinance in effect in any County on the date of the enactment of Chapter 67-307, Florida Statutes

The vote was:

Yeas—17

Mr. President	Karl	Poston	Williams
Bishop	Knopke	Saunders	Wilson
Chiles	Myers	Scarborough	
Haverfield	Ott	Stone	
Hollahan	Pope	Weissenborn	

Nays—25

Askew	Daniel	Horne	Slade
Bafalis	Deeb	Johnson	Thomas
Barron	Ducker	Lane	Trask
Barrow	Fincher	Plante	Young
Beaufort	Friday	Reuter	
Bell	Gong	Sayler	
Broxson	Henderson	Shevin	

On passage of SB 242, the vote was:

Yeas—40

Mr. President	Daniel	Karl	Shevin
Askew	Deeb	Knopke	Slade
Bafalis	Ducker	Lane	Stolzenburg
Barron	Fincher	Myers	Stone
Barrow	Friday	Plante	Thomas
Beaufort	Haverfield	Pope	Trask
Bell	Henderson	Reuter	Weber
Bishop	Hollahan	Saunders	Williams
Broxson	Horne	Sayler	Wilson
Chiles	Johnson	Scarborough	Young

Nays—4

Gong	Ott	Poston	Weissenborn
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Senators de la Parte and Boyd were recorded as voting yea.

EXPLANATION OF VOTE ON SB 242

I voted for the increased fee only because this appears to be the only way we can put the inspection on an annual basis since there are revenue certificates outstanding which pledged the total annual fees under the present semi-annual inspection of \$3.50, that is, two inspections at \$1.75 each, and without an allowance for this debt service, this bill probably would be declared unconstitutional, and we would then be forced to go back to semi-annual inspections. Our choice appears to be two inspections per year at \$1.75 each for a total fee of \$3.50 or this bill providing inspection only once a year for a total fee of \$3.00. Since I strongly favor annual inspections, I am supporting this bill. It will result in less inconvenience and less total costs to the motoring public.

Reubin O'D. Askew, 2nd. District

SECOND READING

SB 105—A bill to be entitled An act relating to juries; amending subsection 40.101 (2), F.S.; providing that authorized questionnaires from prospective jurors may be used during the pendency of a case; providing an effective date.

Was taken up and read the second time by title.

Senator Scarborough offered the following amendment which was adopted:

In Section 1, line 11, page 1, strike everything after Section 1. and insert the following: Section 40.101, Florida Statutes, is repealed.

Senator Scarborough also offered the following amendment which was adopted:

In title, line 5, page 1, strike everything after 40.101, also strike the words "amending sub-" in line 4. and insert the following: is repealed.

On motion by Senator Horne, the rules were waived and SB 105 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Horne	Scarborough
Askew	Deeb	Karl	Shevin
Bafalis	de la Parte	Knopke	Slade
Barron	Ducker	Lane	Stolzenburg
Barrow	Fincher	Myers	Stone
Beaufort	Friday	Ott	Trask
Bell	Gong	Plante	Weber
Bishop	Haverfield	Pope	Williams
Broxson	Henderson	Poston	Young
Chiles	Hollahan	Saunders	

Senators Johnson, Wilson, Thomas and Weissenborn were recorded as voting yea.

SB 95—A bill to be entitled An act relating to the Uniform Narcotic Drug Law; amending section 398.22(1)(d)1., Florida Statutes, to increase the minimum sentence for the first conviction for the sale of illegal drugs to minors to ten (10) years.

Was taken up and read the second time by title.

The Committee on Judiciary offered the following amendment which was moved by Senator Ott:

In Section 1, line 23, page 1, strike lines 23 through 27 and insert the following: 1. For a first conviction, imprisonment in the state penitentiary for life or for any number of years not less than ten (10), and imposition of sentence shall not be suspended or deferred, nor shall the person so convicted be placed on probation. In addition to imprisonment, such person convicted may be fined not more than ten thousand dollars (\$10,000.00). Provided, that if the offender shall not have attained the age of twenty-one (21) years and shall not have been previously convicted of any offense under chapters 398, or 404, Florida Statutes, at the time of the commission of an offense under this section, he shall upon conviction be imprisoned in the state prison for not more than ten (10) years or fined not more than ten thousand dollars (\$10,000.00) or both; any practitioner, as defined in section 404.01(6), or any pharmacist, as defined by section 404.01(7), upon conviction his license to practice in Florida shall be automatically revoked.

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

Senator Ott offered and moved the following substitute amendment:

In Section 1, line 23, page 1, strike: lines 23 through 27 and insert the following: 1. For a first conviction, imprisonment in the state penitentiary for life or for any number of years not less than ten (10), and in addition the person convicted may be fined not more than ten thousand dollars (\$10,000.00), imposition of sentence shall not be suspended or deferred, nor shall the person so convicted be placed on probation. If the offender shall not have attained the age of twenty-one (21) years and shall not have been previously convicted of any offense under chapters 398, or 404, Florida Statutes, at the time of the commission of an offense under this section, he shall upon conviction be imprisoned in the state prison for not more than ten (10) years or fined not more than ten thousand dollars (\$10,000.00) or both. The license to practice in Florida of any practitioner, as defined in subsections 398.02(1)(2)(3), or any pharmacist, as defined by subsection 398.02(6), shall upon conviction be automatically revoked.

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

On motion by Senator Ott, the rules were waived and SB 95 with pending substitute amendment was deferred, the bill retaining its place on the Calendar.

On motion by Senator Barrow, Rule 2.5 was waived and the Committee on Commerce and Licensed Businesses was granted permission to consider SB 345 this day.

## CO-INTRODUCERS

By permission, Senator Shevin was recorded as a co-introducer of SB 462.

By permission, Senator Bafalis was recorded as a co-introducer of SB 95.

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 24, 1969.