

JOURNAL OF THE SENATE

Monday, April 28, 1969

The Senate was called to order by the President at 11:00 a.m.
A quorum present—48:

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

Prayer by the Senate Chaplain, Reverend Alva H. Brock:

“They who wait for the Lord
shall renew their strength
They shall mount up with wings
like eagles
They shall run and not be weary
they shall work and not faint.”

Isaiah 40:31

O God, let these who are your servants listen to your voice above all other voices, wait for your guidance, be aware of your presence in their midst.

Renew their strength as you do the eagles daily. Enable them this day to mount up with wings and fly above all their obstacles. Give them, O God, a clear vision of our state as it might be where all people receive equal justice—where every person who seeks it may find useful and dignified work—where all men live together as brothers in peace not based upon force but upon a government so fair and true that all men shall love it and support it. May they run this race set before them, courageously, effectively, fainting not. In the strong name of Jesus Christ we pray. Amen.

The Senate pledged allegiance to the flag of the United States of America pursuant to Senate Rule 4.3.

The Journal of April 25 was corrected and approved as follows:

Page 158, counting from the bottom of column 2, between lines 33 and 34 insert the following:

The pending amendment failed.

The Journal of April 24 was further corrected and approved as follows:

Page 143, column 2, strike lines 29 through 32

The Journal of April 21 was further corrected and approved as follows:

Page 122, counting from the bottom of column 1, strike lines 21 through 23 and insert the following: an additional 4 days for the consideration of all bills in the Committee.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends the following pass: SB 614 and SCR 502

The bills were placed on the Calendar.

ENGROSSING REPORT

Your Engrossing Clerk to whom was referred—

CS for SB 453 with 1 amendment

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

EDWIN G. FRASER
Secretary of the Senate

The bill was immediately certified to the House.

ENROLLING REPORT

Your Enrolling Clerk to whom was referred—

SB 122

—reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on April 28, 1969.

EDWIN G. FRASER
Secretary of the Senate

INTRODUCTION

By Senator Weissenborn—

SB 790—A bill to be entitled An act relating to workmen's compensation, repealing section 440.02 (1) (c) 3. and 5., Florida Statutes, providing for the coverage of agricultural labor, turpentine labor, labor in processing gum-spirits-of-turpentine, crude gum, oleoresin and gum rosin; providing an effective date.

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

By Senator Knopke—

SB 791—A bill to be entitled An act relating to trains blocking highway crossings; amending sections 351.032, Florida Statutes, by prohibiting the blocking of a road crossing by a train for more than ten (10) minutes except with a permit from the sheriff; providing an effective date.

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

By Senator Gong—

SJR 792—A joint resolution proposing an amendment to Section 2 of Article VI of the State Constitution, relating to the qualifications of electors.

Was read the first time by title and referred to the Committee on Constitutional Amendments and Revision.

By Senator Gong—

SB 793—A bill to be entitled An act relating to landlord and tenant; amending chapter 83, Florida Statutes, by adding section 83.261 to provide that the prevailing party shall be entitled to costs and attorney's fees in any litigation concerning the landlord-tenant relationship; 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 Gong and Myers—

SB 794—A bill to be entitled An act relating to cigar and cigarette sales; prohibiting sale or distribution of cigarettes in public health centers and other medical facilities supported by the state; providing a penalty; providing an effective date.

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

By Senators Barron, Barrow, Trask, Friday, Williams, Broxson, Bishop, Horne, Saunders, Henderson and Plante—

SB 795—A bill to be entitled An act relating to livestock marks and brands; amending sections 534.021 and 534.081, Florida Statutes; amending chapter 534, Florida Statutes, by adding sections 534.082, 534.083 and 534.084, requiring livestock market operators, dealers, slaughterers and livestock hide dealers to keep records; providing permit for livestock haulers and requiring display of permit on hauling vehicles; providing effective date.

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

By Senator Daniel—

SB 796—A bill to be entitled An act relating to horse race permittees whose racing periods are fixed and determined by the provisions of Section 550.081, Florida Statutes, and by the amount of tax revenue produced by such track during the preceding year; authorizing such permittee or permittees to lease the track facilities of any other permittee whose racing periods are governed as aforesaid, to conduct their race meet or meets at such leased plant and facilities; repealing all laws and parts of laws in conflict with this act; fixing the effective date of this act.

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

By Senator Myers—

SJR 797—A joint resolution proposing an amendment to Section 9 of Article VII of the State Constitution to authorize school boards to levy ad valorem taxes in excess of ten (10) mills for periods up to ten (10) years for capital improvement purposes when authorized by vote of electors who are owners of freeholds not wholly exempt from taxation.

Was read the first time by title and referred to the Committees on Constitutional Amendments and Revision and Ways and Means.

By Senator Bishop—

SB 798—A bill to be entitled An act relating to the police standards council, amending subsections (4) and (5) of Section 23.067, Florida Statutes, exempting institutions operated by a district school board or a junior college board of trustees from approval of the council and providing that certificates issued by the council shall not qualify persons to teach in the public schools or junior colleges; amending subsection (1) of section 23.069, Florida Statutes, removing the public school system and junior colleges from the provisions thereof; amending subsection (1)(a) of Section 23.072, Florida Statutes, making the provisions thereof applicable only to training programs not operated under a district school board or junior college board of trustees; providing an effective date.

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

By Senator Young—

SB 799—A bill to be entitled An act relating to elections; amending Section 98.211, Florida Statutes, making it mandatory for the supervisor to furnish copies of records upon reasonable compensation; providing an effective date.

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

By Senator Stone—

SB 800—A bill to be entitled An act relating to beach and shore preservation; amending paragraph 161.091(1)(b) and subsection 161.101(1), Florida Statutes; providing that the state will bear the entire nonfederal share up to 50% of the project cost for federal beach erosion control projects; providing that certain amounts be paid by the project sponsoring authority; providing the sponsoring authority will hold the United States and the state of Florida free from damages due to construction, etc., of the project; providing an effective date.

Was read the first time by title and referred to the Committees on Natural Resources and Conservation and Ways and Means.

By Senator Broxson—

SB 801—A bill to be entitled An act relating to optometry; amending section 463.17, Florida Statutes, to require continuing professional education as a condition precedent to renewal and reissuance of certificate of registration.

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

By Senator Lane—

SM 802—A memorial to the President and the Congress of the United States proposing an amendment of the Federal Social Security Act.

WHEREAS, the Federal Social Security Act since its enactment in 1935 has permitted the various states to impose reasonable residence requirements for eligibility to the various public assistance programs the costs of which are partly paid from federal funds, and

WHEREAS, the Federal Social Security Act so provides at the present time, with Florida having consistently required a reasonable continued residence as an eligibility factor for permanent public assistance payments, and

WHEREAS, a federal court in California and other federal courts in other parts of the nation have declared the unconstitutionality of such residence requirements, alleging that they contravene the "equal protection of the laws" guarantee of the Federal Constitution and that they unduly restrict the freedom of Americans to travel at will within the country, and

WHEREAS, this new judicial theory has recently been upheld by the United States Supreme Court and will result in state and local costs of public assistance in Florida being tremendously and permanently increased, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the President and the Congress of the United States are requested to amend the Federal Social Security Act at once so as to provide for full federal financing of public assistance payments made to recipients who do not meet the residence requirements presently permitted by federal statute and contained in Florida law and the applicable statutes of other states, such federal financing to continue in each case only until the existing length of residence requirements have been met by each recipient.

BE IT FURTHER RESOLVED that copies of this resolution be immediately transmitted to the President and Vice-President of the United States, to the Speaker of the House of Representatives, and to each senator and representative from Florida in the Congress of the United States.

Was read the first time in full and referred to the Committee on Ways and Means.

On motion by Senator Lane, by two-thirds vote, SM 802 was withdrawn from the Committee on Ways and Means and placed on the Calendar.

On motion by Senator Lane, the rules were waived and SM 802 was read the second time by title, adopted and certified to the House. The vote was: Yeas—44 Nays—None

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

By Senator Bafalis—

SB 803—A bill to be entitled An act relating to the legislature; amending chapter 11, Florida Statutes, by adding section 11.150, establishing a system for purchasing by the legislature; providing an effective date.

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

By Senator Poston—

SB 804—A bill to be entitled An act relating to the regulation of traffic on highways; amending Section 317.761, Florida Statutes, by renumbering present subsection (1), by adding a new subsection (1) (b); providing that maximum widths of vehicles on paved portion of roads having a width of twenty feet or greater shall be limited to a vehicle or load having an outside width of one hundred two inches; providing an effective date.

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

By Senator Poston—

SB 805—A bill to be entitled An act relating to trespassers on school property; amending Chapter 821, Florida Statutes, by adding section 821.38 thereto; providing an effective date.

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

By Senator Poston—

SB 806—A bill to be entitled An act relating to transportation of school children; amending section 234.01, Florida Statutes, providing for transportation of vocational students from their assigned schools to vocational centers; providing an effective date.

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

By Senator Stone—

SB 807—A bill to be entitled An act relating to the establishment of a Coastal property and erosion control line; declaring public policy; authorizing the trustees of the internal improvement fund to establish a surveyed permanent boundary between state lands and private properties in connection with beach nourishment programs; directing that such surveys be made upon local applications; providing for the recording of surveys; providing for objections by property owners affected; abrogating the common law of erosion and accretion to conform with the purposes of the act; preserving riparian rights; providing an effective date.

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

By Senator Pope—

SB 808—A bill to be entitled An act relating to retail installment sales and installment sales financing; amending chapter 520, Florida Statutes, by adding part IV to regulate and license home improvement contractors, salesmen, and finance companies; providing for license fees; providing penalties.

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

By Senator Horne—

SB 809—A bill to be entitled An act relating to Florida Probate Law; amending section 733.22, Florida Statutes, by adding subsections (2) and (3) to specify that court orders are not required for sales pursuant to a will to be valid.

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

By Senator Horne—

SB 810—A bill to be entitled An act relating to guardianship; amending section 744.11(4), Florida Statutes, to require the clerk of the court to transmit certain papers when venue is changed in proceedings for the appointment of a guardian.

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

By Senator Horne—

SB 811—A bill to be entitled An act relating to administration of small estates; amending section 735.04 (2), Florida Statutes, to include among conditions necessary for dispensing with administration the release of liability by creditors if estate is indebted.

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

By Senator Horne—

SB 812—A bill to be entitled An act relating to probate; amending section 733.35, Florida Statutes, changing the requisites of sale of real property subject to mortgage.

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

By Senator Horne—

SB 813—A bill to be entitled An act relating to probate; repealing section 733.12(3), Florida Statutes, relating to jury trial in dower proceedings.

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

By Senator Horne—

SB 814—A bill to be entitled An act relating to inspection of school buses; amending section 317.692(1)(a), Florida Statutes; providing for the exclusion of buses with a seating capacity of under twenty-four (24) pupils; providing an effective date.

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

By Senator Horne—

SB 815—A bill to be entitled An act relating to public printing, creating a legislative printing committee; establishing its membership; providing that the committee shall be responsible for contracting for and providing all legislative printing; providing an effective date.

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

By Senator Horne—

SB 816—A bill to be entitled An act relating to alcoholic beverages; amending section 561.14(2) and (3), Florida Statutes; requiring distributors to offer to sell licensed vendors all brands of alcoholic beverages distributed by said distributor; requiring discount listings of quantity lots by distributors to be filed monthly with the beverage department; providing licensed vendors may purchase any brand of alcoholic beverages from such distributors; 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 Horne—

SB 817—A reviser's bill to be entitled An act revising the probate and guardianship laws; repealing or conforming those sections of chapters 732, 733, 734, 744, 745 and 746, Florida Statutes, which are in conflict with or contained in the Florida Rules of Probate and Guardianship Procedure or are substantively the same as sections located elsewhere in the statutes relating to courts and by amending sections 732.15, 732.24, 732.30(1), 732.44(3), 732.47(1), 732.54, 733.23, 734.03(2), 734.04, 744.16(2), 744.17, and 745.33(2); repealing sections 732.02, 732.03, 732.08, 732.09, 732.10, 732.11, 732.12, 732.13, 732.14, 732.23, 732.25, 732.281, 732.29(1)-(4), 732.30(2), (3), (4), 732.34, 732.37, 732.40, 732.43, 732.45(2), 732.47(2), (3), 732.55, 732.56, 732.57, 732.58, 732.59, 733.03, 733.04, 733.05, 733.07, 733.08, 733.09, 733.10, 733.11, 733.12(1), (2), 733.13, 733.14, 733.28, 733.36, 733.43, 733.44, 733.45, 733.46, 733.47, 733.49, 733.50, 733.51, 734.03(1), (3), 734.08, 734.09, 734.10, 734.13, 734.14, 734.15, 734.16, 734.17, 734.18, 734.19, 734.22, 734.26, 734.31(2), (3), (4), (5), 744.23, 744.28, 744.29, 744.32, 744.36, 744.46, 744.47, 744.53, 744.54, 744.55, 744.56, 744.57, 744.66, 745.06, 745.07, 745.08, 745.09, 745.10, 745.12, 745.13, 745.24, 745.25, 745.26, 745.27, 745.28, 745.29, 745.30, 746.01, 746.02, 746.04, 746.05, 746.06, 746.07, 746.08, 746.09, 746.12, 746.121, and 746.17, Florida Statutes.

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

By Senator Poston—

SB 818—A bill to be entitled An act amending section 520.38, Florida Statutes, by providing that the filing of a financing statement is not necessary to the validity of an assignment of a revolving account, providing that a person, firm or corporation may acquire sales slips or other memoranda evidencing purchases from one or more sellers, and may if so agreed by the retail buyer, receive the time price differential and other charges permitted to retail sellers.

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Barrow, the rules were waived and the Committee on Commerce and Licensed Businesses was granted an additional 5 days for the consideration of Senate Bills 386, 387, 388 and SM 426.

On motion by Senator de la Parte, the rules were waived and the Committee on Health, Welfare, and Institutions was granted an additional 7 days for the consideration of HB 299.

On motion by Senator Hollahan, the rules were waived and the Committee on Governmental Organization was granted permission to meet from 8:00 a.m. until 10:30 a.m., April 28, and from 7:30 a.m. until 10:30 a.m. each day for the remainder of the week for the consideration of SB 650 and any other bills before the Committee.

BILLS REFERRED TO SUBCOMMITTEES

The following bills were referred to Subcommittees:

Jurisprudence Subcommittee: SB 243 (7 days to report to Committee on Judiciary)

Licensed Businesses Subcommittee: SB 583 (5 days to report to Committee on Commerce and Licensed Businesses)

Junior Colleges and Vocational-Technical Subcommittee: Senate Bills 798 and 806 (7 days to report to Committee on Education)

Public Schools Subcommittee: Senate Bills 762, 764, 765, 766, 767, 785 and 805 (7 days to report to Committee on Education)

Local Government Subcommittee: SB 698 (10 days to report to Committee on Governmental Organization)

MESSAGES FROM THE GOVERNOR

The Governor advised that on April 28 he had filed in the office of the Secretary of State, with his approval, Senate Bills 82 and 405.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable John E. Mathews, Jr. April 28, 1969
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has passed CS for SB 103.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

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

The Honorable John E. Mathews, Jr. April 25, 1969
President of the Senate

Sir:

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

By Representative Whitworth and others—

HB 499—A bill to be entitled An act relating to local government; providing procedures for the adoption of county charters; providing for the appointment and operation of a charter commission; providing for a referendum; providing severability; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 499, contained in the above message, was read the first time by title and referred to the Committees on Governmental Organization and Judiciary.

The Honorable John E. Mathews, Jr. April 28, 1969
President of the Senate

Sir:

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed Representatives King, Gautier, and Pratt as a Conference Committee to confer with a like committee on the part of the Senate to adjust the differences on Senate amendments to HB 19.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

SECOND READING

SB 205—A bill to be entitled An act amending paragraph 39.02(6)(c), Florida Statutes, relating to juvenile courts, to provide that the juvenile court shall waive jurisdiction when the grand jury returns an indictment against a child of any age for an offense punishable by life imprisonment; 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 205 was read the third time by title, passed and certified to the House. The vote was:

Yeas—40

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

Nays—3

Deeb Scarborough Wilson

Senator Weissenborn was recorded as voting yea.

Consideration of SB 206 was deferred, the bill retaining its place on the Calendar.

SB 62—A bill to be entitled An act authorizing the Director of the Division of Corrections with the approval of the Board of Commissioners of State Institutions to enter into agreements with the correctional authorities of other states and the U. S. Bureau of Prisons to provide facilities and programs for the confinement, treatment and rehabilitation of various types of offenders on a basis of cooperation with one another; 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 62 was read the third time by title, passed and certified to the House. The vote was: Yeas—43 Nays—None

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

SB 64—A bill to be entitled An act relating to the Division of Youth Services; authorizing it to establish such programs and facilities as will enhance the opportunities for the successful rehabilitation of all youth committed to its charge by all proper

courts, commissions, and agencies in and out of Florida as now exist or may in the future exist, 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 64 was read the third time by title, passed and certified to the House. The vote was: Yeas—44 Nays—None

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

Consideration of SB 80 was deferred, the bill retaining its place on the Calendar.

SB 444—A bill to be entitled An act relating to school opening; amending section 230.23(4)(f), Florida Statutes, to fix opening date.

Was taken up and read the second time by title.

The Committee on Education offered the following amendment which was adopted on motion by Senator Karl:

In Section 1, line 2, page 2, insert the following after the word "day" and before the words "and shall": unless an earlier date is set by the school board...

On motion by Senator Karl, the rules were waived and SB 444 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—45 Nays—None

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

SB 8—A bill to be entitled An act relating to drug abuse; amending chapter 404, Florida Statutes, by adding section 404.045 authorizing the Florida Board of Pharmacy after notice and hearing to designate nonprescription drugs that are subject to abuse and providing that drugs so designated shall thereafter be dispensed only by licensed pharmacists.

Was taken up and read the second time by title.

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

In Section 1, line 21, page 1, strike "Florida Board of Pharmacy" and insert the following: Florida Board of Health

The Committee on Health, Welfare, and Institutions also offered the following amendment which was adopted on motion by Senator Bafalis:

In title, line 7, page 1, strike "Board of Pharmacy" and insert the following: Board of Health

On motion by Senator Bafalis, the rules were waived and SB 8 as amended was read the third time by title.

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

In Section 1, line 26, page 1, strike the period and insert the following: or by an employee of a hospital on the instructions of a physician.

Senators Askew and Horne offered the following amendment which was moved by Senator Askew and failed:

In Section 1, line 26, page 1, strike the period and insert the following: and only on prescription,

Senator Barrow offered the following amendment which failed:

In Section 1, page 1, strike (1) in its entirety and insert the following: (1) After due notice and public hearing, the Florida Board of Health may by rule designate any nonprescription drug which because of its depressant or stimulant effect on the central nervous system or its hallucinogenic effect is so harmful its use will be a drug abuse.

Senator Daniel offered the following amendment which was adopted:

In title, strike period and insert the following: or hospital employees under specified conditions.

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

In Section 1, line 28, page 1, strike "judicial review as provided in" and insert the following: the provision of

A motion by Senator Wilson failed that SB 8 as amended be re-referred to an appropriate committee. The vote was:

Yeas—25

Mr. President	Ducker	Knopke	Stolzenburg
Askew	Friday	McClain	Stone
Barrow	Gunter	Plante	Weissenborn
Beaufort	Henderson	Pope	Wilson
Bishop	Hollahan	Poston	
Broxson	Horne	Reuter	
Chiles	Karl	Saunders	

Nays—20

Bafalis	de la Parte	Ott	Thomas
Barron	Fincher	Sayler	Trask
Boyd	Haverfield	Scarborough	Weber
Daniel	Johnson	Shevin	Williams
Deeb	Lane	Slade	Young

Senator Scarborough offered and moved the following amendment:

In Section 1, line 24, insert the following: as defined in 404.01.

Senator Weissenborn offered the following substitute amendment which was adopted by two-thirds vote:

In Section 1, line 22, after "drug" insert the following: as defined in Section 404.01, Florida Statutes,

A motion by Senator Lane was adopted that the Senate reconsider the vote by which the substitute amendment offered by Senator Weissenborn was adopted this date.

By permission, Senator Weissenborn withdrew the substitute amendment.

Senator Friday inquired of the President as to the matter of the bill being on third reading and what vote would be required to place it back on second reading, whether the bill progressed to third reading by the passage of the legislative day or whether it progressed to third reading by adoption of a motion to waive the rules. The President stated the bill had been placed on third reading by adoption of a motion by the Senator from the 33rd to waive the rules.

Senator Horne inquired of the President if a bill moved to third reading by adoption of a motion to waive the rules, would not a motion to reconsider the vote by which the waiver was granted by the Senate be adopted by majority vote pursuant to Rule 6.6. If the Senate does reconsider, the question would then recur on the motion to waive the rules and if the Senate failed to assent by the necessary two-thirds vote, would not the measure then be on its second reading?

The President stated that during the 1967 Session, Senator Horne and he were members of a committee assigned to re-

search this question and requested Senator Horne to relate the findings of the committee.

Senator Horne stated the committee reported that if the measure moved to third reading by virtue of the passage of a day, being constitutional, that under no circumstances could the bill be placed back on second reading without a two-thirds vote; that if the measure moved to third reading by two-thirds assent on the same day of the second reading the Senate could reconsider the vote and then take the vote again and if the Senate then refused to assent by the necessary two-thirds vote the bill would be on its second reading. So, if the motion were stated as a waiver of the rules it would require two-thirds vote; or if the constitution, by virtue of the passage of a day, moved it to third reading, it would require two-thirds. If the vehicle of the motion to reconsider were used and then the Senate failed to assent by two-thirds vote, the same thing could be accomplished by a majority vote, in effect, on such a collateral matter.

A motion by Senator Wilson was adopted that the Senate reconsider the vote by which SB 8 as amended was placed on third reading. The vote was:

Yeas—27

Mr. President	Barrow	Bell	Broxson
Askew	Beaufort	Bishop	Chiles

Ducker
Friday
Gunter
Henderson
Hollahan

Horne
Karl
Knopke
McClain
Plante

Pope
Reuter
Saunders
Scarborough
Stolzenburg

Stone
Weissenborn
Wilson
Young

Nays—18

Bafalis
Barron
Boyd
Daniel
Deeb

de la Parte
Fincher
Haverfield
Johnson
Lane

Myers
Ott
Poston
Shevin
Thomas

Trask
Weber
Williams

The question was put and agreed to by two-thirds vote so SB 8 as amended was placed back on second reading.

Senator Scarborough offered and moved the following amendment:

In Section (1), line 22, page 1, after "drug" insert the following: as defined in Section 404.01, Florida Statutes,

Pending further consideration of the foregoing amendment, the hour of adjournment having arrived, a point of order was called and the Senate adjourned at 1:05 p.m. to reconvene at 11:00 a.m., April 29, 1969.

LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE
APRIL 18 THROUGH APRIL 25

Name and Address	Entity Represented and Address	Duration of Representation	Particular Legislation Involved	Direct Business Association or Partnership with Legislator
Beasley, Horace E. 810 Datura St. West Palm Beach	Supervisor of Elections same address		Election laws	None
Cox, Lawrence H. 1818 Monticello Dr. Tallahassee	Seventh-day Adventist Church 814 N. Gadsden Tallahassee	Continuous	Religious and educational . . .	None
Daniel, William F. 127 E. Park Ave. Tallahassee	Proprietary Assn. Washington, D.C.	Session . .	Non-prescription drugs; Senate Bill 8	None
Diffenderfer, Florence E. Rm. 503 Olympia Bldg. Miami	American Civil Liberties Union of Florida same address	Session . .	Constitutional rights of citizens	None
Elliott, Ralph E. 1710 American Heritage Bldg. Jacksonville	Canal Authority, St. of Fla. 803 Rosselle Jacksonville	Session . .	Reorganization & appropriations	None
Elrod, Robert H. P. O. Box 1913 Orlando	Orlando Area Chamber of Commerce P. O. Box 106 Windermere	Continuous	General and local	None
Evans, Giles L., Jr. 803 Rosselle Jacksonville	Fla. Canal Authority same address	Session . .	Cross Florida Canal land acquisition appropriations and government reorganization	None
Friedman, Howard Jay State Dept. of Education Capitol, Tallahassee	State Dept. of Education same address	Continuous	Education	None
Gertner, Charles A. 704 Gilmore St. Jacksonville	Fla. Trucking Assn. Inc. same address	Continuous	Trucking and allied interests . .	None
Gray, Frank P. O. Box 534 Woodville Highway Tallahassee	Hannon Lumber Co. same address	Continuous	Senate Bill 285	None
Greenberg, Fulton P. 1981 NE 153rd St. North Miami Beach	Pest Control Industry same address	Session . .	Keeping pest control industry under Board of Health	None
Karousatos, Fotis N. 1000 Ponce de Leon Blvd. Coral Gables	Fla. Assn. of American Institute of Architects same address	Continuous	Construction industry	None
Lear, Tom A. 10870 N.E. 6 Ave. Miami	Pest Control Industry same address		Pest control	None
Ledden, Jack B. 910 S. Bronough St. Tallahassee	Police Standards Council same address	Continuous	Law enforcement	None
Marr, Robert M. 2545 Blue Grass Ct. Indianapolis, Ind.	Distilled Spirits Institute 1132 Pennsylvania Bldg. Washington, D. C.	Continuous	Distilled spirits industry	None
Moore, Joseph M. 477 Riverside Ave. Jacksonville	I.A.F.F. No. 1834 347 Riverside Ave. Jacksonville	Continuous	Pension, collective bargaining	None
Peeples, L. Grant Tallahassee Bank Bldg. Tallahassee	Fla. Pharmaceutical Assn. 1736 Thomasville Rd. Tallahassee	Continuous	Pharmaceutical and drug abuse	None
	Fla. Assn. of Security Dealers P. O. Box 1275 Gainesville	Continuous	Securities	None
	Fla. Assn. of Ophthalmology P. O. Box 2411 Jacksonville	Continuous	Medical	
	Fla. Assn. of American Institute of Architects 1000 Ponce de Leon Coral Gables	Continuous	Architectural & construction industry	

LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE
 APRIL 18 THROUGH APRIL 25 (Continued)

<i>Name and Address</i>	<i>Entity Represented and Address</i>	<i>Duration of Representation</i>	<i>Particular Legislation Involved</i>	<i>Direct Business Association or Partnership with Legislator</i>
Proehl, Carl W. 204 Knott Bldg. Tallahassee	Fla. Assn. of Blood Banks P. O. Box 2758 Jacksonville Fla. Dental Assn. 437 St. James Bldg. Jacksonville Price Waterhouse & Co. 818 Marine Bank Bldg. Tampa Lyband State Dept. of Education Capitol Tallahassee	Continuous Continuous Continuous Continuous Session . .	Medical and blood banking . . Dental and public health Accounting Accounting Vocation, technical, adult general education	None
Robinson, N. Allen 107 W. Gaines St. Tallahassee	Fla. Development Commission same address	Continuous	Florida Development Commission	None
Seay, John W. 115 Capitol Tallahassee	State Dept. of Education same address	Continuous	Education	None
Sittig, Raymond C. Rm. 225 Dorian Bldg. Tallahassee	Municipalities P. O. Box 778 Jacksonville	Continuous	Municipalities	None
Sobol, William M. 4242 Herschel Jacksonville	I.A.F.F. Union Local 1834 same address	Continuous	Pension, collective bargaining	None
Solomon, Eugene L. 5790 W. Flagler Miami	Pest Control Industry 1421 S.W. 82 Ct. Miami	Session . .	Pest control	None
Sturm, Julius K. 514 W. Gaines Tallahassee	Fla. Amusement & Music Assn. same address	Continuous	Coin-amusement industry . . .	None
Thigpen, Duncan J., Jr. Sumterville	Sumter Electric Co-op., Inc. Sumterville	Session . .	Electric co-operatives	None
Wells, Richard E. Suite 490 Tallahassee Bank Building Tallahassee	Fla. Public School Board same address	Continuous	K-12 education	None
Yeslow, Rose Marie 4004 Lincoln St. Hollywood	Public	Session . .	Government in the sunshine bill	None