

SPECIAL SESSION

JOURNAL OF THE SENATE

Friday, December 5, 1969

The Senate was called to order by the President at 11:00 a.m. A quorum present—45:

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

The bills were ordered enrolled.

ENROLLING REPORTS

Your Enrolling Clerk to whom was referred SB 23-A—

—reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on December 4, 1969.

EDWIN G. FRASER  
Secretary of the Senate

Your Enrolling Clerk to whom was referred—

SB 15-A SB 16-A CS for SB 17-A

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on December 5, 1969.

EDWIN G. FRASER  
Secretary of the Senate

MESSAGE FROM THE GOVERNOR

The Governor advised that on December 5 he had filed with the Office of the Secretary of State SB 23-A which he had approved.

VETOED BILLS 1969 REGULAR SESSION

The following message from the Secretary of State was read:

Honorable John E. Mathews, Jr. December 1, 1969  
President of the Senate  
The Capitol  
Tallahassee, Florida

Dear Sir:

In compliance with the provisions of Article III, Section 8(b), of the State Constitution, I am transmitting to you for consideration of the Senate the following vetoed bills, with the Governor's objections attached thereto:

SB 548 (1969 Regular Session)—An act relating to the state road department and the internal organization thereof; providing an effective date.

SB 661 (1969 Regular Session)—An act relating to state attorneys; amending Section 27.14, Florida Statutes, authorizing the Governor to order an exchange of state attorneys for good and sufficient reasons; providing that any exchange or assignment of any state attorney for a period in excess of sixty (60) days in any one calendar year must be approved by order of the Supreme Court of Florida upon application of the Governor showing good and sufficient cause to extend such exchange or assignment; amending Section 27.15, Florida Statutes, authorizing the Governor, for good and sufficient reasons, to require any state attorney to proceed to any place in the state to assist another state attorney; providing for expenses; providing an effective date.

SB 1121 (1969 Regular Session)—An act relating to the State University System; providing for the use of moneys earned from campus vending machines; providing an effective date.

Excused: Senators Lane, Bell and Barrow.

Prayer by the Secretary of the Senate:

Heavenly Father, creator of all things good, giver of life and wisdom to mankind, we thank thee for this earthly beauty and physical existence.

Yield fruitful wisdom to these legislators, in the waning hours of this labor, so that their decisions will give to us the necessary prescription to do that fruitful and necessary. May thoughts of greed and personal gain be absent from their thoughts.

Bless our state and its people as we proudly proclaim our desire of association with thee. Cause all believers to be prophets of the gospel of thy son, Jesus Christ.

In our master's name, we pray. Amen.

The Journal of December 4 was corrected and approved as follows:

Page 29, counting from the bottom of column 1, line 23, between the first "the" and "in" insert the following: rules were waived and the Senate in open session advised and consented to the aforesaid appointments made by the Governor and the Cabinet, as contained and set forth

REPORTS OF COMMITTEES

The Committee on Ways and Means recommends the following pass: Senate Bills 24-A, 27-A with 5 amendments, 28-A and 31-A; House Bills 19-A, 20-A and 26-A.

The Committee on Judiciary recommends the following pass: SB 10-A

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

The Committee on Transportation recommends a Committee Substitute for the following: SB 12-A

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

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

SB 23-A with 1 amendment SB 15-A with 2 amendments

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

EDWIN G. FRASER  
Secretary of the Senate

SB 1734 (1969 Regular Session)—An act relating to Escambia County, civil service system; amending sections 1, 17, and 24 of chapter 67-1370, Laws of Florida, providing change in appointment of civil service board and for staggered terms of office for board members; providing for when appointments take effect; providing change in administration of pay plan; providing alternative work schedule for hospital employees; defining "appropriating authorities"; providing a referendum.

SB 1735 (1969 Regular Session)—An act relating to Escambia County, civil service system; amending sections 1, 3, 11(6), 12(1), 14, 15, 17, 20, and 22 of chapter 67-1370, Laws of Florida, providing for staggered terms of office for board members; providing for certain exemptions from the classified service; adding certain cooperative education students to the classified service; providing for an exception for qualifications for permanent employment wherein an employee has continued under an emergency appointment beyond ninety (90) days; providing for when appointments take effect; requiring appointing authorities to provide copies of payrolls; authorizing the board to prescribe hearing regulations; providing pay plan alternatives for hospital employees; changing the time to request hearings for suspension and dismissal; providing procedure for suspension and dismissal when charged with a crime; removing the limit on annual appropriation; providing an effective date.

SB 1745 (1969 Regular Session)—An Act amending section 2 of the charter of the City of Green Cove Springs in Clay county, the same being chapter 21-262, Laws of Florida Special Acts of 1941, as amended, so as to redefine change and redescribe the territorial limits and boundaries of the City of Green Cove Springs in Clay county, including the extension of said territorial limits and boundaries so as to include certain described property and land and water area not now within the boundaries of said city; repealing all laws in conflict herewith; providing an effective date.

Sincerely,  
TOM ADAMS  
Secretary of State

SB 548 (1969 Regular Session) was taken up and read by title, together with the following objections thereto of the Honorable Claude R. Kirk, Jr., Governor of Florida.

Honorable Tom Adams  
Secretary of State  
The Capitol  
Tallahassee, Florida

July 1, 1969

Dear Sir:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I hereby transmit to you with my objections, Senate Bill 548, enacted by the Legislature of 1969, and entitled:

**A BILL TO BE ENTITLED AN ACT RELATING TO THE STATE ROAD DEPARTMENT AND THE INTERNAL ORGANIZATION THEREOF; PROVIDING AN EFFECTIVE DATE.**

Although this bill recognizes the newly enacted Governmental Reorganization Act, it would appear that the purposes to be served by Senate Bill 548, would conflict with the entire principle of reorganization. The matters pertaining to the internal organization of the State Road Department are now matters more properly to be determined and regulated by the newly created Department of Transportation.

The aims and objectives of governmental reorganization and in particular the creation of a Department of Transportation would seem to be thwarted if the Department could not determine the qualifications of the personnel to be employed and more basically the necessity of even employing certain personnel. The determination of whether there shall be additional legal counsel and who such additional legal counsel shall be, would seem to be considered more properly within the Department's determination and jurisdiction.

I am confident that the intended philosophy expressed in Senate Bill 548 will be given ample recognition by the Secretary of the Department of Transportation consistent with

the aims and objectives of both the Department and the public whom it serves.

For the above reasons, I am withholding my approval from Senate Bill 548, 1969 Session of the Legislature, and do hereby veto the same.

Sincerely,  
CLAUDE KIRK  
Governor

The President put the question: "Shall the bill pass the Governor's objections to the contrary notwithstanding?"

SB 548 (1969 Regular Session) passed by the required Constitutional two-thirds vote of all members present and was certified to the House. The vote was:

Yeas—37

Mr. President	Fincher	Knopke	Stone
Askew	Friday	McClain	Thomas
Bafalis	Gong	Ott	Trask
Beaufort	Gunter	Poston	Weber
Bishop	Haverfield	Reuter	Weissenborn
Boyd	Henderson	Saunders	Williams
Broxson	Hollahan	Saylor	Young
Deeb	Horne	Scarborough	
de la Parte	Johnson	Slade	
Ducker	Karl	Stolzenburg	

Nays—3

Plante	Pope	Wilson
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On motion by Senator Friday, further consideration of Vetoed Bills was informally passed.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

December 4, 1969

Sir:

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

By Senator Henderson—

SB 26-A—A bill to be entitled An act relating to the homestead tax exemption; repealing Section 7 of Article X of the Constitution of 1885 as statutory law pursuant to Section 10 of Article XII of the Constitution as amended in 1968; providing an effective date.

Amendment 1

In Section 2, on page 1, lines 30 & 31, strike all of Section 2. and insert the following: Section 2. This act shall take effect on December 30, 1969.

Amendment 2

In Section 1, on page 1, lines 28 & 29, strike all after word "law" to end of sentence. and insert the following: a period

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

On motions by Senator Henderson, the Senate concurred in House amendments 1 and 2 to SB 26-A.

SB 26-A was ordered engrossed and the action of the Senate was certified to the House.

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

December 4, 1969

—and requests the concurrence of the Senate therein.

Sir:

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

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

By Representative Sessums and others—

**HB 40-A**—A bill to be entitled An act relating to all municipalities in all counties in the State having a population of not less than three hundred ninety thousand (390,000) and not more than four hundred fifty thousand (450,000) according to the latest state-wide official decennial census; authorizing said municipalities upon certain conditions to pay out of the general funds of such municipalities pensions to certain police officers permanently and totally disabled by reason of injuries received in the line of duty and, upon their deaths, to their widows; providing an effective date.

By the required Constitutional two-thirds vote of the Senate **HB 25-A**, contained in the above message, was admitted for introduction and consideration on motion by Senator Boyd. The vote was:

Yeas—34

Mr. President	Deeb	Knopke	Stone
Askew	Ducker	McClain	Trask
Bafalis	Friday	Myers	Weber
Beaufort	Gong	Ott	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Henderson	Saunders	Wilson
Broxson	Horne	Sayler	Young
Chiles	Johnson	Shevin	
Daniel	Karl	Stolzenburg	

—and requests the concurrence of the Senate therein.

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

Nays—2

Plante Scarborough

By the required Constitutional two-thirds vote of the Senate **HB 40-A**, contained in the above message, was admitted for introduction and consideration on motion by Senator Ott. The vote was: Yeas—35 Nays—None

**HB 25-A** was read the first time by title. On motion by Senator Friday the rules were waived and the bill was placed on the Calendar.

Mr. President	Ducker	McClain	Shevin
Askew	Friday	Myers	Stolzenburg
Bafalis	Gong	Ott	Thomas
Beaufort	Gunter	Plante	Trask
Bishop	Hollahan	Pope	Weber
Boyd	Horne	Poston	Williams
Broxson	Johnson	Saunders	Wilson
Daniel	Karl	Sayler	Young
Deeb	Knopke	Scarborough	

*The Honorable John E. Mathews, Jr.* December 4, 1969  
*President of the Senate*

Sir:

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

By Representative Wolfson—

**HB 33-A**—A bill to be entitled An act relating to bonds or other obligations; allowing bonds issued by counties, municipalities or other political subdivisions or public agencies to bear interest at a rate deemed advisable by the governing bodies thereof; providing a maximum rate of seven percent (7%); repealing conflicting laws or parts of laws; providing an effective date.

**HB 40-A** was read the first time by title and referred to the Committee on Rules and Calendar.

On motion by Senator Ott, by two-thirds vote, **HB 40-A** was withdrawn from the Committee on Rules and Calendar and taken up.

On motions by Senator Ott, the rules were waived and **HB 40-A** was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—37 Nays—None

—and requests the concurrence of the Senate therein.

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

Mr. President	Ducker	McClain	Stolzenburg
Askew	Friday	Myers	Thomas
Bafalis	Gong	Ott	Trask
Beaufort	Gunter	Plante	Weber
Bishop	Henderson	Pope	Williams
Boyd	Hollahan	Poston	Wilson
Broxson	Horne	Reuter	Young
Chiles	Johnson	Saunders	
Daniel	Karl	Sayler	
Deeb	Knopke	Shevin	

By the required Constitutional two-thirds vote of the Senate **HB 33-A**, contained in the above message, was admitted for introduction and consideration on motion by Senator Scarborough. The vote was:

Yeas—32

Mr. President	Ducker	Myers	Stone
Askew	Friday	Pope	Thomas
Bafalis	Gong	Poston	Trask
Beaufort	Gunter	Saunders	Weber
Bishop	Hollahan	Sayler	Weissenborn
Boyd	Johnson	Scarborough	Williams
Daniel	Karl	Shevin	Wilson
Deeb	Knopke	Stolzenburg	Young

*The Honorable John E. Mathews, Jr.* December 4, 1969  
*President of the Senate*

Sir:

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

Nays—1

Plante

By Representatives Graham and Conway—

**HB 25-A**—A bill to be entitled An act authorizing expenditures for fixed capital outlay projects at junior colleges, area vocational-technical centers, and institutions under the board of regents; providing an effective date.

**HB 33-A** 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*

December 4, 1969

*Honorable Tom Adams*  
*Secretary of State*  
*The Capitol*  
*Tallahassee, Florida*

June 27, 1969

Sir:

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

By Representative Tyre and others—

**HB 31—A**—A bill to be entitled An act relating to the state and county retirement system; repealing sections 122.03(9), 321.17(5), and 238.051, Florida Statutes, all created by chapter 69-128, Laws of Florida, which provided procedures for allowing members of the teachers' retirement system or the highway patrol pension trust fund to become members of the state and county officers and employees retirement system; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

By the required Constitutional two-thirds vote of the Senate HB 31-A, contained in the above message, was admitted for introduction and consideration on motion by Senator Trask. The vote was:

Yeas—33

Mr. President	Gong	Ott	Trask
Askew	Gunter	Poston	Weber
Bafalis	Haverfield	Saunders	Weissenborn
Beaufort	Henderson	Sayler	Williams
Bishop	Hollahan	Scarborough	Wilson
Boyd	Johnson	Shevin	Young
Daniel	Karl	Stolzenburg	
Ducker	Knopke	Stone	
Friday	Myers	Thomas	

Nays—1

Plante

HB 31-A was read the first time by title. On motion by Senator Trask the rules were waived and the bill was placed on the Calendar.

#### VETOED BILLS 1969 REGULAR SESSION

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

December 4, 1969

Sir:

I am directed to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all Members of the House of Representatives present on December 4, 1969, the Governor's objections to the contrary notwithstanding—

**HB 2507 (1969 Regular Session)**—An act amending chapter 421.27(2), Florida Statutes, relating to the appointment of housing authority commissioners by the board of county commissioners in each county of the state having a population of not less than seventy thousand (70,000) and not more than seventy-four thousand two hundred (74,200) according to the latest official decennial census; providing an effective date.

The Governor's objections attached thereto.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Dear Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I hereby transmit to you with my objections, House Bill 2507, enacted by the Legislature of 1969, and entitled:

“AN ACT AMENDING CHAPTER 421.27(2), FLORIDA STATUTES, RELATING TO THE APPOINTMENT OF HOUSING AUTHORITY COMMISSIONERS BY THE BOARD OF COUNTY COMMISSIONERS IN EACH COUNTY OF THE STATE HAVING A POPULATION OF NOT LESS THAN SEVENTY THOUSAND (70,000), AND NOT MORE THAN SEVENTY FOUR THOUSAND, TWO HUNDRED (74,200), ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS; PROVIDING AN EFFECTIVE DATE.”

The purpose of this Authority is to provide leadership in the clearance, replanning and reconstruction of areas in which unsanitary and unsafe housing conditions exist and to provide safe and sanitary dwelling accommodations for persons of low income.

During the past two years this Authority has been actively pursuing those objectives and functioning in a proper and efficient manner. Its efforts have resulted in a commitment from the Federal Department of Housing and Urban Development for the grant of federal funds, which will be utilized to carry out the objectives and purposes for the existence of this Authority.

The primary purpose of this bill is to alter the method by which the governing body of the Housing Authority is selected. To change the method of selection at this point in time may create a legal question in regard to the authority of this Authority to act. More importantly, the commitment from the Federal Government may be placed in jeopardy or result in a considerable delay in the release of such funds.

The bill does not contain any finding of necessity to show that the Legislature at this time should consider passage of such action, and it is not subject to referendum approval by the citizens affected. Further, the Authority is presently operating in a proper and efficient manner and there is no compelling public reason why the legal status of this Authority should be altered at this point in time.

For these reasons, I am necessarily withholding my approval from House Bill 2507, Regular Session of the Legislature of 1969, and do hereby veto the same.

Sincerely,  
CLAUDE KIRK  
Governor

The President put the question: “Shall the bill pass the Governor's objections to the contrary notwithstanding?”

HB 2507 (1969 Regular Session) passed by the required Constitutional two-thirds vote of all members present and was certified to the House. The vote was:

Yeas—34

Mr. President	Deeb	Horne	Shevin
Askew	Ducker	Karl	Slade
Bafalis	Fincher	Knopke	Stone
Barron	Friday	Ott	Thomas
Beaufort	Gong	Plante	Trask
Bishop	Gunter	Poston	Weissenborn
Boyd	Haverfield	Reuter	Young
Broxson	Henderson	Saunders	
Daniel	Hollahan	Sayler	

Nays—5

Johnson	Stolzenburg	Weber	Wilson
Myers			

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

December 4, 1969

Sir:

I am directed to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all Members of the House of Representatives present on Dec. 4, 1969, the Governor's objections to the contrary notwithstanding—

HB 990 (1969 Regular Session)—An act relating to the assessment of each county's annual minimum share of the minimum foundation program; amending section 236.07(9)(a) to provide for, and define, the three (3) mill equivalency test as the formula for assessing each county's annual minimum financial effort; repealing section 236.071, Florida Statutes, removing the formula of index of taxpaying ability as the method of assessing each county's annual minimum financial effort; providing for legislative auditor to make studies of level of assessment and to certify results; providing for a distribution of all funds appropriated for education; providing an effective date.

The Governor's objections attached thereto.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

*Honorable Tom Adams*  
*Secretary of State*  
*The Capitol*  
*Tallahassee, Florida*

June 28, 1969

Dear Sir:

Pursuant to the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I hereby transmit to you with my objections, House Bill 990, enacted by the Legislature of 1969, and entitled:

An act relating to the assessment of each county's annual minimum share of the minimum foundation program; amending section 236.07(9)(a) to provide for, and define, the three (3) mill equivalency test as the formula for assessing each county's annual minimum financial effort; repealing section 236.071, Florida Statutes, removing the formula of index of taxpaying ability as the method of assessing each county's annual minimum financial effort; providing for legislative auditor to make studies of level of assessment to certify results; providing for a distribution of all funds appropriated for education; providing an effective date.

The objectives of this bill are worthy of becoming law, however, I do not believe that the language of the bill accomplishes its intent due to the language contained in Section 4. If this bill were to become law it would require substantial expenditures to be made by the State in the 1969-70 fiscal year which have not been appropriated by the Legislature. The bill would require the Legislative Auditor to certify the present tax roles for distribution of school funds this year utilizing a new formula to calculate the amount to be distributed. The effect of the new formula would require that the State pay increased Minimum Foundation Program payments to those counties that were certified to be assessing above average, but due to Section 4, the State would also pay the counties that were assessing below average the same amount they are entitled to under current law.

Therefore, for the reasons stated above, I hereby withhold my approval from House Bill 990, Regular Session of the Legislature of 1969, and do hereby veto the same.

Respectfully,  
CLAUDE KIRK  
Governor

A motion by Senator Scarborough was adopted that HB 990 (1969 Regular Session), together with the Governor's objections thereto, be referred to an appropriate Committee for further study.

HB 990 (1969 Regular Session), together with the Governor's objections thereto, was referred to the Committee on Ways and Means.

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

December 4, 1969

Sir:

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

By Representative D'Alemberte—

HJR 7-A—A joint resolution establishing a new effective date for house bill 990, an act relating to the assessment of each county's minimum share of the minimum foundation program, which bill was passed by both houses of the legislature during the 1969 session and thereafter vetoed by the governor.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

By the required Constitutional two-thirds vote of the Senate HJR 7-A, contained in the above message, was admitted for introduction and consideration on motion by Senator Boyd. The vote was:

Yeas—39

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

Nays—1

Bishop

HJR 7-A 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*

December 4, 1969

Sir:

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

By the Committee on Ad Valorem Taxation—

HB 32-A—A bill to be entitled An act relating to transfer of appropriated funds, providing for transfer by the administration commission of appropriated funds from the department of revenue and the auditor general to the auditor general to carry out the purposes of House Bill 990 (1969 regular session) and House Joint Resolution 7-A (1969 special session).

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

By the required Constitutional two-thirds vote of the Senate HB 32-A, contained in the above message, was admitted for introduction and consideration on motion by Senator Boyd. The vote was:

## Yeas—32

Mr. President	Friday	McClain	Stolzenburg
Askew	Gong	Myers	Stone
Bafalis	Gunter	Ott	Thomas
Boyd	Haverfield	Poston	Trask
Broxson	Hollahan	Reuter	Weissenborn
de la Parte	Horne	Saunders	Williams
Ducker	Johnson	Sayler	Wilson
Fincher	Karl	Shevin	Young

## Nays—6

Barron	Deeb	Pope	Slade
Bishop	Plante		

HB 32-A was read the first time by title and referred to the Committee on Ways and Means.

## SECOND READING

**SB 10-A**—A bill to be entitled An act relating to elections; amending sections 100.061 and 100.091(1), Florida Statutes, changing the dates of the first and second primaries; providing an effective date.

Was taken up, read the second time by title and temporarily deferred, the bill retaining its place on the calendar.

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

**HB 1738**—A bill to be entitled An act relating to primary elections, amending sections 100.061 and 100.091 (1), Florida Statutes, changing the dates of the first and second primaries; providing an effective date.

Which was read the second time by title.

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

In line 11, page 1, strike: lines 11 through line 31 and lines 1 through line 7 page 2 and insert the following:

Section 1. Section 100.061, Florida Statutes, is amended to read:

100.061 First primary election.—A first primary election shall be held on the [first] *third* Tuesday after the first Monday in May of each year in which a general election is held for nomination of candidates of political parties. Each candidate receiving a majority of the votes cast in each contest in the first primary election shall be declared nominated for such office. A second primary election shall be held as provided by section 100.091, Florida Statutes, in all contests where a candidate does not receive a majority.

Section 2. Subsection (1) of section 100.091, Florida Statutes, is amended to read:

100.091 Second primary election.—

(1) A second primary election shall be held on the [fourth] *third* Tuesday after the first [Monday in May of] *primary election* in each year in which a general election is held for the nomination of candidates of political parties where nominations are not made in the first primary election.

Section 3. This act shall take effect upon becoming a law.

The vote was:

## Yeas—21

Mr. President	Friday	Ott	Thomas
Bafalis	Haverfield	Saunders	Trask
Bishop	Horne	Shevin	Young
Chiles	Johnson	Slade	
de la Parte	Karl	Stolzenburg	
Ducker	Knopke	Stone	

## Nays—16

Askew	Gong	Poston	Weber
Beaufort	Gunter	Reuter	Weissenborn
Broxson	Henderson	Sayler	Williams
Deeb	Pope	Scarborough	Wilson

By permission, Senator Daniel was recorded as voting yea.

## PAIRS

The following pairs were announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Lane on amendment to HB 1738. If he were present he would vote nay and I would vote yea.

Senator McClain, 24th District

I am paired with Senator Myers on the amendment to HB 1738. If he were present he would vote nay and I would vote yea.

Senator Fincher, 47th District

I am paired with Senator Bell on the amendment to HB 1738. If he were present he would vote nay and I would vote yea.

Senator Plante, 16th District

On motion by Senator Horne, the rules were waived and HB 1738 as amended was read the third time by title, passed and certified to the House. The vote was:

## Yeas—21

Mr. President	Friday	Poston	Thomas
Bafalis	Haverfield	Saunders	Trask
Bishop	Horne	Shevin	Young
Chiles	Johnson	Slade	
de la Parte	Karl	Stolzenburg	
Ducker	Knopke	Stone	

## Nays—15

Askew	Gong	Reuter	Weissenborn
Beaufort	Gunter	Sayler	Williams
Broxson	Henderson	Scarborough	Wilson
Deeb	Pope	Weber	

By permission Senator Daniel was recorded as voting yea.

## PAIRS

The following pairs were announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Lane on HB 1738. If he were present he would vote nay and I would vote yea.

Senator McClain, 24th District

I am paired with Senator Myers on HB 1738. If he were present he would vote nay and I would vote yea.

Senator Fincher, 47th District

I am paired with Senator Bell on HB 1738. If he were present he would vote nay and I would vote yea.

Senator Plante, 16th District

Consideration of SB 24-A was deferred, the bill retaining its place on the Calendar.

SB 27-A was taken up and on motion by Senator Boyd--

HB 25-A--A bill to be entitled An act authorizing expenditures for fixed capital outlay projects at junior colleges, area vocational-technical centers, and institutions under the board of regents; providing an effective date.

--a companion measure was substituted therefor. On motions by Senator Boyd the rules were waived and HB 25-A was read the second time by title, the third time by title, passed and certified to the House. The vote was:

Yeas--33

Mr. President	Fincher	Ott	Stolzenburg
Bafalis	Gong	Plante	Stone
Beaufort	Gunter	Pope	Trask
Bishop	Haverfield	Poston	Weissenborn
Boyd	Henderson	Reuter	Williams
Chiles	Horne	Saunders	Young
Daniel	Johnson	Sayler	
de la Parte	Knopke	Shevin	
Ducker	McClain	Slade	

Nays--2

Deeb                      Wilson

By permission, Senators Karl, Scarborough, Friday, Thomas and Askew were recorded as voting yea.

SB 28-A was taken up and on motion by Senator Trask--

HB 31-A--A bill to be entitled An act relating to the state and county retirement system; repealing sections 122.03(9), 321.17(5), and 238.051, Florida Statutes, all created by chapter 69-128, Laws of Florida, which provided procedures for allowing members of the teachers' retirement system or the highway patrol pension trust fund to become members of the state and county officers and employees retirement system; providing an effective date.

--a companion measure was substituted therefor. On motions by Senator Trask the rules were waived and HB 31-A was read the second time by title, the third time by title, passed and certified to the House. The vote was:

Yeas--32

Mr. President	Fincher	Ott	Slade
Askew	Friday	Plante	Stolzenburg
Bafalis	Gong	Pope	Thomas
Beaufort	Gunter	Poston	Trask
Boyd	Horne	Saunders	Weber
Deeb	Johnson	Sayler	Williams
de la Parte	Knopke	Scarborough	Wilson
Ducker	McClain	Shevin	Young

Nays--2

Bishop                      Weissenborn

SB 31-A--A bill to be entitled An act making appropriations; providing moneys for special sessions of the legislature; providing for the allocation of said appropriations; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Friday, the rules were waived and SB 31-A was read the third time by title, passed and certified to the House. The vote was: Yeas--31 Nays--None

Mr. President	Friday	Ott	Thomas
Askew	Gong	Plante	Trask
Beaufort	Gunter	Poston	Weber
Boyd	Horne	Saunders	Weissenborn
Chiles	Johnson	Sayler	Williams
Deeb	Karl	Scarborough	Wilson
de la Parte	Knopke	Shevin	Young
Ducker	McClain	Slade	

HB 19-A--A bill to be entitled An act authorizing expenditure from a trust fund capital outlay appropriation by the Department of General Services for the Department of Agriculture and Consumer Services; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Horne, the rules were waived and HB 19-A was read the third time by title, passed and certified to the House. The vote was: Yeas--35 Nays--None

Mr. President	Fincher	Ott	Stolzenburg
Askew	Friday	Plante	Thomas
Beaufort	Gong	Pope	Trask
Bishop	Gunter	Poston	Weber
Boyd	Horne	Saunders	Weissenborn
Daniel	Johnson	Sayler	Williams
Deeb	Karl	Scarborough	Wilson
de la Parte	Knopke	Shevin	Young
Ducker	McClain	Slade	

HB 20-A--A bill to be entitled An act relating to taxation; repealing chapter 69-255, Laws of Florida, which establishes a biennial real estate ad valorem tax roll; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Karl, the rules were waived and HB 20-A was read the third time by title, passed and certified to the House. The vote was:

Yeas--35

Mr. President	Ducker	McClain	Slade
Askew	Fincher	Ott	Stolzenburg
Bafalis	Friday	Plante	Thomas
Beaufort	Gong	Pope	Trask
Bishop	Gunter	Poston	Weber
Boyd	Horne	Saunders	Williams
Daniel	Johnson	Sayler	Wilson
Deeb	Karl	Scarborough	Young
de la Parte	Knopke	Shevin	

Nays--1

Weissenborn

HB 26-A--A bill to be entitled An act providing a maximum interest rate allowable on bonds issued by the state board of education pursuant to subsection (a) of section 9, article XII of the state constitution; and providing an effective date.

Was taken up and read the second time by title. On motion by Senator Saunders, the rules were waived and HB 26-A was read the third time by title.

Senator Thomas offered the following amendment which failed:

In Section 1, line 18, strike: "7%" and insert: six per cent (6%)

The vote was:

Yeas--16

Bafalis	Ducker	Reuter	Thomas
Bishop	Knopke	Scarborough	Weissenborn
Daniel	Ott	Slade	Williams
Deeb	Pope	Stolzenburg	Wilson

Nays--19

Mr. President	Friday	McClain	Shevin
Askew	Gong	Plante	Trask
Beaufort	Gunter	Poston	Weber
de la Parte	Johnson	Saunders	Young
Fincher	Karl	Sayler	

HB 26-A passed by the required constitutional three-fifths vote and was certified to the House. The vote was:

Yeas--29

Mr. President	Friday	Ott	Stolzenburg
Askew	Gong	Plante	Trask
Beaufort	Gunter	Poston	Weber
Boyd	Horne	Saunders	Weissenborn
Daniel	Johnson	Sayler	Williams
de la Parte	Karl	Scarborough	
Ducker	Knopke	Shevin	
Fincher	McClain	Slade	

Nays—7

Bafalis Deeb Thomas Young  
Bishop Pope Wilson

By direction of the President, the Secretary read the following communications:

*Honorable Edwin G. Fraser*  
*Secretary of the Senate*  
*Capitol Building*  
*Tallahassee, Florida*  
December 4, 1969

Dear Mr. Fraser:

The Board of Business Regulation appointed the following Division Directors for the Department of Business Regulation: (Subject to confirmation by the Senate pursuant to Chapter 69-106.)

NAME	OFFICE	FOR TERM ENDING
George D. Johnson Miami	Director, Division of Pari-mutuel Wagering	Pleasure of the Board of Business Regulation
J. H. Louchheim, III Tallahassee	Director, Division of Hotels and Restaurants	Pleasure of the Board of Business Regulation
Lowell W. Steve Tampa	Director, Division of Installation Land Sales	Pleasure of the Board of Business Regulation
Raymond E. Beary Tallahassee	Director, Division of Beverage	Pleasure of the Board of Business Regulation
Wilbur E. Brewton Tallahassee	Director, Division of General Regulation	Pleasure of the Board of Business Regulation

Sincerely,  
A. R. BRAUTIGAM  
Executive Director

Which was referred to the Committee on Commerce and Licensed Businesses.

*Honorable Edwin G. Fraser*  
*Secretary of the Senate*  
*The Capitol*  
*Tallahassee, Florida*  
December 5, 1969

Dear Sir:

Attached hereto is a certificate listing a commission prepared today which is subject to Senate confirmation.

Sincerely,  
TOM ADAMS  
Secretary of State

Pursuant to the Provisions of Section 112.071(1), (b), Florida Statutes, we do hereby certify that a Commission which is subject to Confirmation by the Senate has been prepared for the following:

NAME	OFFICE	FOR TERM ENDING
Carl Nelson Reilly Punta Gorda	Member, Council for Nursing Home Administrators	December 2, 1973

GIVEN under my hand and Great Seal of the State of Florida at Tallahassee, the Capital, this fifth day of December, A. D., 1969.

TOM ADAMS  
Secretary of State



Which was referred to the Committee on Health, Welfare, and Institutions.

On motion by Senator Knopke, the rules were waived and the Senate reverted to—

REPORT OF COMMITTEE ON EXECUTIVE APPOINTMENTS

*Senator John E. Mathews, Jr.*  
*President, The Florida Senate*  
*The Capitol*  
December 5, 1969

Dear Mr. President:

Your Standing Committee on Natural Resources and Conservation to whom was referred for inquiry and recommendation the following appointments for confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
Charles K. Miller Crystal River	Member, Citrus County Port Authority	August 8, 1973
Charles B. Adkins Inverness	Member, Citrus County Port Authority	August 8, 1970
Charles W. Birdsong, Sr. Tampa	Member, Tampa Port Authority	November 16, 1973

after full inquiry hereby tender as the recommendation of this Committee that the Senate advise and consent to the aforesaid appointments made by the Governor.

Respectfully submitted,  
RAY C. KNOPKE, Chairman  
ELMER O. FRIDAY, JR.  
W. E. BISHOP  
JOHN L. DUCKER  
WARREN S. HENDERSON  
RALPH R. POSTON  
CHARLES H. WEBER  
LEE WEISENBORN  
J. H. WILLIAMS

On motions by Senator Knopke, the rules were waived, the Report of the Committee was adopted and the Senate in open Session advised and consented to the aforesaid appointments made by the Governor, as contained and set forth in the foregoing Report. The vote was: Yeas—36 Nays—None

Mr. President	Ducker	McClain	Slade
Askew	Fincher	Ott	Stolzenburg
Bafalis	Friday	Plante	Thomas
Beaufort	Gong	Pope	Trask
Bishop	Gunter	Poston	Weber
Boyd	Henderson	Reuter	Weissenborn
Daniel	Johnson	Saylor	Williams
Deeb	Karl	Scarborough	Wilson
de la Parte	Knopke	Shevin	Young

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*  
December 5, 1969

Sir:

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

By the Committee on Transportation—

HCR 41-A—A House Concurrent Resolution creating a select joint committee to study public transportation systems of the state, and to report its findings and recommendations to the 1970 session of the Legislature.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HCR 41-A, contained in the above message, was read the first time in full and referred to the Committee on Transportation.

On motion by Senator Friday, it was agreed by two-thirds vote that when the Senate adjourns it adjourn to reconvene at 11:00 a.m., Monday, December 8, 1969.

On motion by Senator Friday, the Senate adjourned at 1:44 p.m. to reconvene at 11:00 a.m., Monday, December 8, 1969.