

JOURNAL OF THE SENATE

Monday, April 27, 1970

The Senate was called to order by the President at 8:30 a.m. for the purpose of conducting the order of business of Introduction and reference of Resolutions, Memorials, Bills and Joint Resolutions, pursuant to Rule 4.3.

INTRODUCTION

By Senators Barron, Gunter, Bafalis, Trask, Ott, Mathews, Plante, Wilson, Henderson, Reuter, Stone, Myers, Saylor, Weissenborn, Saunders, Boyd, Chiles, Thomas, Friday, Scarborough, de la Parte, Karl, Lane, Bell, Knopke, Pope and Stolzenburg—

SB 900—A bill to be entitled An act relating to private passenger automobiles; defining "private passenger automobile," creating a manufacturer's warranty as to standards of safety concerning the ability to sustain shock; providing, in lieu of the warranty, certification by the manufacturer of compliance with the energy absorption standards provided; providing an effective date.

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

By Senator Hollahan—

SB 901—A bill to be entitled An act relating to appropriating the sum of one hundred thousand dollars (\$100,000.00) to the probation and parole commission to be used to compensate persons engaging in those activities authorized by Section 947.081, Florida Statutes; providing an effective date.

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

By Senator Hollahan (By request)—

SB 902—A bill to be entitled An act defining and regulating the business of water-conditioning contracting in this state; creating the Florida Water-Conditioning Licensing Board; fixing qualifications of members and providing powers and duties of such board; fixing licensing procedures and fees therefore; providing exemptions; providing penalties; providing an effective date.

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

By Senator Barrow—

SB 903—A bill to be entitled An act relating to bail bonds; amending Section 903.271, Florida Statutes, providing for procedure to set aside judgment on the undertaking; providing number of days for such procedure; providing for court discretion to stay execution or other process; and providing an effective date.

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

By Senators Poston, Horne, Lane, Hollahan, Knopke, Trask, Johnson, Saylor, Wilson and Beaufort—

SB 904—A bill to be entitled An act relating to per diem and traveling expenses of public officers and employees and authorized persons; increasing the rate of per diem; providing an effective date.

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

By Senator Scarborough—

SB 905—A bill to be entitled An act relating to the judicial retirement system; amending chapter 123, Florida Statutes, by adding section 123.051; providing an optional retirement plan for certain justices and judges; providing that justices or judges electing to retire under the provisions of this act shall be subject to certain requirements and prohibitions; providing an effective date.

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

By Senator Daniel—

SB 906—A bill to be entitled An act relating to the department of general services; providing an appropriation to the division of electronic data processing for the development of a "EDP Master Plan"; providing an effective date.

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

By Senator Daniel—

SB 907—A bill to be entitled An act relating to electronic data processing services; amending sections 23.027(8) and 23.028, Florida Statutes, to require approval of the division of electronic data processing before the acquisition of data processing services by any state agency; authorizing the establishment of an "EDP Master Plan"; providing an effective date.

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

By Senators Boyd and Saylor—

SB 908—A bill to be entitled An act relating to participation in the minimum foundation program; repealing section 236.251, Florida Statutes, which provides that school districts desiring to participate in the minimum foundation program for kindergarten and grades one (1) through twelve (12) shall levy no more than ten (10) mills of tax on non-exempt assessed valuation of the district, with exceptions; and also provides a minimum increase from state funds; providing an effective date.

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

By Senator Trask—

SB 909—A bill to be entitled An act relating to registration and election districts; amending section 98.031(1), Florida Statutes, to require precinct boundaries to conform to municipal boundaries; providing an effective date.

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

By Senator Deeb—

SB 910—A bill to be entitled An act relating to public officers and employees; amending chapter 112, Florida Statutes, by adding a new section to be numbered by the Secretary of State to provide for the reemployment of retired state officials or employees on a part time basis; providing that such employees shall continue to receive pension benefits; providing that such employees shall not be eligible for supplemental retirement amounts; providing other conditions of such reemployment; providing an effective date.

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

By Senator Stone—

SB 911—A bill to be entitled An act relating to milk and milk products and certain non-dairy industry trade products; amending section 502.161, Florida Statutes; defining industry trade products as non-dairy products; regulating the labeling, display and inspection thereof; making it unlawful to advertise, package, label, sell or offer for sale said industry trade products in any manner which is untrue, deceptive or misleading; providing effective date.

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

By Senator Stolzenburg—

SB 912—A bill to be entitled An act relating to intangible personal property taxation; amending section 199.101, Florida Statutes (1967), requiring returns to be filed on May 1 of each year in the county of the beneficial owner; providing an effective date.

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

By Senator Thomas—

SB 913—A bill to be entitled An act relating to securities, providing for registration of certain securities by coordination; amending section 517.08 Florida Statutes, to delete the provisions for registration by notification and substituting registration by coordination; providing for filing and contents of registration statement with the division of securities; providing effective date for registration statement and issuance of stop orders for violations of section; providing authority to adopt rules and regulations; providing filing fee; amending section 517.10, Florida Statutes, adding registration by coordination and providing for consent by issuer or dealer to service of process on the department; providing an effective date.

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

By Senators Horne, Barrow, Fincher, Thomas, Barron, Ott, Bafalis, Friday, Mathews, Stone, Weissenborn, Knopke, Gong, Pope, Plante, Hollahan, Henderson, Saunders, Daniel, Bell, Shevin and Trask—

SB 914—A bill to be entitled An act relating to the highway patrol; amending section 321.17(1), Florida Statutes, increasing employee contributions to the highway patrol pension trust fund; amending section 321.18(1), Florida Statutes, providing retirement benefits after twenty years of service for members of the highway patrol employed after July 1, 1953; amending section 321.20(1), (4), and (5), Florida Statutes, limiting pension benefits to sixty per cent of the average annual salary for the last five years for members employed after July 1, 1953; deleting options for reduced pension benefits; providing benefits for a member's spouse and minor children; providing for increases in pension benefits; providing an effective date.

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

By Senator Henderson—

SB 915—A bill to be entitled An act relating to the division of marine resources, erosion control account; authorizing a grant to the City of Sarasota for the purpose of public beach restoration; 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 Henderson—

SJR 916—A joint resolution proposing an amendment to Article XII, section 9(a), of the State Constitution to delete the prohibition against the issuance of revenue bonds under the authority of Article IX, section 17, of the Constitution of 1885, as amended; providing that revenue bonds, revenue certificates, or other evidences of indebtedness hereafter issued thereunder may be issued by the agency of the state authorized to do so by law.

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

By Senators Saylor, Gunter, Myers, Beaufort and Hollahan—

SB 917—A bill to be entitled An act relating to the division of motor pool; amending section 287.16 (3),(4) and (7), Florida Statutes; providing for special purpose aircraft under the control of a state agency showing need for its operation; providing a standardized expense criteria for aircraft and motor vehicle transportation expense to state agencies; providing for maintenance of complete records on all phases of aircraft utilization and operations and maintaining certain records on

motor vehicles; amending section 287.16(8), Florida Statutes; providing for the determination of the number and types of aircraft and motor vehicles to be retained, disposed of, purchased, leased or otherwise acquired; amending section 287.16, Florida Statutes, by adding subsection (10); providing for the adoption of and maintenance of a continuing flying safety and standardization program; amending section 287.17, Florida Statutes; providing use of state owned and operated aircraft and motor vehicles to be used for official business only; providing authorization for flying in state aircraft; providing authorization for riding in state motor vehicles; amending chapter 287, Florida Statutes, by adding section 287.21 to provide for title of aircraft and motor vehicles purchased to be in the name of the state; providing an effective date.

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

By Senator Broxson—

SB 918—A bill to be entitled An act relating to motor vehicle registration; amending section 320.10, Florida Statutes; providing for exemptions of certain state owned and operated motor vehicles; providing for tax exemption of motor vehicles owned and operated by The Waterfront Rescue Mission, Inc., and Northwest Florida Crippled Children's Association; revising annual fee to conform with section 320.08 (11), Florida Statutes; providing an effective date.

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

By Senators Plante, Bafalis and Ducker—

SB 919—A bill to be entitled An act relating to employees' right to work; amending chapter 447, Florida Statutes, by adding section 447.17; prohibiting the requiring of union membership as a condition of employment; restricting conditions for payroll deductions for union dues; providing an effective date.

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

By Senator de la Parte—

SB 920—A bill to be entitled An act relating to accident reports of motor vehicle collisions; repealing section 317.171, Florida Statutes, which provides such reports shall be confidential; providing an effective date.

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

By Senators Poston, Beaufort and Stolzenburg—

SB 921—A bill to be entitled An act relating to suits against the department of transportation; amending section 337.19(1), Florida Statutes, prohibiting claims by plaintiffs not party to the contract involved; providing an effective date.

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

By Senator Lane—

SB 922—A bill to be entitled An act relating to chiropractic, amending subsection (4) of section 460.11, Florida Statutes, restricting and re-defining scope of practice of chiropractic, practitioners, chiropractic analysis, and chiropractic physicians; providing an effective date.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

April 24, 1970

Sir:

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

By Representative Reedy and others—

HCR 3758—A concurrent resolution urging the President of the United States, the Secretary of Defense, and the Congress of the United States to make every possible effort to obtain the release and repatriation of the American prisoners of war held captive by North Viet Nam.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 3758, contained in the above message, was read the first time in full. On motion by Senator Friday, the rules were waived and HCR 3758 was placed on the Calendar.

The Honorable John E. Mathews, Jr. April 24, 1970
President of the Senate

Sir:

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

By the Committee on Insurance—

HB 4114—A bill to be entitled An act relating to insurance; amending chapter 631, Florida Statutes, by adding section 631.010, Florida Statutes, to designate such chapter as “insurers rehabilitation and liquidation act,” providing criteria of purpose and construction; amending section 631.011, Florida Statutes, by repealing subsections (1), (2) and (3) thereof and substituting therefor new subsections (1), (2), (3), (4), (5), (6), and (7) to define “assets,” “liabilities,” “impairment of surplus,” “impairment of capital,” “insolvency,” “insurer,” “delinquency proceedings,” and renumbering subsections (4), (5), (6), (7), (8), (9), (10), (11), (12) and (13) as subsections (8), (9), (10), (11), (12), (13), (14), (15), (16) and (17); amending section 631.051, Florida Statutes, by renumbering subsection (4) as (2), amending and renumbering subsection (6) as (3), amending and renumbering subsection (2) as (4), renumbering subsection (3) as (5), adding new subsection (6), amending and renumbering subsection (5) as (7), renumbering subsection (7) as (8), incorporating old subsection (8) in new subsection (4), adding new subsection (9), renumbering subsections (9), (10) and (11) as (10), (11) and (12), adding subsections (13), (14) and (15) to expand and delineate with specificity the grounds for rehabilitation of domestic insurers; amending section 631.061, Florida Statutes, by repealing subsection (1) and adding new subsections (1) and (3) to expand and delineate with specificity grounds for liquidation of insurers; amending section 631.111, Florida Statutes, by amending subsection (1), adding new subsection (2) and renumbering subsection (2) as subsection (3) to authorize the commissioner to marshal the assets and take possession of specified properties of domestic insurers in the order of liquidation; amending subsection (2) of section 631.131, Florida Statutes, to authorize the commissioner to prevent wasting of assets, to marshal assets in a manner not in conflict with rights of domiciliary receiver in order of conservation or ancillary liquidation of foreign or alien insurer; amending subsection (3) of section 631.181, Florida Statutes, to allow receiver to report claims to court after evaluation instead of ten days from receipt of claim; adding section 631.243, Florida Statutes, specifying conditions for termination or rehabilitation; amending section 631.251, Florida Statutes, relating to the date rights fixed on liquidation with certain exceptions; adding section 631.252, Florida Statutes, to specify conditions governing continuance of coverage; adding section 631.262, Florida Statutes, with respect to fraudulent transfers before petition; adding section 631.263, Florida Statutes, with respect to fraudulent transfers after petition; amending section 631.271, Florida Statutes, by amending subsection (1) to increase compensable claims of employees from five hundred dollars to one thousand dollars and establishing priority of administrative expenses over com-

pensable claims of agents and others; amending section 631.291, Florida Statutes, to condition allowance of certain claims; amending section 631.341, Florida Statutes, to prescribe procedures and imposing penalties relating to notice of insolvency and replacement of coverage to affected insureds; adding section 631.351, Florida Statutes, to authorize summary proceedings and imposing penalties by the commissioner and the court against insurers engaged in an act that would justify delinquency proceedings; adding section 631.361, Florida Statutes, specifying conditions of seizure by the commissioner under court order; adding section 631.371, Florida Statutes, which permits seizure by the commissioner after judicial relief is sought and the court fails to grant an immediate hearing thereon; adding section 631.391, Florida Statutes, to provide criteria of cooperation by insurer's officers and imposing penalties for failure to comply; adding section 631.395, Florida Statutes, to coordinate the receivership with any insurance guaranty fund association authorized to operate in this state; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 4114, contained in the above message, was read the first time by title and referred to the Committee on Insurance.

The Honorable John E. Mathews, Jr. April 24, 1970
President of the Senate

Sir:

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

By Representative Shaw and others—

HB 3612—A bill to be entitled An act relating to electric cooperative corporations, amending 425.22, Florida Statutes, providing for disposition of property of electric cooperative corporations, and providing for the pledge or mortgage of property of electric cooperative corporations to secure debts or obligations to the United States of America or to certain other financial institutions; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3612, contained in the above message, was read the first time by title and referred to the Committee on Commerce and Licensed Businesses.

BILLS REFERRED TO SUBCOMMITTEES

Jurisprudence: Senate Bills 903, 920 and 919 (7 days to report to the Committee on Judiciary)

Labor and Industrial Relations: SB 909 (7 days to report to the Committee on Judiciary)

Health and Welfare: SB 922, House Bills 223, 910, and CS for HB 3188 (7 days to report to the Committee on Health, Welfare and Institutions)

Mental Health, Retardation and Institutions: Senate Bills 889, 895 and 899 (7 days to report to the Committee on Health, Welfare and Institutions)

The Senate adjourned at 8:45 a. m. to reconvene at 8:30 a. m., Tuesday, April 28, 1970.

LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE
APRIL 20 THROUGH APRIL 24

<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>
Ausley, Charles S. Washington Square Bldg. Tallahassee	Fla. Defense Lawyers Assn. Jacksonville	Session ...	Civil actions	None
Blalock, Samuel G. 730 American Heritage Life Bldg. Jacksonville 32202	Ring Power Co. 1400 Talleyrand Ave. Jacksonville 32202	Session ...	Promote amendment to Florida Statutes	None
Calhoun, Richard City Hall Miramar	O.F.L.M. Monroe Street Tallahassee	Continuous	General legislation for cities	None
	B.L.M. City Hall, Miramar		Local legislation	
Clary, Bruce E. 714 E. Colonial Dr. Orlando 32803	Tampa Bay Properties, Inc. same address	Session ...		Wm. Register is partner in law firm rep. co.
Culpepper, Philip B. 134 W. Pensacola Tallahassee 32302	Florida Psychological Assn. Lakeland	Session ...	Practice of psychology	None
Deal, Julia Lynn 633 W. Pensacola, Apt. 4 Tallahassee 32304	Tallahassee Women's Liberation U-6800 F.S.U. Tallahassee 32306	Session ...	Repeal of abortion restrictions; women's civil liberties	None
Deaton, James E. Rm. 603; 306 W. Adams St. Jacksonville 32202	AFL-CIO Council Jacksonville	Session ...	Labor, public safety, general	None
Duncan, James T. P. O. Box 20155 Orlando 32814	Fla. Fruit & Vegetable Assn. Fla. Sugar Cane League, Inc. ...	Continuous	Fresh fruits & vegetables; Sugar cane growers & shippers	None
Duncan, Norman E. 1301 Ave. of the Americas New York, N. Y. 10019 ...	J. C. Penney Co., Inc. same address	Continuous	Retailing	None
Estes, James L., Jr. 1618 Exchange Bank Bldg. Tampa 33602	Pan American Land Development Corp. 2300 Coral Way Miami 33145	Continuous	Real estate development	None
Ewing, Jack H. 714 E. Colonial Dr. Orlando	Tampa Bay Properties Inc. same address	Session ...	Tampa Bay Properties Inc. ...	Wm. Register is partner in law firm rep. co.
Heidtman, William R. 425 1st St. West Palm Beach	Sheriff, Palm Beach County same address	Continuous	Law enforcement, general	Rep. Don Re member of firm rep. sheriff
Jacobs, Joseph C. 305 S. Gadsden St. Tallahassee 32302	Fla. Dredging Assn. P. O. Box 13228 Tampa 33611	Continuous	Dredging, filling and conservation of natural resources	None
	Grand Union Co. 100 Broadway East Patterson, N. J. 07407 ...	Continuous	Trading stamp companies	None
	Fla. Institute of Certified Public Accountants Box 14287, University Station Gainesville	Continuous	Accountants	None

LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE
APRIL 20 THROUGH APRIL 24 (Continued)

Name and Address	Entity Represented and Address	Duration of Representation	Particular Legislation Involved	Direct Business Association or Partnership with Legislator
Jollow, Frances E. 4415 Beach Blvd. Jacksonville 32207	State Board of Nursing same address	Session	HB 3792	None
Jones, Albert R. 1515 N. Westshore Tampa	Peninsula Motor Club (AAA) same address	Session	Motorists	None
Kitchen, Edward C. 305 S. Gadsden Tallahassee 32302	Fla. Assn. of Broadcasters Stadium Bldg. Box 1444, University Station, Gainesville 32601	Continuous	News media or broadcasting facilities	None
	Grand Union Co. 100 Broadway East Patterson, New Jersey 07407	Continuous	Trading stamp companies	None
	C. V. Griffin & C. V. Griffin Groves, Inc. P. O. Box 126 Howey-In-The-Hills 32737	Continuous	Citrus industry	None
	Fla. Dredging Assn. P. O. Box 13228 Tampa 33611	Continuous	Dredging, filling and conservation of natural resources	None
	Fla. Institute of Certified Public Accountants Box 14287, University Station Gainesville	Continuous	Accountants	None
Lockeby, Kyle E., Jr. 714 E. Colonial Dr. Orlando	Tampa Bay Properties, Inc. same address	Session		Wm. Register is member of law firm rep. co.
Metcalf, Elizabeth L. 1194 62nd Ave. South St. Petersburg 33713	League of Women Voters of Fla. 719 Paradiso Coral Gables 33146	Session	General	None
Moore, William D. City Hall Jacksonville	City of Jacksonville 13th floor City Hall Jacksonville 32202	Session	City of Jacksonville	None
Murray, Margaret C. 513 E. Anderson St. Orlando 32801	Self same address	Continuous	General	None
Oglesby, Ross R. 2917 Ivanhoe Rd. Tallahassee 32303	American Assn. of Univ. Professors Fla. St. Univ. Tallahassee 32306	Continuous	Higher education, junior colleges	None
Pelzer, Patricia Arlene 206 Ellsworth St. Altamonte Springs 32701	Concerned Citizens	Session	Abortion	None
Proctor, Palmer P. O. Box 391 Tallahassee 32302	Fla. Blue Cross-Blue Shield Jacksonville	Continuous	General insurance matters	None
Roberts, John P. P. O. Box 2500 Miami 33101	Fla. Air & Water Pollution Commission	Continuous	Anti-pollution laws, banking, general business	None
Rodgers, J. B., Jr. 100 S. Orange Ave. Orlando 32801	National Agricultural Transportation League 321 West Lanthe Tavares 32778	Continuous	Amend Fla. Statutes 323.31	None

LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE
APRIL 20 THROUGH APRIL 24 (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>
Sims, James R. 270 Iowa Ave. Ft. Lauderdale 33312	Fire Fighters of Fla. 940 32nd St. West Palm Beach	Continuous	Fire Service	None
Soderlund, James E. 201 N.W. 38th St. Pompano Beach 33064	Fire Fighters of Fla. 940 32nd St. West Palm Beach	Continuous	Fire Fighters	None
Sorensen, Henry T. City Hall Tallahassee 32301	Tallahassee Rifle & Pistol Club 513 Crossway Rd. Tallahassee	Continuous	Firearms	None
Strickland, Hiram L. Box 1338 Bradenton	T.A.A.F.	Continuous	Ad Valorem taxes	None
Sullivan, John P., Jr. Leon County Courthouse Tallahassee 32301	Elections Office same address	Continuous	Elections	None
Sullivan, Wilma S. Leon County Courthouse Tallahassee 32301	Supervisor of Elections same address	Continuous	Elections	None
Tragos, George E. Rm. 326 Bryan Hall Fla. State Univ. Tallahassee 32306	Interfraternity Council at FSU same address	Continuous	All student bills and tax bills	None
Waldon, Cheryl Yvette 2420 Lake Sunset Dr. Orlando 32805	Self same address	Session	Abortion bill	None
Warren, Mary Lee 3018 Hoffner Rd. Orlando 32809	Self same address	Continuous	General	None