

JOURNAL OF THE SENATE

Tuesday, May 5, 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 Senator Horne—

SB 1112—A bill to be entitled An act relating to pari-mutuel plants, providing that the racing commission may grant an additional day of pari-mutuel operation to any pari-mutuel plant within the state for a charity day to provide scholarships for public junior colleges; providing for the allocation of the profits from such charity days; providing an effective date.

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

By Senator Horne—

SB 1113—A bill to be entitled An act creating the Tallahassee Board of Historic Preservation; declaring its purpose and functions; providing for the appointment, terms of office, bonding and payment of the expenses of its members; describing the powers and duties of said Board; providing for the establishment of Historical Districts and an Architectural Review Board for same; providing for the right of eminent domain; providing for an appropriation; and for the coordination of activities with a State Division of Archives and History; and 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 Stone—

SB 1114—A bill to be entitled An act relating to elections; amending section 99.161(1), Florida Statutes, by adding paragraph (e), directing the appropriate state agencies to furnish the department of state with annual lists of certain persons prohibited from contributing to political campaigns; providing an effective date.

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

By Senator Stone—

SB 1115—A bill to be entitled An act relating to elections; adding section 99.161(16), Florida Statutes, requiring every person who was a candidate for nomination or election to office to submit a sworn statement of contributions or expenditures incurred for a period of one (1) year following the last election in which he participated; providing an effective date.

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

By Senators Hollahan, Scarborough and Weber—

SB 1116—A bill to be entitled An act relating to dog racing and the operation of frontons for exhibition of jai alai or pelota by amending Chapter 550, Florida Statutes, to add thereto Section 550.47, Florida Statutes, to authorize dog racing for matinee sessions between the hours of 12:01 p.m. and 6:00 p.m. under certain conditions; and amending Chapter 551, Florida Statutes, by adding thereto Section 551.17, Florida Statutes, to authorize the operation of matinee sessions of jai alai or pelota between the hours of 12:01 p.m. and 6:00 p.m. under certain conditions; to provide for application of Chapter 550, Florida Statutes, and Chapter 551, Florida Statutes; to repeal conflicting laws; providing a severability clause; providing an effective date.

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

By Senator Bishop—

SB 1117—A bill to be entitled An act relating to salt water fisheries and conservation; amending section 370.11(2), Florida Statutes, to provide a maximum length for redfish; providing an effective date.

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

By Senator Ducker (By request)—

SB 1118—A bill to be entitled An act relating to consumer services; amending subsection (4) of section 20.14, Florida Statutes by transferring the Florida consumer council to the department of state; amending subsection (5) of section 20.14, Florida Statutes by transferring the division of consumer services to the department of state; 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 Askew—

SB 1119—A bill to be entitled An act relating to the department of state; amending section 266.106, Florida Statutes, authorizing the Pensacola historical restoration and preservation commission to sell crafts products and merchandise relating to the historical and antiquarian period of Pensacola; and providing an effective date.

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

By Senators Askew, Boyd and Mathews—

SB 1120—A bill to be entitled An act relating to teacher scholarship loans; amending section 239.41(2), Florida Statutes, directing the department of education to award scholarship loans to students in the vocational and technical field of education; providing an effective date.

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

By Senators Saunders and Deeb—

SB 1121—A bill to be entitled An act relating to performance and payment construction bonds, amending section 627.0905, Florida Statutes, excepting construction projects under Federal Housing Administration or Veteran's Administration financed programs; providing an effective date.

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

By Senator Karl—

SB 1122—A bill to be entitled An act relating to ad valorem taxation, exemptions; repealing section 196.191(12), Florida Statutes, relating to exemption of property held for income for certain nonprofit hospitals; providing an effective date.

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

By Senator Askew—

SB 1123—A bill to be entitled An act relating to the police standards board, providing an appropriation therefor and setting an effective date.

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

By Senator Askew—

SB 1124—A bill to be entitled An act relating to the department of state; renaming the Pensacola historical restoration and preservation commission; amending sections 266.101-108, Florida Statutes; providing an effective date.

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

By Senators Askew and Boyd—

SB 1125—A bill to be entitled An act relating to post high school education; amending chapter 229, Florida Statutes, by adding sections 229.815, 229.820, and 229.825 creating the state planning council for post high school education of the department of education; providing for its membership and terms of office; directing the council to perform certain advisory functions; creating the Florida independent higher education committee; providing for its membership and functions; providing an effective date.

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

By Senator Daniel—

SB 1126—A bill to be entitled An act relating to the department of administration; amending section 31(4)(r) 1. of Chapter 69-106, Laws of Florida, providing that all agencies making requests for federal funds must first obtain the approval of the secretary of the department; amending section 31 (4)(u) 6. of Chapter 69-106, Laws of Florida, providing that the secretary of the department of administration may approve the creation of revolving funds; 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 1127—A bill to be entitled An act relating to the Florida Statutes; directing the statutory revision service of the legislative service bureau to conform the terminology of all acts to that of the 1969 Reorganization Act; providing an effective date.

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

By Senator Daniel—

SB 1128—A bill to be entitled An act relating to the department of commerce; amending section 17(8)(a) of Chapter 69-106, Laws of Florida, assigning additional rule making powers to the industrial relations commission; repealing section 17(7) of Chapter 69-106, Laws of Florida, relating to the nuclear and space commission; repealing Sections 290.01 and 290.02, Florida Statutes, relating to the nuclear and space commission; repealing section 17 (10) of Chapter 69-106, Laws of Florida, relating to the bureau of human resources; providing an effective date.

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

By Senator Stone—

SB 1129—A bill to be entitled An act implementing the provisions of Article VII, Section 14, of the Florida Constitution upon ratification thereof by the electors; authorizing the issuance of state bonds to finance air and water pollution control and solid waste disposal facilities in the manner provided by said Article VII, Section 14, subject to the provisions of the state bond act; designating the state board of administration as the state fiscal agency to make the determinations required thereby; providing that the department of general services, division of bond finance, shall determine the amount of such state bonds to be issued, not to exceed \$100,000,000 in any state fiscal year; providing that the facilities to be financed with the proceeds of the bonds shall be determined and approved by the department of air and water pollution control; providing for the operation of such facilities; authorizing the execution of lease-purchase agreements to carry out such purposes; authorizing loans to local governmental agencies; providing an effective date and providing that this act shall be null and void if said Section 14 is rejected by the electors.

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

By Senator Trask—

SB 1130—A bill to be entitled An act relating to sales and use taxes; amending section 212.11(1), Florida Statutes, to

provide that dealers who temporarily suspend their business or who have no receipts for a specific reporting period may give advance notification and thereby not be required to file returns during such period; providing an effective date.

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

By Senator Hollahan—

SB 1131—A bill to be entitled An act relating to justice of the peace courts; amending section 37.011, Florida Statutes; increasing the jurisdiction of justice of the peace courts in counties of the state having a population of more than four hundred thousand (400,000) according to the latest official decennial census; providing an effective date.

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

By Senator Trask—

SB 1132—A bill to be entitled An act relating to the employees of the department of agriculture and consumer services, providing for an employees' benefit fund; providing an effective date.

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

By Senator Trask—

SB 1133—A bill to be entitled An act relating to public funds; amending section 215.26(1) and (2), Florida Statutes, relating to the repayment of funds paid into the state treasury through error; amending section 212.17(2) and (3), Florida Statutes, relating to sales taxes on returned goods; providing for a credit or refund for persons subject to repayments; providing a change in the running of the statute of limitations; providing an effective date.

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

By Senator Hollahan—

SB 1134—A bill to be entitled An act relating to alcoholic beverage licenses in counties of the state having a population of more than four hundred thousand (400,000) but less than nine hundred thousand (900,000) according to the latest official decennial census; repealing Senate Bill 42, 1970, insofar as it may relate to the aforesaid population bracket; providing an effective date.

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

By Senators de la Parte, Ott and Knopke—

SB 1135—A bill to be entitled An act for the relief of Mrs. Donald C. Williams; providing an annual appropriation; providing an effective date.

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

By Senator de la Parte—

SB 1136—A bill to be entitled An act relating to insurance policies; amending Section 627.0112, Florida Statutes, to provide for the continuation of coverage for mentally retarded and physically handicapped dependents under disability policies and Non-profit Hospital and Medical Service Plan Contracts; providing an effective date.

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

By Senator de la Parte—

SB 1137—A bill to be entitled An act relating to the department of health and rehabilitative services; providing for liability of patients or other persons for the cost of care, treatment, and maintenance received from either the division of health, the division of mental health or the division of

retardation; providing definitions; providing for determination of cost and ability to pay; providing for appeal and further actions; providing for the disposition of funds and creating the health and rehabilitative services training and research trust fund; providing an effective date.

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

By Senator Hollahan—

SB 1138—A bill to be entitled An act relating to outboard motors; amending sections 371.011, 371.021 by adding subsection (16), sections 371.031(1), 371.051(1)(b), (4), (5), (6), (7), (9), (10), 371.081, 371.082(1), 371.101(1), 371.111, 371.171, 371.63, 371.65(2), (4), (6), (7) and (8), Florida Statutes, to provide the same regulation and registration requirements for outboard motors as exist for motorboats; providing an effective date.

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

By Senator Boyd—

SCR 1139—A concurrent resolution commending Albert DeVane for his outstanding achievements as a scholar, collector, and chronicler of Florida history.

Was read the first time in full and placed on the Calendar.

By Senator Broxson—

SB 1140—A bill to be entitled An act relating to public schools; amending the term building and bus to read local capital improvement; instructing statutory revision section to make these changes in 1971 Florida Statutes; providing an effective date.

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

By Senator Friday—

SB 1141—A bill to be entitled An act relating to the Florida department of law enforcement; amending section 23.089(1) and (2), Florida Statutes, to provide for submission to the department by state, county, and municipal law enforcement agencies of reports concerning thefts of motor vehicles, vessels, aircraft, serialized stolen property, and firearms; providing for submission of fingerprints of persons charged with or convicted of crimes; providing for notification to department of recovery of such stolen property; providing for maintenance and dissemination of such information by the department; providing for rule-making authority; providing an effective date.

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

By Senator Friday—

SB 1142—A bill to be entitled An act relating to gambling; amending section 849.25(2) to increase penalties for book-making from misdemeanor to felony; providing an effective date.

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

By Senator Knopke—

SB 1143—A bill to be entitled An act relating to natural resources; authorizing the creation of conservation commissions for promotion and development of natural resources and for the protection of watershed resources of counties and municipalities; prescribing membership, functions, duties, and powers of the commissions; providing for acceptance of gifts and donations and purchase of property; providing for use of power of eminent domain to carry out the purposes of this act; authorizing said commissions to prescribe penalties; providing an effective date.

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

By Senator Henderson—

SB 1144—A bill to be entitled An act relating to the state board of administration and the game and fresh water fish commission, amending section 216.011 (1)(d), Florida Statutes; providing the state board of administration and the game and fresh water fish commission shall be subject to the budgeting and personnel provisions of Chapter 216, Florida Statutes; 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—

SB 1145—A bill to be entitled An act relating to motor vehicles, definition, license plates; amending section 320.01(1), Florida Statutes, to redefine motor vehicles, mobile homes and trailer coaches in compliance with Article VII, section 1(b), revised State Constitution; amending section 320.015, Florida Statutes, relating to taxation of mobile homes, to conform to such definitions as amended and to exclude units not manufactured upon an integral chassis for travel; prescribing license plates to be attached on all mobile homes and fees therefor; providing for issuance of series "RP" plates; providing an effective date.

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

By Senator Reuter—

SB 1146—A bill to be entitled An act relating to motor vehicle equipment safety standards; amending section 317.611(4), Florida Statutes, relating to the stopping distance and deceleration of motor vehicles, to change the braking standards required of various motor vehicles; providing an effective date.

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

By Senator Friday—

SB 1147—A bill to be entitled An act relating to mining; enacting the interstate mining compact; establishing the interstate mining commission composed of the governors of party states; defining the functions of the commission; providing for the commission to conduct studies and make recommendations with respect to mining and the protection and restoration of land, water and other resources affected by mining and with respect to assisting the mining industry in improving techniques; creating an advisory council to the governor; providing an effective date.

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

By Senator Williams—

SB 1148—A bill to be entitled An act requiring district schools to provide minimum counseling services; providing for the department of education to develop guidelines for plans; providing for plan submission by the district boards and review by the department of education; providing an effective date.

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

By Senator Williams—

SB 1149—A bill to be entitled An act relating to education; amending section 228.041 (26), Florida Statutes; providing a definition of vocational education; providing an effective date.

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

By Senator Williams—

SB 1150—A bill to be entitled An act relating to education; establishing a vocational improvement fund; stating the purpose of this fund; designating the department of education as the administering agency; providing an appropriation; and providing an effective date.

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

By Senator Williams—

SB 1151—A bill to be entitled An act relating to vocational instruction; providing for regulations requiring offering of practical job-related instruction in each school district; providing minimum requirements for district programs; providing for provisional certification of instructors; providing for funding; providing an effective date.

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

By Senator Williams—

SB 1152—A bill to be entitled An act relating to occupational specialists; providing minimum standards; permitting district school boards to submit plans; providing for regulations to be adopted by the department of education; providing for funding; requiring a report from the department of education; providing an effective date.

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

By Senator Williams—

SB 1153—A bill to be entitled An act relating to vocational education; requiring each school district and each junior college to employ a director of vocational education; providing an effective date.

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

By Senator Williams—

SB 1154—A bill to be entitled An act relating to education; amending section 230.765 (1), Florida Statutes, providing procedure for determining instruction units for occupational education; providing an effective date.

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

By Senator Williams—

SB 1155—A bill to be entitled An act relating to institutions of higher learning; amending chapter 241, Florida Statutes, by adding section 241.75, creating the high priority educational projects fund to be administered by the board of regents; setting forth the purposes for which said fund may be used and directing the board of regents to annually list projects for support; requiring an annual report to the board of education and the legislature; providing an appropriation; providing an effective date.

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

By Senator Williams—

SB 1156—A bill to be entitled An act relating to education; amending section 236.04, Florida Statutes, providing procedure for determining instruction units for vocational education; providing an effective date.

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

By Senator Horne—

SB 1157—A bill to be entitled An act relating to the Florida Statutes; price, sale; amending subsections (2), (3) and (5) of section 11.243, Florida Statutes; providing that the legislative printing committee shall distribute the volumes of Florida Statutes; providing for the transfer of books and records previously kept by the secretary of state to the legislative printing committee; providing an effective date.

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

By Senator Horne—

SB 1158—A bill to be entitled An act relating to public printing, distribution of session laws; amending section 283.205, the introductory paragraph and subsections (4), (7) and (8) of section 283.25, and section 283.20, all Florida Statutes; providing that the legislative printing committee shall distribute the session laws; repealing subsection (6) of section 283.25, Florida Statutes; providing for the transfer of books and records previously kept by the secretary of state to the legislative printing committee; providing for republication of session laws; providing an effective date.

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

By Senators Haverfield and Mathews—

SB 1159—A bill to be entitled An act relating to the performance of charter bus carriage by regular route common carriers of passengers operating for compensation over the highways of Florida; amending Section 323.14, Florida Statutes; and providing an effective date.

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

By Senators Haverfield and Mathews—

SB 1160—A bill to be entitled An act relating to the performance of charter bus carriage by common carriers of passengers; amending section 323.01(10), Florida Statutes; defining charter carriage.

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

By Senators Daniel and Horne—

SB 1161—A bill to be entitled An act relating to the department of highway safety and motor vehicles; amending section 321.02, Florida Statutes; providing that the commander of the Florida highway patrol shall be appointed by the governor and the cabinet from the ranks of the highway patrol and shall receive all other benefits provided for in chapter 321, Florida Statutes, or any other statute; amending section 321.04, Florida Statutes, to provide that members of the Florida highway patrol may be assigned to other divisions or departments under certain conditions; providing an effective date.

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

By Senator Fincher—

SB 1162—A bill to be entitled An act relating to a trust fund for architectural fees expended for the approval of architectural plans used in the erection or remodeling of buildings for use as public lodging and public food service establishments; amending Chapter 509, Florida Statutes, by adding a new section to create such a trust fund; providing a fixed fee and a percentage fee; providing an effective date.

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

By Senators Fincher and Henderson—

SB 1163—A bill to be entitled An act relating to tax rate on Florida-grown products; amending Chapter 561, Florida Statutes, by adding a new section limiting the tax rate accorded beverages manufactured in Florida from Florida-grown products to such beverages manufactured exclusively from Florida-grown products, and not blended with out-of-state whiskey, and distilled and bottled by a distiller who conducts distilling operations only in the state of Florida and in no other state, or bottled by a bottler who conducts bottling operations only in the state of Florida and in no other state; and providing certain other limitations; providing an effective date.

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

By Senators Lane and Bell—

SJR 1164—A joint resolution proposing an amendment to Article IX, section 4 of the State Constitution, to authorize the

legislature to provide for the division of any county or counties into school districts; providing uniform millage continue in the event a county is divided into two or more school districts.

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

By Senator Thomas—

SB 1165—A bill to be entitled An act relating to the execution of anatomical gifts; amending chapter 736, Florida Statutes, as created by chapter 69-88, Laws of Florida, by adding a new section, to allow licensed morticians, as well as physicians, to enucleate eyes; providing an effective date.

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

By Senator Pope—

SB 1166—A bill to be entitled An act relating to the Florida state fire college; amending section 242.52(1), Florida Statutes, to increase the membership of the board of trustees from three (3) to five (5) members; providing for the termination of certain trustees separated from the fire service; providing an effective date.

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

By Senator Pope—

SB 1167—A bill to be entitled An act relating to the department of state; amending section 266.06, Florida Statutes, authorizing the St. Augustine historical restoration and preservation commission to sell crafts products and merchandise relating to the historical and antiquarian period of St. Augustine; and providing an effective date.

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

By Senator Barrow—

SB 1168—A bill to be entitled An act establishing a maximum interest rate for obligations issued by any county or municipality or any department or agency of either

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

By Senator Stone—

SB 1169—A bill to be entitled An act relating to the Florida International University; amending chapter 241, Florida Statutes, by adding section 241.402; incorporating the Family Opera Guild of Dade County as an agency of the university; providing for administration; 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 1170—A bill to be entitled An act relating to air duct systems; prohibiting installation of certain linings in the interior of air duct systems after the effective date of this act; prohibiting installation of certain lining in any public building or hospital regardless of the date of installation; permitting use of such material as exterior covering of air duct system; providing an effective date.

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

By Senator Stone—

SB 1171—A bill to be entitled An act to provide that bonds, notes, certificates of indebtedness or other obligations issued by counties, municipalities, towns, villages, districts, commissions, authorities or any other public body or agency or political subdivision of the State of Florida may bear interest at the maximum rate or rates of interest permitted by law and may be sold at such price less than par as will not require the payment of interest on the money received therefrom at greater than the maximum rate or rates of interest permitted by law, computed

with relation to the absolute maturity of the bonds in accordance with standard tables of bond values; excluding, however, from such computation the amount of any premium to be paid on redemption of any bonds prior to maturity; and to provide an effective date.

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

By Senator Stone—

SCR 1172—A concurrent resolution authorizing a schedule of rates and amounts of taxes and fees levied by or on behalf of the state of Florida to be published with the official Florida Statutes and in data processing form; requesting the department of revenue to compile fiscal data as to each such tax and fee to the extent determinable but including the estimated direct cost of collection for each such tax and fee.

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

By Senator Gunter—

SB 1173—A bill to be entitled An act relating to public officials; requiring disclosure of financial interests by legislators and executive officers; providing procedures and penalties upon violation; providing an effective date.

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

By Senators Gunter and Saylor—

SB 1174—A bill to be entitled An act relating to the State Board of Administration, deposits of money in the banks of the state by said board; amending Section 18.10, Florida Statutes, to require deposits of certain state funds in interest-bearing time deposits at the highest interest rates available without unanimous consent of the State Board of Administration; permitting investment of funds in United States Treasury bills; requiring the Treasurer of the state to keep the board advised of the status of all state money invested; providing an effective date.

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

By Senators Gunter and Plante—

SB 1175—A bill to be entitled An act relating to saltwater fisheries; amending subsection (3) of section 370.11, Florida Statutes, by adding paragraph (e); providing allowable periods for commercial shad fishing; providing definitions; prohibiting use of certain nets by sports fishermen; providing bag limit for noncommercial fishermen; providing penalties; providing an effective date.

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

By Senator de la Parte—

SB 1176—A bill to be entitled An act relating to the medical practice act, amending section 458.05(3), Florida Statutes, to provide that a graduate of a foreign medical school licensed in another state need not present an educational counsel for foreign medical graduates certificate to stand examination; providing an effective date.

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

By Senator Mathews—

SB 1177—A bill to be entitled An act relating to the regulation and control of the processing and disposal of solid waste; stating the public policy; providing definitions; prescribing responsibilities of the department of air and water pollution control, the department of community affairs, and of local health officers; providing for rules and regulations; providing for review and approval of grants and loans from the federal government; creating a technical committee; providing for inspections; describing unlawful acts; providing penalties; providing for appeals; providing an effective date.

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

By Senators Barron, Horne, Barrow, Scarborough, de la Parte, Plante, Saunders, Trask and Pope—

SB 1178—A bill to be entitled An act relating to quarter horse racing; amending chapter 550, Florida Statutes, by amending sections 550.08, 550.081, 550.26 and 550.33, to provide for quarter horse racing; providing for a 120 day quarter horse racing season; authorizing the racing commission to issue permits for quarter horse racing and empowering the commission to regulate such racing, and providing penalties for violation of regulations of the commission; prohibiting political contributions by permit holders; authorizing operators of licensed race tracks to lease tracks to quarter horse permit holders; providing for a daily license fee; requiring that only duly registered quarter horses participate in such races; providing that quarter horse racing shall be in addition to any other racing permitted, providing for distribution of the break tax; repealing all laws in conflict; providing for severability and for an effective date.

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

By Senator de la Parte—

SB 1179—A bill to be entitled An act relating to the state career service system; amending section 110.051(2), Florida Statutes, to exempt division directors, bureau chiefs and institution superintendents of the department of health and rehabilitative services from the career service law; providing an effective date.

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

By Senators de la Parte, Ott, Knopke, Barrow, Chiles, Gunter, Plante, Barron, Poston, Gong, Lane, Myers, Scarborough, Haverfield, Mathews, Ducker, Boyd, Saunders, Slade, Daniel, Johnson, Trask, Reuter, Broxson, Henderson, Karl, Saylor and Fincher—

SB 1180—A bill to be entitled An act relating to animal exhibitions; amending chapter 548, Florida Statutes, by adding section 548.031 defining an exhibition or fight between man and animal; providing that certain exhibitions shall not be prohibited by the provisions of chapter 548, Florida Statutes; amending section 828.12, Florida Statutes; providing that certain exhibitions shall not be prohibited by the provisions of said section; providing an effective date.

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

By Senator Bell—

SB 1181—A bill to be entitled An act for relief of Thomas Zamoider, providing an appropriation to compensate for damages sustained as a result of the negligence of the Florida Division of Corrections; providing an effective date.

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

By Senator Bell—

SB 1182—A bill to be entitled An act relating to junior college personnel; amending section 230.760, Florida Statutes, by repealing subsection (3) thereof; relating to continuing contracts under special conditions; providing an effective date.

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

By Senator Bell—

SB 1183—A bill to be entitled An act relating to education, junior colleges; amending Chapter 230, Florida Statutes, by adding section 230.775; authorizing district boards of trustees to charge off uncollectible accounts; providing an effective date.

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

By Senators Trask and Daniel—

SB 1184—A bill to be entitled An act relating to the department of general services; transferring to the board of trustees of the internal improvement trust fund all powers, duties and functions relating to patents, trademarks or copyrights; amending subparagraph (e) of subsection (5) of section 19 of chapter 106, laws of Florida; amending section 10 of chapter 106, laws of Florida, by adding a new subsection; providing an effective date.

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

By Senator Thomas—

SB 1185—A bill to be entitled An act relating to public officers and employees; amending section 112.313(2), Florida Statutes, providing that certain standards of conduct shall apply to officers and employees of state agencies, counties, cities, and other political subdivisions, legislators, and legislative employees who are members of certain business entities which are licensed by other than occupational licenses; providing an effective date.

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

By Senators Shevin, Fincher, Haverfield, Weissenborn and Stone—

SB 1186—A bill to be entitled An act to amend Section 253.62, Florida Statutes, by adding thereto a new subsection (3) authorizing the trustees of the internal improvement trust fund to convey lands to the United States for the establishment of Biscayne National Monument; ratifying, confirming and validating all acts and actions of said trustees and all agreements between said trustees and the United States Government regarding the conveyance of any state lands to the United States for the establishment of said Biscayne National Monument, providing that no provision of chapter 253, Florida Statutes, shall apply to such conveyances; providing that the trustees shall not be required to reserve oil, gas, phosphate or other mineral rights or enter into an agreement for royalties; 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 Pope—

SB 1187—A bill to be entitled An act relating to the department of state; renaming the St. Augustine historical restoration and preservation commission; amending sections 266.01-07, Florida Statutes; providing an effective date.

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

By Senator Shevin—

SB 1188—A bill to be entitled An act relating to air and water pollution control; amending section 25(2) of chapter 69-106, Laws of Florida, adding the division of air and water pollution control to the department of natural resources; amending section 25 of chapter 69-106, Laws of Florida, by adding subsection (23), transferring the department of air and water pollution control and all its powers, duties, and functions to the division of air and water pollution control; amending sections 403.031, 403.061, 403.071, 403.081, 403.091, 403.101, 403.111, 403.182, 403.191, and 403.212, Florida Statutes, changing definitions; prescribing powers and duties of the division and its director; providing for local pollution control program; validating certain regulations; changing terminology to conform to reorganization generally; amending chapter 403, Florida Statutes, by adding sections 403.112, 403.113, and 403.114, Florida Statutes, defining and prescribing limits and penalties for air pollution, water pollution, and thermal pollution; amending section 193.621, Florida Statutes, providing for the classification of pollution control devices for tax purposes; repealing section 26 of chapter 69-106, Laws of Florida, which created the department of air and water pollution control; repealing sections 403.041, 403.051, 403.121, 403.131, 403.141, 403.151, 403.161,

403.171, 403.201, and 403.261, Florida Statutes, relating to air and water pollution control; providing an effective date.

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

By Senator Pope—

SB 1189—A bill to be entitled An act relating to application for certain coastal structures and filling land; adding a new subsection (7) to section 253.124, Florida Statutes, authorizing issuance of permits for rebuilding, replacing, repair or reconstructing certain coastal structures; providing an effective date.

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

By Senator Pope—

SB 1190—A bill to be entitled An act relating to conservation, beaches, seashores and dunes; amending chapter 370, Florida Statutes, by adding section 370.042, to require a permit for excavation; providing an effective date.

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

By Senator Myers—

SB 1191—A bill to be entitled An act relating to corporations; amending section 608.32, Florida Statutes, prescribing the contents of annual reports required to be filed by corporations; amending section 608.33, Florida Statutes, removing exemptions for rail and motor carriers, telephone, telegraph, insurance, banking and trust companies, building and loan associations, and cooperative marketing associations; providing a basis for assessing the capital stock tax; creating section 608.331, Florida Statutes, prescribing the method and basis for computing the amount of tax payable, providing for redetermination of said tax and appeals therefrom, providing for disposition of moneys received; creating section 608.332, Florida Statutes, providing for petition for refund, authorizing department to grant or deny petition, authorizing the determination and assessment of delinquent taxes for a period of three (3) years after due date, providing for taxpayer to appeal, and for review of department's decision by circuit court and providing for issuance of tax warrants in collection of delinquent corporate stock taxes; providing an effective date.

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

By Senator Barrow—

SB 1192—A bill to be entitled An act relating to mortgage brokers; amending section 494.08, Florida Statutes, requiring an agreement in writing when a mortgage broker requires a deposit in connection with an application for a mortgage loan; providing an effective date.

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

By Senator Barrow—

SB 1193—A bill to be entitled An act relating to mortgage brokers; amending section 494.05, Florida Statutes, denying a license to an applicant; providing an effective date.

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

By Senators Barrow and Home—

SB 1194—A bill to be entitled An act relating to delivery of state warrants by the comptroller; amending section 17.03, Florida Statutes, to place responsibility for delivery of state warrants, after warrants have been countersigned by the governor, with the comptroller; providing an effective date.

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

By Senator Poston—

SB 1195—A bill to be entitled An act relating to the state university system; authorizing senior degree-granting institutions

to confer undergraduate degrees on certain students who have completed at least seventy-five percent (75%) of their credit requirements at said institutions; providing an effective date.

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

By Senators Poston and Saylor—

SB 1196—A bill to be entitled An act relating to the State of Florida department of transportation; providing an appropriation for matching funds from federal aid for general aviation airport construction and development of general aviation facilities, air carrier airport construction development of air carrier aviation facilities and for planning and implementing federal airport and airways assistance; and providing an effective date.

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

By Senator Poston—

SB 1197—A bill to be entitled An act relating to transportation facilities; providing general authority for expenditures by public bodies for development of balanced transportation systems; adding transportation systems to municipal purposes as used in section 169.02, Florida Statutes; adding definitions; authorizing purchase of mass transit facilities by the division of bond finance of the department of general services and the department of transportation; amending section 334.02, Florida Statutes, to include the development of transportation systems within the authority of the department of transportation; recognizing the public interest in transportation facilities and providing for local authority over such facilities; amending section 339.09, Florida Statutes to prohibit the use of gasoline tax revenues for nontransportation purposes; amending section 344.26, Florida Statutes, relating to debt service of bonds by the state board of administration, to conform with this act; amending section 344.261, Florida Statutes, to require approval by the state board of administration for purchase or lease of transportation facilities; providing an effective date.

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

By Senator Poston—

SB 1198—A bill to be entitled An act relating to corporations; amending section 608.32, Florida Statutes, prescribing the contents of annual reports required to be filed by corporations; amending section 608.33, Florida Statutes, removing exemptions for rail and motor carriers, telephone, telegraph, insurance, banking and trust companies, building and loan associations, and cooperative marketing associations, providing a basis for assessing the capital stock tax, and providing for a schedule of fees for the capital stock tax; creating section 608.331, Florida Statutes, prescribing the method and basis for computing the amount of tax payable, providing for redetermination of said tax and appeals therefrom, providing for disposition of moneys received; creating section 608.332, Florida Statutes, providing for petition for refund, authorizing department to grant or deny petition, authorizing the determination and assessment of delinquent taxes for a period of three (3) years after due date, providing for taxpayer to appeal, and for review of department's decision by circuit court and providing for issuance of tax warrants in collection of delinquent corporate stock taxes; providing an effective date.

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

By Senator Saylor—

SB 1199—A bill to be entitled An act relating to the board of examiners of landscape architects; amending sections 481.051(4), 481.061(2) and 481.091(1), Florida Statutes, adding a qualification for admittance to examinations by the board; changing the date for renewal of registrations; extending penalty for late renewal to any part of a month; limiting renewal registrations when an applicant is delinquent for a certain period; providing for revocation or suspension of certificates for violations of rules of the board; providing an effective date.

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

By Senator Saylor—

SB 1200—A bill to be entitled An act relating to ad valorem taxation, exempt property; repealing subsections (6), (8), (9), (10) and (11)(a) of section 196.191, Florida Statutes, providing for the exemption from taxation of all real and personal property of agricultural societies; property owned by the women's club of Florida, American Legion, chapters inns or other associations of national college fraternities and sororities; homes, clubhouses, hospitals and other property owned and operated by ex-servicemen, not for profit; real property owned and used by labor organizations; real property owned and used by medical societies; providing an effective date.

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

By Senator Daniel—

SB 1201—A bill to be entitled An act relating to municipalities, dedicated lands; amending sections 95.36 and 167.09, Florida Statutes, providing that the title to dedicated lands accepted and used for park purposes, which have been vacated or discontinued, shall not be challenged in any legal proceedings; providing an effective date.

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

By Senator Reuter—

SB 1202—A bill to be entitled An act relating to the division of marine resources of the department of natural resources; providing an appropriation for a beach restoration project along the Atlantic coastline in St. Lucie County; 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 Stone—

SB 1203—A bill to be entitled An act relating to elections; providing a procedure by which minority parties obtain a position on the general election ballot; providing a procedure allowing independent candidates to obtain a position on the general election ballot; repealing the provision prohibiting candidates from seeking the nomination of a party if they have been members of another party within one (1) year; repealing the provision prohibiting candidates from supporting opponents of members of his own party; providing a new procedure by which minority parties may have the names of their candidates for the offices of president and vice-president placed on the general election ballot; amending section 97.021, 99.021, 100.051, 101.251 and 101.263, Florida Statutes; adding new sections 99.152, 99.153, 101.261, 101.262, 101.263; providing an effective date.

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

By Senator Stolzenburg—

SB 1204—A bill to be entitled An act amending chapter 480, Florida Statutes, relating to masseurs and masseuses; amending section 480.01 (1) and (2) by adding paragraphs (1) (d) and (2) (c) to define attendant and requiring certain approval by the Florida massage board prior to issuance of an occupational license; amending 480.02(4) to increase the continuous months of service prior to issuance of certificate to apprentices; amending 480.02 by adding subsection (6) to provide for reciprocity between certain states; amending 480.06(1) to require applicants as a requisite for examination to furnish copies of fingerprints; amending section 480.06 by adding subsection (4) to allow the issuance of temporary permits to certain persons; amending section 480.07(1) and (3) to increase registration and renewal fees for masseurs, masseuses, and apprentices; amending section 480.07 by adding subsection (5) to require a one-time fee to be paid by all new establishments; amending section 480.08 to require copies of fingerprints of registrants prior to issuance of renewal certificate of registration and to prohibit the display of certificate of registration unless registrant is actively practicing massage; amending section 480.11(1) by adding paragraph (1) to prohibit display of certificate of registration in any establishment which registrant does not operate or in which he is not employed; amending

section 480.15(1) to increase compensation of board members and secretary-treasurer; amending section 480.21 to change citation of chapter 480, Florida Statutes.

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

By Senator Johnson—

SCR 1205—A concurrent resolution in Commendation Apollo XII Astronauts USN Captain Charles Conrad, Jr., USN Captain, Alan L. Bean and USN Captain Richard F. Gordon, Jr.

Was read the first time in full and placed on the Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

May 4, 1970

Sir:

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

By Representative Ogden—

HB 3733—A bill to be entitled An act relating to property exempt from taxation; amending sections 196.191(13) and 196.201(2), Florida Statutes; excepting from the exemption from taxation property which is used for the treatment of private out-patients or that property used as a parking lot or parking garage for which there is a fee charge for parking; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3733, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

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

May 4, 1970

Sir:

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

By Representative Gallen and others—

HB 869—A bill to be entitled An act providing that in a prosecution for the unlawful possession of a narcotic drug, as defined in chapter 398, Florida Statutes, or of a barbiturate, central nervous system stimulant or hallucinogenic drug, as defined in chapter 404, Florida Statutes, proof of possession thereof by the defendant shall be prima facie evidence that he knew that he had such possession and that he knew the nature of the narcotic drug, barbiturate, central nervous system stimulant or hallucinogenic drug so possessed and knew that in fact it was a narcotic drug, barbiturate, central nervous system stimulant or hallucinogenic drug, as the case may be; and prescribing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 869, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

The Senate recessed at 8:47 a. m.

The Senate was called to order by the President at 9:00 a.m.
A quorum present—45:

| | | | |
|---------------|---------|----------|--------|
| Mr. President | Bafalis | Barrow | Bell |
| Askew | Barron | Beaufort | Bishop |

| | | | |
|-------------|------------|-------------|-------------|
| Broxson | Haverfield | Plante | Stone |
| Chiles | Henderson | Pope | Thomas |
| Daniel | Hollahan | Poston | Trask |
| Deeb | Horne | Reuter | Weber |
| de la Parte | Johnson | Saunders | Weissenborn |
| Ducker | Karl | Saylor | Williams |
| Fincher | Knopke | Scarborough | Wilson |
| Friday | Lane | Shevin | |
| Gong | Myers | Slade | |
| Gunter | Ott | Stolzenburg | |

Excused: Senators Young and Boyd.

Prayer by Senator Weber:

Lord, Thou knowest better than I know myself that I am growing older . . . Keep me from getting talkative and, particularly, from the habit of thinking I must say something on every subject and on every occasion . . . Release me from the craving to try to straighten out everybody's affairs . . . Make me thoughtful, but not moody; helpful, but not bossy . . . With my vast store of wisdom, it seems a pity not to use it— But Thou knowest, Lord, that I want a few friends at the end . . . Keep my mind free from recital of endless details—Give me wings to get to the point . . . Seal my lips on my many aches and pains . . . They are increasing, and my love of rehearsing them is becoming sweeter as the years go by . . . I ask for grace enough to listen to the tales of others' pain . . . Help me to endure them with patience . . . Teach me the glorious lesson that occasionally it is possible I may be mistaken . . . Keep me reasonably sweet . . . I do not want to be a saint; some of them are so hard to live with; but a sour old human is one of the crowning works of the devil . . . Help me extract all possible fun out of life . . . There are so many funny things around us, and I don't want to miss any of them.

Author Unknown

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

The Journal of May 4 was corrected and approved.

The Journal of May 1 was corrected and approved as follows:

Page 289, counting from the bottom of column 2, lines 19 and 20, strike "exempting the association from certain taxes;"

REPORTS OF COMMITTEES

The Committee on Commerce and Licensed Businesses recommends the following pass:

| | |
|-------------------------|--------------------------|
| SB 576 with 1 amendment | SB 848 |
| SB 603 with 1 amendment | SB 567 with 2 amendments |
| SB 608 | |

The Committee on Transportation recommends the following pass: Senate Bills 805 and 754, SB 804 with 1 amendment

The Committee on Agriculture recommends the following be adopted:

SR 443

The Committee on Ways and Means recommends the following pass: SB 612 with 7 amendments, SB 636, House Bills 887 and 3110

The Committee on Insurance recommends the following pass: HB 4107 with 2 amendments, HB 4100, SB 933

The Committee on Natural Resources and Conservation recommends the following pass:

| | |
|--------------------------|---------------------------|
| SB 998 | HB 1142 with 2 amendments |
| SB 591 with 2 amendments | HB 1271 |
| SCR 926 | |

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

The Committee on Commerce and Licensed Businesses recommends the following pass: HB 2178

The Committee on Agriculture recommends the following pass: SB 1080

The Committee on Commerce and Licensed Businesses recommends the following pass:

| | |
|--------------------------|--------------------------|
| SB 307 with 2 amendments | SB 568 with 2 amendments |
| SB 308 with 2 amendments | SB 849 |

The Committee on Natural Resources and Conservation recommends the following pass: SB 915

The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Agriculture recommends the following pass: SB 911 with 2 amendments

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

The Committee on Transportation recommends the following pass: SB 806

The Committee on Commerce and Licensed Businesses recommends the following pass: SB 584

The bills contained in the foregoing reports were referred to the Committee on Governmental Organization under the original reference.

The Committee on Commerce and Licensed Businesses recommends the following pass: SB 309, SB 802 with 4 amendments

The bills were referred to the Committee on Judiciary under the original reference.

The Committee on Commerce and Licensed Businesses recommends a Committee Substitute for the following: SB 607

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

The Committee on Transportation recommends a Committee Substitute for the following: SB 348 with 6 amendments

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

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 437

The Committee on Commerce and Licensed Businesses recommends a Committee Substitute for the following: SB 376

The bills with Committee Substitutes attached contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Insurance recommends the following not pass: SB 944

The Committee on Transportation recommends the following not pass: SB 718

The Committee on Commerce and Licensed Businesses recommends the following not pass: Senate Bills 207, 653 and 606

The bills contained in the foregoing reports were laid on the table.

REPORTS OF THE COMMITTEE ON RULES AND CALENDAR

The Committee on Rules and Calendar recommended that HB 4291 be removed from the committee and re-referred to the Committee on Natural Resources and Conservation.

The bill was referred to the Committee on Natural Resources and Conservation.

The Committee on Rules and Calendar referred the following local bills to the Local Calendar: House Bills 4332, 4312, 4295, 4290, 4289, 4270, 4206, 4204, 4184, 4183, 4181, 4166, 4165, 4154, 3961, 4346, 4349, 4351, 4352, 4371, 4376, 4381, 4382 and SB 1010.

The Committee on Rules and Calendar recommended that the following bills relating to alcoholic beverage licenses be referred to the Committee on Commerce and Licensed Businesses: House Bills 3837, 3842, 3910 and 3969.

Pending favorable report from the Committee on Commerce and Licensed Businesses, these bills should be referred to the Local Calendar.

The Bills were referred to the Committee on Commerce and Licensed Businesses.

BILLS REFERRED TO SUBCOMMITTEES

Labor and Industrial Relations: SB 1092 (7 days to report to the Committee on Judiciary)

Law and Order: Senate Bills 1087 and 1088 (7 days to report to the Committee on Judiciary)

Jurisprudence: SB 1095 (7 days to report to the Committee on Judiciary)

Appropriations: Senate Bills 1123 and 1162 (15 days to report to the Committee on Ways and Means)

Claims: Senate Bills 1135 and 1181 (15 days to report to the Committee on Ways and Means)

Taxation: Senate Bills 1080, 1122, 1130, 1138, 1145, 1172, 1200, 307, 308, 568 and 849, and HB 3733 (15 days to report to the Committee on Ways and Means)

Financial Institutions and Consumer Protection: Senate Bills 124, 778, 975, 976, 978, 980, 981, 1008, 1009, 1012, 1039 and 1109 (10 days to report to the Committee on Commerce and Licensed Businesses)

Licensed Businesses: Senate Bills 923, 931, 941, 957, 979, 982, 983, 1014, 1023, 1044, 1070, 1085 and 1110, and HB 1288 (10 days to report to the Committee on Commerce and Licensed Businesses)

SB 960 was referred to the Select Committee of the Commerce and Licensed Businesses Committee.

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

SB 263 with 2 amendments SB 265 with 2 amendments
SB 264 with 6 amendments CS for SB 7 with 1 amendment

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

EDWIN G. FRASER
Secretary of the Senate

The bills were ordered enrolled.

Your Engrossing Clerk to whom was referred—

SB 128 with 1 amendment SB 535 with 2 amendments
SB 221 with 1 amendment SB 558 with 2 amendments
SB 281 with 1 amendment SB 573 with 1 amendment
SB 305 with 3 amendments SB 580 with 6 amendments
SB 383 with 2 amendments SB 602 with 3 amendments
SB 497 with 1 amendment

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

EDWIN G. FRASER
Secretary of the Senate

The bills were certified to the House.

ENROLLING REPORTS

Your Enrolling Clerk to whom was referred—

SB 34 SB 401 SB 542
SB 248 SB 403

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on May 4, 1970.

EDWIN G. FRASER
Secretary of the Senate

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Hollahan, the rules were waived and the Committee on Governmental Organization was granted an additional 15 days for the consideration of Senate Bills 159, 208, 398, 146, 684, 687, 691, 704, 737, 739, 741, 798, 800, 787, 844, 863, 869, 890 and 891.

On motion by Senator de la Parte, the rules were waived and the Committee on Health, Welfare, and Institutions was granted an additional 14 days for the consideration of Senate Bills 16, 123, 246, 268, 296, 420, 492, 501, 545, 562, 712, 701, 770, 784, 818, 889, 895 and 899.

On motion by Senator Barrow, the rules were waived and the Committee on Commerce and Licensed Businesses was granted an additional 10 days for the consideration of all bills now in the Committee with the exception of SB 610.

On motion by Senator Ducker, by two-thirds vote, SB 96 was withdrawn from the Committee on Education and from the Senate.

On motion by Senator Johnson, by two-thirds vote, SB 1105 was withdrawn from the Committee on Commerce and Licensed Businesses and from the Senate.

On motions by Senator Chiles, by two-thirds vote, Senate Bills 380, 430, 423 and 271 were withdrawn from the Committee on Ways and Means.

On motion by Senator Chiles, the rules were waived and the Committee on Ways and Means was granted an additional 10 legislative days for the consideration of Senate Bills 24, 32, 59, 65, 69, 81, 86, 97, 129, 134, 165, 168, 178, 189, 190, 193, 199, 200, 201, 203, 218, 219, 234, 237, 238, 242, 250, 258, 259, 274, 275, 286, 287, 295, 311, 317, 318, 319, 341, 346, 353, 366, 377, 380, 381, 382, 392, 394, 395, 399, 400, 422, 423, 425, 430, 439, 444, 451, 452, 453, 468, 477, 488, 490, 506, 517, 520, 529, 536, 537, 577, 579, 586, 593, 594, 624, 626, 638, 639, 641, 673, 674, 675, 699, 702, 703, 714, 719, 742, 762, 764, 776, 777; HB 352 and CS for HBs 178 and 241.

On motion by Senator Knopke, the rules were waived and the Committee on Natural Resources and Conservation was granted an additional 10 days for the consideration of Senate Bills 707 and 817 and HB 1125

On motion by Senator Gunter, by two-thirds vote, SR 785 was withdrawn from the Committee on Rules and Calendar, and from the Senate.

On motion by Senator Reuter, by two-thirds vote, SB 695 was withdrawn from the Committee on Transportation and from the Senate.

On motion by Senator Ott, the rules were waived and the Committee on Judiciary was granted an additional 10 days for the consideration of

SB 713 and CS for SB 29

By direction of the President, the Secretary read the following—

MESSAGE FROM THE GOVERNOR

Honorable John E. Mathews April 30, 1970
President of the Senate
The Capitol

Dear Mr. President:

It is my pleasure to inform the Senate of the following appointment and respectfully request confirmation thereof:

Mr. E. W. Hopkins, Jr., Pensacola, Florida, to the Board of Regents. He succeeds Mr. Pat Dodson, who has resigned. The term ending date is January 1, 1978.

Sincerely,
CLAUDE R. KIRK, JR.
Governor

Which was referred to the Committee on Education.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable John E. Mathews, Jr. May 1, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendments to HB 153, HB 938.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. April 28, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed Representatives Lewis, Pratt, James, Dubbin and Fleece as a Conference Committee to confer with the like committee on the part of the Senate to adjust the differences on House amendment to SJR 171.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. May 5, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 583.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. May 1, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has adopted SCR 791.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The bills contained in the above messages were ordered enrolled.

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

May 4, 1970

Sir:

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

By the Committee on Public Lands & Parks—

CS for CS for HB 634—A bill to be entitled An act relating to the bureau of beaches and shores, coastal construction; amending chapter 161, Florida Statutes, by adding section 161.052; providing a set-back line for coastal construction and excavation; providing for the granting of permits and approval of variances by the department of natural resources; authorizing more strict local requirements; providing penalties; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for CS for HB 634, contained in the above message, was read the first time by title and referred to the Committee on Natural Resources and Conservation.

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

May 5, 1970

Sir:

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

By the Committee on Public School Education—

CS for HB 3895—A bill to be entitled An act relating to vocational education; requiring each school district and each junior college to employ a director of vocational education; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 3895, contained in the above message, was read the first time by title and referred to the Committee on Education.

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

May 4, 1970

Sir:

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

By the Committee on Conservation—

HB 2905—A bill to be entitled An act relating to repealing the authorization for fees and mileage paid to the game and fresh water fish commission for arrests by its officers; repealing section 372.318, Florida Statutes; amending section 372.72, Florida Statutes, relating to disposition of fines and forfeitures; providing an effective date.

By the Committee on Crime & Law Enforcement—

CS for HB 763—A bill to be entitled An act relating to shoplifting; amending Section 811.022, Florida Statutes, by adding new subsections (1) and (2); renumbering present subsections (1), (2) and (3) as subsections (3), (4) and (5); providing penalties for 1st, 2nd and 3rd offense of shoplifting; providing for what constitutes prima facie evidence of concealment on premises; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 2905, contained in the above message, was read the first time by title and referred to the Committees on Natural Resources and Conservation and Ways and Means.

CS for HB 763, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

The Honorable John E. Mathews, Jr. May 5, 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 Public School Education—

CS for HB 3892—A bill to be entitled An act relating to vocational instruction; providing for regulations requiring offering of practical job-related instruction in each school district; providing minimum requirements for district programs; providing for provisional certification of instructors; providing for funding; providing an effective date.

By Representative Crider—

HB 328—A bill to be entitled An act relating to the writ of attachment; amending section 76.01, Florida Statutes, to subject patents and copyrights to attachment; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 3892, contained in the above message, was read the first time by title and referred to the Committees on Education and Ways and Means.

HB 328, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

The Honorable John E. Mathews, Jr. May 5, 1970
President of the Senate

Sir:

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

By the Committee on Public School Education—

CS for HB 3897—A bill to be entitled An act relating to education; amending section 228.041 (26), Florida Statutes; providing a definition of vocational education; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 3897, contained in the above message, was read the first time by title and referred to the Committee on Education.

The Honorable John E. Mathews, Jr. May 1, 1970
President of the Senate

Sir:

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

By Representative Chapman and others—

HCR 4605—A concurrent resolution recognizing May 1, 1970 as Law Day in Florida.

WHEREAS, the Legislature of the state of Florida is dedicated to the ideals of equality and justice under law, and

WHEREAS, for two centuries our nation has looked to laws and courts for redress of grievances and protection of lives, liberties, and individual rights, and

WHEREAS, this Legislature is dedicated to the concept of an orderly society governed by law,

NOW, THEREFORE,

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

That May 1, 1970 is hereby declared Law Day in Florida;

BE IT FURTHER RESOLVED that the Legislature of the State of Florida urge all Floridians, in observing this 13th Annual Law Day in the United States, to rededicate themselves to the ideal of a government of law and not of men.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 4605, contained in the above message, was read the first time in full. On motion by Senator Friday, the rules were waived and HCR 4605 was read the second time by title, adopted and certified to the House. The vote was: Yeas—36 Nays—None

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| Mr. President | de la Parte | Karl | Sayler |
| Askev | Ducker | Knopke | Slade |
| Barron | Friday | Lane | Stolzenburg |
| Beaufort | Gong | Myers | Stone |
| Bell | Gunter | Ott | Thomas |
| Bishop | Henderson | Plante | Trask |
| Chiles | Hollahan | Poston | Weber |
| Daniel | Horne | Reuter | Williams |
| Deeb | Johnson | Saunders | Wilson |

RESOLUTIONS ON SECOND READING

SCR 732—A concurrent resolution adopting the world wheelchair symbol as the state of Florida's physically handicapped symbol.

WHEREAS, there is an urgent need to adopt an internationally accepted symbol to indicate facilities accessible to the physically handicapped; and

WHEREAS, the wheelchair symbol has been adopted for use around the world by rehabilitation international's eleventh world congress, and

WHEREAS, the wheelchair symbol is easily recognized by the physically handicapped, and

WHEREAS, no such standard symbol has been adopted by the state of Florida, NOW, THEREFORE,

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

That the state of Florida adopt the following figure as its physically handicapped symbol which shall be prominently displayed at all entrances to public property and buildings which provide facilities for the physically handicapped.



Be It Further Resolved that the private use of this symbol shall be encouraged.

Was taken up and read the second time in full.

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

Line 9, page 1, strike "physically handicapped" and insert wheelchair user

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

Line 6, page 1, strike "physically handicapped" and insert wheelchair user

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

Line 14, page 1, strike "physically handicapped" and insert the following: wheelchair user

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

Line 20, page 1, strike "physically handicapped" and insert wheelchair user

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

Line 23, page 1, strike "physically handicapped" and insert wheelchair user

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

Line 21, page 1, strike "all" and insert main

On motion by Senator Bell, SCR 732 as amended was adopted and certified to the House. The vote was: Yeas—38 Nays—None

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

SR 443—A resolution encouraging state agencies and institutions to expand research leading to the development of effective biological and integrated controls of pest organisms as substitutes for the use of DDT and other persistent pesticides; encouraging agencies and institutions desiring to undertake such research to request money to carry out such projects.

WHEREAS, the use of certain persistent chlorinated hydrocarbons as pesticides presents hazards to human life and to the native plant and animal life of the State of Florida, and

WHEREAS, the continued use of persistent chemicals such as dichloro-diphenyl-trichloro-ethane, commonly known as DDT, and chlordane, heptachlor, dieldrin, aldrin, endrin, and others, poses a severe threat to our environment if permitted to go unchecked in the future, and

WHEREAS, there is urgent need for research to develop effective biological and integrated controls of pest organisms as substitutes for the use of persistent pesticides, NOW, THEREFORE,

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

That the department of air and water pollution control, the department of natural resources, the division of health of the department of health and rehabilitative services, the department of agriculture and consumer services, the water resources research center at the University of Florida, the game and fresh

water fish commission, and the state institutions of higher learning including but not limited to the University of Florida, Florida State University, the University of South Florida, as well as all other affected state agencies and institutions, expand their research activities leading to the development of biological and integrated controls of pest organisms as substitutes for the use of persistent and other dangerous pesticides.

BE IT FURTHER RESOLVED that state agencies and institutions are encouraged to make specific requests in their proposed budgets for the purpose of undertaking research leading to effective pesticide control substitutes.

Was taken up and read the second time in full. On motion by Senator Ducker, SR 443 was adopted. The vote was: Yeas—38 Nays—None

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

SCR 1071—A concurrent resolution commending Mike Levesque for his outstanding leadership in organizing a Rally for Decency and for being recognized by the Freedom Foundation.

WHEREAS, in these days of unrest and turmoil among our nation's youth as often manifested by protest marches, sit-ins, and other un-American forms of public intimidation, it is refreshing to find a youth who is willing to speak out and stand up for America, and

WHEREAS, while other youths are promoting unrestricted freedom of speech, free love, public obscenity, and degenerations which would corrupt America from within, a young voice cried out for decency, patriotism, and the American way of life, and

WHEREAS, as a result of this rallying cry for decency and the organizational efforts of an outstanding young man of 17 years, Mike Levesque, 36,000 persons attended a Rally for Decency in Miami on March 23, 1969, and

WHEREAS, as a result of his efforts in organizing this Decency Rally and speaking up for the virtues that made America what it is today, Mike Levesque was granted the highest award of the Freedom Foundation of Valley Forge, joining the ranks of such estimable patriots as J. Edgar Hoover, astronaut John Glenn, and Walt Disney, and

WHEREAS, Mike Levesque is the youngest person ever so honored by the Freedom Foundation, and

WHEREAS, such outstanding accomplishments in the name of decency, morality, and patriotism are deserving of legislative recognition, NOW, THEREFORE,

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

That Mike Levesque is hereby recognized and commended for his outstanding contributions to Florida and the nation in organizing and promoting the Rally for Decency, held in Miami on March 23, 1969, and is further congratulated for his award from the Freedom Foundation of Valley Forge.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the Speaker of the House of Representatives and the President of the Senate with the great seal of the State of Florida attached, be presented to Mike Levesque as a tangible token of the sentiments expressed herein and a lasting symbol of the appreciation and gratitude of his fellow Floridians.

Was taken up and read the second time in full. On motion by Senator Poston, SCR 1071 was adopted and certified to the House. The vote was: Yeas—38 Nays—None

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| Mr. President | Beaufort | Daniel | Friday |
| Askew | Bell | Deeb | Gong |
| Bafalis | Bishop | de la Parte | Gunter |
| Barron | Chiles | Ducker | Henderson |

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| Hollahan | Myers | Saylor | Trask |
| Horne | Ott | Shevin | Weber |
| Johnson | Plante | Slade | Williams |
| Karl | Poston | Stolzenburg | Wilson |
| Knopke | Reuter | Stone | |
| Lane | Saunders | Thomas | |

SCR 926—A concurrent resolution requesting the Domestic Names Committee, Board of Geographic Names, United States Department of the Interior to name certain islands in honor of Arthur Britton Edwards.

WHEREAS, the late Arthur Britton Edwards, born October 2, 1874, on the mainland shore of Sarasota Bay when the area was truly Florida frontier, was closely associated for his life span of ninety-five years with the growth and development of Sarasota County and was a leader in its creation from Manatee County in 1921, and

WHEREAS, Mr. Edwards held many positions of public trust, both elective and appointive, in Sarasota County, including that of first Mayor of the incorporated City of Sarasota, and

WHEREAS, Mr. Edwards' long tenure on the Florida Board of Forestry and Parks as well as his charter membership in the Sarasota County Fish and Game Association are but small examples of his love for our natural assets, and

WHEREAS, Mr. Edwards owned for many years until his death in 1969 a grouping of unoccupied and undeveloped islands in Roberts Bay to the south of the city limits of the City of Sarasota and held great dreams for them, either for their orderly development or for a water-orientated park for the use of the public, and

WHEREAS, it is deemed appropriate by the Legislature of the State of Florida to name these certain islands the Edwards Islands in appreciation and respect to the late Arthur Britton Edwards for his outstanding and momentous service to the community and to preserve his name geographically in the area so dear to him during his long and fruitful life, NOW, THEREFORE,

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

Section 1. That it is hereby determined that certain islands located within Sarasota County in Roberts Bay be named the Edwards Islands as a fitting memorial to a distinguished citizen.

Section 2. That the Domestic Names Committee, Board of Geographic Names, U. S. Department of the Interior, Washington, D. C., be requested to so name these islands lying described as follows:

From the NE corner of Section 1, run west 350 feet; thence south 178 feet to the POB; from the POB, west 112 feet; thence south 21°27' W 859 feet; thence south 32°44' W 900 feet; thence south 56°45' E 252 feet; thence north 55°25' E 893 feet; thence north 20°49' E 320 feet; thence north 2°34' E 148 feet; thence north 11°43' W 756.03 feet to the POB. Begin at the NE corner of Section 1-37-17; run west 100 feet; thence south 36°01' W 145 feet; thence S 6°27' E 872 feet; thence south 89° 41' E 869 feet; thence north 59°56' E 278 feet; thence north 34°13' E 1026.8 feet; thence west 1599.61 feet to the POB, LESS easement to West Coast Inland Navigation District also in 1-37-17.

Section 3. That the Domestic Names Committee, Board of Geographic Names, U. S. Department of the Interior, Washington, D. C., is hereby requested to consider favorably the naming of said islands in Sarasota County and to take the necessary and proper steps to effectuate same.

Section 4. That the Domestic Names Committee, Board of Geographic Names, U. S. Department of the Interior, Washington, D. C., is hereby respectfully requested to notify Sarasota County at the earliest possible date as to the disposition of this matter and to inform Sarasota County and the State of Florida as to what if any other action will be necessary and proper to name said islands the Edwards Islands.

Section 5. That certified copies of this resolution be forwarded to the appropriate federal and state agencies.

Was taken up and read the second time in full. On motion by Senator Henderson, SCR 926 was adopted and certified to the House. The vote was: Yeas—38 Nays—None

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| Mr. President | de la Parte | Knopke | Slade |
| Askew | Ducker | Lane | Stolzenburg |
| Bafalis | Friday | Myers | Stone |
| Barron | Gong | Ott | Thomas |
| Beaufort | Gunter | Plante | Trask |
| Bell | Henderson | Poston | Weber |
| Bishop | Hollahan | Reuter | Williams |
| Chiles | Horne | Saunders | Wilson |
| Daniel | Johnson | Saylor | |
| Deeb | Karl | Shevin | |

SCR 1205—A Concurrent Resolution in Commendation Apollo XII Astronauts USN Captain Charles Conrad, Jr., USN Captain Alan L. Bean and USN Captain Richard F. Gordon, Jr.

WHEREAS, by dint of knowledge and training thoroughly acquired, the exercise of exceptional skill and the maintenance of a perfect poise and command of self at all times, Astronauts Conrad, Bean and Gordon brought to a successful conclusion the Apollo XII mission of November 14-24, 1969—man's second lunar surface landing, and

WHEREAS, this great feat of these brave men, accomplished in full knowledge of possible dire consequences, and their resultant contribution to the world of science, must needs engender for them in the minds of all well ordered people of the earth a high esteem and eternal gratitude, and

WHEREAS, the respective members of these legislative Bodies are especially cognizant of the genuine dedication and heroic efforts exhibited by this valiant three-man crew of Apollo XII, and would for the inspiration of posterity recount the achievements of each and attest to the high regard entertained for them separately and collectively, NOW, THEREFORE,

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

That this Concurrent Resolution be inscribed upon the Journals of the respective Houses of this Legislature as a permanent record—

IN COMMENDATION
 ASTRONAUT CHARLES CONRAD, JR.
 Captain, USN
 ASTRONAUT ALAN L. BEAN
 Captain, USN
 ASTRONAUT RICHARD F. GORDON, JR.
 Captain, USN

ASTRONAUT CONRAD was born June 2, 1930, at Philadelphia, Pennsylvania, and married the former Jane DuBose of Uvalde, Texas. Their children are Peter, Thomas, Andrew and Christopher. He attended primary and secondary schools in Haverford, Pennsylvania and New Lebanon, New York; received from Princeton University a B.S. degree in Aeronautical Engineering in 1953 and an Honorary Master of Arts degree in 1966. He entered the Navy following graduation and became a naval aviator; attended the Navy Test Pilot School at Patuxent River, Maryland, and upon completing that course of instruction was assigned as a project test pilot in the armaments test division there. He also served at Patuxent as a flight instructor and performance engineer at the Test Pilot School, and was selected as an astronaut by NASA in September 1962. In August 1965, he served as pilot on the 8-day Gemini 5 flight. He and command pilot Gordon Cooper were launched into orbit on August 21 and proceeded to establish a new space endurance record of 190 hours and 56 minutes. The flight, which lasted 120 revolutions and covered a total distance of 3,312,993 statute miles, was terminated on August 29, 1965. It was on this flight that the United States took the lead in manhours in space. On September 12, 1966, he occupied the command pilot seat for the 3-day 44-revolution Gemini 11 mission. He executed orbital maneuvers to rendezvous and dock in less than one orbit with a previously launched Agena and piloted Gemini 11 through two periods of extravehicular activity performed by pilot Richard Gordon. Other highlights of the flight included the retrieval of a nuclear emulsion experiment package during the first EVA; establishing a new world space altitude record of 850 statute miles; the successful completion of the first tethered station-keeping exercise, in which artificial gravity was produced; and the successful completion of the first fully automatic controlled reentry. The flight was concluded on September 15, 1966, with the

spacecraft landing in the Atlantic—two and one-half miles from the prime recovery ship USS GUAM. He was subsequently assigned as the backup commander for the Apollo IX flight. He is a Member of the American Institute of Aeronautics and Astronautics and the Society of Experimental Test Pilots, and has been Awarded two Distinguished Flying Crosses, two NASA Exceptional Service Medals, and the Navy Astronaut Wings; recipient of Princeton's Distinguished Alumnus Award for 1965, the U.S. Jaycee's 10 Outstanding Young Men Award in 1965, and the American Astronautical Society Flight Achievement Award for 1966. He has logged more than 4,000 hours flight time, with more than 3,000 hours in jet aircraft; and has completed three space flights, logging a total of 506 hours and 48 minutes in space—of which 7 hours and 45 minutes were spent in EVA.

ASTRONAUT BEAN was born in Wheeler, Texas, March 15, 1932, and married the former Sue Ragsdale of Dallas, their children are Clay A. and Amy Sue. He is a graduate of Paschal High School, Fort Worth, Texas, and received a B.S. degree in Aeronautical Engineering from the University of Texas in 1955. A Navy ROTC student, he was commissioned upon graduation. Upon completing his flight training, he was assigned to Attack Squadron 44 at the Naval Air Station in Jacksonville, Florida, for four years. He then attended the Navy Test Pilot School at Patuxent River, Maryland. Upon graduation he was assigned as a test pilot at the Naval Air Test Center, Patuxent River, where he flew all types of naval aircraft—jet, propeller, and helicopter models—to evaluate their suitability for operational Navy use. He participated in the initial trials of both the A5A and A4E jet attack airplanes. He attended the school of Aviation Safety at the University of Southern California and was next assigned to Attack Squadron 172 at Cecil Field, Florida, as an A-4 light jet attack pilot. He is a member of the Society of Experimental Test Pilots and Delta Kappa Epsilon. He was one of the third group of astronauts named by NASA in October 1963. He served as backup command pilot for the Gemini 10 mission and as backup lunar module pilot for the Apollo IX mission. During his career, he has flown 27 aircraft and logged more than 3,778 hours flying time—including 3,212 hours in jet aircraft, and has completed one space flight, logging a total of 244 hours and 36 minutes—of which 7 hours and 45 minutes was spent in EVA.

ASTRONAUT GORDON was born October 5, 1929 at Seattle, Washington, and married the former Barbara J. Field of Seattle. Their children are Carleen, Richard, Lawrence, Thomas, James and Diane. He is a graduate of North Kitsap High School, Paulsbo, Washington and received a B.S. degree in chemistry from the University of Washington in 1951. A Navy Captain, he received his wings as a naval aviator in 1953. He then attended All-Weather Flight School and jet transitional training and was subsequently assigned to an all-weather fighter squadron at the Naval Air Station at Jacksonville, Florida. In 1957, he attended the Navy's Test Pilot School at Patuxent River, Maryland, and served as a flight test pilot until 1960. During this tour of duty, he did flight test work on the F8U Crusader, F11F Tigercat, FJ Fury, and A4D Skyhawk and was the first project test pilot for the F4H Phantom II. He served with Flight Squadron 121 at the Miramar, California, Naval Air Station as a flight instructor in the F4H and participated in the introduction of that aircraft to the Atlantic and Pacific fleets. He was also flight safety officer, assistant operations officer, and ground training officer for Fighter Squadron 96 at Miramar. Winner of the Bendix Trophy Race from Los Angeles to New York in May 1961, he established a new speed record of 869.74 miles per hour and a transcontinental speed record of 2 hours and 47 minutes. He was also a student at the U. S. Naval Postgraduate School at Monterey, California. He was one of the third group of astronauts named by NASA in October 1963. He served as backup pilot for the Gemini 8 flight. On September 12, 1966, he served as pilot for the 3-day Gemini 11 mission—on which rendezvous with Agena was achieved in less than one orbit. He executed docking maneuvers with the previously launched Agena and performed two periods of extravehicular activity which included attaching a tether to the Agena and retrieving a nuclear emulsion experiment package. Other highlights accomplished by Gordon and command pilot Charles Conrad on this flight included the successful completion of the first tethered station-keeping exercise, establishment of a new altitude record of 850 miles, and completion of the first fully automatic reentry. The flight was concluded on September 15, 1966, with the spacecraft landing in the Atlantic—two and one-half miles from the prime recovery ship USS GUAM. Gordon was subsequently assigned as backup command module pilot for Apollo IX. He is a member of the Society of Experimental Test Pilots, and has been awarded two Distinguished Flying Crosses, the NASA Exceptional Service Medal,

and the Navy Astronaut Wings. He has logged more than 4,038 hours flying time—3,308 hours in jet aircraft, and has completed two space flights, logging a total of 315 hours and 53 minutes in space—2 hours and 44 minutes of which were spent in EVA.

On man's second lunar landing mission on November 14-24, 1969, were Spacecraft Commander of Apollo XII Charles Conrad, Jr., Command Module Pilot Richard F. Gordon and Lunar Module Pilot Alan L. Bean. In accomplishing all of the mission's objectives, the Apollo XII crew executed the first precision lunar landing, bringing their lunar module, "Intrepid," to a safe touchdown in the moon's Ocean of Storms; and performed the first lunar traverse deploying the Apollo Lunar Surface Experiment Package (ALSEP 1), installing a nuclear power generator station which would provide the power source for these long-term scientific experiments, gathering geologic samples of the lunar surface for return to earth, and completing a close up inspection of the Surveyor III spacecraft. Throughout the 31-hour lunar surface stay by Astronauts Conrad and Bean, Astronaut Richard Gordon remained in lunar orbit aboard the command module, "Yankee Clipper," obtaining desired mapping photographs of tentative landing sites for future missions. He also performed the final re-docking maneuvers following the successful lunar orbit rendezvous which was initiated by Astronauts Conrad and Bean from within "Intrepid" after their ascent from the moon's surface.

The Apollo XII mission lasted 244 hours and 36 minutes and was concluded with a Pacific splashdown and subsequent recovery operations by the USS HORNET.

BE IT FURTHER RESOLVED that a copy of this Concurrent Resolution duly attested by the President and Secretary of the Senate and the Speaker and the Clerk of the House of Representatives under the Great Seal of the State of Florida be presented to Astronauts Charles Conrad, Jr., Alan L. Bean and Richard F. Gordon, Jr., together with assurance of the high honor in which they are held by the members of these legislative Bodies, and the deep sense of gratitude for the manifold sacrifices of their respective families in this invaluable service to the people of the world.

Was taken up and read the second time in full. On motion by Senator Johnson SCR 1205 was adopted and certified to the House. The vote was: Yeas—38 Nays—None

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

HCR 3119—A concurrent resolution requesting the Postmaster General of the United States to issue a commemorative postage stamp in 1971 marking the sesquicentennial of 1821, the year Andrew Jackson took possession of Florida for the United States from Spain.

WHEREAS, on the twenty-second day of February 1819, emissaries of the President of the United States of America and of the King of Spain effected a treaty whereby Spain ceded the Territory of Florida to the United States of America, for and in consideration of the sum of five million dollars, and

WHEREAS, two years thereafter, ratification of the treaty was mutually concluded by the two nations, and

WHEREAS, the President of the United States of America, on the third day of March 1821, appointed General Andrew Jackson as the first Governor of Florida under American rule, and

WHEREAS, having received formal surrender of the last portion of the territory remaining in Spanish control, Governor Andrew Jackson officially accepted the Territory of Florida from Spanish authorities on behalf of the United States of America on the seventeenth day of July 1821, NOW, THEREFORE,

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

That the legislature of the state of Florida in regular session assembled does hereby request the Postmaster General of the United States to issue a United States commemorative postage stamp in 1971 with the name "Florida" and the dates "1821-1971" imprinted thereon.

Was taken up and read the second time in full. On motion by Senator Horne, HCR 3119 was adopted and certified to the House. The vote was: Yeas—38 Nays—None

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

HCR 4127—A resolution commending the Apollo 13 astronauts, James A. Lovell, Jr., John L. Swigert, Jr., and Fred W. Haise, Jr., for the unparalleled courage displayed by them during the Apollo 13 mission.

WHEREAS, on the eleventh day of April in the year of our Lord 1970, the United States did launch these courageous men aboard a mighty Saturn 5 in the most ambitious space project in the history of mankind, and

WHEREAS, fifty-five hours after the launch of Apollo 13 and almost one quarter million miles from earth the spacecraft was grievously and severely damaged by explosion, and

WHEREAS, this explosion subjected the men of Apollo 13 to grave and incalculable peril in the imponderable vastness of space, and

WHEREAS, the courage displayed by astronauts Lovell, Swigert and Haise in this the most perilous drama in the annals of space flight has brought credit to America and indeed to all mankind, and

WHEREAS, Florida, in concert with the remainder of the United States of America and the rest of the world, awaited in agonizing suspense the safe return of these heroic men, NOW, THEREFORE,

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

That the people of Florida offer sincere commendations to James A. Lovell, Jr., John L. Swigert, Jr., and Fred W. Haise, Jr., for their courageous conduct in the perilous flight of Apollo 13.

Was taken up and read the second time in full. On motion by Senator Johnson, HCR 4127 was adopted and certified to the House. The vote was: Yeas—38 Nays—None

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

HCR 4234—A concurrent resolution commending Judge Martha E. Gore of Sarasota County.

WHEREAS, the richness of a community, a state, or a nation, is measured by the collective strength, deeds, and good of its citizens, and

WHEREAS, among those citizens whose extraordinary gifts have contributed to the greatness of Florida is former Judge Martha E. Gore, in recent years a resident of Nokomis in Sarasota County, and

WHEREAS, Mrs. Gore, a descendant of the pioneer Gardner family which traces its Florida ancestry from 1776, is possessed of a strong sense of love of state, and demonstrated this by her

development of a miniature museum in the former post office at the family home place at Ponce Park, and

WHEREAS, Judge Gore earned her title as presiding judge of the Juvenile Court of Orange County during 1937 through 1941, and was widely acclaimed for her fairness, justice and compassion as a jurist, and

WHEREAS, the Legislature believes merited recognition of outstanding citizens and dedicated public servants should be given while they can enjoy this earned applause, NOW, THEREFORE,

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

That the Legislature of the State of Florida commends the Honorable Martha E. Gore on behalf of the people of the state for her long and distinguished service.

BE IT FURTHER RESOLVED that the distinguished career of Mrs. Gore serve as a symbol of leadership, unselfish interest and boundless energy for all citizens.

BE IT FURTHER RESOLVED that the Secretary of State be requested to furnish a copy of the Resolution, signed by the appropriate officials, to Mrs. Gore.

Was taken up and read the second time in full. On motion by Senator Henderson, HCR 4234 was adopted and certified to the House. The vote was: Yeas—38 Nays—None

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

On motion by Senator Johnson, the rules were waived and the following concurrent resolution was introduced out of order:

By Senator Johnson—

SCR 1305—A concurrent resolution inviting Captain Richard F. Gordon, Jr., Captain Alan L. Bean and Captain Charles Conrad, Jr., members of the Lunar Landing Crew of Apollo XII, to visit the Florida legislature in joint meeting.

WHEREAS, Captain Richard F. Gordon, Jr., Captain Alan L. Bean and Captain Charles Conrad, Jr. successfully executed the Apollo XII mission of November 14-24, 1969, man's second lunar surface landing, and,

WHEREAS, the membership of the Senate and the House of Representatives of the State of Florida in recognition of this great feat would entertain the Apollo XII crew in a Joint Meeting of the House and Senate for the purpose of expressing felicitation, praise and gratitude, NOW, THEREFORE,

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

That the Senate and the House of Representatives convene in Joint Meeting at the call of the President of the Senate and the Speaker of the House, in the Chamber of the House of Representatives, at 1:00 P. M. on Wednesday, May 6, 1970, for the purpose of receiving Captain Conrad, Captain Bean and Captain Gordon.

Was read the first time in full. On motion by Senator Johnson, the rules were waived and SCR 1305 was read the second time by title, adopted, and certified to the House. The vote was: Yeas—37 Nays—None

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| Mr. President | Chiles | Gunter | Lane |
| Askew | Daniel | Henderson | Myers |
| Bafalis | Deeb | Hollahan | Ott |
| Barron | de la Parte | Horne | Plante |
| Beaufort | Ducker | Johnson | Poston |
| Bell | Friday | Karl | Reuter |
| Bishop | Gong | Knopke | Saunders |

Sayler Stone Weber Wilson
Slade Thomas Williams
Stolzenburg Trask

SECOND READING

On motion by Senator Friday, the President appointed Senators Friday, Slade and Horne as a committee to escort Senator Gene Snowden of Indiana, president of the National Society of State Legislators, to the rostrum where he addressed the Senate briefly.

RECONSIDERATION

The President Pro Tempore presiding.

The motion by Senator Scarborough on May 1 that the Senate reconsider the vote by which CS for HB 1269 passed on May 1 was taken up.

Senator Friday presiding.

The President presiding.

The motion failed and the vote was:

Yeas—18

| | | | |
|--------|------------|-------------|-------------|
| Askew | Haverfield | Saunders | Stone |
| Barron | Myers | Scarborough | Weissenborn |
| Bell | Pope | Shevin | Wilson |
| Deeb | Poston | Slade | |
| Gong | Reuter | Stolzenburg | |

Nays—24

| | | | |
|----------|-----------|---------|----------|
| Bafalis | Ducker | Horne | Plante |
| Barrow | Fincher | Johnson | Sayler |
| Beaufort | Friday | Karl | Thomas |
| Broxson | Gunter | Knopke | Trask |
| Chiles | Henderson | Lane | Weber |
| Daniel | Hollahan | Ott | Williams |

On motion by Senator Horne, the following was ordered spread upon the pages of the Journal:

Hello forests, my old friends;
It's good to visit you again.
To scan those fields, hills, streams and lakes—
With teeming fish and game to take,
And know our humble actions now
Have saved your lands majestic.

To watch our youth hike proudly by
With laughing hearts, heads tossed high;
So proud they had worked their way
And had the privilege to pay
To save thy lands majestic.

Our future ages reminisce
While gazing thy primeval bliss.
Childrens' children kneel and pray,
To thank their peers of yesterday
Who saved their lands majestic.

By William Dean Barrow

UNFINISHED BUSINESS

SB 204 with pending amendment by Senator Deeb was taken up.

Senator Barron raised a point of order that the amendment was not germane to the bill because the bill related to the subject of attorneys' fees and the amendment related to rate-making in insurance.

The President appointed Senators Friday, Slade and Horne as a Committee to advise the Chair on the point of order raised by Senator Barron.

On motion by Senator Barron, the rules were waived and further consideration of SB 204 with pending amendment was deferred, the bill retaining its place on the Calendar.

Consideration of SB 60 was deferred, the bill retaining its place on the Calendar.

SB 375 was taken up, together with:

By the Committee on Judiciary—

CS for SB 375—A bill to be entitled An act relating to elections; amending section 99.061(1), (2), and (3), Florida Statutes, as amended by chapter 69-281, Laws of Florida, changing the dates for filing qualification papers and paying fees; amending section 101.62(1), Florida Statutes, to provide that a request for absentee ballot from persons in armed services and Federal personnel shall include the two following regular primaries and general election ballots; providing an effective date.

Which was read the first time by title and SB 375 was laid on the table.

On motions by Senator Askew, the rules were waived and CS for SB 375 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

| | | | |
|---------------|------------|-------------|-------------|
| Mr. President | Ducker | Lane | Stolzenburg |
| Askew | Friday | Myers | Stone |
| Bafalis | Gong | Ott | Thomas |
| Barron | Gunter | Plante | Trask |
| Beaufort | Haverfield | Pope | Weber |
| Broxson | Hollahan | Poston | Williams |
| Chiles | Horne | Sayler | Wilson |
| Daniel | Johnson | Scarborough | |
| Deeb | Karl | Shevin | |
| de la Parte | Knopke | Slade | |

SB 696—A bill to be entitled An act relating to migrant labor; creating the Florida legislative commission on migrant labor and an advisory committee thereto, and providing its composition, duties, and authority; authorizing participation by Florida in the interstate migrant labor compact and setting forth its terms; prescribing the Florida membership of the interstate migrant labor commission created by such compact; providing an effective date.

Was taken up and read the second time by title.

The Committee on Rules and Calendar offered the following amendment which was adopted on motion by Senator Thomas:

In Section 4, line 23, page 4, strike “, recommendations and proposed legislation” and insert and recommendations

Senator Thomas offered the following amendment which was adopted:

In Section 2, line 15, page 3, strike lines 15, 16, and 17 and insert the following: (7) One (1) member representing the Florida Fruit and vegetable association;

(8) One (1) member representing the citrus industrial council;

(9) One (1) member representing the Florida sugar cane league;

(10) One (1) member representing the Florida department of commerce;

(11) Not less than two (2) nor more than four (4) other persons selected and appointed by the commission.

On motion by Senator Thomas, the rules were waived and SB 696 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—39 Nays—None

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

SB 559—A bill to be entitled An act relating to the election code; amending section 103.111(3)(b), Florida Statutes, to provide for election of county executive committee chairman within thirty (30) days after the general election.

Was taken up, having been read the second time by title and deferred on May 1.

Senators Stolzenburg and Bell offered the following amendment which was adopted on motion by Senator Stolzenburg:

Line 17, page 1, strike "within thirty (30) days after the election of the committee members and not less than ten (10) days before the first meeting, notify each member of the committee of the organizational meeting to be held at the county seat." and insert the following: within (5) five days after the election of the committee members notify each member of the committee of an organizational meeting to be held at the county seat within ten (10) days after the second primary election date.

Senators Stolzenburg and Bell offered the following amendment which was adopted on motion by Senator Stolzenburg:

In title, line 8, strike "within thirty (30) days after the general election" and insert the following: within ten (10) days after the second primary election.

On motion by Senator Deeb, the rules were waived and SB 559 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—36

| | | | |
|---------------|------------|-------------|-------------|
| Mr. President | Deeb | Karl | Slade |
| Askew | Ducker | Knopke | Stolzenburg |
| Bafalis | Friday | Lane | Stone |
| Barron | Gong | Ott | Thomas |
| Beaufort | Gunter | Plante | Trask |
| Bell | Haverfield | Poston | Weber |
| Bishop | Henderson | Sayler | Weissenborn |
| Broxson | Hollahan | Scarborough | Williams |
| Daniel | Horne | Shevin | Wilson |

Nays—4

| | | | |
|---------|---------|------|--------|
| Fincher | Johnson | Pope | Reuter |
|---------|---------|------|--------|

SB 389 was taken up, having been amended and retained on second reading on May 1. On motion by Senator Barron, the rules were waived and HB 4114, a similar measure, was substituted in lieu thereof.

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 compensable 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.

Was taken up and read the second time by title. On motion by Senator Barron, the rules were waived and HB 4114 was read the third time by title, passed and certified to the House. The vote was: Yeas—35 Nays—None

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|---------------|------------|-------------|-------------|
| Mr. President | Daniel | Karl | Slade |
| Askew | Deeb | Knopke | Stolzenburg |
| Bafalis | Ducker | Lane | Stone |
| Barron | Friday | Ott | Thomas |
| Barrow | Gong | Plante | Trask |
| Beaufort | Haverfield | Reuter | Weissenborn |
| Bell | Hollahan | Sayler | Williams |
| Bishop | Horne | Scarborough | Wilson |
| Broxson | Johnson | Shevin | |

SB 389 was laid on the table.

SB 569 was taken up and, on motion by Senator Stone, the rules were waived and HB 3813, a similar measure, was substituted in lieu thereof.

HB 3813—A bill to be entitled An act to provide that each county, school district municipality, special district and local governmental body of the state of Florida with taxing powers may in conjunction with a bond election held by it pursuant to the requirements of section 12 of Article VII of the Constitution of the State of Florida as revised in 1968 hold an additional bond election in which all qualified electors of such county, school district, municipality, special district or local governmental body shall be entitled to vote on the question of issuing such bonds; to provide that in the event the United States Supreme Court or the Florida Supreme Court shall declare said section 12 of Article VII to be in violation of the United States Constitution that bonds may be issued upon approval by majority vote of all qualified electors and voting freeholders in the separate freeholders election; providing for restrictions on the use of voting machines; and providing an effective date.

Was taken up and read the second time by title.

Senator Stone offered the following amendment which was adopted:

In Section 6, line 32, page 5, strike "May 30, 1970" and insert May 12, 1970.

On motion by Senator Stone, the rules were waived and HB 3813 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—28

| | | | |
|---------------|-------------|----------|-------------|
| Mr. President | de la Parte | Hollahan | Shevin |
| Askew | Fincher | Horne | Slade |
| Bafalis | Friday | Karl | Stone |
| Bell | Gong | Knopke | Thomas |
| Bishop | Gunter | Myers | Weissenborn |
| Daniel | Haverfield | Ott | Williams |
| Deeb | Henderson | Reuter | Wilson |

Nays—8

| | | | |
|----------|---------|--------|-------------|
| Beaufort | Johnson | Plante | Scarborough |
| Ducker | Lane | Pope | Trask |

SB 410—A bill to be entitled An act requiring that insurance proceeds shall inure exclusively to the benefit of the beneficiaries designated in the policy and that the proceeds shall be exempt from the claims of creditors of the insured unless otherwise provided in the policy or a valid assignment thereof; providing for the disposition of insurance proceeds when payable to the estate of or to the insured, his executors, administrators, or assigns; providing that payments as directed in this act shall discharge the insurer from further liability under the policy; and providing an effective date.

Was taken up and read the second time by title. On motion by Senator Karl, the rules were waived and SB 410 was read the third time by title, passed and certified to the House. The vote was: Yeas—36 Nays—None

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|---------------|-------------|---------|-------------|
| Mr. President | de la Parte | Johnson | Scarborough |
| Askew | Ducker | Karl | Shevin |
| Bafalis | Fincher | Knopke | Slade |
| Barron | Friday | Lane | Stone |
| Beaufort | Gunter | Myers | Thomas |
| Bell | Haverfield | Ott | Trask |
| Bishop | Henderson | Plante | Weissenborn |
| Daniel | Hollahan | Pope | Williams |
| Deeb | Horne | Reuter | Wilson |

SB 685—A bill to be entitled An act relating to inspection of school buses; amending section 317.692(2)(a), Florida Statutes; providing requirements for buses with a seating capacity of under twenty-four (24) pupils; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Weissenborn, the rules were waived and SB 685 was read the third time by title, passed and certified to the House. The vote was:

Yeas—38

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

Nays—1

Pope

SB 571—A bill to be entitled An act relating to driver education for minors; amending Section 322.11, Florida Statutes; providing that non-public schools have the same requirements for driver education as public schools; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Weber, the rules were waived and SB 571 was read the third time by title, passed and certified to the House. The vote was: Yeas—36 Nays—None

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|---------------|-------------|----------|-------------|
| Mr. President | de la Parte | Johnson | Shevin |
| Bafalis | Ducker | Knopke | Slade |
| Barron | Friday | Lane | Stone |
| Barrow | Gong | Myers | Thomas |
| Beaufort | Gunter | Ott | Trask |
| Bell | Haverfield | Plante | Weber |
| Bishop | Henderson | Pope | Weissenborn |
| Daniel | Hollahan | Reuter | Williams |
| Deeb | Horne | Saunders | Wilson |

Consideration of SB 617 was deferred, the bill retaining its place on the Calendar.

SB 688—A bill to be entitled An act relating to qualifications of a person applying for a license to practice medicine in this state; amending section 458.05(2)(a), Florida Statutes, permitting application by a person who has declared intention of becoming a citizen of the United States; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Pope, the rules were waived and SB 688 was read the third time by title, passed and certified to the House. The vote was:

Yeas—39

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

Nays—1

Lane

SB 509—A bill to be entitled An act relating to lease of municipal owned lands for nonpublic use; amending section 167.77(1), Florida Statutes, to require such lease only upon competitive bid; providing an effective date.

Was taken up and read the second time by title.

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

In Section (1), line 20, page 1, after "[reasonable rent,] to the highest and best bidder," insert the following: for the particular use the Municipality deems to be the highest and best use

On motion by Senator Thomas, the rules were waived and SB 509 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—39 Nays—None

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|---------------|-----------|----------|-------------|
| Mr. President | Deeb | Karl | Scarborough |
| Askew | Ducker | Knopke | Shevin |
| Bafalis | Fincher | Lane | Slade |
| Barron | Friday | Myers | Stone |
| Barrow | Gong | Ott | Thomas |
| Beaufort | Gunter | Plante | Trask |
| Bell | Henderson | Poston | Weber |
| Bishop | Hollahan | Reuter | Williams |
| Broxson | Horne | Saunders | Wilson |
| Daniel | Johnson | Saylor | |

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

May 4, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has refused to recede and again requests the Senate to concur in House amendment to—

By Senators Poston and Myers—

SB 267—A bill to be entitled An act relating to corporations; amending section 608.09, Florida Statutes, by renumbering present subsection (3) as subsection (4) and adding new subsections (3), (5), and (6); providing that directors of corporations may serve on executive committees in the place of absent or disqualified members of such boards; providing that executive committee meetings may be held by use of various communications systems; protecting members of executive

committees who rely in good faith on the books of account of the corporations or other records of the corporation or reports made to the corporation by its officers, independent certified public accountants, or appraisers; providing an effective date.

—which amendment reads as follows:

On page 1, line 24, strike “All after enacting clause”

Section 1. Subsection (3) of section 608.09, Florida Statutes, is renumbered as subsection (4), and new subsections (3), (5), and (6) are added to said section to read:

608.09 Directors; powers; qualification; executive committee.—

(3) Unless otherwise provided in the certificate of incorporation or bylaws, the board of directors may designate one (1) or more directors as alternate members of any executive committee, who may replace at any meeting of such committee any absent member or member disqualified from voting. The bylaws may provide that in the absence or disqualification from voting of a member of the committee, the member or members thereof present at any meeting and not disqualified from voting, whether or not he or they constitute a quorum, may unanimously appoint another member of the board of directors to act at the meeting in the place of such absent or disqualified member.

(4) Unless otherwise provided in the certificate of incorporation or bylaws, any action of the board of directors or of any committee thereof, which is required or permitted to be taken at a meeting, may be taken without a meeting if written consent to the action signed by all of the members of the board or of the committee, as the case may be, is filed in the minutes of the proceedings of the board or committee prior to the taking of such action.

(5) Where provided in the certificate of incorporation or bylaws, members of the board of directors or an executive committee shall be deemed present at a meeting of such board or committee if a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other, is used.

(6) A member of the board of directors or a member of an executive committee, shall, in the performance of his duties, be fully protected in relying in good faith upon the books of account or other records of the corporation or reports made to the corporation by any of its officers, or by an independent certified public accountant, or by an appraiser selected with reasonable care by the board of directors or executive committee.

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

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Myers, the Senate again refused to concur in the House amendment to SB 267, and the House was again requested to recede therefrom or appoint a Conference Committee on the part of the House to confer with a like committee to be appointed on the part of the Senate to adjust the existing differences on the amendment. The action of the Senate was certified to the House.

The Senate resumed—

SECOND READING

SB 510—A bill to be entitled An act relating to sale or lease of county property by county commissioners; amending section 125.35, Florida Statutes, to authorize lease of county real property on competitive bids; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and SB 510 was read the third time by title, passed and certified to the House. The vote was: Yeas—36 Nays—None

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|---------------|----------|---------|--------|
| Mr. President | Barron | Bell | Daniel |
| Askew | Barrow | Bishop | Deeb |
| Bafalis | Beaufort | Broxson | Ducker |

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| Fincher | Johnson | Poston | Stone |
| Friday | Karl | Reuter | Thomas |
| Gong | Knopke | Saunders | Trask |
| Henderson | Lane | Saylor | Weber |
| Hollahan | Ott | Shevin | Williams |
| Horne | Plante | Slade | Wilson |

SB 442 was taken up, together with:

By the Committee on Natural Resources and Conservation—

CS for SB 442—A bill to be entitled An act relating to public lands, wilderness areas; establishing a state wilderness system; expressing legislative intent; providing definitions; prescribing the method by which the trustees of the internal improvement trust fund shall designate and establish wilderness areas; authorizing adoption of rules and regulations; providing that no lands so designated may be withdrawn except by legislative act; providing that each governmental unit submit recommendations prior to a certain time; providing an effective date.

—which was read the first time by title and SB 442 was laid on the table.

On motions by Senator Ducker, the rules were waived and CS for SB 442 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—35 Nays—None

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| Mr. President | Fincher | Knopke | Scarborough |
| Askew | Friday | Lane | Shevin |
| Barron | Gong | Ott | Slade |
| Barrow | Haverfield | Plante | Thomas |
| Beaufort | Henderson | Pope | Trask |
| Broxson | Hollahan | Poston | Weber |
| Daniel | Horne | Reuter | Williams |
| Deeb | Johnson | Saunders | Wilson |
| Ducker | Karl | Saylor | |

SB 91—A bill to be entitled An act relating to gasoline credit cards; amending chapter 817, Florida Statutes, by adding section 817.621, specifying conditions for charges made by use of gasoline credit cards; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Ducker, the rules were waived and SB 91 was read the third time by title, passed and certified to the House. The vote was: Yeas—37 Nays—None

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|---------------|------------|----------|-------------|
| Mr. President | Deeb | Karl | Shevin |
| Askew | Ducker | Knopke | Slade |
| Bafalis | Fincher | Lane | Thomas |
| Barron | Friday | Myers | Trask |
| Barrow | Gong | Ott | Weissenborn |
| Beaufort | Haverfield | Plante | Williams |
| Bell | Henderson | Poston | Wilson |
| Bishop | Hollahan | Reuter | |
| Broxson | Horne | Saunders | |
| Daniel | Johnson | Saylor | |

Consideration of Senate Bills 408 and 428 was deferred, the bills retaining their places on the Calendar.

SB 553—A bill to be entitled An act relating to workmen's compensation; amending section 440.15(2), Florida Statutes; providing for payment of compensation for temporary total disability during periods of rehabilitation; and providing an effective date.

Was taken up and read the second time by title. On motion by Senator Fincher, the rules were waived and SB 553 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

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|---------------|------------|-------------|-------------|
| Mr. President | Deeb | Karl | Shevin |
| Askew | Ducker | Knopke | Slade |
| Bafalis | Fincher | Lane | Stone |
| Barron | Friday | Myers | Thomas |
| Barrow | Gong | Plante | Trask |
| Beaufort | Haverfield | Poston | Weber |
| Bell | Henderson | Reuter | Weissenborn |
| Bishop | Hollahan | Saunders | Williams |
| Broxson | Horne | Saylor | Wilson |
| Daniel | Johnson | Scarborough | |

SB 554—A bill to be entitled An act relating to workmen's compensation; amending sections 440.03, 440.05 and 440.56(1)

and repealing sections 440.04(1), 440.06, 440.07 and 440.08, Florida Statutes; providing compulsory coverage of employers and employees as defined; and providing an effective date.

Was taken up and read the second time by title.

Senator Ott offered the following amendment which was adopted:

In Section 4, line 12, page 3, strike "440.06,"

Senator Ott also offered the following amendment which was adopted:

In title, line 7, page 1, strike "440.06,"

On motion by Senator Fincher, the rules were waived and SB 554 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—37

| | | | |
|---------------|------------|-------------|-------------|
| Mr. President | Ducker | Knopke | Slade |
| Askew | Fincher | Myers | Stone |
| Bafalis | Friday | Ott | Thomas |
| Barron | Gong | Plante | Trask |
| Barrow | Haverfield | Poston | Weissenborn |
| Bell | Henderson | Reuter | Williams |
| Broxson | Hollahan | Saunders | Wilson |
| Daniel | Horne | Sayler | |
| Deeb | Johnson | Scarborough | |
| de la Parte | Karl | Shevin | |

Nays—2

Bishop Lane

SB 204—A bill to be entitled An act relating to part II of the insurance code; amending section 627.01001(5), Florida Statutes, to provide for attorney fees to an insured or beneficiary of a credit life or credit disability insurance contract; providing an effective date.

Was taken up with pending amendment offered by Senator Deeb.

The select committee composed of Senators Friday, Horne and Slade reported as follows:

Re: Point of order raised by Senator Barron: Is the amendment by Senator Deeb to SB 204 germane to the bill?

Answer: The bill has to do with the subject of attorney fees. The amendment has to do with rate-making in insurance.

Rule 7.1 provides, "No proposition on a subject different from that under consideration shall be admitted under color of amendment." Whether an amendment be germane should be judged from the provisions of its text rather than from the purposes which circumstance may suggest (V, 5783, 5803). The fundamental purpose of amendment must be germane to the fundamental purpose of the bill (VIII, 2911). Examples where such amendments would not be germane: (1) to a bill proposing the admission of one Territory to the Union, an amendment for the admission of another (2) to a bill for the relief of one person, an amendment proposing similar relief for another (3) to a bill to raise revenue by excise tax and a bond issue, an amendment to raise revenue by protective tariff.

We, therefore, conclude and recommend that the point of order is well taken and the amendment is not germane.

The President ruled the point was well taken and the amendment was not germane to the bill.

On motion by Senator Wilson, the rules were waived and SB 204 was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

| | | | |
|---------------|-------------|------------|-------------|
| Mr. President | Bishop | Gong | Myers |
| Askew | Broxson | Haverfield | Ott |
| Bafalis | Daniel | Hollahan | Plante |
| Barron | Deeb | Horne | Poston |
| Barrow | de la Parte | Johnson | Saunders |
| Beaufort | Ducker | Karl | Scarborough |
| Bell | Friday | Knopke | Shevin |

| | | | |
|-------------|--------|-------|----------|
| Slade | Stone | Trask | Williams |
| Stolzenburg | Thomas | Weber | Wilson |

Nays—2

Lane Sayler

On motion by Senator Friday, it was agreed that at the hour of 11:00 a.m., the Senate would take up for consideration House Bills on the Calendar.

SB 408—A bill to be entitled An act relating to telephone companies, municipalities, and counties; requiring them to put into effect the use of the number 911 as a number through which emergency organizations can be contacted; requiring the governing bodies of each county and municipality to take action to implement the use of the number; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Deeb, the rules were waived and SB 408 was read the third time by title, passed and certified to the House. The vote was: Yeas—40 Nays—None

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

SB 428—A bill to be entitled An act relating to mobile home dealers; amending section 320.01(1), F.S., to more definitely define mobile homes; amending section 320.77, F.S., providing for the qualifications and licensing of mobile home dealers; providing for fees; prescribing information to be included in application; requiring a supplemental license for additional places of business; requiring a manufacturer's statement of origin on new trailers or certificate of title on used trailers; requiring certain records to be kept available for examination by the motor vehicle director; providing for suspension or revocation of license, penalties and injunctive powers; requiring a bond or financial statement; creating section 320.8235, F.S., to reflect the applicability of uniform standards code regulations; repealing sections 320.78 through 320.82, F.S.; providing an effective date.

Was taken up and read the second time by title.

The Committee on Commerce and Licensed Businesses offered the following amendment which was adopted on motion by Senator Friday:

In Section 1, line 25, page 1, strike all of Section 1 and insert the following:

Section 1. Subsection (1) of section 320.01, Florida Statutes, is amended to read:

(Substantial rewording of subsection. See section 320.01, Florida Statutes, for present text.)

320.01 Definitions, general.— In construing these statutes, where the context permits, the word, phrase or term:

(1) "Motor vehicle" includes:

(a) Automobiles, motorcycles, motor trucks, trailers, semi-trailers, tractor trailer combinations, and all other vehicles operated over the public streets and highways of this state and used as a means of transporting persons or property over the public streets and highways and propelled by power other than muscular power, but does not include traction engines, road rollers and such vehicles as run only upon a track.

(b) Vehicles designed and equipped to provide living and sleeping facilities for use as a home, residence or apartment and for operation over the streets and highways of the state and shall consist of:

1. Mobile homes, trailer coaches, travel trailers, house trailers, manufactured upon a chassis or undercarriage as an

integral part thereof without independent motive power drawn by a self-propelled vehicle, and

2. Camper type mobile homes mounted and transported wholly upon the body of a self-propelled vehicle.

The term "mobile homes" refers to all vehicles included in this paragraph (b), and the term "trailer coach" refers to vehicles included in subparagraph 1 of this paragraph (b).

The Committee on Commerce and Licensed Businesses also offered the following amendment which was adopted on motion by Senator Friday:

In Section 2, line 5, page 7, strike "and name"

On motion by Senator Friday, the rules were waived and SB 428 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—37 Nays—None

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| Mr. President | Ducker | Myers | Stone |
| Askew | Fincher | Ott | Thomas |
| Bafalis | Friday | Plante | Trask |
| Barrow | Haverfield | Poston | Weber |
| Beaufort | Henderson | Reuter | Weissenborn |
| Broxson | Horne | Saunders | Williams |
| Chiles | Johnson | Sayler | Wilson |
| Daniel | Karl | Scarborough | |
| Deeb | Knopke | Shevin | |
| de la Parte | Lane | Stolzenburg | |

SB 407 was taken up, together with:

By the Committee on Health, Welfare, and Institutions—

CS for SB 407—A bill to be entitled An act relating to sanitary sewage disposal units; requiring that future construction of ocean outfalls for sanitary sewage disposal provide for secondary waste treatment and in addition thereto, advanced waste treatment as deemed necessary by the department of air and water pollution control; requiring existing ocean outfalls for sanitary sewage disposal to provide for secondary waste treatment and in addition thereto, advanced waste treatment as deemed necessary by the department of air and water pollution control, by January 3, 1974; providing a penalty; providing an effective date.

—which was read the first time by title and SB 407 was laid on the table.

On motion by Senator Thomas, the rules were waived and CS for SB 407 was read the second time by title.

The Committee on Natural Resources and Conservation offered the following amendment which was adopted on motion by Senator Thomas:

In Section 2, line 3, page 2, strike "Ocean outfalls for sanitary sewage disposal existing" and insert the following: Sanitary sewage disposal treatment plants which discharge effluent through ocean outfalls or disposal wells

The Committee on Natural Resources and Conservation also offered the following amendment which was adopted on motion by Senator Thomas:

In Section 1, line 27, page 1, after the word "outfall" insert the following: or disposal well

The Committee on Natural Resources and Conservation also offered the following amendment which was adopted on motion by Senator Thomas:

In title, line 6, page 1, after the word "outfalls" insert the following: and disposal wells

The Committee on Natural Resources and Conservation also offered the following amendment which was adopted on motion by Senator Thomas:

In title, line 13, page 1, after the word "outfalls" insert the following: and disposal wells

On motion by Senator Thomas, the rules were waived and CS for SB 407 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—41 Nays—None

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

SB 373—A bill to be entitled An act relating to Chapter 253, Florida Statutes; repealing subsection 253.135 (3), Florida Statutes to delete exception provided therein.

Was taken up and read the second time by title.

The Committee on Natural Resources and Conservation offered the following amendment which was adopted on motion by Senator Henderson:

In title, line 5, page 1, strike Chapter 253, Florida Statutes; and insert the following: bulkhead lines in certain counties;

A point of order was called by Senator Daniel and, pursuant to the motion by Senator Friday, the Senate proceeded to the consideration of House Bills on the Calendar.

Further consideration of SB 373 as amended was deferred, the bill retaining its place on the Calendar.

HOUSE BILLS ON SECOND READING

Consideration of HJR 59 was deferred, the bill retaining its place on the Calendar.

HB 388—A bill to be entitled An act relating to workmen's compensation; amending section 440.52, Florida Statutes, subjecting an insurance carrier to suspension or revocation of its authorization to write workmen's compensation insurance for repeatedly failing to comply with its obligations under chapter 440, Florida Statutes; providing for notice and hearing; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Ott, the rules were waived and HB 388 was read the third time by title, passed and certified to the House. The vote was: Yeas—36 Nays—None

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|---------------|-----------|-------------|-------------|
| Mr. President | Daniel | Knopke | Slade |
| Askew | Deeb | Myers | Stolzenburg |
| Bafalis | Ducker | Ott | Stone |
| Barron | Gong | Plante | Thomas |
| Beaufort | Henderson | Poston | Trask |
| Bell | Hollahan | Reuter | Weber |
| Bishop | Horne | Sayler | Weissenborn |
| Broxson | Johnson | Scarborough | Williams |
| Chiles | Karl | Shevin | Wilson |

HB 346—A bill to be entitled An act relating to continuance of certain causes in which a legislator is to appear as a party, witness or as an attorney or in a representative capacity; amending section 11.111, Florida Statutes, to provide that by giving notice, a legislator shall be granted a continuance in any proceeding before courts, municipalities or agencies during periods of committee work required of legislators and travel time before and after; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Bell, the rules were waived and HB 346 was read the third time by title, passed and certified to the House.

Senator Thomas presiding.

The vote was:

Yeas—34

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| Askew | Deeb | Knopke | Slade |
| Bafalis | Ducker | Lane | Stolzenburg |
| Barron | Fincher | Myers | Stone |
| Barrow | Gong | Ott | Trask |
| Beaufort | Gunter | Plante | Weissenborn |
| Bell | Hollahan | Poston | Williams |
| Bishop | Horne | Reuter | Wilson |
| Broxson | Johnson | Saunders | |
| Daniel | Karl | Shevin | |

Nays—5

Chiles Pope Saylor Scarborough
Henderson

HB 371—A bill to be entitled An act relating to burglary, amending section 810.07, F. S., to provide that entering a dwelling house at any time shall be prima facie evidence of intent to commit a misdemeanor in the absence of proof of intent to commit any specific crime; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Shevin, the rules were waived and HB 371 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

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| Askew | Deeb | Johnson | Saylor |
| Bafalis | Ducker | Karl | Scarborough |
| Barron | Fincher | Knopke | Shevin |
| Barrow | Gong | Myers | Slade |
| Beaufort | Gunter | Ott | Stone |
| Bell | Haverfield | Plante | Trask |
| Broxson | Henderson | Pope | Weissenborn |
| Chiles | Hollahan | Poston | Williams |
| Daniel | Horne | Saunders | |

Nays—1

Wilson

HB 372—A bill to be entitled An act relating to burglary; amending sections 810.05 and 810.051, Florida Statutes, making the breaking and entering of an aircraft a crime; establishing penalties therefor; providing an effective date.

Was taken up and read the second time by title.

Senator Broxson offered the following amendment which was adopted:

In Section 2, page 2, strike all of lines 1, 2, 3, 4 until the comma and insert the following: and shall be punished by a fine of not more than \$1,000 or imprisonment for not more than 1 year in the county jail

On motion by Senator Shevin, the rules were waived and HB 372 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

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| Askew | Ducker | Karl | Saylor |
| Bafalis | Fincher | Knopke | Shevin |
| Barron | Friday | Lane | Slade |
| Barrow | Gong | Myers | Stolzenburg |
| Beaufort | Gunter | Ott | Stone |
| Bell | Haverfield | Plante | Thomas |
| Broxson | Henderson | Pope | Trask |
| Chiles | Hollahan | Poston | Williams |
| Daniel | Horne | Reuter | Wilson |
| Deeb | Johnson | Saunders | |

HB 468—A bill to be entitled An act relating to court administration; amending section 43.17, Florida Statutes, relating to money paid into custody of courts; providing that such funds shall be deposited at the highest available interest rate; providing for liquidity of funds; providing for return of net interest proceeds to the general fund of the county.

Was taken up and read the second time by title. On motion by Senator Saylor, the rules were waived and HB 468 was read the third time by title, passed and certified to the House. The vote was:

Yeas—38

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|----------|------------|-------------|-------------|
| Askew | Fincher | Lane | Shevin |
| Bafalis | Friday | Myers | Slade |
| Barron | Gong | Ott | Stolzenburg |
| Barrow | Gunter | Plante | Stone |
| Beaufort | Haverfield | Pope | Thomas |
| Bell | Henderson | Poston | Trask |
| Bishop | Horne | Reuter | Williams |
| Chiles | Johnson | Saunders | Wilson |
| Daniel | Karl | Saylor | |
| Ducker | Knopke | Scarborough | |

Nays—1

Weissenborn

HB 504—A bill to be entitled An act relating to elections; amending section 99.061, Florida Statutes, by adding subsection (5) requiring the secretary of state and the clerks of the circuit courts to notify candidates of errors in qualifying papers and fees; allowing candidates time to correct errors; providing for possible disqualification of candidates; providing an effective date.

Was taken up and read the second time by title.

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

In Section 1, line 26, page 1, strike "twenty-four (24)" and insert seventy-two (72)

On motion by Senator Bell, the rules were waived and HB 504 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

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|----------|------------|--------|-------------|
| Askew | Daniel | Horne | Reuter |
| Bafalis | Deeb | Karl | Saunders |
| Barron | Ducker | Knopke | Saylor |
| Barrow | Fincher | Lane | Scarborough |
| Beaufort | Friday | Myers | Shevin |
| Bell | Gong | Ott | Stone |
| Bishop | Haverfield | Plante | Weissenborn |
| Broxson | Henderson | Pope | Williams |
| Chiles | Hollahan | Poston | Wilson |

Nays—1

Stolzenburg

HB 511—A bill to be entitled An act relating to divorce; amending section 61.041, Florida Statutes, by adding subsection (10); providing as an additional ground for divorce that the parties have lived continuously apart for five (5) years; providing an effective date.

Was taken up and read the second time by title.

Senator Horne offered the following amendment which was adopted:

In title, line 9, strike "five (5)" and insert the following: two (2)

Senator Shevin offered and moved the following amendment:

In Section 1, line 18, page 1, strike: "Voluntarily"

A motion by Senator Mathews failed that consideration of HB 511 be deferred, the bill retaining its place on the Calendar.

Senator Daniel offered and moved the following substitute amendment:

In Section 1, line 20, page 1, following "years." insert the following: Such separation shall have been voluntary on the part of one of the parties to the action.

The President presiding.

Senator Friday presiding.

The President presiding.

The substitute amendment failed.

The question recurred on the amendment offered by Senator Shevin which failed.

Senator Pope offered the following amendment which failed:

Strike all after the enacting clause and insert the following: Any persons by mutual agreement may obtain a divorce and the courts shall adjudicate the financial responsibilities of each party.

Senator Barron offered and moved the following amendment:

In Section 2, line 15, page 1, strike: Section 2 and insert the following: Section 2. Condonation shall not be a defense to divorce.

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

Senator Weissenborn raised a point of order that the amendment was out of order as it was not germane to the bill. The Chair ruled that the point was well taken.

Senators Shevin, Barron and Myers offered the following amendment which was moved by Senator Shevin:

In Section 2, line 15, page 1, renumber Section 2 as Section 3 and insert a new Section 2 to read: Section 2. In any proceedings for divorce under 65.04, F.S., the court, in its discretion, may not require the testimony of corroborating witnesses, prior to the granting of a divorce.

Senator Weissenborn raised a point of order that the amendment was out of order as it was not germane to the bill. The Chair ruled the point was well taken.

On motion by Senator Bell, the rules were waived and HB 511 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—24

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|-------------|----------|-------------|-------------|
| Barron | Gong | Lane | Shevin |
| Bell | Hollahan | Myers | Slade |
| Daniel | Horne | Poston | Stone |
| de la Parte | Johnson | Reuter | Trask |
| Ducker | Karl | Sayler | Weissenborn |
| Fincher | Knopke | Scarborough | Wilson |

Nays—21

| | | | |
|---------------|------------|-------------|----------|
| Mr. President | Broxson | Henderson | Thomas |
| Askew | Chiles | Ott | Weber |
| Bafalis | Deeb | Plante | Williams |
| Barrow | Friday | Pope | |
| Beaufort | Gunter | Saunders | |
| Bishop | Haverfield | Stolzenburg | |

HB 619—A bill to be entitled An act relating to drug abuse; adding subsection 404.01(12), Florida Statutes, to provide that the drugs controlled by the drug abuse laws of the United States, now or in the future, shall also be added to and controlled by this chapter; providing an effective date.

Was taken up and read the second time by title.

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

In Section 1, line 19, page 1, after "shall" insert the following: in addition to the drugs specified by the laws of Florida

On motion by Senator Shevin, the rules were waived and HB 619 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—40 Nays—None

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

HB 625—A bill to be entitled An act relating to the Florida bureau of law enforcement; repealing section 23.087, Florida Statutes; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Shevin, the rules were waived and HB 625 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

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|---------------|-------------|------------|----------|
| Mr. President | Bishop | Gong | Lane |
| Askew | Chiles | Gunter | Myers |
| Bafalis | Daniel | Haverfield | Ott |
| Barron | Deeb | Henderson | Plante |
| Barrow | de la Parte | Hollahan | Poston |
| Beaufort | Ducker | Horne | Reuter |
| Bell | Fincher | Johnson | Saunders |

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| Sayler | Slade | Thomas | Williams |
| Scarborough | Stolzenburg | Trask | Wilson |
| Shevin | Stone | Weber | |

HB 872—A bill to be entitled An act relating to and defining aggravated battery; providing criminal penalties therefor; and prescribing an effective date.

Was taken up and read the second time by title.

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

In Section 1, lines 15 and 16, page 1, strike "or in the county jail not exceeding one year"

On motion by Senator Horne, the rules were waived and further consideration of HB 872 as amended was deferred, the bill retaining its place on the Calendar.

HB 1968—A bill to be entitled An act relating to power of attorney; providing that acts of agents pursuant to power of attorney shall be valid after the principal is declared in a missing status as defined in section 551 of title 37, or section 5561 of title 5, United States Code; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Ott, the rules were waived and HB 1968 was read the third time by title, passed and certified to the House. The vote was: Yeas—40 Nays—None

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

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

SM 750—A memorial requesting that the Congress of the United States and the proper federal agencies enact legislation and adopt rules and regulations establishing means for prevention and control of incidents involving deadly weapons aboard aircraft.

WHEREAS, the number of incidents involving deadly weapons aboard aircraft, including hijacking and attempted hijacking, is increasing at an alarming rate, and

WHEREAS, the potential danger involved when deadly weapons are aboard aircraft is of the utmost seriousness, as witnessed by the incident on the night of Tuesday, March 17, 1970, aboard an Eastern Airlines Boston-to-Newark shuttle flight, in which the pilot of the aircraft was wounded and the co-pilot killed, the weapon involved being a pistol, and

WHEREAS, from the first recorded airline hijacking on May 1, 1961, through November 1969, a total of 140 successful hijackings of aircraft have occurred worldwide, resulting in 91 diversions to Cuba and 49 diversions to other nations, and

WHEREAS, during the same period of time, a total of 42 unsuccessful attempted hijackings of aircraft have occurred worldwide, and

WHEREAS, in the case of successful and unsuccessful aircraft hijackings, more than two thirds of all incidents through November 1969 have involved flights originating in or destined for the State of Florida, and

WHEREAS, the federal aircraft piracy act of 1961 is sufficient law for the prosecution of acts of aircraft hijacking, NOW, THEREFORE,

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

That the Congress of the United States is urgently requested to enact legislation requiring the utilization of deadly weapons detection systems, devices, and other procedures at all airports where commercial passenger transportation is provided, and the Congress is further urged to enact legislation which would authorize and require where necessary airport authorities, airline

officials and law enforcement officials to conduct searches of passengers and luggage so as to prevent and control deadly weapons on commercial passenger aircraft.

BE IT FURTHER RESOLVED that a copy of this resolution be submitted to The Honorable Richard M. Nixon, President of the United States; The Honorable John McCormick, Speaker of the United States House of Representatives; The Honorable Spiro T. Agnew, President of the United States Senate and to the proper committees of both Houses; that copies be forwarded to the honorable members of the Senate and House of Representatives representing the State of Florida in the Congress of the United States; that copies be forwarded to The Honorable Claude R. Kirk, Jr., Governor of Florida; and that copies be forwarded to the governors and the legislatures of the several states.

—which was read the second time in full, adopted, and certified to the House. The vote was: Yeas—43 Nays—None

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

On motion by Senator Friday, by two-thirds vote, House Bills 3841 and 3839 were removed from the local calendar and recommitted to the Committee on Rules and Calendar.

On motion by Senator Friday, by two-thirds vote, HB 4052 was withdrawn from the Committee on Rules and Calendar and re-referred to the Committee on Commerce and Licensed Businesses.

On motion by Senator Chiles, Rule 2.5 was waived and the Committee on Ways and Means was granted permission to consider SB 742 at the scheduled meeting May 6.

On motion by Senator Pope, the rules were waived and the Committee on Transportation was permitted to hold a meeting immediately following adjournment in Committee Room 12.

On motion by Senator Knopke, by two-thirds vote, Senate Bills 1015 and 1018 were also referred to the Committee on Natural Resources and Conservation.

The President announced that on May 7 the Senate would take up for consideration bills on the local calendar.

CO-INTRODUCER

By permission, Senator Shevin was recorded as a co-introducer of Senate Bills 300 and 302.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:35 p.m. to reconvene at 8:30 a.m., Wednesday May 6, 1970.