

JOURNAL OF THE SENATE

Thursday, May 7, 1970

The Senate was called to order by the President Pro Tempore 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.

SB 765 with 1 amendment
SB 779
SB 555 with 1 amendment
SB 656 with 3 amendments

SR 797 with 1 amendment
SB 822
SB 717 with 1 amendment

INTRODUCTION

By Senators Hollahan and Poston—

SB 1478—A Bill to be entitled An act relating to grand jury commissions; in all counties having a population in excess of four hundred fifty thousand (450,000), amending sections 1 and 2 of chapter 57-550, Laws of Florida, 1957; providing that the grand jury commission be composed of the circuit judges of the judicial circuit encompassing the geographical area of the county; providing for a chairman and secretary; providing all laws and parts of laws in conflict herewith be repealed; providing an effective date.

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

The Senate recessed at 8:31 a.m.

The Senate was called to order by the President at 9:00 a.m. A quorum present—47:

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

Excused: Senator Young after 10:30 a.m., Senator Saylor after 12:30 p.m., Senator Lane.

Prayer by Reverend Robert Hartman, pastor of the Davis Island Community Church, Tampa, Florida:

Our Father in heaven, we are thankful for this new day in which we can serve thee. We are thankful for every reminder of your grace and your sufficiency in our lives, and we pray in this great chamber today that your Holy Spirit would be present, would guide and direct in all the decisions, that everything that's said and done might glorify thee. We pray also, Lord, for the new seat that will be filled today, that because of your goodness and your leadership success has been achieved in a family that has been dedicated to public life for a long time. We pray that because of your great goodness and your leadership ability in this young man's life that there would be a seal of your approval upon this day, cap it with your presence. We ask and pray in Jesus holy name, Amen.

The Journal of May 6 was corrected and approved.

The Journal of May 5 was further corrected and approved as follows:

Page 317, counting from the bottom of column 2, line 10, before "election" insert the following: in the separate freeholders

The Journal of May 4 was further corrected and approved as follows:

Page 296, counting from the bottom of column 1, line 17, strike "pensation" and insert position

REPORTS OF COMMITTEES

The Committee on Education recommends the following pass:

The Committee on Insurance recommends the following pass:

SB 1053 with 1 amendment
SB 1054 with 2 amendments

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

SB 1028 with 1 amendment
SB 1098 with 1 amendment

SB 1048 with 3 amendments
SB 1052 with 3 amendments

The Committee on Transportation recommends the following pass: HB 642, SB 958

The Committee on Agriculture recommends the following pass: SB 1025

The Committee on Ways and Means recommends the following pass:

SB 193
SB 203
SB 586
SB 624

SB 1047
SB 1060 with 2 amendments
SB 1080
SB 1104

The Committee on Judiciary recommends the following pass:

HB 94
HB 559
HB 844
HB 1088
HB 1090
HB 1091
HB 1092
HB 1093
SB 335 with 2 amendments

SB 522 with 1 amendment
SB 596
SB 597
SB 598
SB 599
SB 600
SB 755 with 4 amendments
SB 789 with 2 amendments
SB 790

The Committee on Ethics recommends the following pass: Senate Bills 689, 810, 811, 812

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

The Committee on Education recommends the following pass:

SB 144 with 1 amendment
SB 747
SB 763
SB 782

SB 783
SB 855
SB 856 with 1 amendment

The Committee on Natural Resources and Conservation recommends the following pass: SB 1042 with 6 amendments

The Committee on Education recommends the following pass:

SB 179 with 3 amendments
SB 404 with 4 amendments
SB 708

SB 744
SB 745

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

The Committee on Transportation recommends the following pass: SB 821

The Committee on Education recommends the following pass: SB 644

The Committee on Insurance recommends the following pass: SB 1055 with 1 amendment, SB 1059

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

The Committee on Natural Resources and Conservation recommends the following pass: SB 817 with 1 amendment, SB 1093

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

The Committee on Agriculture recommends the following pass: SB 1050

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

The Committee on Education recommends a Committee Substitute for the following: SB 643

The Committee on Ways and Means recommends a Committee Substitute for the following: SB 742

The Committee on Ways and Means recommends the Committee Substitute as recommended by the Committee on Education for the following: Senate Bills 349 and 634 with 2 amendments

The Committee on Judiciary recommends a Committee Substitute for the following: SB 160

The Committee on Judiciary recommends a Committee Substitute for the following: SB 429

The bills with Committee Substitutes attached contained in the foregoing reports were placed on the Calendar.

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 253

The Committee on Education recommends a Committee Substitute for the following: SB 781

The Committee on Transportation recommends a Committee Substitute for the following: Senate Bills 114, 350, 357, 475 and 581

The bills with Committee Substitutes attached contained in the foregoing reports were 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 1011

The bill with Committee Substitute attached was referred to the Committee on Governmental Organization under the original reference.

The Committee on Transportation recommends a Committee Substitute for the following: SB 921

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

The Committee on Transportation recommends the following not pass: Senate Bills 860 and 809, HB 602

The Committee on Education recommends the following not pass:

SB 2	SB 256	SB 666	SB 746
SB 397	SB 664	SB 667	HB 1514
SB 645	SB 665		

The Committee on Agriculture recommends the following not pass: Senate Bills 988 and 892

The Committee on Ethics recommends the following not pass: Senate Bills 613 and 961

The Committee on Judiciary recommends the following not pass:

SB 854	SB 816	SB 866
SB 365	SB 815	SB 177

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

REPORT OF THE COMMITTEE ON RULES AND CALENDAR

The Committee on Rules and Calendar requested the following local bills be removed from the Committee on Rules and Calendar and referred to the Committee on Natural Resources and Conservation as committee of first reference. Pending the favorable report by the Committee on Natural Resources and Conservation the Committee requested these bills be referred to the Committee on Rules and Calendar: House Bills 4188, 4196, 3900, 3899 and 3775

The bills were referred to the Committee on Natural Resources and Conservation.

BILLS REFERRED TO SUBCOMMITTEES

SB 987 withdrawn from State Government Subcommittee

Senate Bills 870 and 871 withdrawn from Appropriations Subcommittee.

Appropriations: Senate Bills 179, 404, 708, 1225, 1242, 1265, 1337, 1350, 1393, 1407 and 1442 (14 days to report to the Committee on Ways and Means)

Taxation: Senate Bills 745, 1208, 1221, 1263, 1274, 1281, 1282, 1310, 1313, 1314, 1339, 1396, 1435, 1441, 1470 and SM 1260 and HB 1596 (14 days to report to the Committee on Ways and Means)

Personnel and Retirement: Senate Bills 744, 1340, 1369, 1382, 1423, 1437, 1476 and House Bills 1689, 1858, 2218 and 2352 (14 days to report to the Committee on Ways and Means)

Select Committee on Claims: Senate Bills 1289 and 1450 (14 days to report to the Committee on Ways and Means)

Senate Bills 687 and 800 withdrawn from Local Government Subcommittee

Law and Order: Senate Bills 1473, 1456, 1376, 1317, 1320, 1327, 1328, 1266, 1268, 1235, 1236, 1217, 1210, 1214 and 1215 (7 days to report to the Committee on Judiciary)

Labor and Industrial Relations: Senate Bills 1475, 1463, 1422, 1440, 1411, 1410, 1383, 1367, 1352, 1346, 1309, 1285, 1286, 1283, 1250 and 1216 (7 days to report to the Committee on Judiciary)

Jurisprudence: Senate Bills 1477, 1419, 1472, 1445, 1418, 1400, 1348, 1335, 1312, 1293, 1301, 1288, 1276, 1259, 1252, 1251, 1241, 1243, 1247, 1222 and 1207 (7 days to report to the Committee on Judiciary)

Mental Health, Retardation and Institutions: SB 1179 (7 days to report to the Committee on Health, Welfare, and Institutions)

Health and Welfare: Senate Bills 1165, 1176, 1170 and 1204 (7 days to report to the Committee on Health, Welfare, and Institutions)

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

SB 428 with 2 amendments	SCR 732 with 6 amendments
SB 509 with 1 amendment	CS for SB 407 with
SB 554 with 2 amendments	4 amendments
SB 696 with 2 amendments	

—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 263	SB 583
SB 264	SCR 791
SB 265	CS for SB 7

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on May 6, 1970.

EDWIN G. FRASER
Secretary of the Senate

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

STATE OF FLORIDA)
DEPARTMENT OF STATE)

I, TOM ADAMS, Secretary of State of the State of Florida, do hereby certify that the following State Senator was elected at the Special General Election held on the 5th day of May, A. D., 1970, as shown by the election returns on file in this office:

District Number Twenty-four DAVID H. McCLAIN



GIVEN under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the 7th day of May, A. D., 1970.

TOM ADAMS
Secretary of State

The oath of office was then administered to Senator McClain by Honorable Campbell Thornal, Justice of the Supreme Court of Florida.

A motion by Senator Thomas failed that SB 617 be removed from the Calendar and referred to an appropriate committee. The vote was:

Yeas—19

Askew	Fincher	Horne	Stone
Bafalis	Friday	Karl	Thomas
Barrow	Gunter	Pope	Trask
Deeb	Haverfield	Scarborough	Williams
de la Parte	Hollahan	Stolzenburg	

Nays—23

Mr. President	Ducker	Myers	Shevin
Bell	Gong	Ott	Slade
Bishop	Henderson	Plante	Weissenborn
Boyd	Johnson	Poston	Wilson
Chiles	Knopke	Reuter	Young
Daniel	McClain	Saylor	

PAIR

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Lane on the foregoing motion.

If he were present he would vote nay and I would vote yea.

Charles H. Weber, 37th District

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator de la Parte, by two-thirds vote, Committee Substitute for SBs 172 and 426 was withdrawn from the Committee on Education.

On motion by Senator Pope, the rules were waived, and a Committee Substitute for Senate Bills 114, 350, 357, 475 and 581 was designated as Committee Substitute for SB 114 (SB 350, 357, 475 and 581) in order for it to be considered only by the committees of reference of SB 114.

On motions by Senator Pope, by two-thirds vote, Senate Bills 350, 357, 475 and 581 were withdrawn from the Committee on Transportation and from the Senate.

On motions by Senator Henderson, by two-thirds vote, Senate Bills 1145 and 927 were withdrawn from the Committee on Ways and Means and from the Senate.

On motion by Senator Reuter, by two-thirds vote, SB 492 was withdrawn from the Committee on Health, Welfare, and Institutions and from the Senate.

On motion by Senator Hollahan, by two-thirds vote, SB 1079 was withdrawn from the Committee on Governmental Organization.

On motion by Senator Stolzenburg, by two-thirds vote, SB 872 was withdrawn from the Committee on Judiciary and from the Senate.

On motion by Senator Knopke, by two-thirds vote, SCR 1371 was withdrawn from the Committee on Natural Resources and Conservation.

On motion by Senator Scarborough, by two-thirds vote, SB 831 was withdrawn from the Committee on Rules and Calendar and from the Senate.

On motion by Senator Horne, by two-thirds vote, SB 118 was withdrawn from the Committee on Judiciary.

On motion by Senator Myers, by two-thirds vote, Senate Bills 978, 979, 980, 981 and 982 were withdrawn from the Committee on Commerce and Licensed Businesses.

On motion by Senator Stone, Rule 2.5 was waived and the Subcommittee on Taxation was granted permission to consider SCR 1172, Senate Bills 1130, 849, 924, CS for SB 114 and HB 259 at the scheduled meeting this day.

On motion by Senator Friday, by two-thirds vote, HB 4052 was withdrawn from the Committee on Commerce and Licensed Businesses and placed on the local calendar.

On motion by Senator Gong, by two-thirds vote, HB 910 was withdrawn from the Committee on Health, Welfare, and Institutions.

On motion by Senator Stolzenburg, SB 559 was recalled from the Engrossing Clerk.

On motion by Senator Stolzenburg, the rules were waived and the Senate immediately reconsidered the vote by which—

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.

—as amended passed on May 5.

Senators Stolzenburg and Bell offered the following amendment which was adopted by a two-thirds vote on motion by Senator Stolzenburg:

In Section 1, lines 17-24, page 1, after the word "shall," on line 17, strike remainder of sentence through word "seat," on line 24 and insert the following: within five (5) 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.

On motion by Senator Stolzenburg, SB 559 as further amended was read by title, passed and ordered engrossed. The vote was:

Yeas—34

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

Nays—4

Fincher	Johnson	Pope	Reuter
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On motion by Senator Askew, by two-thirds vote, SB 1389 was withdrawn from the Committee on Rules and Calendar and placed on the Calendar.

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

SB 1389—A bill to be entitled An act relating to elected public officers; giving definitions; requiring the filing of annual statements of any contributions received and expenditures made from such contributions; providing penalties; providing an effective date.

—which was read the second time by title. On motion by Senator Askew, the rules were waived and SB 1389 was read the third time by title, passed and certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	Deeb	Knopke	Stone
Askew	de la Parte	McClain	Thomas
Bafalis	Ducker	Myers	Trask
Barrow	Friday	Ott	Weber
Beaufort	Gunter	Poston	Weissenborn
Bell	Henderson	Reuter	Wilson
Bishop	Hollahan	Sayler	Young
Boyd	Horne	Shevin	
Chiles	Johnson	Slade	
Daniel	Karl	Stolzenburg	

On motion by Senator Ott, SB 554 was recalled from the Engrossing Clerk.

On motion by Senator Ott, the rules were waived and the Senate immediately reconsidered the vote by which—

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), 440.07 and 440.08, Florida Statutes; providing compulsory coverage of employers and employees as defined; and providing an effective date.

—as amended passed on May 5.

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

In Section 5, lines 14-15, page 3, strike: "This act shall take effect September 1, 1970" and insert the following: Section 440.06, Florida Statutes, is amended to read: 440.06 [When employer rejects chapter—effect] *Failure to secure compensation—effect.*—Every employer who [elects not to operate under this chapter by giving the proper notice as provided in section 440.05] *fails to secure the payment of compensation under this chapter as provided in section 440.38* may not, in any suit brought against him by an employee subject to this chapter to recover damages for injury or death, defend such a suit on the grounds that the injury was caused by the negligence of a fellow servant, nor that the employee assumed the risk of his employment, nor that the injury was due to the contributory negligence of the employee.

Section 6. This act shall take effect September 1, 1970.

Senator Ott also offered the following amendment which was adopted:

In title, lines 5-6, page 1, strike: "and" on line 5 and strike: "440.56(1)" on line 6 and insert the following: , 440.56(1) and 440.06

On motion by Senator Ott, SB 554 as further amended was read by title, passed and ordered engrossed. The vote was: Yeas—38 Nays—None

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

MESSAGES FROM THE GOVERNOR

Honorable John E. Mathews
President of the Senate
The Capitol

May 6, 1970

Dear Mr. President:

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

Mr. Henry V. Dartigalongue, Jacksonville, reappointed to the Pensacola Historical Restoration and Preservation Commission, State of Florida, Department of State. The term ending date is February 9, 1974.

Sincerely,
CLAUDE R. KIRK, JR.
Governor

Which was referred to the Select Committee on Executive Suspensions.

The Governor advised that on May 6 he had transmitted to the Office of Secretary of State SB 266 which will become law without his approval.

The Governor advised that on May 5 he had transmitted to the Office of Secretary of State SB 34 which he had approved.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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 adopted SCR 1305.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

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

May 6, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has adopted SM 230.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

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 SB 345.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

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

May 6, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has adopted SCR 64.

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 5, 1970

Sir:

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

By Senator Ducker—

SB 564—A bill to be entitled An act relating to game and fresh water fish; amending chapter 372, Florida Statutes, by adding section 372.121, providing for control and management of state game lands by the commission; providing for adoption of rules and regulations for state-owned lands and privately-owned lands or waters under certain conditions; providing a penalty.

Which amendment reads as follows:

In Title, on page 1, line 12, after the word "penalty" insert the following: ; providing an effective date

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Ducker, the Senate concurred in the House amendment to SB 564.

SB 564 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—40 Nays—None

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

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

May 6, 1970

Sir:

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

By Representative Reed—

HB 3536—A bill to be entitled An act relating to the state gem; adding section 15.034, Florida Statutes, to designate the "moonstone" as the Florida state gem; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3536, contained in the above message, was read the first time by title. On motion by Senator Friday, the rules were waived and the bill was placed on the Calendar.

On motion by Senator Friday, it was agreed that the Senate would take up for consideration bills on the local calendar at the hour of 12:00 noon.

SECOND READING

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

WHEREAS, Albert DeVane, a lifelong Florida resident, as a young boy became acquainted with a veteran of the Seminole Wars, and later developed a close association with Billy Bowlegs III, and

WHEREAS, as a result of these associations, Albert DeVane developed a deep interest in the history, customs, and folklore of the Seminole Indians and the pioneers of Florida's territorial and early statehood days, and

WHEREAS, Albert DeVane's industry and unquenchable thirst for knowledge have led him to become one of the foremost authorities on Florida's history, contributing significantly through his writings and through the collection and preservation of historical materials, much of which is now irreplaceable, and

WHEREAS, Albert DeVane was director of the Florida Historical Society for two years and was the recipient of the Florida History Award of the Peace River Valley Historical Association, as well as being a regular contributor to the late Honorable D. B. McKay's Pioneer Florida Page of the Tampa Tribune, and

WHEREAS, such outstanding service in the collection and preservation of Florida history is a major contribution to the citizens of this state and is worthy of legislative recognition, NOW, THEREFORE,

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

That Albert DeVane is hereby commended for his outstanding contributions to Florida through his studies, writings, and collections in the field of Florida history and in the history of the Seminole Indians.

BE IT FURTHER RESOLVED that the legislature does hereby express to Albert DeVane the gratitude of the citizens of Florida and of generations to come for providing an excellent collection of the colorful history of our state.

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 Albert DeVane 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 Boyd, SCR 1139 was adopted and certified to the House. The vote was: Yeas—41 Nays—None

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

SR 1351—A resolution recognizing and congratulating the Jacksonville University basketball team, their coaches and staff, for their efforts and achievements.

WHEREAS, the people of the State of Florida have long taken pride in the athletic efforts and accomplishments of teams representing the state, and

WHEREAS, the Jacksonville University basketball team did with an exemplary exhibit of talent, dedication, and courage reach an unprecedented pinnacle of achievement by being the first Florida school to reach the National Collegiate Athletic Association basketball finals and in so doing did receive the highest national ranking ever afforded a team from the State of Florida, and

WHEREAS, by their efforts the Jacksonville University basketball team has brought honor and recognition to the State of Florida and the citizens thereof, and

WHEREAS, the people of the great State of Florida recognize the extraordinary skill, effort and dedication required of all those associated with the Jacksonville University Athletic program which has produced a basketball team of such achievement,

Now, Therefore, Be It Resolved by the Senate of the State of Florida:

That the Senate of the State of Florida in regular session assembled, does hereby congratulate Jacksonville University and its basketball team for its accomplishments and the honor and recognition brought unto the State of Florida by the efforts of the Jacksonville University Basketball team during the 1969-1970 basketball season, and orders that an engrossed copy of this resolution, bearing the signatures of the elected leaders of the Senate of the State of Florida be presented unto Dr. Robert Harry Spiro, President, Jacksonville University.

Was taken up and read the second time in full. On motion by Senator Beaufort, SR 1351 was adopted. The vote was: Yeas—41 Nays—None

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

SR 1373—A resolution commending Earl Levy of Tallahassee, Leon County, for meritorious and outstanding service to his state and community.

WHEREAS, Earl Levy began employment with the Tallahassee Fire Department on March 15, 1927 at the age of sixteen, and

WHEREAS, Earl Levy was appointed chief of the Tallahassee Fire Department May 1, 1940, at age twenty-nine, and

WHEREAS, Chief Levy was a member of the first Board of Trustees of the Florida State Fire College, and

WHEREAS, Chief Levy served on the Board of Directors of the Florida State Firemen's Association, and

WHEREAS, Chief Levy was a member of the two-man committee which wrote the bylaws establishing the present Florida Association of Fire Chiefs, and

WHEREAS, Chief Levy served as Chaplain of the Florida Association of Fire Chiefs, and

WHEREAS, Chief Levy served as President of the Florida State Fire Chiefs Association and

WHEREAS, Chief Levy served as President of the Southeastern Division of the International Association of Fire Chiefs, and

WHEREAS, Chief Levy appeared on the program of the annual National Fire Department Instructors Conference, and

WHEREAS, Chief Levy as a graduate in Municipal Fire Administration from the Institute for Training in Municipal Administration, and

WHEREAS, Chief Levy has been an instructor in fire department administration at the Florida Fire College, and

WHEREAS, Chief Levy has served as Chairman of the Education Committee of the State Fire Chiefs, and

WHEREAS, Chief Levy has served extensively as a member of special committees formulated by the late W. Fred Heisler of Oklahoma State University for the purpose of providing and reviewing material embodied in the Fire Service Training Manuals of the International Fire Service Training Association, and

WHEREAS, Chief Levy served as liaison representative for the State Fire Chiefs Association in meetings of the United States Forest Service and all Florida fire service organizations for reviewing the development of an Example Type of Fire Defense Plan for Civil Defense in Florida, and

WHEREAS, Chief Levy is a past recipient of the Tallahassee Junior Chamber of Commerce Good Government Award, the Cooper-Taylor Memorial Award for public safety promotion from the Florida Junior Chamber of Commerce; Woodmen of the World Award for community service; and the Distinguished Service Award from the state fire marshal, and

WHEREAS, Chief Levy is a Deacon of his Church; a member of the Kiwanis Club, Elks Club, Odd Fellows, Florida State Firemen's Association, Florida Fire Chiefs Association, and International Fire Service Training Association, NOW, THEREFORE,

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

That the Senate of the State of Florida does hereby recognize and show its appreciation to Chief Earl Levy of Tallahassee, Florida for the devotion and service he has shown the State of Florida.

BE IT FURTHER RESOLVED that Chief Earl Levy be presented a copy of this resolution, with the signature of the President affixed, as testament to the action herein taken by the Senate of the State of Florida.

Was taken up and read the second time in full. On motion by Senator Horne, SR 1373 was adopted. The vote was: Yeas—41 Nays—None

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

Consideration of SCR 1379 was deferred, the bill retaining its place on the Calendar.

SCR 754—A concurrent resolution designating Interstate Highway 95 from Miami to the Georgia state line as the Dwight David Eisenhower Memorial Highway.

WHEREAS, the administration of Dwight David Eisenhower marked the beginning of the interstate highway system throughout this great nation, and

WHEREAS, due to the beginnings of this effort, Florida and the nation now have a highway system undreamed of at the turn of this century, and

WHEREAS, in naming Interstate Highway 95 for the late Dwight David Eisenhower, 34th President of the United States of America, the citizens of this state and the nation will be reminded of his leadership as Supreme Allied Commander of the forces which defeated Nazi Germany in World War II, NOW, THEREFORE,

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

That out of gratitude for his leadership in war and peace and in recognition of Dwight David Eisenhower's contribution to this state, this nation, and this world, Interstate Highway 95 is

hereby designated as the Dwight David Eisenhower Memorial Highway. The department of transportation is requested and urged to erect suitable plaques or memorials to note this action of the legislature.

BE IT FURTHER RESOLVED, that copies of this resolution under the Great Seal of the State of Florida be forwarded to the widow and son of the late Dwight David Eisenhower, to the Eisenhower Library in Abilene, Kansas, to the Library of Congress, and to the Honorable Richard M. Nixon, President of the United States of America.

Was taken up and read the second time in full. On motion by Senator Saylor, SCR 754 was adopted and certified to the House. The vote was: Yeas—41 Nays—None

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

SCR 790—A concurrent resolution determining the need for revision of Florida's criminal justice system and providing for the appointment of a committee of distinguished Floridians to serve as an advisory committee to the legislature to make recommendations of needed revisions of Florida's criminal justice system.

WHEREAS, the Legislature of the state of Florida is aware of the need for revision and reform of criminal justice provisions of Florida law and that there is a growing alarm among the citizens of Florida and an awareness of the seriousness of the effect of criminal acts upon the general welfare of the state; and

WHEREAS, recent trials of those charged with law violations in connection with disturbances in Chicago, Illinois, at the time of the Democratic National Convention in 1968 have served to further focus attention on the need for judicial reform; and

WHEREAS, numerous citizens and citizens' groups—including religious, labor, industry, civic, professional, law enforcement oriented groups, the Florida Bar and the American Bar Association—are currently urging substantial revision and restructuring of Florida's criminal justice system so as to make it effective and viable for the protection of all persons in Florida in light of conditions now existing; and

WHEREAS, there is a need to coordinate the efforts of these various groups and to maintain liaison between the legislative bodies in Florida, citizens' groups, and other branches of government, NOW, THEREFORE,

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

1. To aid the legislature of the State of Florida in the discharge of the lawmaking powers and duties reposed in it by the Constitution of the State of Florida, there is hereby authorized and constituted an advisory committee on criminal justice.

2. The advisory committee shall be comprised of ten distinguished Floridians who are not members of the legislature and who are possessed of knowledge, skill, and experience in matters which are the subject of the advisory committee's function; five of whom shall be appointed by the president of the senate of the State of Florida, and five of whom shall be appointed by the speaker of the house of representatives of the State of Florida. The appointment of members shall be made with all due speed and the advisory committee, once constituted, shall continue in existence and its members shall continue to serve until the convening of the annual session of the legislature in 1971. Appointments to fill any vacancies occurring on the advisory committee shall be made in the same manner as the original appointment. The members of the advisory committee shall organize the committee, elect a chairman, and fix the committee's agendas and schedules.

3. It shall be the duty of the advisory committee to review all constitutional provisions, laws, and ordinances of the State

of Florida relating to crime and criminal acts, and to review all reported decisions, interpreting and construing these provisions, laws, and ordinances, and to make recommendations to the legislature for needed revisions and changes of such laws and constitutional provisions.

4. The advisory committee shall report to the president of the senate and to the speaker of the house of representatives from time to time of its progress, findings, conclusions, and recommendations, and it shall complete the discharge of its duties and make its final findings, conclusions, and recommendations, if possible, by the time of the convening of the organizational session of the legislature in November, 1970 but in any event prior to the convening of the regular session of the legislature in 1971.

5. The committee, in the discharge of its duties, shall give careful consideration to the american bar association standards of criminal justice and shall by its interim and final recommendations and reports to the legislature point out variances and discrepancies between constitutional provisions, laws, and ordinances of the State of Florida relating to crime and criminal acts and that prescribed by the american bar association standards of criminal justice, and it shall make recommendations to the legislature respecting the implementation of provisions of the american bar association standards of criminal justice in instances where variances or discrepancies are found to exist.

6. The advisory committee shall establish and maintain liaison with the special advisory committee on practice and procedure constituted and appointed by the Supreme Court of Florida by its order of March 23, 1970, and it shall maintain liaison with the senate and the house of representatives of the State of Florida. The chairman of the subcommittee on law and order of the senate committee on judiciary, and the chairman of the committee on crime and law enforcement of the house of representatives are designated to serve as liaison on behalf of the senate and the house of representatives, respectively, with the advisory committee.

7. All state, county, and other local officials and employees, and all citizens of the State of Florida, and others in Florida are urged to aid and to cooperate with the advisory committee on criminal justice in the discharge of its duties.

Was taken up and read the second time in full. On motion by Senator Weissenborn, SCR 790 was adopted and certified to the House. The vote was: Yeas—41 Nays—None

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

SB 60—A bill to be Entitled AN ACT relating to oil and gas wells; amending subsection 377.24(6), Florida Statutes; prohibiting the drilling of oil and gas wells within twelve (12) miles of the mean high tide lines; repealing subsections 377.24(7) and (8) to conform with this act.

Was taken up and read the second time by title.

Senators Williams and Barrow offered the following amendment which was moved by Senator Williams:

In Section 1, line 23, page 1, insert the words miles seaward

Senators Henderson and Stone offered the following substitute amendment which was adopted on motion by Senator Henderson:

In Section (6), line 24, page 1, strike the period and insert the following: , nor for any submerged land within 12 miles inland of the coasts of this state.

Also line 23 after "miles" insert "seaward"

Senator Friday offered the following amendment which was adopted:

In title, line 8, strike "miles of" and insert miles seaward of
 And in line 8, after "tide lines", add: and submerged lands
 12 miles inland

On motion by Senator Young, the rules were waived and SB
 60 as amended was read the third time by title, passed and
 ordered engrossed. The vote was: Yeas—46 Nays—None

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

By unanimous consent, the following bill was introduced out
 of order:

By Senator Karl—

SB 1481—A bill to be entitled An act to amend the city
 charter of the City of Daytona Beach, Volusia County, Florida,
 by amending Chapter 67-1274, Laws of Florida, 1967, to
 authorize the extension of the boundaries of the City of
 Daytona Beach; repealing all laws in conflict herewith; and
 providing that this act shall take effect upon becoming a law.

Evidence of notice and publication was
 established by the Senate as to SB 1481.

—which was read the first time by title. On motion by
 Senator Karl, the rules were waived and the bill was placed on
 the Calendar.

Unanimous consent was granted Senator Karl to take up SB
 1481 out of order.

On motions by Senator Karl, the rules were waived and SB
 1481 was read the second time by title, the third time by title,
 passed and certified to the House. The vote was:

Yeas—40

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

Nays—1

Daniel

LOCAL BILLS ON SECOND READING

SB 511—A bill to be entitled An act relating to marine turtle
 eggs; repealing chapter 30112, Laws of Florida, 1955, and
 chapter 61-899, Laws of Florida, relating to an exemption for
 the taking of marine turtle eggs in counties having a population
 of not less than thirty thousand (30,000) and not more than
 thirty-two thousand (32,000) according to the latest official
 decennial census; providing an effective date.

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 Thomas:

In Section 2, line 20, page 1, strike "upon becoming law."
 and insert July 1, 1970.

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

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

SB 829—A bill to be entitled An act amending articles 7 and
 19 of chapter 67-1320, Laws of Florida, as amended by chapter
 69-1171, Laws of Florida, being the consolidated government
 charter of the City of Jacksonville, Florida, providing for a
 personnel department of the City of Jacksonville, prescribing its
 functions and limiting changes therein except creation of
 divisions thereof; eliminating the personnel division of said city
 and providing for the transfer of employees therein to the
 personnel department of the city; requiring the personnel
 department to prepare a job classification plan and a uniform
 job pay classification plan for submission to the civil service
 board and placing upon the civil service board the responsibility
 for developing and fostering the personnel policy of the
 consolidated government and certain independent agencies;
 empowering the civil service board to issue orders to correct
 action taken contrary to the civil service regulations; repealing
 section 7.304 of said article 7 and all laws and ordinances in
 conflict herewith; providing an effective date.

Was taken up and read the second time by title. On motion
 by Senator Scarborough, the rules were waived and SB 829 was
 read the third time by title, passed and certified to the House.
 The vote was: Yeas—41 Nays—None

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

SB 830—A bill to be entitled An act amending section 14,
 chapter 63-1447, Laws of Florida, Special Acts of 1963, as
 amended, relating to the Jacksonville Port Authority, eliminat-
 ing reference to the Budget Commission Act, chapter 61-1628,
 Laws of Florida, and requiring the Authority to cause annual
 audits to be made of its operation by a certified public
 accountant who resides in Duval County in such detail as may
 be necessary to show the financial operation and status of the
 Authority.

Was taken up and read the second time by title. On motion
 by Senator Scarborough, the rules were waived and SB 830 was
 read the third time by title, passed and certified to the House.
 The vote was: Yeas—41 Nays—None

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

SB 1010—A bill to be entitled An act relating to the charter
 of Volusia county, Florida, and amending articles IX and XV,
 Chapter 70-laws of Florida as enacted by Senate Bill No. 942
 of the 1970 regular session to establish nonpartisan elections of
 county officers; providing for the repeal of laws in conflict
 herewith; providing that the act shall take effect only when it is
 approved by a majority of the electors of Volusia county voting
 in an election herein provided; providing a date for the election;
 providing for the payment of the cost of the election from the
 public funds of Volusia county; providing for an effective date.

Was taken up and read the second time by title. On motion
 by Senator Karl, the rules were waived and SB 1010 was read
 the third time by title, passed and certified to the House. The
 vote was:

Yeas—33

Mr. President	Chiles	Horne	Shevin
Askew	Daniel	Karl	Stolzenburg
Barron	de la Parte	Knopke	Thomas
Barrow	Fincher	McClain	Trask
Beaufort	Friday	Myers	Weber
Bell	Gong	Ott	Weissenborn
Bishop	Gunter	Pope	
Boyd	Haverfield	Poston	
Broxson	Hollahan	Saunders	

Nays—9

Bafalis	Henderson	Reuter	Williams
Deeb	Johnson	Slade	
Ducker	Plante		

HB 3826—A bill to be entitled An act relating to the City of Delray Beach, Palm Beach County, Florida amending Chapter 25786, Special Laws of Florida, Acts of 1949, as amended, same being the Charter of said city by adding a new Section 48.1 providing for the appointment, qualifications, duties and compensation of the city prosecutor.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3826 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 3827—A bill to be entitled An act relating to the City of Delray Beach, Palm Beach County, Florida amending Chapter 25786, Special Laws of Florida, Acts of 1949, as amended, same being the Charter of said city by amending Section 12 providing that the city council shall also appoint a city prosecutor.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3827 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 3828—A bill to be entitled An act relating to Palm Beach County; amending section 1 of chapter 31118, Laws of Florida, 1955, to increase the term for which franchises may be granted by the board of county commissioners to persons or corporations for collection, removal, and disposal of garbage in districts lying outside the boundaries of any municipality; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3828 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 3829—A bill to be entitled An act amending section L04, paragraph (2) of the charter of the City of West Palm Beach, being chapter 65-2381, Special Laws of Florida, Acts of 1965, by adding subsection (d) providing property may be annexed by ordinance of city commission providing all of the owners of property in tract to be annexed petition the city for annexation; providing a severability clause; repealing all laws in conflict; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3829 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 3830—A bill to be entitled An act relating to Palm Beach county, providing that the county solicitor shall receive an equal salary to that of the lowest paid Judge of the Judicial Circuit Court in and for Palm Beach county; providing that the county solicitor shall be authorized to employ assistant county solicitors and investigators; providing that the county solicitor and his assistants shall not engage in the private practice of law during their tenure of office; providing for the authorization of certain expenditures, including compensation of experts utilized in the investigation and preparation of criminal cases and educational projects directly related to criminal law problems; providing for the repeal of Chapter 69-626, Laws of 1969, providing effective date.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3830 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 3831—A bill to be entitled An act amending Chapter 67-1876, Laws of Florida, 1967, as amended by Chapter 69-1433, Laws of Florida, 1969, which act provided for the definition and regulation of the business of building construction and contracting in Palm Beach county; amending section 2 by adding section 2(7) which defines "inactive certificate" as a certificate indicating that the applicant has passed the written exam and has been found technically competent but does not entitle the holder to engage in any contracting; amending section 5(3) to provide that an applicant requesting an inactive certificate need not provide evidence of public liability insurance; and amending section 5(4) by omitting the provisions stating that this subsection does not apply to the issuance or renewal of inactive certificates; amending section 7(2) by providing that an applicant for restoration of an expired license who applies for restoration subsequent to one hundred eighty (180) days after September 30, but before the next September 30, must submit his application to the board which shall review the applicant's responsibility, credit reputation, education and experience and providing further that within thirty (30) days from the date of application the board shall notify the applicant in writing whether or not he is qualified to have his certificate restored; further providing that the fee for restoration shall be equal to the original application and that the board may in its discretion require the applicant to submit to an examination, the same as required for an original application; amending section 7 by adding section 7(4) providing for the procedures to be followed in application for a certificate held in an inactive status; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3831 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 3832—A bill to be entitled An act to authorize the board of county commissioners of Palm Beach county to conduct a study of the drainage districts within Palm Beach county; declaring said study of drainage districts to be a county purpose; authorizing the board of county commissioners of Palm Beach county to study the structure, functions, operations, and financial systems of all drainage districts within Palm Beach county to determine the need, if any, for changes in the existing structures, functions and operations of drainage districts within Palm Beach county; providing that the board of county commissioners of Palm Beach county shall submit the results of their study to the members of the Florida Legislature representing Palm Beach county along with their recommendations for remedial legislation; directing the officers and representatives of drainage districts within Palm Beach county to cooperate with the board of county commissioners of Palm Beach county in their study and further directing said officers or representatives to make available to the board of county commissioners their books and records and such other material as may be deemed necessary by the board of county commissioners; 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 27, page 2 after the word "all" insert such

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

In Section 4, line 28, page 2, after the word "material" insert the following: for Palm Beach County

On motion by Senator Thomas, the rules were waived and HB 3832 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 3833—A bill to be entitled An act to amend Chap. 67-1876, Laws of Florida, Special Acts of 1967, as amended by Chapter 69-1433, Laws of Florida, Special Acts of 1969, which created the Palm Beach County Construction Industry Licensing Board amending Section 3 (1) and Section 3 (3), Composition of the Palm Beach County Construction Industry Licensing Board; repealing all laws in conflict herewith and providing an effective date.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3833 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 3834—A bill to be entitled An act relating to the City of Delray Beach, Palm Beach County, Florida amending Chapter 25786, Special Laws of Florida, Acts of 1949, as amended, same being the Charter of said city by amending Section 127 providing for the voting of freeholders on general obligation bonds to be the same as provided by state laws.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3834 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 3835—A bill to be entitled An act relating to the City of Delray Beach, Palm Beach County, Florida amending Chapter 25786, Special Laws of Florida, Acts of 1949, as amended, same being the Charter of said city by amending Section 73 providing for a millage limit as provided by state laws.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3835 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 3836—A bill to be entitled An act relating to the City of Delray Beach, Palm Beach County, Florida amending Chapter 25786, Special Laws of Florida, Acts of 1949, as amended, same being the Charter of said city by amending Section 65 thereof providing for the appointment of deputy and assistant city clerks.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3836 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 3838—A bill to be entitled An act relating to the City of Delray Beach, Palm Beach County, Florida amending Chapter 25786, Special Laws of Florida, Acts of 1949, as amended, same being the Charter of said city by amending Section 13 providing the city prosecutor shall not hold another job and be appointed by city council.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3838 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 3840—A bill to be entitled An act relating to the City of Delray Beach, Palm Beach County, Florida amending Chapter 25786, Special Laws of Florida, Acts of 1949, as amended, same being the Charter of said city by amending Section 147 providing for the elimination of an elector registering as a freeholder.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3840 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 3843—A bill to be entitled An act relating to the City of Delray Beach, Palm Beach County, Florida amending Chapter 25786, Special Laws of Florida, Acts of 1949, as amended, same being the Charter of said city by amending Section 125 providing for interest on general obligation bonds not to exceed the interest rate as provided by state laws.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3843 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 3844—A bill to be entitled An act relating to the City of Delray Beach, Palm Beach County, Florida amending Chapter 25786, Special Laws of Florida, Acts of 1949, as amended, same being the Charter of said city by amending Section 59 providing for city attorney to furnish legal opinions to the city manager and releasing duties to the municipal court.

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 1, line 24, page 1, strike "his" and insert this

On motion by Senator Thomas, the rules were waived and HB 3844 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

Mr. President	Beaufort	Chiles	Fincher
Askew	Bell	Daniel	Friday
Bafalis	Bishop	Deeb	Gong
Barron	Boyd	de la Parte	Gunter
Barrow	Broxson	Ducker	Haverfield

Henderson	McClain	Poston	Thomas
Hollahan	Myers	Reuter	Trask
Horne	Ott	Saunders	Weber
Johnson	Plante	Shevin	Weissenborn
Karl	Pope	Stolzenburg	Williams
Knopke			

HB 3845—A bill to be entitled An act relating to the City of Delray Beach, Palm Beach County, Florida amending Chapter 25786, Special Laws of Florida, Acts of 1949, as amended, same being the Charter of said city by amending Section 155 providing for the city polls to be open on Election Day from 7:00 a.m. to 7:00 p.m.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3845 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 3846—A bill to be entitled An act relating to the City of Delray Beach, Palm Beach County, Florida amending Chapter 25786, Special Laws of Florida, Acts of 1949, as amended, same being the Charter of said city by amending Section 138 (1) providing for interest on revenue bonds not to exceed the interest rate as provided by state laws.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3846 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 3997—A bill to be entitled An act amending Chapter 65-1264, Laws of Florida, Special Acts of 1965, the same being the Charter of the City of Boca Raton, Palm Beach County, Florida, by amending Section 7.21(a) second paragraph to remove the interest rate limitation of six percent on general obligation bonds and by amending Section 7.25(d) to remove the interest rate limitation of five percent on revenue certificates and bonds.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3997 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4004—A bill to be entitled An act relating to the Pensacola-Escambia Governmental Center Authority; amending subsection (5) of section 6 of chapter 69-1049, Laws of Florida, to restore words inadvertently omitted in the preparation of House Bill 3030, which was subsequently enacted as said chapter; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Askew, the rules were waived and HB 4004 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4346—A bill to be entitled An act amending the charter of Jacksonville, chapter 67-1320, Laws of Florida, as amended, to except from the civil service system the positions of council assistant secretary, council director of research, and council research assistant, and the executive director of the community relation commission; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Scarborough, the rules were waived and HB 4346 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

Consideration of House Bills 4349 and 4351 was deferred, the bills retaining their places on the Calendar.

HB 4352—A bill to be entitled An act relating to Duval County; providing that funds received by Band Parents and all similar Booster Organizations in Duval County shall be exempt from control by the Duval County School Board; providing for severability; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Scarborough, the rules were waived and HB 4352 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4371—A bill to be entitled An act relating to City of St. Cloud, Osceola County; amending section 1.05 of chapter 65-2166, Laws of Florida, the city charter, as amended by chapter 67-1981, Laws of Florida; enlarging the territory to be included in city; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Trask, the rules were waived and HB 4371 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4376—A bill to be entitled An act amending the charter of the town of Lantana, Florida, as provided in the special acts of 1931, (Chapter 15302) by redefining the corporate limits as provided in Article I, Section 2, of said town charter; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 4376 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4381—A bill to be entitled An act relating to Acme Drainage District in Palm Beach County, Florida, created by Chapter 28557, Laws of Florida, Acts of 1953; amending Section 3 of said law, as amended by Chapter 57-568, Laws of Florida, Acts of 1957, so as to permit the Board of Supervisors of said District to construct and maintain recreation areas and facilities; to construct and maintain water plants and systems to produce, purify and distribute water for consumption; to construct and maintain sewer systems for the collection and disposal of waste and to prevent water pollution in the District; to construct and maintain a system of road and street lighting; to construct and maintain facilities for and take measures to control mosquitoes and other pests; to acquire, construct and maintain conservation areas and sanctuaries for the storage of water for water control and irrigation purposes and for preservation of wild life; and to provide that all powers and authority of the District shall extend and apply to the District as a whole and to each unit of development as from time to time may be designated by the Board of Supervisors; providing for severability of the provisions of the act; providing that the act shall take precedence over any conflicting law to the extent of such conflict; approving the manner of giving notice of intention to apply for this legislation; enacting other provisions relating to this subject, and providing that this act shall take effect upon its approval by the Governor, or upon its becoming a law without such approval.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 4381 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4382—A bill to be entitled An act amending sections 8.02, 8.05 and 8.06 of the charter of the City of West Palm Beach, being chapter 65-2381, Special Laws of Florida, Acts of 1965, relating to the issuance and sale of bonds; providing a severability clause; repealing all laws in conflict; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 4382 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

Mr. President	Boyd	Friday	Karl
Askew	Broxson	Gong	Knopke
Bafalis	Chiles	Gunter	McClain
Barron	Daniel	Haverfield	Myers
Barrow	Deeb	Henderson	Ott
Beaufort	de la Parte	Hollahan	Plante
Bell	Ducker	Horne	Pope
Bishop	Fincher	Johnson	Poston

Reuter
Saunders
Shevin

Stolzenburg
Thomas

Trask
Weber

Weissenborn
Williams

HB 3825—A bill to be entitled An act relating to the City of Delray Beach, Palm Beach County, Florida amending Chapter 25786, Special Laws of Florida, Acts of 1949, as amended, same being the Charter of said city by repealing Section 185 providing for annexation of new territory, procedure for annexation, manner of raising objection thereto and election to be held thereon.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 3825 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 3961—A bill to be entitled An act relating to the City of Belleair; amending Chapter 10355, Acts of 1925, by adding Section 5a to the City Charter; providing for recall of elected officials; providing a referendum.

Was taken up and read the second time by title. On motion by Senator Deeb, the rules were waived and HB 3961 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4154—A bill to be entitled An act relating to St. Johns County, Town of St. Augustine Beach; giving said town the authority by and through its town commission to provide for reregistration by ordinance of all qualified voters, when such reregistration is deemed necessary in the opinion of the town commission; providing that such reregistration shall not be more than once every four (4) years; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Pope, the rules were waived and HB 4154 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4166—A bill to be entitled An act amending the charter of Jacksonville, chapter 67-1320, Laws of Florida, article 8, relating to the office of the sheriff; permitting reorganization of the office by the sheriff; providing limitations thereon; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Scarborough, the rules were waived and HB 4166 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

Mr. President
Askew
Bafalis
Barron
Barrow
Beaufort
Bell
Bishop
Boyd
Broxson
Chiles

Daniel
Deeb
de la Parte
Ducker
Fincher
Friday
Gong
Gunter
Haverfield
Henderson

Hollahan
Horne
Johnson
Karl
Knopke
McClain
Myers
Ott
Plante
Pope

Poston
Reuter
Saunders
Shevin
Stolzenburg
Thomas
Trask
Weber
Weissenborn
Williams

Consideration of HB 4165 was deferred, the bill retaining its place on the Calendar.

HB 4181—A bill to be entitled An act amending sections 148, 149, and 150, of chapter 57-1126, Laws of Florida, the charter of the City of Atlantic Beach; increasing to seven and one-half (7½) per cent per annum the rate of interest which the city of Atlantic Beach may provide on its general obligation bonds, revenue bonds, and certificates, and combination general obligation and revenue bonds; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Scarborough, the rules were waived and HB 4181 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4183—A bill to be entitled An act authorizing the City of Jacksonville Beach, Florida to issue bonds and/or revenue certificates at such legal rates of interest as may be established by the State of Florida

Was taken up and read the second time by title. On motion by Senator Scarborough, the rules were waived and HB 4183 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4184—A bill to be entitled An act amending Section 74, of chapter 18623, Laws of Florida, Special Acts of 1937 being "An act relating to the government of the City of Jacksonville Beach and prescribing the jurisdiction, powers, duties and functions of the City of Jacksonville Beach and all its officers and prescribing a system of taxation for said city and repealing pre-existing laws relating to the government thereof." as amended; changing the time of payment of city taxes; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Scarborough, the rules were waived and HB 4184 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4204—A bill to be entitled An act amending Section 10 of Special Act 65-1687 (Senate Bill 1472) enacted by the 1965 Florida State Legislature allowing the Hospital District Board of Hardee County, Florida to borrow money for periods of time not exceeding five (5) years at any one (1) time and providing that the Hospital District Board of Hardee County, Florida, shall be allowed to agree to pay interest rates not to exceed nine percent (9%) per annum, simple interest; and providing for an effective date.

Was taken up and read the second time by title. On motion by Senator Boyd, the rules were waived and HB 4204 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4206—A bill to be entitled An act relating to St. Johns County, Town of St. Augustine Beach; providing that absence from three (3) consecutive regular meetings of the town commission of the Town of St. Augustine Beach shall operate to vacate the seat of a member unless such absence is excused by the commission; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Pope, the rules were waived and HB 4206 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4270—A bill to be entitled An act amending section 6.07 of chapter 67-1320, Laws of Florida, the charter of the city of Jacksonville, by automatically designating the president of the council as acting mayor in the case of an absence of the mayor from Duval County; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Scarborough, the rules were waived and HB 4270 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4289—A bill to be entitled An act amending the first unnumbered paragraph of section 4, chapter 63-1447, Laws of Florida, as amended, relating to the Jacksonville Port Authority; providing that the fiscal year of the Authority shall commence on October 1 of each year and end on the following September 30; and that in the transition the first budget of the Authority submitted to the City after the effective date of this act shall be for a three (3) month period running from July 1, 1970 through September 30, 1970, accompanied by a supplemental annual budget covering the period October 1, 1970 through September 30, 1971; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Scarborough, the rules were waived and HB 4289

was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4290—A bill to be entitled An act amending the second unnumbered paragraph of section 10 of chapter 63-1447, Laws of Florida, Special Acts of 1963, as amended, relating to the Jacksonville Port Authority, providing all revenues of the airports of the Authority shall be applied and used in accordance with the provisions of Ordinance No. FF-253, Bill No. FF-296 of the former City of Jacksonville, Florida, so long as to the extent the terms, covenants and provisions of said Ordinance and Bill are in effect; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Scarborough, the rules were waived and HB 4290 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4295—A bill to be entitled An act relating to Holmes County; creating the Town of Westville; describing territorial limits, prescribing the form of government, jurisdiction, powers, and privileges of said town; providing for the election of certain officers; providing for a referendum.

Was taken up and read the second time by title. On motion by Senator Barron, the rules were waived and HB 4295 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4312—A bill to be entitled An act relating to Okeechobee County; repealing chapter 59-1638, Laws of Florida, which authorizes the board of public instruction of said county to enter into certain contracts without competitive bidding; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Johnson, the rules were waived and HB 4312 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4332—A bill to be entitled An act relating to Hernando County; creating a small claims court in said county; fixing the jurisdiction of the court; providing for the county judge to be the judge of said court; providing for the inclusion of the court's expenses and income in the county judge's budget; providing for the service of process of the court; providing for the appointment of clerks of the court; providing fees; providing for jury trials; repealing chapter 27335, Laws of Florida, 1951, and chapters 61-1454, 63-724, 67-854, and 69-561, Laws of Florida, relating to the Hernando County small claims court; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Daniel, the rules were waived and HB 4332 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

HB 4052—A bill to be entitled An act relating to Alachua County; providing that the limitation as to the number of alcoholic beverage licenses as provided by section 561.20(1), Florida Statutes, shall not prohibit issuance of such licenses to bona fide restaurants fulfilling certain requirements; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Saunders, the rules were waived and HB 4052 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

The Senate resumed second reading.

SB 617—A bill to be entitled An act relating to therapeutic abortion; prohibiting abortions from being performed in this state unless performed by a licensed physician or surgeon, or by a licensed osteopathic physician; requiring such abortion to be performed in a hospital licensed by the department of health and rehabilitative services or operated by the federal government; providing a residency requirement; defining abortion; providing a penalty for violation of the act; providing specifically for the voluntary nature of the act; repealing sections 782.10 and 797.01, Florida Statutes, and paragraph 458.1201(1)(i), Florida Statutes; 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 Myers:

In Section 2, lines 27-28, after the word "or" line 27 strike the remaining portion, lines 27-28, and insert the following: portion thereof or application, and to this end the provisions or portions thereof of this act are severable.

Senator Shevin offered the following amendment which was adopted:

In Section 4, line 3, page 3, strike "upon becoming law" and insert the following: July 1, 1970

Senator Shevin also offered and moved the following amendment:

In Section 1, line 24, page 1, strike: all of Section 1 (lines 24 through 29 on page 1, lines 1 through 21 on page 2) and insert the following new sections as set forth below:

Section 1, Section 2, Section 3 and Section 4

Renumbering the existing Sections 2, 3 and 4 as new Sections 5, 6, and 7.

Section 1. Definitions.—

(1) **Abortion.**—The term abortion as used in this act shall be defined as the intentional act of terminating the pregnancy of a woman by the use of any medicine, drug or substance, or the employment of any instrument, or by any procedure or means with the intent to destroy the fetus.

(2) **Approved hospital.**—The term "approved hospital" shall be defined as a hospital approved by the joint commission of accreditation of hospitals, or by the committee on hospitals of the American Osteopathic Association, and licensed by the state of Florida.

(3) **Probable cause.**—The term "probable cause" as used in this act shall be defined as a reasonable ground of suspicion supported by circumstances sufficiently strong in themselves to warrant a cautious man in the belief that the act has been perpetrated.

Section 2. No abortion shall be performed in this state unless:

(1) The abortion is performed by a doctor of medicine or osteopathic medicine, licensed by the state of Florida; and

(2) The abortion is performed in an approved hospital; and

(3) The woman upon whom such abortion is to be performed is domiciled in this state and has been physically present in this state for at least six (6) months immediately preceding such abortion. The affidavit of such a woman shall be prima facie evidence of compliance with this requirement; and

(4) The written request of the pregnant woman is obtained, as well as the written consent of her husband, if she is married and not separated or divorced; and

(5) If the pregnant woman is under eighteen (18) years of age, and unmarried, then in addition to her written request, the written consent of her parents or her legal guardian must be obtained; and

(6) In cases of incest, where the father of the pregnant woman is a party to the incestuous act, then only the consent of the mother, and if her mother is not available, the consent of a court-appointed guardian, will be required; and

(7) That one of the following conditions exists:

(a) To a reasonable degree of medical certainty the continuation of the pregnancy would threaten the life of the woman;

(b) To a reasonable degree of medical certainty the continuation of the pregnancy would gravely and seriously impair the physical or mental health of the woman, and such termination of pregnancy occurs within the first twenty (20) weeks of gestation;

(c) To a reasonable degree of medical certainty the continuation of the pregnancy would result in the birth of a child with a grave and serious physical or mental defect, and such termination of pregnancy occurs within the first twenty (20) weeks of gestation;

(d) There is probable cause that the pregnancy resulted from rape or incest, and such termination of pregnancy occurs within the first twenty (20) weeks of gestation; and

(8) That two doctors of medicine or osteopathic medicine, licensed by the state of Florida, shall certify that an abortion, in their separate medical opinion, is justified by reason of one of the conditions set forth in paragraph (7) above.

Section 3. Penalties.—

(1) Any person who shall perform an abortion, not in compliance with the requirements of this act, which does not result in the death of the woman, shall be guilty of a felony

and shall, upon conviction, be punished by imprisonment in the state prison not exceeding ten (10) years or by fine not exceeding five thousand dollars (\$5,000.00), or both.

(2) Any person who shall perform an abortion, not in compliance with the requirements of this act, which results in the death of the woman, shall be guilty of manslaughter and shall, upon conviction, be punished by imprisonment in the state prison not exceeding twenty (20) years or by fine not exceeding ten thousand dollars (\$10,000.00), or both.

Section 4. Nothing herein shall require any hospital or any person to participate in such abortion nor shall any hospital or any person be liable for such refusal.

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

In Section 2, line 12, page 3, following "resulted from" insert forcible

Senator Horne presiding.

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

In Section 2 (3), strike: the second sentence which is "The affidavit of such a woman shall be prima facie evidence of compliance with this requirement" and insert the following: Any doctor who performs an abortion upon any woman who has not been physically present for the required 6 months shall be guilty of a misdemeanor and punished accordingly.

Senator Karl also offered the following amendment to the amendment which was adopted:

In Section 2 (7) (a), line 2, page 3, following the words "pregnancy would", strike "threaten" and insert endanger

Senator Karl also offered the following amendment to the amendment which failed:

In Section 2(7)(b), line 4, page 3, strike "twenty (20)" and insert ten (10)

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

In Section 2(7)(b), line 4, page 3, strike "twenty (20)" and insert sixteen (16)

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

In Section 4, line 16, page 4, add the following: No person who is a member of or associated with the staff of a hospital nor any employee of a hospital or physician in which or by whom an abortion has been authorized or performed who shall state an objection to such termination on moral or religious grounds shall be required to participate in the procedure which will result in the termination of pregnancy and the refusal of any such person or employee to participate shall not form the basis for any disciplinary or other recriminatory action against such person

Senator Fincher also offered the following amendment to the amendment which failed:

In Section 7b, lines 5 and 6, page 3, strike: "or mental"

The vote was:

Yeas—15

Chiles	Fincher	Hollahan	Thomas
Deeb	Friday	Karl	Trask
de la Parte	Gunter	Pope	Williams
Ducker	Haverfield	Stolzenburg	

Nays—21

Mr. President	Boyd	McClain	Shevin
Askew	Gong	Myers	Weissenborn
Bafalis	Henderson	Ott	Wilson
Barron	Horne	Poston	
Beaufort	Johnson	Reuter	
Bell	Knopke	Saunders	

PAIR

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Lane on the foregoing amendment.

If he were present he would vote nay and I would vote yea.

Charles H. Weber, 37th District

The President presiding.

Senator Fincher also offered the following amendment to the amendment which failed:

In Section 7c lines 8-12, page 3, strike: all of Section 7c.

The vote was:

Yeas—20

Askew	Deeb	Haverfield	Stolzenburg
Bafalis	de la Parte	Hollahan	Stone
Barrow	Fincher	Karl	Thomas
Broxson	Friday	Plante	Trask
Daniel	Gunter	Pope	Williams

Nays—22

Mr. President	Ducker	McClain	Shevin
Barron	Gong	Myers	Slade
Beaufort	Henderson	Ott	Weissenborn
Bell	Horne	Poston	Wilson
Bishop	Johnson	Reuter	
Boyd	Knopke	Saunders	

PAIR

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Lane on the foregoing amendment.

If he were present he would vote nay and I would vote yea.

Charles H. Weber, 37th District

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

In Section 7c, lines 8 - 12, page 3, strike: all of Section 7c and insert the following:

With the consent of two doctors and the parents, a child's life upon birth may be terminated if the child upon a reasonable degree of certainty is determined to be of major mental or physical defect.

Senator Thomas also offered the following amendment to the amendment which failed:

In Section 2, paragraph (4), page 2 of the amendment, strike: comma following the word "husband" and insert the following: or the personal representative of the husband's estate should he be deceased at the time of such request,

The vote was:

Yeas—17

Barrow	Friday	Plante	Trask
Daniel	Gunter	Pope	Williams
Deeb	Haverfield	Stolzenburg	
de la Parte	Hollahan	Stone	
Fincher	Karl	Thomas	

Nays—24

Mr. President	Boyd	Horne	Poston
Askew	Broxson	Johnson	Reuter
Barron	Chiles	Knopke	Saunders
Beaufort	Ducker	McClain	Shevin
Bell	Gong	Myers	Weissenborn
Bishop	Henderson	Ott	Wilson

PAIR

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Lane on the foregoing amendment.
If he were present he would vote nay and I would vote yea.

Charles H. Weber, 37th District

Senator Daniel offered and moved the following amendment to the amendment:

In Section 2, Subsection (4), page 2, strike: "if she is married and not separated or divorced"

Senator Karl proposed a substitute amendment for the main amendment by Senator Shevin. Senator Shevin raised a point of order that the Senate was in the process of debating an amendment to an amendment and that the offering of a substitute amendment at this time was not in order.

The chair ruled that the substitute amendment was in order but that in accordance with Rule 7.3 which states, "Amendments to the amendment are acted upon before the substitute is taken up." the amendment to the amendment must be acted on before the substitute could be considered.

The question recurred on the adoption of the amendment to the amendment by Senator Daniel which failed. The vote was:

Yeas—18

Askew	Deeb	Karl	Thomas
Bafalis	de la Parte	Plante	Trask
Barrow	Fincher	Pope	Williams
Broxson	Gunter	Scarborough	
Daniel	Haverfield	Stone	

Nays—24

Mr. President	Chiles	Johnson	Reuter
Barron	Ducker	Knopke	Saunders
Beaufort	Gong	McClain	Shevin
Bell	Henderson	Myers	Stolzenburg
Bishop	Hollahan	Ott	Weissenborn
Boyd	Horne	Poston	Wilson

PAIR

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Lane on the foregoing amendment.
If he were present he would vote nay and I would vote yea.

Charles H. Weber, 37th District

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

In Section 2, par. (8), page 3, strike "two" and insert three

The vote was:

Yeas—23

Askew	de la Parte	Hollahan	Stolzenburg
Bafalis	Ducker	Karl	Stone
Barrow	Fincher	McClain	Thomas
Broxson	Friday	Plante	Trask
Daniel	Gunter	Pope	Williams
Deeb	Haverfield	Scarborough	

Nays—19

Mr. President	Chiles	Knopke	Shevin
Barron	Gong	Myers	Slade
Bell	Henderson	Ott	Weissenborn
Bishop	Horne	Poston	Wilson
Boyd	Johnson	Reuter	

PAIR

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Lane on the foregoing amendment.
If he were present he would vote nay and I would vote yea.

Charles H. Weber, 37th District

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

In Section 2(7)(c), line 4, page 3, strike: "twenty (20)" and insert sixteen (16)

Senator Johnson also offered the following amendment to the amendment which was adopted:

In Section 2(7)(d), line 4, page 3, strike "twenty (20)" and insert sixteen (16)

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

In Section 3, line 1, page 3, strike "458.1201(1)(i)" and insert 458.12 (1)(i)

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

In Section 2. (8), page 3, after "State of Florida," add: Who are not associated together in the practice of their profession,

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

In Section 3, line 3 of (1), page 4, strike "a felony" and insert the following: murder in the first degree when the woman is six months or more pregnant.

Senator Friday presiding.

The President presiding.

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

In Section 2, subsection (4), page 2, strike all of subsection (4) and insert the following: (4) The written request of the pregnant woman is obtained.

The vote was:

Yeas—16

Bafalis	de la Parte	Haverfield	Plante
Bell	Fincher	Hollahan	Pope
Daniel	Friday	Karl	Thomas
Deeb	Gunter	Ott	Weissenborn

Nays—19

Mr. President	Broxson	Johnson	Saunders
Barron	Chiles	Knopke	Shevin
Barrow	Ducker	McClain	Slade
Beaufort	Gong	Myers	Wilson
Boyd	Horne	Poston	

PAIR

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Lane on the foregoing amendment.
If he were present he would vote nay and I would vote yea.

Charles H. Weber, 37th District

Senators de la Parte and Thomas offered the following amendment to the amendment which was moved by Senator de la Parte and failed:

Insert the following: New Section 5. Upon determination of medical indigency an abortion performed in accordance with the provision of this act shall be at the expense of the county of residence of the mother. Renumber remaining section.

Senator Horne presiding.

The President presiding.

The vote was:

Yeas—21

Askew	Fincher	McClain	Thomas
Bafalis	Friday	Plante	Weissenborn
Broxson	Gunter	Pope	Williams
Daniel	Haverfield	Saunders	
Deeb	Hollahan	Scarborough	
de la Parte	Karl	Stolzenburg	

Nays—21

Mr. President	Chiles	Knopke	Slade
Barron	Ducker	Myers	Trask
Beaufort	Gong	Ott	Wilson
Bell	Henderson	Poston	
Bishop	Horne	Reuter	
Boyd	Johnson	Shevin	

PAIRS

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

I am paired with Senator Barrow on the foregoing amendment.

If he were present he would vote nay and I would vote yea.

Richard Stone, 48th District

I am paired with Senator Lane on the foregoing amendment.

If he were present he would vote nay and I would vote yea.

Charles H. Weber, 37th District

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

In Section 2, page 2, strike (2) The abortion is performed in an approved hospital; and renumber

The vote was:

Yeas—20

Askew	Daniel	Haverfield	Scarborough
Bafalis	Deeb	Hollahan	Stolzenburg
Barron	Fincher	Plante	Thomas
Bishop	Friday	Pope	Weissenborn
Broxson	Gunter	Reuter	Williams

Nays—21

Mr. President	Ducker	Knopke	Shevin
Beaufort	Gong	McClain	Trask
Bell	Henderson	Myers	Wilson
Boyd	Horne	Ott	
Chiles	Johnson	Poston	
de la Parte	Karl	Saunders	

PAIR

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Lane on the foregoing amendment.

If he were present he would vote nay and I would vote yea.

Charles H. Weber, 37th District

Senator Thomas moved that the Senate reconsider the vote by which the amendment offered by Senators de la Parte and Thomas failed.

Senator Shevin raised a point of order that Senator Thomas was not in a posture to make the motion to reconsider since he did not vote on the prevailing side as required in Rule 6.5 which states: "When a question has been decided by the Senate, any Senator voting with the prevailing side, or when a question has been decided by voice vote, any Senator, on the same or the next legislative day on which the Senate meets, may move the reconsideration thereof."

The Chair ruled that the point was well taken and the motion was out of order.

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

In Section 1, subsection 2, page 1, after "Florida" strike the period and insert: , and the term "approved hospital" shall be further defined as a clinic operating as a part of any such hospital and under the supervision of any such hospital.

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

At the end of section 2, add a new subsection: (9) Notwithstanding the provisions for consent of the husband required in paragraph (4) above, if to a reasonable degree of medical certainty the continuation of the pregnancy would threaten the life of the pregnant woman, an abortion may be performed upon the written request of the woman only; provided, however, all other requirements of this section shall apply before such abortion shall be authorized.

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

In Section 2(8), page 3, strike paragraph (7) above and insert paragraphs (7) and (9)

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

In Section 2, strike section 7(a) and reletter the subsequent subsections (b), (c), and (d) accordingly

On motion by Senator Friday, the rules were waived and time of adjournment was extended until final action on SB 617.

Senators Askew and Wilson offered the following amendment to the amendment which was adopted on motion by Senator Askew:

In Section 2(4), strike: "if she is married and not separated or divorced" and insert the following: unless the husband is voluntarily living apart from the wife

Senator Karl offered the following substitute amendment for the amendment as amended which failed:

In Section 3, line 1, page 3, following the words "Florida Statutes," insert the following: 797.02,

The vote was:

Yeas—19

Askew	Ducker	Hollahan	Stolzenburg
Bafalis	Fincher	Karl	Stone
Daniel	Friday	Plante	Thomas
Deeb	Gunter	Pope	Williams
de la Parte	Haverfield	Scarborough	

Nays—25

Mr. President	Broxson	McClain	Slade
Barron	Chiles	Myers	Trask
Barrow	Gong	Ott	Weissenborn
Beaufort	Henderson	Poston	Wilson
Bell	Horne	Reuter	
Bishop	Johnson	Saunders	
Boyd	Knopke	Shevin	

PAIR

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Lane on the foregoing substitute amendment.

If he were present he would vote yea and I would vote nay.

Charles H. Weber, 37th District

Senator Knopke moved that the Senate reconsider the vote by which the amendment offered by Senators de la Parte and Thomas failed this day. The motion failed and the vote was:

Yeas—20

Askew	de la Parte	Hollahan	Scarborough
Bafalis	Fincher	Karl	Stolzenburg
Broxson	Friday	Plante	Stone
Daniel	Gunter	Pope	Thomas
Deeb	Haverfield	Saunders	Williams

Nays—23

Mr. President	Chiles	Knopke	Shevin
Barron	Ducker	McClain	Slade
Beaufort	Gong	Myers	Trask
Bell	Henderson	Ott	Weissenborn
Bishop	Horne	Poston	Wilson
Boyd	Johnson	Reuter	

PAIR

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Lane on the foregoing motion to reconsider.

If he were present he would vote nay and I would vote yea.

Charles H. Weber, 37th District

The question recurred on the amendment as amended which was adopted. The vote was:

Yeas—24

Mr. President	Chiles	McClain	Shevin
Barron	Gong	Myers	Slade
Beaufort	Henderson	Ott	Stolzenburg
Bell	Horne	Poston	Trask
Bishop	Johnson	Reuter	Weissenborn
Boyd	Knopke	Saunders	Wilson

Nays—19

Askew	de la Parte	Haverfield	Scarborough
Bafalis	Ducker	Hollahan	Stone
Broxson	Fincher	Karl	Thomas
Daniel	Friday	Plante	Williams
Deeb	Gunter	Pope	

PAIR

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Lane on the foregoing amendment.

If he were present he would vote nay and I would vote yea.

Charles H. Weber, 37th District

Senator Shevin offered the following amendment which was adopted:

In title, line 3, page 1, strike: entire title (lines 3 through 21) and insert a new title to read:

A bill to be entitled An act relating to abortion; providing definitions; prohibiting abortions in this state unless performed under certain requirements and conditions; providing a residency requirement; providing for consent and physician's certification and hospital participation; providing penalties for the performance of an unlawful abortion; providing specifically for the voluntary nature of the act; providing a severability clause; repealing sections 782.10 and 797.01, Florida Statutes, and paragraph 458.1201(1)(i), Florida Statutes; providing an effective date.

Senator Thomas offered the following amendment which failed:

In Section 2, page 2, insert new section 2 to be known as Section 2 and re-number existing sections 2, 3, and 4 and insert the following: Section 2. The provisions of this act shall not apply in any county in the state unless the voters of such county by a majority vote elect to come under the provisions of this act. Such election may be held at any general or special elections may be called by the board of county commissioners of such counties. Until such referendum is held, and decided, the respective counties in the state will continue to be subject to Sections 782.10 and 797.01, Florida Statutes, and paragraph 458.12 (1) (i), Florida Statutes.

On motion by Senator Karl, the Senate reconsidered the vote by which the following amendment to the amendment was adopted this day:

In Section 3, line 1, page 3, strike "458.1201 (1)(i)" and insert 458.12 (1)(i)

Senator Karl withdrew the amendment.

Senator Karl offered the following amendment which was adopted:

In Section 6, line 1, page 3, strike: "458.1201 (1) (i)" and insert the following: 458.12 (1)(i)

Senator Karl also offered the following amendment which was adopted:

In title strike: "458.1201 (1)(i)" and insert the following: 458.12 (1) (i)

On motion by Senator Myers, the rules were waived and SB 617 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—24

Mr. President	Boyd	Knopke	Saunders
Barron	Chiles	McClain	Shevin
Barrow	Gong	Myers	Slade
Beaufort	Henderson	Ott	Trask
Bell	Horne	Poston	Weissenborn
Bishop	Johnson	Reuter	Wilson

Nays—19

Askew	de la Parte	Haverfield	Scarborough
Bafalis	Ducker	Hollahan	Stone
Broxson	Fincher	Karl	Thomas
Daniel	Friday	Plante	Williams
Deeb	Gunter	Pope	

PAIRS

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

I am paired with Senator Lane on the passage of SB 617.

If he were present he would vote yea and I would vote nay.

Charles H. Weber, 37th District

I am paired with Senator Saylor on the passage of SB 617.

If he were present he would vote yea and I would vote nay.

Chester W. Stolzenburg, 39th District

Senator de la Parte announced that the Committee on Health, Welfare, and Institutions would not meet this day and all bills on the agenda would be considered at the next scheduled meeting.

The President excused Senators Thomas, Chiles, Askew, Wilson and Saunders as members of the Conference Committee on SJR 171 which was scheduled to meet at this time.

By unanimous consent the following resolution was introduced out of order on motion by Senator Broxson:

By Senators Broxson, Horne, Askew, Shevin, de la Parte, Chiles and Mathews—

SR 1482—A resolution expressing legislative awareness of student concern.

WHEREAS, the members of this legislature and the public officials of the State of Florida are aware of the concern being expressed by the students of institutions of higher learning as to the various problems in our land and across the world, and

WHEREAS, the members of this legislature and state officials share in their individual degrees the concerns with regard to such problems, and

WHEREAS, the members of this legislature and officials recognize this time as a proper one for open discussion of these and related problems as avenues for a renewed search for national purposes, and,

WHEREAS, while being mindful of such concern the members of this body are mindful of the responsibility to secure traditional educational values to the people of the state, NOW, THEREFORE,

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

That the students be commended for their interest in these concerns vital to our society today.

BE IT FURTHER RESOLVED that students communicate their ideas and goals and proposed solutions to this body and the national congress, and

BE IT FURTHER RESOLVED that this Senate does hereby commend the university communities of the State of Florida for the peaceful nature of protests to date, and expresses its faith that such protests shall remain nonviolent in the future so as to command public respect and confidence in them and their concerns.

—which was read the first time by title. On motion by Senator Broxson, by two-thirds vote, SR 1482 was placed on the calendar.

Unanimous consent was granted Senator Broxson to take up out of order SR 1482 which was read the second time in full.

A quorum call was requested. 27 members were present.

A motion by Senator Barrow to defer temporarily further consideration of SR 1482 failed. The vote was:

Yeas—9

Bafalis	Fincher	Lane	Slade
Barrow	Hollahan	Scarborough	
Ducker	Johnson		

Nays—16

Mr. President	Chiles	Knopke	Poston
Bishop	Friday	McClain	Shevin
Boyd	Gunter	Myers	Stone
Broxson	Karl	Plante	Weissenborn

Senator Barrow offered and moved the following amendment:

Strike lines 6 through 22 except for "Now Therefore"

Senator Chiles offered the following substitute amendment which was adopted:

Line 16, page 1, strike "as avenues for a renewed search for national purposes"

Senator Barrow offered and moved the following amendment:

Line 29, strike all thereafter and insert: Be It Further Resolved that this Senate does hereby commend the students of the University communities of the State of Florida for their peaceful behavior.

Senator Horne offered the following substitute amendment which was adopted:

Line 31, page 1, strike: "peaceful nature of protests to date, and expresses its faith that such protests" and insert lawful expression of their concern and expresses its faith that such expression

Senator Ducker offered the following amendment which was adopted:

In lines 6 and 7, 11 and 12, 14 and 15, strike "legislature and the public officials of the State of Florida" and insert Senate

Senator Daniel offered the following amendment which was adopted:

Line 12, page 1, strike "share in their individual degrees" and insert are aware of

Senator Horne presiding.

Senator Thomas offered the following amendment which was adopted:

Page 1, strike: everything in line 6 and the balance of the resolution and insert the following:

WHEREAS, the members of the Senate are aware of the problems facing institutions of higher learning, and

WHEREAS, the members of the Senate have a strong desire to communicate with all students who lawfully express their grievances, and

WHEREAS, the members of the Senate are cognizant of the importance of communicating with such students concerning problems, that such students wish to legally seek to resolve,

NOW THEREFORE,

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

That the students who comply with the laws of the State in expressing their concerns be encouraged to influence their fellow students to publicly express their grievances as provided and guaranteed under the constitution of the United States and this State.

BE IT FURTHER RESOLVED that the members welcome such lawful expressions and assure such students that all such lawful expressions will receive the sincere concern of the Senate.

The President presiding.

The vote was:

Yeas—20

Askew	Ducker	Johnson	Saunders
Barron	Fincher	Karl	Stone
Beaufort	Friday	Knopke	Thomas
Bishop	Hollahan	McClain	Trask
de la Parte	Horne	Plante	Williams

Nays—19

Mr. President	Chiles	Myers	Slade
Bafalis	Daniel	Ott	Stolzenburg
Barrow	Gunter	Poston	Weissenborn
Boyd	Haverfield	Scarborough	Wilson
Broxson	Henderson	Shevin	

On motion by Senator Broxson, SR 1482 as amended was adopted and ordered engrossed. The vote was:

Yeas—31

Mr. President	de la Parte	Knopke	Stolzenburg
Askew	Fincher	McClain	Stone
Barron	Friday	Myers	Thomas
Beaufort	Gunter	Plante	Trask
Bishop	Haverfield	Poston	Weissenborn
Boyd	Hollahan	Saunders	Williams
Broxson	Horne	Scarborough	Wilson
Chiles	Karl	Shevin	

Nays—8

Bafalis	Daniel	Henderson	Ott
Barrow	Ducker	Johnson	Slade

Senator Friday announced the following schedule for sessions next week: Monday, 10:00 a.m. to 1:00 p.m.; Wednesday, 9:00 a.m. to 12:30 p.m.; and Friday, 9:00 a.m. to 1:30 p.m.; pending further recommendation by the Committee on Rules and Calendar.

CO-INTRODUCERS

By permission, Senators Chiles, Askew, Saunders, Ducker, Barron, Barrow, Boyd, Pope, Deeb, Slade, Beaufort, Haverfield, Williams, Mathews, Gunter and Daniel were recorded as co-introducers of SB 60.

By permission, Senator Stone was recorded as a co-introducer of Senate Bills 1335, 1346, 1383, 1389, 1410, 1411, 1440 and 1467.

By permission, Senator Shevin was recorded as a co-introducer of SCR 1379.

By permission, Senators Askew, Bafalis, Beaufort, Bell, Bishop, Chiles, Daniel, Deeb, de la Parte, Ducker, Fincher, Friday, Gong, Gunter, Henderson, Hollahan, Horne, Johnson, Knopke, Mathews, Myers, Ott, Plante, Poston, Reuter, Saunders, Saylor, Scarborough, Shevin, Slade, Stone, Thomas

Trask, Weissenborn, Wilson and Young were recorded as co-introducers of SB 1301.

By permission, Senator Askew was recorded as a co-introducer of SR 1351.

The President announced the appointment of Senator McClain as a member of the Committees on Judiciary, subcommittee on Jurisprudence; Transportation, subcommittee on Roads and Highways; and Constitutional Amendments and Revision.

The President announced the appointment of Senators Myers, Barrow and Poston as a conference committee on the part of the Senate on SB 267.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 6:16 p.m. to reconvene at 8:30 a.m., Friday, May 8, 1970.