

# JOURNAL OF THE SENATE

Wednesday, May 13, 1970

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

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

Excused: Senator Bafalis.

Prayer by the Secretary of the Senate:

Father God, our legislators strive to accomplish that which is good and enriching to further structuring of Florida's ever-changing development. Give to them knowledge in decision, courage in expression, wisdom in application. Let blessings flow from their efforts in such measure that would spell assurance and comfort to all of our citizens. We love our state and thank thee for it.

In Jesus' holy name, we pray. Amen.

The Journals of May 11 and 12 were corrected and approved.

## REPORTS OF COMMITTEES

The Committee on Transportation recommends the following pass:

HB 196	SB 1017	SB 1040
SB 1016	SB 1031	SB 1072

The Committee on Ways and Means recommends the following pass:

SB 422	SB 870
SB 638	SB 871
SB 639	SB 985 with 2 amendments
SB 673 with 1 amendment	SB 1000
SB 674 with 1 amendment	SB 1119
SB 675	SB 1167
SB 699 with 1 amendment	SB 1171
SB 702	SB 477 with 3 amendments
SB 703	SB 641 with 3 amendments
SB 719	

The Committee on Judiciary recommends the following pass:

SB 322 with 5 amendments	HB 2418
SB 362 with 2 amendments	HB 1847
SB 438 with 1 amendment	HB 1739
SB 446 with 1 amendment	HB 1128
SB 447 with 3 amendments	HB 535
SB 518 with 2 amendments	HB 510
SB 560	HB 1889 with 2 amendments
SB 769	HB 2317 with 2 amendments

The Committee on Health, Welfare, and Institutions recommends the following pass:

SB 562	SB 818	SB 999	SB 1034
SB 701	SB 895	SB 1020	

The Committee on Governmental Organization recommends the following pass:

SB 1032	SB 1187
SB 806	SB 1184
SB 684	SB 1206
SB 1107	SB 992
SB 1124	SB 1166

SB 1127	SB 1128 with 2 amendments
SB 1062	HB 1127
SB 704	

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

HB 4291	SB 1370 with 4 amendments
SB 1117	SB 1364 with 3 amendments
SB 1443	SB 1090
SB 563 with 6 amendments	HB 1136 with 1 amendment

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

SB 124	SB 913
SB 778 with 1 amendment	SB 923
SB 839	SB 1008 with 4 amendments
SB 840 with 2 amendments	SB 1009 with 1 amendment

The Committee on Education recommends the following pass: SB 799 with 3 amendments, HB 785

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

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

SB 707 with 1 amendment	SB 1186 with 2 amendments
SB 1384 with 2 amendments	SB 1224
SB 1064 with 1 amendment	

The Committee on Judiciary recommends the following pass: SB 850 with 1 amendment

The Committee on Health, Welfare, and Institutions recommends the following pass: SB 889 with 1 amendment, SB 1019, SB 943

The Committee on Governmental Organization recommends the following pass: SB 1083, SB 1213, SB 945, SB 1082

The Committee on Transportation recommends the following pass: SB 918

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

SB 610	SB 1012
SB 941	SB 1163
SB 975 with 3 amendments	

The Committee on Education recommends the following pass: SB 391 with 2 amendments, SB 1049

The bills 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 the following pass: SB 433 with 4 amendments

The Committee on Health, Welfare, and Institutions recommends the following pass: SB 939 with 4 amendments

The Committee on Commerce and Licensed Businesses recommends the following pass: SB 862

The Committee on Education recommends the following pass: SB 71

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

The Committee on Commerce and Licensed Businesses recommends the following pass: SB 843 with 1 amendment

The bill was referred to the Committee on Education under the original reference.

The Committee on Natural Resources and Conservation recommends the following pass: SB 1147 SB 1143 with 6 amendments

The Committee on Health, Welfare, and Institutions recommends the following pass: SB 984 with 3 amendments, SB 996 with 6 amendments, SB 937

The Committee on Commerce and Licensed Businesses recommends the following pass: SB 514 with 2 amendments, SB 743

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

The Committee on Governmental Organization recommends the following pass: SB 962

The bill was referred to the Committee on Rules and Calendar under the original reference.

The Committee on Transportation recommends the following pass: Senate Bills 1015 and 1018

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

The Committee on Natural Resources and Conservation recommends the following pass: SJR 435

The bill was referred to the Committee on Constitutional Amendments and Revision under the original reference.

The Committee on Judiciary recommends a Committee Substitute for the following: SB 437

The Committee on Ways and Means recommends the Committee Substitute as recommended by the Committee on Transportation for the following: SB 114 with 5 amendments

The Committee on Health, Welfare, and Institutions recommends a Committee Substitute for the following: SB 938

The Committee on Health, Welfare and Institutions recommends a Committee Substitute for the following: SB 899

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

SB 517

The Committee on Governmental Organization recommends a Committee Substitute for the following: SB 691

The Committee on Ways and Means recommends the Committee Substitute as recommended by the Committee on Agriculture for the following: SB 400 with 1 amendment

The Committee on Governmental Organization recommends a Committee Substitute for the following: SB 709

The Committee on Ways and Means recommends a Committee Substitute for the following: SB 444

The Committee on Constitutional Amendments and Revision recommends a Committee Substitute for the following: SM 1097

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

The Committee on Health, Welfare, and Institutions recommends a Committee Substitute for the following: SB 123

The Committee on Health, Welfare, and Institutions recommends a Committee Substitute for the following: SB 770 with 2 amendments

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 1065

The Committee on Education recommends a Committee Substitute for the following: SB 205 with 1 amendment

The Committee on Commerce and Licensed Businesses recommends a Committee Substitute for the following: SB 710 with 1 amendment

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 Commerce and Licensed Businesses recommends the following not pass: Senate Bills 240 and 902.

The Committee on Health, Welfare, and Institutions recommends the following not pass: SB 991

The Committee on Judiciary recommends the following not pass: HB 366, SB 505, SB 879, SB 648

The Committee on Education recommends the following not pass: SB 753

The Committee on Ways and Means recommends the following not pass: Senate Bills 286 and 506

The Committee on Governmental Organization recommends the following not pass: SB 1126

The Committee on Natural Resources and Conservation recommends the following not pass: SB 955, SB 1175, SB 1211, and HB 1125.

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

**BILLS REFERRED TO SUBCOMMITTEES**

Health and Welfare: Senate Bills 1287, 1326, 1343, 1344, 1398, 1453, 1401, 1403, 1412, 1414, 1416, 1420, 1432 and HB 759

Mental Health, Retardation, and Institutions: Senate Bills 1444, 1050, 1219, 1270, 1272, 1322, 1325, 1356 and HB 714

Senate Bills 980, 763, 855 and 856 withdrawn from the Appropriations Subcommittee

**ENGROSSING REPORTS**

Your Engrossing Clerk to whom was referred—

SB 152 with 2 amendments	SB 500 with 2 amendments
SB 328 with 2 amendments	SB 588 with 5 amendments
SB 374 with 1 amendment	SB 881 with 1 amendment
SB 378 with 4 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.

Your Engrossing Clerk to whom was referred SB 213 with 1 amendment

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

*EDWIN G. FRASER*  
*Secretary of the Senate*

The bill was ordered enrolled.

#### ENROLLING REPORTS

Your Enrolling Clerk to whom was referred—

SB 136	SB 544
SB 235	SB 564
SB 345	SM 230
SB 413	SCR 64
SB 540	SCR 1305

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on May 13, 1970.

*EDWIN G. FRASER*  
*Secretary of the Senate*

On motion by Senator Friday, the Senate proceeded to the consideration of—

#### EXECUTIVE BUSINESS

On motion by Senator Karl, the rules were waived and the Senate took up in open Session the following—

#### REPORTS OF THE SELECT COMMITTEE ON EXECUTIVE SUSPENSIONS

*Senator John E. Mathews* May 13, 1970  
*President*  
*The Florida Senate*

*Dear Mr. President:*

On April 8, 1969, Lonnie McClelland was suspended from the Office of Constable, District 1, Polk County. Mr. McClelland submitted his resignation and asked that it be effective as of July 25, 1969. The resignation was duly accepted by Claude R. Kirk, Jr., Governor.

It is the opinion of the Committee that no further Senate action is necessary in this case.

Respectfully submitted,

FREDERICK B. KARL, Chairman	JERRY THOMAS
ROBERT M. HAVERFIELD	J. H. WILLIAMS
WARREN HENDERSON	HAROLD S. WILSON
KENNETH PLANTE	

Select Committee on Executive Suspensions

On motion by Senator Karl, the Report of the Committee was adopted.

*Senator John E. Mathews* May 13, 1970  
*President*  
*The Florida Senate*

*Dear Mr. President:*

On July 11, 1969, William T. Harvey was suspended from the Office of Judge, Criminal Court of Record, Duval County.

Thereafter, William T. Harvey was placed on probation for three (3) years by the Criminal Court of Record, Duval County.

On April 1, 1970, William T. Harvey submitted his resignation and asked that it be effective as of July 7, 1969. The resignation was duly accepted by Claude R. Kirk, Jr., Governor.

It is the opinion of the Committee that no further Senate action is necessary in this case.

Respectfully submitted,

FREDERICK B. KARL, Chairman	JERRY THOMAS
ROBERT M. HAVERFIELD	J. H. WILLIAMS
WARREN HENDERSON	HAROLD S. WILSON
KENNETH PLANTE	

Select Committee on Executive Suspensions

On motion by Senator Karl, the Report of the Committee was adopted.

*Senator John E. Mathews*  
*President, The Florida Senate*  
*The Capitol*

May 11, 1970

*Dear Mr. President:*

On March 5, 1970, E. Summers Sheffey, Judge of the Court of Record in and for Broward County, Florida, was suspended from office by Executive Order of the Governor.

The Order set forth certain of the specific constitutional grounds for suspension, and alleged facts with sufficient detail to adequately apprise the Judge of the charges made against him.

We find that the Executive Order meets the jurisdictional requirements of the Constitution, Statutes, and applicable case law, and that due process has been afforded the suspended official in compliance with same, and in accordance with the principles enunciated in our general report on suspensions rendered during the 1969 Special Session of the Senate.

The original Executive Order in this case was amended by the Governor on two separate occasions prior to the taking of testimony, and counsel for the Judge has challenged the legality of such procedure. We find no prohibition, either express or implied, to the amendment or amendments of Executive Orders of Suspension, provided the requirements of due process are met. In the instant case, the first amendment changed a specific date alleged in one of the charges of sexual misconduct. Notice of the amendment was given to counsel for the Judge immediately, and no visible disruption to the preparation of his defense was caused. The second amendment corrected an error in the original Executive Order as to the proper title of the Judge's Court; it had been originally described as the "Criminal Court of Record" of Broward County, Florida, when, in fact, the Court is actually the "Court of Record" of Broward County, Florida. Obviously, there was no violation of due process in this second amendment either.

On April 13, 1970, and again on April 16, 1970, this Committee heard sworn testimony and received certain documentary evidence presented on behalf of the Governor and the Judge. The attorneys for the Governor and the attorneys for Judge Sheffey have presented excellent and well-prepared oral argument summarizing and analyzing the evidence and points of law involved. The Committee Members have received other helpful material and advice from counsel.

The charges against Sheffey, to-wit: misfeasance, malfeasance, neglect of duty and incompetency in office, have been clearly defined in the case of *State ex rel. Hardie vs. Coleman*, 155 So. 129, as follows:

"Malfeasance has reference to evil conduct or an illegal deed, the doing of that which one ought not to do, the performance of an act by an officer in his official capacity that is wholly illegal and wrongful, which he has no right to perform or which he has contracted not to do. 'Words and Phrases, First, Second, Third, and Fourth Series, malfeasance; Webster's New International Dictionary.'"

"Misfeasance is sometimes loosely applied in the sense of malfeasance. Appropriately used, misfeasance has reference to

the performance by an officer in his official capacity of a legal act in an improper or illegal manner, while malfeasance is the doing of an official act in an unlawful manner. Misfeasance is literally a misdeed or a trespass, while nonfeasance has reference to the neglect or refusal without sufficient excuse to do that which was an officer's legal duty to do."

"Neglect of duty has reference to the neglect or failure on the part of a public officer to do and perform some duty or duties laid on him as such by law. It is not material whether the neglect be willful, through malice, ignorance, or oversight. When such neglect is grave and the frequency of it is such as to endanger or threaten the public welfare it is gross. Attorney General v. Jochim, 99 Mich. 358, 58 N.W. 611, 23 L. R. A. 699, 41 Am. St. Rep. 606."

"Incompetency as a ground for suspension and removal has reference to any physical, moral, or intellectual quality, the lack of which incapacitates one to perform the duties of his office. Incompetency may arise from gross ignorance of official duties or gross carelessness in the discharge of them. It may also arise from lack of judgment and discretion or from a serious physical or mental defect not present at the time of election, though we do not imply that all physical and mental defects so arising would give ground for suspension."

The testimony, arguments and consideration have involved some 25 hours of Committee time. The Committee Members have considered the evidence and arguments in the light of the definitions set forth above and find that the Governor has sustained the charges made against E. Summers Sheffey in the amended Executive Order of Suspension.

Accordingly, we recommend to the Senate that the suspension of E. Summers Sheffey be upheld and that he be removed as Judge of the Court of Record in and for Broward County, Florida.

Respectfully submitted,

FREDERICK B. KARL, Chairman  
 ROBERT M. HAVERFIELD  
 WARREN HENDERSON  
 KENNETH PLANTE  
 JERRY THOMAS  
 J. H. WILLIAMS  
 HAROLD S. WILSON

Select Committee on Executive  
 Suspensions

Senator Karl moved the adoption of the Report and that pursuant thereto E. Summers Sheffey be removed from office as Judge of the Court of Record in and for Broward County, Florida. The vote was:

Yeas—43

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

Nays—2

Scarborough Wilson

Senator John E. Mathews  
 President, The Florida Senate  
 The Capitol

May 11, 1970

Dear Mr. President:

On March 5, 1970, Sim L. Lowman was suspended from the Office of Sheriff of Hernando County, Florida, by Executive Order of the Governor. Thereafter, at the prehearing conference

of this Committee, counsel for the Governor was granted leave to present to the Committee an Amendment to the Order of Suspension. On April 21, 1970, an Amendment to the Order of Suspension was filed with the Secretary of State, which Amendment set forth certain facts showing that Sim L. Lowman, as Sheriff of Hernando County, Florida, was ordered to appear before the Circuit Court, Hernando County, Florida, to show cause why he should not be held in contempt of court for alleged attempts to influence the deliberations of certain members of the Grand Jury. The Amendment by reference incorporated an Order by the Honorable Samuel S. Smith, Judge of the Circuit Court, adjudicating Sim L. Lowman to be in contempt of court for reason of his attempt to influence the deliberations of the Grand Jury of Hernando County, Florida. The Order of Judge Smith set punishment of Sim L. Lowman to be payment of a fine in the amount of \$1,500.

At the prehearing conference on April 20, 1970, counsel for Sim L. Lowman and counsel for the Governor agreed that the Committee be presented with the transcript of testimony upon which Sim L. Lowman was found to be in contempt of court. Counsel for the Governor subsequently made the transcript available to the Chairman of this Committee and copies were distributed to each member.

On April 27, 1970, this Committee met in the Senate Chambers and received testimony. Sim L. Lowman produced witnesses who testified generally as to his ability to ably perform the duties of Sheriff. Some of the witnesses testified that they believed the penalty to be excessive for the offense of which he was convicted. The Governor produced two witnesses who testified that Mr. Lowman had failed to adequately enforce the law prior to his suspension.

Although there are some conflicts in the testimony as to where the Sheriff conducted his discussions with the jurors and as to the exact words or phrases used in the conversations, the Committee found that the Sheriff did talk to various jurors and did express his opinion to them about a matter then pending before them.

The jury system is basic to our way of life. It is wrong for anyone, and particularly a public official, to attempt to influence the deliberations of a grand jury by communicating with individual jurors in any manner not authorized. Any attempt to influence the deliberations of a jury, whether a trial jury or grand jury, by other than lawful means, strikes at the very foundation of our civilized society, and those who engage in such activity should be punished.

The Committee was surprised to learn that there is no Statute making such activity a crime. Sheriff Lowman was not prosecuted for violation of a law, but was found to be in contempt of court. The procedure followed did not permit him a trial by jury nor the protection of the rules of criminal procedures.

There is a need for such a criminal statute and an appropriate bill has been filed in the Senate. The Committee urges speedy and favorable consideration by the Legislature.

Sheriff Lowman's actions were wrong and offensive to the Committee. However, the following facts, going to the seriousness of the offense and the appropriateness of the punishment, were considered:

- (a) The Sheriff was neither accused nor convicted of attempting to bribe, intimidate or threaten any member of the grand jury.
- (b) There is no statute in Florida setting guidelines and defining the prohibited activity. The only laws are those that go to bribery and similiar crimes.
- (c) No action was taken against the Sheriff by the grand jury although it was members of that jury who complained of the Sheriff's actions.
- (d) The Sheriff testified before the grand jury in the case in question in the normal manner so that his information and attitude concerning the case were already known to the jurors.
- (e) The Sheriff has served in the capacity of Sheriff for over 20 years in that small county (population now about 15,000) and was personally acquainted with each juror. It appears to have been the custom for the grand jurors, as a

part of their investigative duties, to talk to citizens and officials about pending matters. Sheriff Lowman apparently did not willfully violate any law nor any instruction from the court.

- (f) The Sheriff has been put to the cost of his defense in the contempt proceedings; he has paid a fine of \$1,500; he has incurred the cost of defending himself before the Senate Committee and has suffered the inconvenience and humiliation of suspension and subsequent proceedings.

The Committee is most reluctant to recommend reinstatement because such a recommendation might be interpreted as condonation of the Sheriff's activities. We do not condone his actions. On the contrary, we condemn them. Moreover, we express deep concern that a law enforcement officer with so much time and experience in office and with such a reputation for competency in office would consider committing such an act.

In consideration of the above, we are persuaded that in this particular case and under these particular circumstances, and in view of the evidence presented and the state of the law, the Committee recommends that Sim L. Lowman not be removed from the Office of Sheriff of Hernando County and that he be reinstated in that Office.

The Committee further recommends that no reimbursement for costs or attorney fees be awarded.

Respectfully submitted,

FREDERICK B. KARL, Chairman  
 ROBERT M. HAVERFIELD  
 WARREN HENDERSON  
 KENNETH PLANTE  
 JERRY THOMAS  
 J. H. WILLIAMS  
 HAROLD S. WILSON  
 Select Committee on Executive  
 Suspensions

Senator Karl moved the adoption of the Report and that pursuant thereto Sim L. Lowman not be removed from the office of Sheriff of Hernando County, Florida, from which he had been suspended, and that he be reinstated therein. The vote was:

Yeas—43

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

Nays—1

Sayler

Senator John E. Mathews  
 President, The Florida Senate  
 The Capitol

May 13, 1970

Mr. President:

On Sunday, April 5, 1970, Claude R. Kirk, Jr., Governor, issued an executive order purporting to suspend the following members of the Manatee County School Board: Mrs. Betty Rushmore, Chairman, Mr. Theodore H. Griffin, Mr. C. William Lacey, Mr. Thomas R. Sprenger, Mr. Robert C. White, and the County Superintendent, Dr. Jack Davidson.

On April 6, 1970, the Attorney General issued Opinion 070-23 which concluded:

"It is my opinion, therefore, that the order of suspension of the named individuals issued on the 5th of April, 1970, is ineffective to constitute the suspension of these officials.

Therefore, pursuant to Chapter 69-277 under which you have asked my advice, I do not believe there is anything in this order upon which the Senate may act since there has been no valid suspension order."

Thereafter, and on April 8, 1970, the Governor issued a second executive order purporting to suspend the same officials.

Each of the suspension orders presented important and novel constitutional questions. The first order characterizes the school board members as "valiant" and the Superintendent, Dr. Jack Davidson, as "courageous and eminently qualified." The second order, which also incorporated the first, charges the officials with constitutional offenses based on their actions in compliance with an order of the Federal District Court dated January 29, 1970. Neither order casts doubt on the professional competency or the integrity of the individuals.

Dr. Davidson is a professional educator and an appointee of the school board. One of the constitutional questions involved in both orders was the authority of the Governor to suspend an appointed superintendent.

The Select Committee on Executive Suspensions retained special counsel and scheduled a pre-hearing conference for Thursday, April 16, 1970. Counsel for each of the parties was advised to be present and prepared to discuss the legal questions.

By executive order dated April 12, 1970, the Governor attempted to recall and rescind the executive orders of April 5, 1970, and April 8, 1970. There is no constitutional authority for an executive order of suspension to be recalled or rescinded. Nevertheless, upon receipt of the order the scheduled hearing was canceled.

The question before the Senate is whether the Executive Order of April 12, 1970, had the effect of reinstating the suspended officials even though the Governor did not use the constitutional language of reinstatement.

In his original suspension order the Governor said:

"It should be emphatically clear that it is my intention to re-instate the board members and Superintendent at such time as they shall be free to administer the school system consistent with sound educational principles and the law of the land."

The Order of April 12, 1970, says:

"By virtue of the power and authority vested in me under the Constitution and the laws of the State of Florida, I, Claude R. Kirk, Jr., as Governor of the State of Florida, do hereby recall and rescind the Executive Orders of Suspension issued on April 5, 1970, and April 8, 1970, involving the Superintendent and Board of Public Instruction of Manatee County."

It is apparent that the Governor intended to accomplish reinstatement of the officials.

The Committee is therefore of the opinion that as to the officials named above who were suspended and who did not resign prior to April 12, 1970, the Executive Order does constitute reinstatement by the Governor prior to removal, as provided by Article IV, Section 7(a) of the 1968 Constitution of Florida.

Respectfully submitted,  
 FREDERICK B. KARL, Chairman  
 ROBERT M. HAVERFIELD  
 WARREN HENDERSON  
 KENNETH PLANTE  
 Select Committee on Executive  
 Suspensions

JERRY THOMAS  
 J. H. WILLIAMS  
 HAROLD S. WILSON

On motion by Senator Karl, the Report of the Committee was adopted.

INTRODUCTION

By Senator Daniel—

SB 1493—A bill to be entitled An act amending section 5, chapter 9820, laws of Florida, special acts of 1923, being the charter of the city of Leesburg, Florida, as amended by chapter

18656, section 1, special acts of 1937, chapter 29243, section 1, special acts of 1953, and chapter 57-1523, section 1, special acts of 1957; providing authority for the grant or extension of franchises for the operation of public utilities within the city and the manner of exercise of such authority; and authorizing regulation by the city commission of rates and charges of such public utilities, including those owned by the city, except as such rates and charges are regulated by any state agency under authority of general state law.

Evidence of notice and publication was established by the Senate as to SB 1493.

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

By Senators Daniel and Karl—

**SB 1494**—A bill to be entitled An act designating and naming the Lakeside Park located in the City of Tavares on State Road 500 as the Tavares Recreation Park on Lake Eustis; providing suitable plaques to be erected thereon by the Department of Transportation; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1494.

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

By Senators Daniel and Karl—

**SB 1495**—A bill to be entitled An act relating to Lake County, City of Umatilla; amending section 1, article II, chapter 63-2008, Laws of Florida, the same being the charter of the City of Umatilla; redefining the corporate limits of said city; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1495.

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

By Senators Daniel and Karl—

**SB 1496**—A bill to be entitled An act amending Chapter 67-1608, Laws of Florida, 1967, providing for the qualifications of a pollution control officer; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1496.

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

By Senators Daniel and Karl—

**SB 1497**—A bill to be entitled An act relating to the City of Eustis, Lake County; ratifying, confirming, validating and legalizing all assessments, assessment rolls, valuations of properties, levies of taxes and delinquent tax certificates, and annexations of territory to the City of Eustis heretofore made by and as entered upon the rolls and records of said city for the year 1969, together with all acts and proceedings by the duly constituted governing authorities of said city in connection therewith; making same valid, legal, and binding liens upon lands and properties upon which same are made, assessed, and levied, and authorizing the collection of said taxes, assessments, and delinquent tax certificates; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1497.

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

By Senators Daniel and Karl—

**SB 1498**—A bill to be entitled An act to amend section 19 of chapter 9820, laws of Florida, special acts of 1923, being the charter act of the city of Leesburg, as amended by chapter 29242, laws of Florida, special acts of 1953, by providing for publishing of minutes of meetings; duty of clerk and auditor to record and publish ordinances.

Evidence of notice and publication was established by the Senate as to SB 1498.

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

By Senators Daniel and Karl—

**SB 1499**—A bill to be entitled An act relating to Lake County, charter of the City of Fruitland Park; amending section 174 of chapter 67-1401, Laws of Florida; providing enabling legislation for the future annexation of contiguous territory by petition and consent of the landowners in the area sought to be annexed; providing that the property annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed territory shall be subject to all laws and ordinances of said city as if all of such territory had been a part of the said city at the time of the passage and approval of said laws and ordinances; repealing sections 173, 175, and 176 of chapter 67-1401, Laws of Florida, relating to procedures governing annexation; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1499.

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

By Senators Deeb, Wilson and Saylor—

**SB 1500**—A bill to be entitled An act providing for the establishment of permanent offices for the legislative delegation of Pasco County, Florida; providing for the location of the offices; providing for the employment and selection of a permanent secretary for each of the offices; designating funds for maintenance thereof and providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1500.

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

By Senators Deeb, Saylor and Wilson—

**SB 1501**—A bill to be entitled An act requiring the board of county commissioners to hold regular meetings at alternate locations in the eastern and western portions of Pasco County; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1501.

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

By Senators Reuter and Johnson—

**SB 1502**—A bill to be entitled An act relating to Brevard County; authorizing the School Board of Brevard County, Florida, to sell its real and personal property and setting forth the terms thereof; authorizing the exchange of School Board real and personal property and authorizing conveyance or lease of School Board real and personal property to the United States or the State of Florida or any political subdivision thereof, or agency thereof, or municipality, or special tax districts, and the terms thereof; providing authority to be supplemental and cumulative to other existing law; providing that use of authority granted herein, or use of other existing laws relating to disposal of School Board property to be optional at the discretion of the School Board; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1502.

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

By Senators Daniel and Karl—

**SB 1503**—A bill to be entitled An act relating to the city of Mount Dora, amending chapter 61-2519, laws of Florida, by amending section 6; providing that if the election is against annexation, then no further election may be held for at least two (2) years thereafter; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1503.

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

By Senators Daniel and Karl—

**SB 1504**—A bill to be entitled An act ratifying, confirming, validating and legalizing all assessments, assessment rolls, valuations of properties, levies of taxes and delinquent tax certificates heretofore made by and as entered upon the rolls and records of the city of Umatilla, Lake County, Florida, for the year 1969, together with all acts and proceedings had, done and performed by the duly constituted governing authorities and officials of said city in connection therewith, making same valid, legal and binding liens upon the lands and properties upon which same are made, assessed and levied, and authorizing the collection of said taxes, assessments and delinquent tax certificates; providing for the effective date of such law and for the repeal of all laws in conflict therewith.

Evidence of notice and publication was established by the Senate as to SB 1504.

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

By Senators Daniel and Karl—

**SB 1505**—A bill to be entitled An act validating annexations to the territory of the City of Tavares under Florida Statutes 171, and providing for an effective date.

Evidence of notice and publication was established by the Senate as to SB 1505.

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

By Senators Daniel and Karl—

**SB 1506**—A bill to be entitled An act to amend Section 1, of Article II, of Chapter 57-1314, Laws of Florida, Special Acts of 1957, being the Charter of the City of Eustis, Lake County, Florida, and all acts amendatory and supplemental thereto; providing for a re-definition of the corporate limits of said city; providing that the property within said territory and extension shall be liable for its proportionate share of the existing and future indebtedness of the said city; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1506.

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

#### MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Stolzenburg, by two-thirds vote, SB 736 was withdrawn from the Committee on Rules and Calendar and from the Senate.

On motion by Senator Reuter, by two-thirds vote, SB 1387 was withdrawn from the Committee on Health, Welfare, and Institutions and from the Senate.

On motion by Senator Barron, the rules were waived and the Committee on Insurance was granted an additional 7 days for the consideration of Senate Bills 551 and 1037.

On motion by Senator Askew, by two-thirds vote, HB 1504 was withdrawn from the Committee on Judiciary.

On motions by Senator Horne, by two-thirds vote, Senate Bills 1301, 473, 123, SB 875 with committee substitute therefor, and SR 880 were withdrawn from the Committee on Judiciary.

Pursuant to Rule 4.6, a point of order was called by Senator Chiles, and SB 1116 was also referred to the Committee on Ways and Means.

On motions by Senator Chiles, by two-thirds vote, Senate Bills 747, 782, 941, 1186 and HB 2178 were withdrawn from the Committee on Ways and Means.

Senator de la Parte moved that the rules be waived and the subcommittees of the Committee on Health, Welfare, and Institutions be allowed to consider all bills pending in the subcommittees at the scheduled meetings on May 14. The motion was adopted.

On motion by Senator de la Parte, the rules were waived and the Committee on Health, Welfare, and Institutions was granted an additional 14 days for the consideration of Senate Bills 196, 922, 939, 937, 938, 984, 999, 1019, 1020, 1034, 1041, 996, 943, HB 223, and CS for HB 3188.

On motion by Senator Knopke, the rules were waived and the Committee on Natural Resources and Conservation was granted an additional 14 days for the consideration of Senate Bills 145, 151, 251, 254, 434, 450, 458, 459, 460, 465, 515, 521, 523, 592, 632, 693, 697, 952, 1033; and CS for HB 3481.

Senator Knopke moved that the rules be waived and the Committee on Natural Resources and Conservation be permitted to meet past the adjournment hour of 12:30 p. m. at the scheduled meeting on May 14. The motion was adopted.

On motion by Senator Barrow, the rules were waived and the Committee on Commerce and Licensed Businesses was granted an additional 7 days from the present expiration dates for the consideration of all bills now in the Committee.

On motions by Senator Henderson, by two-thirds vote, Senate Bills 372 and 519 were withdrawn from the Committee on Natural Resources and Conservation and from the Senate.

On motion by Senator Henderson, by two-thirds vote, SB 445 was withdrawn from the Committee on Judiciary and from the Senate.

On motion by Senator Henderson, by two-thirds vote, SB 928 was withdrawn from the Committee on Ways and Means and from the Senate.

Senator Stone moved that the rules be waived and the Taxation Subcommittee be permitted to meet tonight in room 8 to consider the following: Senate Bills 568, 392, 898, 32, 1208, 1274, 1281, 1435, 307, 308, 31 and HB 4120. The motion was adopted.

On motions by Senator Johnson, by two-thirds vote, Senate Bills 283 and 738 were withdrawn from the Committee on Commerce and Licensed Businesses and from the Senate.

On motions by Senator Lane, by two-thirds vote, Senate Bills 661, 578, 545 and 501 were withdrawn from the Committee on Health, Welfare, and Institutions and from the Senate.

#### MESSAGES FROM THE GOVERNOR

The Governor advised that on May 12 he had transmitted to the Office of Secretary of State Senate Bills 248, 401, 403 and 542 which will become law without his approval.

The Governor advised that on May 13 he had transmitted to the Office of Secretary of State SCR 791 and CS for SB 7, which he had approved.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

May 12, 1970

Sir:

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

By Representative Gorman and others—

**HB 4528**—A bill to be entitled An act to authorize the City of Orlando, Florida, to issue bond anticipation notes for money borrowed in anticipation of receipt of bond proceeds; providing for the time, terms and conditions for such borrowing; providing for the time for payment of the borrowed money; providing for renewal of said bond anticipation notes and time of maturity thereof; providing for authorization of such notes by resolution of the City of Orlando on certain terms, conditions and provisions prescribed by the City of Orlando; providing for sale of such notes at public or private sale, or if

such notes are renewal notes, for exchange for outstanding notes on terms determined by the City of Orlando; providing the City of Orlando may retire any such notes by any lawful means, and, if done by means other than issuance of bonds or the proceeds of subsequently issued bond anticipation notes issued to the same or different financial institutions, providing certain terms and conditions for doing so; providing for application of the provisions of this act to existing as well as future bond issue authorizations and approvals and for specific application to certain specified notes of the City of Orlando; providing for legislative intent as to construction and application of this act and relationship to certain other laws including section 215.431, Florida Statutes; providing a severability clause; and providing an effective date.

Proof of Publication attached.

By Representative Earle and others—

**HB 4529**—A bill to be entitled An act relating to the City of Orlando, Florida, relating to the sale and purchase of real estate by or for the City of Orlando; amending Sections 3 and 4 of Chapter 65-2022, Laws of Florida; deleting all reference to freeholder electors of said city and substituting therefor electors of said city; adding sections 7 and 8 to said Chapter 65-2022, Laws of Florida, which new sections provide that Chapter 65-2022 shall not apply to or require anything as to acquisitions of property by eminent domain occurring prior to, contemporaneous with or subsequent to the effective date of this act and a severability clause; providing for repeal of conflicting laws; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

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

*The Honorable John E. Mathews, Jr.* May 12, 1970  
*President of the Senate*

Sir:

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

By Representative Roberts and others—

**HB 5050**—A bill to be entitled An act relating to Monroe County, City of Key West; amending section 8 of Article 1 of the introductory chapter of chapter 23374, Laws of Florida, 1945, as amended by chapter 67-1594, Laws of Florida; describing the territorial boundaries of the City of Key West; authorizing the City of Key West to exercise its police powers and jurisdiction extending three hundred (300) feet into the tidal waters adjacent to its corporate limits as herein established; providing that the exercise of such police powers and jurisdiction beyond the corporate limits of said city shall extend only to the abatement of nuisances, the enforcement of sanitary laws and regulations, the regulation of zoning, and suppression of crime; repealing all laws, whether general or special, particularly chapter 23374, Laws of Florida, 1945, as amended by chapter 67-1594, Laws of Florida, to the extent of conflict with this act; providing an effective date.

Proof of Publication attached.

By Representative Ware and others—

**HB 5053**—A bill to be entitled An act amending Chapter 26, 356, Special Acts 1949, relating to Juvenile Welfare Board of Pinellas County, to provide for the addition of two members, one of whom will be the second judge of the Juvenile Court, and the second to be appointed by the governor; providing an effective date.

Proof of Publication attached.

By Representative Ware and others—

**HB 5055**—A bill to be entitled An act to amend Section 3 of Chapter 61-2009, Special Acts of Florida, 1961, which amended Chapter 9710, Special Acts of Florida, 1923, being the Charter of the City of Clearwater, Florida, to provide additional and supplemental powers for the City of Clearwater,

to provide that revenue bonds issued by the City shall bear interest at a rate or rates not exceeding seven and one-half per cent (7½%) Per annum; providing for the severability of the provisions hereof; providing for the repeal of all laws in conflict herewith; and providing for the effective date hereof.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

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

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

May 12, 1970

Sir:

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

By Representative Gibson and others—

**HB 4453**—A bill to be entitled An act relating to Seminole County, public schools; prohibiting the use of the course of study known as the "Sullivan Reading Series"; providing an effective date.

Proof of Publication attached.

By Representative Gibson and others—

**HB 4454**—A bill to be entitled An act relating to Orange County public schools; prohibiting the use of the course of study known as the "Sullivan Reading Series"; providing an effective date.

Proof of Publication attached.

By Representative Gibson and others—

**HB 4455**—A bill to be entitled An act relating to Orange County, public schools; prohibiting the use of materials recommended or approved by the Sex Education and Information Council of the United States in said schools; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

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

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

May 12, 1970

Sir:

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

By Representative Bothwell and others—

**HB 4530**—A bill to be entitled An act repealing Chapter 26081, Special Acts of 1949, which said Chapter relates to: the authorization of public officials of Orange County to reproduce on a small scale by photographic, microphotographic, photostatic, microphotostatic, or other process, any public records, court exhibits, or office records in their official custody; prescribing the conditions under which such records shall be so reproduced; prescribing by whose authority the expenditure therefor shall be made; providing for the verification, certification, storage, examination and use of such reproductions; providing that certified positive or negative reproductions shall be deemed the official original records for all purposes, and that certified copies thereof, or of any enlarged portion thereof, shall be acceptable in any court; authorizing the sale of copies of such reproductions and providing that after the reproductions have been verified and certified, the originals may be destroyed or otherwise disposed of; providing of certain exceptions, public records, court exhibits and office records, which are considered to be worthless from a practical standpoint, may be destroyed or otherwise disposed of without first reproducing them on a smaller scale; providing that in each

particular instance certain conditions are complied with, including the issuing and recording of a circuit court order; otherwise generally and specifically regulating the reproducing of said records on a small scale and destroying same; and providing an effective date.

Proof of Publication attached.

By Representative Earle and others—

**HB 4532**—A bill to be entitled An act relating to the clerk of the circuit court of Orange County, Florida, authorizing the clerk of the circuit court of Orange County to place on time deposit registry of court monies; ratifying and confirming the legality of the deposit of registry of court monies in time deposits heretofore made by the clerk of the circuit court of Orange County; repealing laws in conflict; and providing for an effective date.

Proof of Publication attached.

By Representative Wood and others—

**HB 4533**—A bill to be entitled An act relating to Constables in any County of the State having a population of not less than two hundred thirty thousand (230,000) and not more than three hundred thousand (300,000) according to the latest official decennial census; amending Section 2, Chapter 65-830, General Laws of 1965, to provide for an increase in the salary of the Constable of District One; providing for an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

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

*The Honorable John E. Mathews, Jr.* May 12, 1970  
*President of the Senate*

Sir:

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

By Representative Bassett and others—

**HB 4488**—A bill to be entitled An act relating to the showing of motion pictures and previews of motion pictures and private ratings thereof in Seminole County; providing for the exhibition of such ratings; providing for a penalty for violation hereof; providing an effective date.

Proof of Publication attached.

By Representative Poorbaugh and others—

**HB 4514**—A bill to be entitled An act relating to Palm Beach County; providing for the issuance of countywide municipal occupational licenses for construction; providing for their sale by the county tax collector; establishing fees to be charged; providing for the distribution to the municipalities of proceeds received on a pro rata formula basis and for a year-to-year revision of such formula; providing for the validity of license when failing to register with a municipality; providing for delinquency penalties and half-year fees; providing for an effective date.

Proof of Publication attached.

By Representative Gorman and others—

**HB 4518**—A bill to be entitled An act relating to Orange County, payment of fees and commissions to the clerk of the circuit court; providing that the clerk of the circuit court in Orange County may accept checks for payment of any fees or commissions provided by any law for compensation for services rendered by his office in connection with any of his official duties or functions; providing that the clerk of the circuit court in Orange County may deduct from his excess fees paid to the board of county commissioners the amount of any checks so received in payment of fees or commissions which remain uncollected after exercise of due diligence by the clerk to collect such checks and thereupon the county may institute suit

to recover the amount of such checks; repealing all laws or parts of laws in conflict herewith; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

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

*The Honorable John E. Mathews, Jr.* May 12, 1970  
*President of the Senate*

Sir:

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

By Representative Gorman and others—

**HB 4652**—A bill to be entitled An act relating to Seminole County; authorizing the clerk of the circuit court to place on time deposit registry of court moneys; ratifying and confirming the legality of the deposit of registry of court moneys in time deposits; providing an effective date.

Proof of Publication attached.

By Representative Heath and others—

**HB 4690**—A bill to be entitled An act relating to the Englewood water district; providing for the powers thereof; amending section 4 of chapter 59-931, Laws of Florida, as amended, by adding subsection (u) thereto; granting to the district the power to purchase real estate by agreement for deed or note and mortgage; providing an effective date.

Proof of Publication attached.

By Representative Heath and others—

**HB 4691**—A bill to be entitled An act relating to DeSoto County, Prairie Creek water conservation and recreation district; providing that the Prairie Creek water conservation and recreation district is validly created and established, and ratifying, validating and confirming all steps and proceedings heretofore taken in the creation of the district; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

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

*The Honorable John E. Mathews, Jr.* May 12, 1970  
*President of the Senate*

Sir:

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

By Representative Roberts and others—

**HB 5061**—A bill to be entitled An act relating to Monroe County, City of Key West; amending section 9 of article VII of chapter A of chapter 23374, Laws of Florida, 1945, same being the charter of the City of Key West, Florida, as amended, by providing that penal ordinances, before going into effect, shall be published by title only one (1) time in a newspaper of general circulation published in the City of Key West; providing an effective date.

Proof of Publication attached.

By Representative Murphy and others—

**HB 5101**—A bill to be entitled An act relating to the City of Tarpon Springs, Pinellas County; amending Section 6 of Chapter 21598, Laws of Florida, 1941; by adding subsection (2); providing a change of boundaries; providing a referendum.



use of such funds therefor; repealing chapter 67-880, Laws of Florida, relating to the distribution of such funds; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

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

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

May 12, 1970

Sir:

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

By Representative Brantley and others—

**HB 4438**—A bill to be entitled An act amending Section 14.08 of Article 14 of Chapter 67-1320, Laws of Florida, as amended, being the Charter of the City of Jacksonville, as to compensation of the Duval County School Board; providing compensation, if any, shall be such salary as may be set by the City Council; providing an effective date.

Proof of Publication attached.

By Representative Gibson and others—

**HB 4451**—A bill to be entitled An act relating to Seminole County, public schools; providing that neither health nor sex education courses, nor a combination thereof, shall be a prerequisite for graduation; providing that no student shall be permitted to take instruction in any course relating to health or sex education, or both, unless the parent or natural guardian of the student consents; providing for contents of the consent; providing an effective date.

Proof of Publication attached.

By Representative Gibson and others—

**HB 4452**—A bill to be entitled An act relating to Orange County, public schools; providing that neither health nor sex education courses, nor a combination thereof, shall be a prerequisite for graduation; providing that no student shall be permitted to take instruction in any course relating to health or sex education, or both, unless the parent or natural guardian of the student consents; providing for contents of the consent; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

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

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

May 12, 1970

Sir:

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

By Representative Brantley and others—

**HB 4639**—A bill to be entitled An act relating to the Duval County Beaches Public Hospital Board, by amending Sections 13 and 14 of Chapter 25807, Acts of 1949, Laws of Florida, to provide fiscal autonomy for the Board; providing an effective date.

Proof of Publication attached.

By Representative Westberry and others—

**HB 4640**—A bill to be entitled An act authorizing the City of Jacksonville Beach, Florida to lease all or any part of certain ocean front property for public or non-public uses; providing an effective date.

Proof of Publication attached.

By Representative Powell and others—

**HB 4641**—A bill to be entitled An act relating to Brevard County; declaring the establishing, equipping, furnishing, maintaining and operating of a legal aid office or offices in Brevard County to be a county purpose; designating Brevard County Legal Aid, Inc., a nonprofit Florida corporation, to receive county funds; providing for the manner of raising funds and expenditure of such funds for legal aid services; requiring an annual audit of Brevard County Legal Aid, Inc.; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

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

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

May 12, 1970

Sir:

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

By Representative Ware and others—

**HB 5056**—A bill to be entitled An act creating a Juvenile Court Advisory Board, in and for Pinellas County; providing for the selection of its members, their term of office and duties; providing that as to Pinellas County the duties of the County Board of Visitors will fall to the Judges of the Juvenile Court with the Juvenile Court Advisory Board acting in an advisory capacity; providing for compensation of its members; providing an effective date.

Proof of Publication attached.

By Representative Ware and others—

**HB 5057**—A bill to be entitled An act relating to Pinellas County Juvenile Court Judges, providing for a second Judge; providing for the term of office and for the election of Judges of the Juvenile Court of said County, and the manner thereof; providing for the Judge senior in point of service to be a member of the Juvenile Welfare Board; providing for the salary of Judges of this Court and the manner of its payment; repealing all conflicting laws; providing an effective date.

Proof of Publication attached.

By Representative Brantley and others—

**HB 5060**—A bill to be entitled An act amending the second unnumbered paragraph of Section 1, Chapter 63-1447, laws of Florida, Special Acts of 1963, as amended, relating to the Jacksonville Port Authority; providing that the Authority may use any of the services available to governmental units through the Department of Central Services through the City of Jacksonville, Florida, on a voluntary and contractual basis but is not required by law to do so; that the Authority may pay said City reasonable compensation for such use; that such use by the Authority shall not subject Authority to any rules, regulations or ordinances of said City not otherwise applicable to Authority under existing law; and changing the fiscal year of the Authority to commence October 1 of each year; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

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

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

May 12, 1970

Sir:

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

By Representative Gibson and others—

**HB 4456**—A bill to be entitled An act relating to Seminole County, public schools; prohibiting the use of materials recommended or approved by the Sex Education and Information Council of the United States in said schools; providing an effective date.

Proof of Publication attached.

By Representative Nergard—

**HB 4475**—A bill to be entitled An act relating to St. Lucie County; authorizing the withdrawal of St. Lucie County from the central Florida regional housing authority; providing for the method of such withdrawal; providing an effective date.

Proof of Publication attached.

By Representative Alvarez and others—

**HB 4487**—A bill to be entitled An act repealing chapter 23359, laws of Florida, special acts of 1945, entitled: "An act fixing a rule for computing the amount of the pension of members of the fire department of the City of Jacksonville, Florida, upon their retirement, and matters relating to the pension fund of the fire department of said city," which act requires inclusion of overtime payments in computing the amount of pensions of members of the fire department; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

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

*The Honorable John E. Mathews, Jr.* May 12, 1970  
*President of the Senate*

Sir:

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

By Representatives Woodward and Mixson—

**HB 3714**—A bill to be entitled An act relating to Gadsden County, School Plant; providing for school system capital improvements; authorizing The School Board to issue revenue certificates for payment thereof; providing for payment of principal and interest from Race Track Funds and Jai Alai Fronton Funds accruing annually to said Board; providing an effective date.

Proof of Publication attached.

By Representative Lancaster—

**HB 4411**—A bill to be entitled An act relating to the acquisition, construction, erection, building, enlarging and improving of school buildings, and the furnishing and equipping of said school buildings, and the acquisition of other facilities and equipment to be used for educational, athletic and/or recreational purposes, by the School Board of Levy County, Florida; authorizing the issuance of certificates of indebtedness payable from a portion of Race Track Funds accruing annually to Levy County, Florida and allocated to said School Board to pay the cost of such projects; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

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

*The Honorable John E. Mathews, Jr.* May 12, 1970  
*President of the Senate*

Sir:

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

By Representative Featherstone and others—

**HB 4118**—A bill to be entitled An act relating to civil courts of record, in any county of the state having a population of not less than four hundred thousand (400,000), according to the latest official decennial census; amending section 2 of chapter 65-2422, Laws of Florida; raising the jurisdictional amount from one hundred dollars (\$100) to seven hundred and fifty dollars (\$750); providing an effective date.

By Representative Wood and others—

**HB 4648**—A bill to be entitled An act creating a Civil Service System for Employees of the office of the Sheriff of Seminole County; creating a Civil Service Board, providing for said board's powers, duties, qualifications and compensation; providing for the division of the Civil Service into unclassified and classified service; providing for a table of organization and a certification by the sheriff that the office is properly and sufficiently organized and capable of operation under the Civil Service Rules adopted pursuant hereto; providing for competitive tests and waiver of such tests by those who have been employed by the Sheriff for at least six (6) months prior to the time this act becomes operational; providing for classification of employees; providing for hearings and appeals; authorizing expenditures of the Board; prohibiting classified employees from political activities; providing penalties; providing construction of act; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

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

*The Honorable John E. Mathews, Jr.* May 12, 1970  
*President of the Senate*

Sir:

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

By Representative Elmore and others—

**HB 4239**—A bill to be entitled An act relating to Okaloosa County; creating the Town of Baker; describing territorial boundaries; prescribing the form of government, jurisdiction, powers, and privileges of said town; providing for the election of certain officers; providing for a referendum.

—and requests the concurrence of the Senate therein.

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

*The Honorable John E. Mathews, Jr.* May 12, 1970  
*President of the Senate*

Sir:

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

By Representative D'Alemberte—

**HB 3423**—A bill to be entitled An act relating to succession to the office of governor and succession as acting governor; providing for succession of lieutenant governor and cabinet members to office of governor; specifying salary for persons succeeding to office of governor; providing for succession of lieutenant governor and cabinet members as acting governor; providing manner for determining capacity to serve as acting governor; providing for succession to office of governor and succession as acting governor in situations not specifically covered by statute; repealing sections 14.051, 14.15, 14.16, 14.17, 14.18 and 22.04, Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate therein.

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

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

May 12, 1970

Sir:

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

By Representative Woodward—

**HB 3924**—A bill to be entitled An act relating to county judges; amending section 44.09, Florida Statutes, to remove Gadsden County from the list of counties which are excluded from the provisions of sections 44.01-44.08, Florida Statutes, relating to the salaries, preparation of budgets, and receipt and handling of funds with regard to the county judge's office; providing an effective date.

—and requests the concurrence of the Senate therein.

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

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

May 12, 1970

Sir:

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

By Representative Melvin and others—

**HB 4535**—A bill to be entitled An act relating to Holmes County; creating the Town of Noma; describing territorial limits; prescribing the form of government, jurisdiction, powers, and privileges; providing for the election of certain officers; authorizing the levy of certain taxes; repealing chapter 5521, Laws of Florida, 1905, chapter 13155, Laws of Florida, 1927, and chapter 67-1768, Laws of Florida, relating to the original incorporation of the Town of Noma, the corporate limits of the Town of Noma, and the creation and organization of the Town of Noma; providing for a referendum.

—and requests the concurrence of the Senate therein.

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

Evidence of notice and publication was established by the Senate as to House Bills 4528, 4529, 5050, 5053, 5055, 4453, 4454, 4455, 4530, 4532, 4533, 4488, 4514, 4518, 4652, 4690, 4691, 5061, 5102, 5103, 4767, 4768, 4534, 4536, 4638, 5054, 5066, 4438, 4451, 4452, 4639, 4640, 4641, 5056, 5057, 5060, 4456, 4475, 4487, 3714, 4411 and 4648.

House Bills 4528, 4529, 5050, 5053, 5055, 4453, 4454, 4455, 4530, 4532, 4533, 4488, 4514, 4518, 4652, 4690, 4691, 5061, 5101, 5102, 5103, 4692, 4767, 4768, 4534, 4536, 4638, 5054, 5066, 4438, 4451, 4452, 4639, 4640, 4641, 5056, 5057, 5060, 4456, 4475, 4487, 3714, 4411, 4118, 4648, 4239, 3423, 3924 and 4535, contained in the above messages, were read the first time by title and referred to the Committee on Rules and Calendar.

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

May 12, 1970

Sir:

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

By the Committee on General Legislation—

**CS for HCR 4387**—A concurrent resolution commending H. T. Waller for his exceptional record of achievement in sports competition.

—and requests the concurrence of the Senate therein.

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

CS for HCR 4387, contained in the above message, was read the first time in full and placed on the Calendar.

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

May 12, 1970

Sir:

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

By Representative Tyre and others—

**HCR 5099**—A concurrent resolution honoring Coach Joe B. Fields.

—and requests the concurrence of the Senate therein.

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

HCR 5099, contained in the above message, was read the first time in full and placed on the Calendar.

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

May 11, 1970

Sir:

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

By Representative Yancey and others—

**HB 606**—A bill to be entitled An act relating to chemical tests as to intoxication of persons operating a motor vehicle, implied consent; amending sections 322.261 and 322.262, Florida Statutes; providing for the testing of breath or blood; deleting references to urine and saliva; repealing paragraph (f) of subsection (2) of section 322.261, Florida Statutes; amending subsection 322.262(4), Florida Statutes, to provide for jury trial; clarifying intent of procedures and penalty; providing an effective date.

—and requests the concurrence of the Senate therein.

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

HB 606, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

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

May 12, 1970

Sir:

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

By the Committee on Insurance—

**HB 4097**—A bill to be entitled An act relating to insurance; amending part VII of chapter 626, Florida Statutes, by adding section 626.0633, prohibiting soliciting and accepting of new or renewal insurance risks by insolvent insurers; providing penalties; providing an effective date.

By the Committee on Insurance—

**HB 4091**—A bill to be entitled An act relating to insurance; amending section 628.461(1) and (3), Florida Statutes, and adding subsections (4) and (5) to said section; broadening the jurisdiction of the department of insurance over transactions affecting the control of domestic stock insurers or transactions affecting changes of fifty percent (50%) or more of the assets in the security portfolio of a domestic insurer; providing for a hearing after the department of insurance disapproves a change of control or change of the assets; imposing a penalty of discretionary suspension or revocation for violation; defining controlling stock; providing an effective date.

By the Committee on Insurance—

**HB 5129**—A bill to be entitled An act relating to insurance examinations and rate hearings; amending section 627.321, Florida Statutes, by adding subsection (5) to permit the

insurance commissioner to hold a public hearing on insurance rates and rate increases to determine compliance with the law; providing procedures; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

House Bills 4097, 4091 and 5129, contained in the above message, were read the first time by title and referred to the Committee on Insurance.

*The Honorable John E. Mathews, Jr.* May 12, 1970  
*President of the Senate*

Sir:

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

By the Committee on Commerce—

**HB 4693**—A bill to be entitled An act relating to alcoholic beverage laws, revision; amending chapter 561, Florida Statutes, to provide for beverage law generally, definitions, administration of and by division of beverage of department of business regulation, licenses, bonds, taxes, etc; amending chapter 562, Florida Statutes, to provide unlawful acts, penalties and enforcement generally and related matters; creating chapter 563, Florida Statutes, to make provisions as to beer and malt beverages; creating chapter 564, Florida Statutes, to make provisions as to wine; creating chapter 565, Florida Statutes, to make provisions as to distilled or spirituous beverages; deleting provisions of chapters 561 and 562, Florida Statutes, which relate to beverage stamps; and providing for severability of provisions; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

HB 4693, contained in the above message, was read the first time by title and referred to the Committees on Commerce and Licensed Businesses and Ways and Means.

*The Honorable John E. Mathews, Jr.* May 11, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended by the required two-thirds vote of all members elected to the House—

By Representative Reedy—

**HB 1516**—A bill to be entitled An act for relief of James E. Allen; providing an appropriation to compensate him for injuries sustained in the interest of public safety for the State of Florida; to require the Florida Department of Public Safety to investigate said claim and to settle the payment out of their designated funds or to settle said claim from the general funds of said agency in such amount as they may determine, not to exceed two thousand dollars (\$2,000.00); providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

HB 1516, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

*The Honorable John E. Mathews, Jr.* May 12, 1970  
*President of the Senate*

Sir:

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

By Representative Powell and others—

**HCR 3759**—A concurrent resolution commending Nancy Bell Oldham for her exceptional record of achievement in sports competition.

—and requests the concurrence of the Senate therein.

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.* May 12, 1970  
*President of the Senate*

Sir:

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

By Representative Melvin and others—

**HCR 4774**—A concurrent resolution commending Florida's First Special Olympics.

—and requests the concurrence of the Senate therein.

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

House Concurrent Resolutions 3759 and 4774, contained in the above messages, were read the first time in full and placed on the calendar.

*The Honorable John E. Mathews, Jr.* May 12, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to HB 3832.

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.* May 11, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to—

HB 511	HB 504	HB 3813
HB 372	HB 619	HB 3844

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.* May 12, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 182.

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

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

*The Honorable John E. Mathews, Jr.* May 8, 1970  
*President of the Senate*

Sir:

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

By Senator Sayler—

**SB 135**—A reviser's bill to be entitled An act relating to the Probate Code; amending chapter 736, Florida Statutes, to reenact section 736.17, which was inadvertently repealed by chapter 69-88, Laws of Florida; providing an effective date.

which amendment reads as follows:

On page 3, line 16, strike "lines 16 through 26" and insert the following:

Section 2. The reenactment of Section 736.17, Florida Statutes 1967, by Section 1 of this act shall not be construed to be the reenactment of a repealed section in that Section 736.17, Florida Statutes 1967, continued in effect notwithstanding Chapter 69-88, General Laws of Florida. In the event that for any reason Section 736.17, Florida Statutes 1967, is found to have been repealed by Chapter 69-88, then the adoption of Section 1 of this act shall be deemed to be retroactive to the effective date of Chapter 69-88.

Section 3. It is hereby declared to be the intent of the Legislature that Chapter 69-88, General Laws of Florida, was not intended as a repeal of Section 736.17, Florida Statutes 1967. Insofar as Chapter 69-88 may appear to repeal Section 736.17, Florida Statutes 1967, it is acknowledged that Chapter 69-88 did not conform to the requirements of Section 6, Article III, of the constitution of the State of Florida and is void.

Section 4. This act shall take effect immediately upon becoming law and shall be applicable to wills executed before and after said date.

—and requests the concurrence of the Senate therein.

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

On motion by Senator Sayler, the Senate concurred in the House amendment to SB 135.

SB 135 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—31 Nays—None

Mr. President	Ducker	McClain	Slade
Askew	Friday	Myers	Stolzenburg
Barron	Gong	Ott	Thomas
Bell	Gunter	Pope	Trask
Bishop	Haverfield	Reuter	Weber
Broxson	Henderson	Sayler	Wilson
Daniel	Johnson	Scarborough	Young
Deeb	Lane	Shevin	

*The Honorable John E. Mathews, Jr.* May 12, 1970  
*President of the Senate*

Sir:

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

By Representative Turlington and others—

**HB 3851**—A bill to be entitled An act relating to educational television; amending subsections (5)(a) of section 229.805, Florida Statutes, to provide that only fair, open and free discussion between political candidates for municipal, county, legislative, congressional or state office may be permitted; in order to help materially reduce the excessive cost of campaigns, and to insure that the citizens of Florida shall be fully informed about such issues and candidates in such campaigns; provided further that the same provisions shall apply to the advocacy for or opposition to any specific program, existing or proposed, of governmental action which shall include, but shall not be limited to, constitutional amendments, tax referendums, or bond issues; providing reasonable rules and regulations; providing an effective date.

—and requests the concurrence of the Senate therein.

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

HB 3851, contained in the above message, was read the first time by title and referred to the Committee on Education.

*The Honorable John E. Mathews, Jr.* May 13, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended by the required two-thirds vote of all members elected to the House—

By Representatives Chapman and Middlemas—

**HB 947**—A bill to be entitled An act for the relief of John McDaniel; providing an appropriation to pay John McDaniel for damages sustained from a fall into an open manhole type structure, located on state right-of-way adjacent to a state maintained connecting link road; providing an effective date.

By Representative Crider—

**HB 3113**—A bill to be entitled An act for the relief of James W. Dalzell to compensate him for injuries sustained by his minor daughter, Sandra V. Dalzell, and expenses incurred by James W. Dalzell as a result of the negligence of the state road department; providing an effective date.

By the Committee on Claims—

**CS for HB 3114**—A bill to be entitled An act for relief of Roger Stinson; providing an appropriation to compensate him for the wrongful death of his wife, Jane Stinson, caused by the collapse of the Anclote River Bridge located on U. S. Highway 19, Pinellas County; providing an appropriation from department of transportation funds; providing an effective date.

—and requests the concurrence of the Senate therein.

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

*The Honorable John E. Mathews, Jr.* May 13, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended by the required two-thirds vote of all members elected to the House—

By Representative Sackett—

**HB 1058**—A bill to be entitled An act for relief of John May and Norma Cohen; providing for an appropriation to compensate them for damages sustained and expenses incurred as a result of negligence of the university of South Florida; providing an effective date.

—and requests the concurrence of the Senate therein.

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

*The Honorable John E. Mathews, Jr.* May 13, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended by the required two-thirds vote of all members elected to the House—

By Representative Gustafson—

**HB 1221**—A bill to be entitled An act for the relief of Miss Dorothy Waxler and Miss Lela Mills, for injuries sustained by them when a state road department bridge that they were crossing was negligently opened, causing them to fall; providing an appropriation; providing an effective date.

By Representative Lindsey—

**HB 726**—A bill to be entitled An act for the relief of Butler Briggs, Jr., for damages resulting from wrongful imprisonment; providing an appropriation; providing an effective date.

By Representative Nichols—

**HB 189**—A bill to be entitled An act for the relief of Sabine Towing & Transportation Co., Inc., a corporation, on account of funds expended by the corporation as a result of the negligent closing of the Gulf Beach Bridge draw span, operated by the department of transportation, a component agency of the state of Florida, on December 7, 1963, by an agent, servant or employee of the department of transportation; and to require the department of transportation to reimburse Sabine Towing & Transportation Co., Inc., for their expenses in repairing the damage to the tug Zeus in the amount of \$1000.00 from the general funds of the department of transportation; providing an effective date.

—and requests the concurrence of the Senate therein.

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

*The Honorable John E. Mathews, Jr.* May 13, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended by the required two-thirds vote of all members elected—

By Representative Stevens—

**HB 3369**—A bill to be entitled An act for the relief of John William Fischer and Olen R. McNeal, providing an appropriate compensation to them for damages as a result of the negligence of the state road department; providing an appropriation; providing an effective date.

—and requests the concurrence of the Senate therein.

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

*The Honorable John E. Mathews, Jr.* May 13, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended by the required two-thirds vote of all members elected to the House—

By Representative Bird—

**HB 411**—A bill to be entitled An act providing for the relief of Robert E. Derektor & Company for damages in connection with damage to a barge and equipment thereon as a result of the closing of a bridge span; providing an effective date.

—and requests the concurrence of the Senate therein.

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

*The Honorable John E. Mathews, Jr.* May 13, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended by the required two-thirds vote of all members elected to the House—

By Representative Stevens—

**HB 3370**—A bill to be entitled An act for relief of Edward R. Gaskin and Mrs. Doris H. Gaskin; providing an appropriation to compensate them for damages sustained as a result of the negligence of the state road department; providing an effective date.

By Representative Gustafson—

**HB 883**—A bill to be entitled An act for the relief of Hillsboro Association, Inc., a Delaware corporation, on account of funds expended to repair damage to real property caused by actions

of the division of road operations in installing and maintaining a detour bridge across the intracoastal waterway at Hillsboro Inlet, Broward County; directing the division of road operations to satisfy said claim by payment out of specified funds; providing an effective date.

—and requests the concurrence of the Senate therein.

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

*The Honorable John E. Mathews, Jr.* May 13, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended by the required two-thirds vote of all members elected to the House—

By Representative Blackburn—

**HB 680**—A bill to be entitled An act for the relief of Edward Gossett; providing an appropriation to compensate him for damages sustained as a result of the negligence of the Florida National Guard; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

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

Evidence of notice and publication was established by the Senate as to HB 680.

House Bills 947, 3113, CS for HB 3114, House Bills 1058, 1221, 726, 189, 3369, 411, 3370, 883 and 680, contained in the above messages, were read the first time by title and referred to the Committee on Ways and Means.

*The Honorable John E. Mathews, Jr.* May 12, 1970  
*President of the Senate*

Sir:

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

By the Committee on Commerce—

**CS for HB 3117**—A bill to be entitled An act relating to motor vehicle odometer readings; making certain acts unlawful; providing exceptions; requiring persons transferring motor vehicles to make certain statements relative to odometer readings of such vehicles; requiring statement to be filed with application for certificate of title; prohibiting a disclaimer; providing a penalty; providing an effective date.

—and requests the concurrence of the Senate therein.

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

CS for HB 3117, contained in the above message, was read the first time by title and referred to the Committee on Transportation.

Unanimous consent was granted Senator Pope to change his vote from yea to nay on the passage of HB 4756 on May 11.

**SECOND READING**

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

**SR 797**—A resolution commending President Hugh F. McKean, of Rollins College, on his concept of external degrees as an educational service to the State of Florida.

WHEREAS, by the year 2000 A. D. the population of the State of Florida, according to estimates, will approximate fourteen million, and

WHEREAS, the growth over a period of three decades will exceed the number of people now residing in the state by more than the total number of inhabitants who have come to enjoy the sunshine since Florida became a territory of the United States in 1819, and

WHEREAS, Florida has experienced and will continue to experience a phenomenal increase in college-age population, and

WHEREAS, today education is a continuing process throughout the life cycle of the individual without reference to age, and

WHEREAS, the future of Florida among the fifty states to a large extent will be determined by the competence and creativity of the educated mind, and

WHEREAS, educational technologies provide instrumentalities and programs for external studies as an ongoing process, and

WHEREAS, the present and developing demand for education places burdens upon the taxpayers, and

WHEREAS, the President of Rollins College, the oldest senior college in the state, established in 1885, has proposed the idea and its implementation of an institutional offering of external studies leading to academic degrees upon measured levels of educational competence, and

WHEREAS, external studies provide a means, both convenient and practical, by which Floridians would be enabled to advance their own educational competence, thus strengthening the mental and creative fiber of citizens of the Sunshine State, and

WHEREAS, the concept of external studies with examinations to measure competence would ease the financial burden of the state, NOW, THEREFORE,

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

That the Senate of the State of Florida expresses to President Hugh F. McKean, of Rollins College, Winter Park, the oldest senior college in the Sunshine State, its appreciation of his leadership in proposing to establish and implement a program of external studies leading to academic degrees upon measured levels of educational competence, and that the Senate finds the concept to be of inestimable value to the future of the State of Florida and the welfare of its citizens, and that the Senate expresses its confidence in President McKean and, in commending his plan, urges him promptly to assemble instructional staff, educational offerings, communication facilities, and testing procedures which will make the program of external studies an established part of education in Florida.

BE IT FURTHER RESOLVED that a copy of this resolution signed by the President of the Senate and attested to by the Secretary of the Senate be forwarded to President Hugh F. McKean of Rollins College.

Was taken up with the following pending amendment by the Committee on Education which was adopted:

Line 29 on page 2 and lines 1 through 4 on page 3, strike: "and, in commending his plan, urges him promptly to assemble instructional staff, educational offerings, communication facilities, and testing procedures which will make the program of external studies an established part of education in Florida." and insert the following: a period after "McKean"

Senator Gunter offered the following amendment which was adopted:

Line 3, page 2, strike "president" and insert chancellor

Senator Gunter also offered the following amendment which was adopted:

Line 19, on page 2, strike "president" and insert: chancellor

Senator Gunter also offered the following amendment which was adopted:

Line 28, page 2, strike "President" and insert Chancellor

Senator Gunter also offered the following amendment which was adopted:

Line 8, page 3, strike "president" and insert chancellor

Senator Gunter also offered the following amendment which was adopted:

In title, line 4, page 1, strike "president" and insert chancellor

On motion by Senator Gunter, SR 797 as amended was adopted and ordered engrossed. The vote was: Yeas—32 Nays—None

Mr. President	Gong	McClain	Scarborough
Askew	Gunter	Myers	Shevin
Barrow	Haverfield	Ott	Stolzenburg
Beaufort	Henderson	Pope	Stone
Bell	Horne	Poston	Thomas
Broxson	Johnson	Reuter	Trask
Ducker	Karl	Saunders	Weber
Friday	Lane	Sayler	Young

By permission, Senators Plante and Ducker were recorded as co-introducers of SR 797.

**SB 300**—A bill to be entitled An act relating to air and water pollution control; amending section 403.161(2) and (3), Florida Statutes, relating to violations of orders of the department; increasing penalties and fines from a maximum of one thousand dollars (\$1,000) to a maximum of five thousand dollars (\$5,000); providing an effective date.

Was taken up with pending amendment and pending amendment to the amendment, having been read the second time and amended on May 11. By permission, Senator Weissenborn withdrew the amendment to the amendment.

Senator Weissenborn offered and moved the following substitute amendment for the pending amendment:

Page 2, Strike: all of subsection (3) and insert the following: (3) Violation of this act or of any order of the department (including orders or rules fixing standards of air or water quality, or permits issued pursuant to its authority) is a misdemeanor and is punishable by imprisonment for not more than one (1) year or a fine of not more than five thousand dollars (\$5,000) for each violation, provided, however, that violation of a rule or regulation shall not constitute a criminal offense until an order is entered thereon. Each day during any portion of which such violation occurs constitutes a separate offense.

Senator Friday offered the following amendment to the substitute amendment which was adopted:

After "an order" insert: directed to the accused

The substitute amendment as amended was adopted.

Senator Shevin offered the following amendment which was adopted:

In Section 1, line 20, page 1, following "cause" and before "pollution", insert the word the

Senator Shevin also offered the following amendment which was adopted:

In Section 1, line 20, page 1, strike: "waters of the state" and insert waters of this state

Senator Shevin also offered the following amendment which was adopted:

In Section 1, line 24, page 1, strike: the period and insert: , including orders or rules fixing standards of air or water quality, or permits issued pursuant to its authority.

Senator Shevin also offered the following amendment which was adopted:

In Section 1, lines 21 and 22, page 1, strike "the brackets"

Senator Ducker offered the following amendment which was adopted:

In Section 1, line 27, page 1, strike: "five thousand dollars (\$5,000)" and insert twenty thousand dollars (\$20,000)

Senator Ducker also offered the following amendment which was adopted:

In Section 1, line 29, page 1, strike: "five thousand dollars (\$5,000)" and insert twenty thousand dollars (\$20,000)

Senator Ducker also offered the following amendment which was adopted:

In title, line 11, strike: "five thousand dollars (\$5,000)" and insert twenty thousand dollars (\$20,000)

On motion by Senator Myers, the rules were waived and SB 300 as further amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—41 Nays—None

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

**SB 302**—A bill to be entitled An act relating to the public and environmental health; amending the Florida Air and Water Pollution Act by amending section 403.131, Florida Statutes, providing additional grounds for injunctive relief; providing an effective date.

Was taken up with pending amendment and pending amendment to the amendment, having been read the second time and deferred on May 11. By permission, Senator Weissenborn withdrew the amendment to the amendment and Senator Shevin withdrew the amendment.

Senator Shevin offered and moved the following amendment:

In Section 1, line 1, page 2, following "permanent injunctions.", insert the following: Any group of five (5) or more citizens of legal age, who reside in the county where the cause of action arises, may bring a civil class action, in the circuit court, on behalf of the citizens of this state to enforce the provisions of this act and the rules and the regulations of the department, which action may include a claim for injunctive relief, both temporary and permanent, actual damages, if any, plaintiff's reasonable expenses for scientific and technical assistance in investigating and presenting the case, and taxable court costs if any. Plaintiffs in such class action need not show any standing to act for the class other than the fact that such plaintiffs are citizens of this state and residents of the county where the cause of action arises. In particular, such plaintiffs need not show that they are representatives of the class or that the remainder of the class has failed or will fail to protect its own interests, the interests of the plaintiffs, or the interests of the class. Prior to the issuance of any temporary injunctive relief, the court may require the plaintiffs to post a bond conditioned for the payment of such costs and damages as may be incurred or suffered by any party who is wrongfully enjoined.

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

In line 12 of amendment after "class" insert the following: , or that they have suffered special damages peculiar to themselves,

Senator Barron presiding.

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

In line 14 of amendment after "class" insert: Proof of the existence of any of the grounds specified in Section 403.201, Florida Statutes, shall constitute a defense to any civil class action brought under this act.

The vote was:

Yeas—10

Bell	Haverfield	Shevin	Wilson
Ducker	Henderson	Stolzenburg	
Gunter	Reuter	Weissenborn	

Nays—24

Mr. President	Gong	McClain	Stone
Barrow	Horne	Myers	Thomas
Beaufort	Johnson	Ott	Trask
Bishop	Karl	Plante	Weber
Deeb	Knopke	Pope	Williams
Friday	Lane	Scarborough	Young

The question recurred on the adoption of the amendment as amended which failed. The vote was:

Yeas—7

Ducker	Gunter	Shevin	Wilson
Fincher	Haverfield	Weissenborn	

Nays—29

Barron	Friday	McClain	Stone
Barrow	Gong	Myers	Trask
Beaufort	Hollahan	Ott	Weber
Bell	Horne	Plante	Williams
Bishop	Johnson	Pope	Young
Boyd	Karl	Poston	
Broxson	Knopke	Scarborough	
Daniel	Lane	Stolzenburg	

On motion by Senator Horne, it was agreed that debate on SB 302 and all pending amendments would be limited, as provided in Rule 8.6, to 10 minutes.

Senator Shevin offered the following amendment which failed:

Line 2, page 2, add new Section 2, and renumber accordingly: Section 2. The attorney general of Florida has the power and authority, notwithstanding and regardless of any proceeding instituted or to be instituted by or before the Air and Water Pollution Control Commission to prevent air pollution or water pollution within this state by commencing an action or proceeding in the circuit court of any county in which such pollution has been, or is about to be, caused or has occurred, in order to have such pollution stopped or prevented either by mandamus or injunction. The court shall specify a time, not exceeding twenty (20) days after the service of the copy of the petition of mandamus or injunction for answer, and in the meantime the party may be restrained from continuing such pollution pending a final hearing before the court. In case of default, or after answer, the court shall inquire into the facts and circumstances of the case and enter an appropriate order in respect to the matters complained of. An appeal may be taken from the final judgment in the same manner and with the same effect as appeals are taken from judgments of the circuit court in other actions for mandamus or injunction.

On motion by Senator Myers, the rules were waived and SB 302 was read the third time by title, passed and certified to the House. The vote was: Yeas—46 Nays—None

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

Consideration of Senate Bills 493, 618, 278, 158, 157 and 211 was deferred, the bills retaining their places on the Calendar.

SB 170 was taken up, together with:

By the Committee on Judiciary—

**CS for SB 170**—A bill to be entitled An act relating to candidates for public office; amending section 99.012, Florida Statutes, to provide that an individual who holds elective public office may not qualify for another public office unless first

tendering his resignation; providing said resignation shall be prospectively effective; providing for the tendering of said resignation; providing that nothing contained in this act shall relate to federal officers; providing an effective date.

—which was read the first time by title and SB 170 was laid on the table.

On motion by Senator Mathews, the rules were waived and CS for SB 170 was read the second time by title.

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

In Section 1(2), line 15, page 2, strike:

“federal,”

Senator Wilson offered the following amendment which failed:

In Section 1, line 17, page 2, strike: “No individual may qualify as a candidate for public office who holds another public office who holds another elective office etc., to (end of line 20) he intends to seek.” and insert the following: Any individual desiring to qualify as a candidate for public office who holds another elective office whether state county or municipal, the term of which or any part thereof runs concurrent to the term of office for which he seeks to qualify may prospectively & voluntarily resign from such elective office not less than 10 days prior to the first day of qualifying for the office he intends to seek.

The vote was:

Yeas—22

Beaufort	Gunter	McClain	Trask
Bishop	Haverfield	Myers	Weber
Boyd	Henderson	Ott	Williams
Broxson	Johnson	Pope	Wilson
Chiles	Knopke	Scarborough	
Deeb	Lane	Stolzenburg	

Nays—25

Mr. President	Ducker	Plante	Stone
Askew	Fincher	Poston	Thomas
Barron	Friday	Reuter	Weissenborn
Barrow	Gong	Saunders	Young
Bell	Hollahan	Sayler	
Daniel	Horne	Shevin	
de la Parte	Karl	Slade	

On motion by Senator Friday, the rules were waived and time of adjournment was extended until final action on CS for SB 170.

Senator Daniel offered the following amendment which was adopted:

In Section 1, line 14, page 2, following the word “elective” insert the following: or appointive

Senator Bell offered the following amendment which failed:

In Section 1, line 15, page 2, strike: “municipal”

Senator Ducker offered the following amendment which was adopted:

In Section 1, line 18, page 2, strike “elective”

Senator Wilson offered the following amendment which failed:

In Section 1, line 19, page 3, strike: Section 2. and insert the following: Section 2. This act shall not be applied to any public officer holding an office to which he has been elected on the effective date of this act until such term expires.

Renumber following section

Senator Wilson also offered the following amendment which failed:

In Section 2, line 17, page 3, strike: “Section 2. This act shall take effect upon becoming a law” and insert the following: Section 2. This act shall take effect on July 1, 1972.

Senator Wilson also offered the following amendment which failed:

In Section 2, line 19, page 3, add a new Section 2.

Section 2. Definitions: public officer shall mean “State Senator.”

Senator Wilson also offered the following amendment which failed:

In Section 1, line 13, page 2, strike: all of Subsection 2 and insert the following: Any individual qualifying as a candidate for public office who holds another elective office, whether federal, state, county or municipal, the term of which or any part thereof runs concurrent to the term of office for which he seeks to qualify may resign from such elective office prior to the first day of qualifying for the office he intends to seek. Said resignation shall be effective not later than the date upon which he would assume office, if elected to the office to which he seeks to qualify, or the expiration date of the term of the office which he presently holds, or the general election day at which his successor is elected, whichever occurs earlier. Said resignation shall create a vacancy in said office thereby permitting persons to qualify as candidates for nomination and election to that office, in the same manner as if the term of such public officer were otherwise scheduled to expire. This does not apply to political party offices.

The vote was:

Yeas—17

Bishop	Henderson	Sayler	Williams
Broxson	Johnson	Scarborough	Wilson
Chiles	Lane	Stolzenburg	
Deeb	Ott	Trask	
Gunter	Pope	Weber	

Nays—28

Mr. President	de la Parte	Horne	Reuter
Askew	Ducker	Karl	Saunders
Barron	Fincher	Knopke	Shevin
Barrow	Friday	McClain	Slade
Beaufort	Gong	Myers	Stone
Bell	Haverfield	Plante	Weissenborn
Daniel	Hollahan	Poston	Young

Senator Daniel offered the following amendment which was adopted:

In Section 1, line 27, page 2, strike “Said” and insert the following: with regard to elective officers said

Senator Wilson offered and moved the following amendment:

Strike all after enacting clause and insert the following:

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

That the following amendment to Article VI of the State Constitution by adding section 7, is agreed to and shall be submitted to the electors of Florida for ratification or rejection at the next general election to be held in November, 1970.

Section 7. Vacancies in office—resignations.—No individual may qualify as a candidate for public office who holds another elective office, whether federal, state, county or municipal, the term of which or any part thereof runs concurrent to the term of office for which he seeks to qualify without resigning from such elective office not less than ten (10) days prior to the first day of qualifying for the office he intends to seek in the manner provided by law.

Senator Askew raised a point of order that the rules do not provide for striking an enacting clause and the effect of the amendment would be to strike the enacting clause and insert a resolving clause, therefore, the amendment is out of order. The Chair ruled the point well taken.

Senator Askew offered the following amendment which failed:

In Section 1, line 13, page 2, strike subsections (2), (3) and (4) and insert the following: (2) The term of office of any state, county or municipal officeholder shall terminate on the date he qualifies as a candidate for any office other than the one which he holds.

The vote was:

Yeas—20

Askew	Henderson	Ott	Weber
Bell	Johnson	Pope	Weissenborn
Deeb	Knopke	Scarborough	Williams
Gong	Lane	Slade	Wilson
Gunter	McClain	Stolzenburg	Young

Nays—25

Mr. President	Daniel	Horne	Shevin
Barron	de la Parte	Karl	Stone
Barrow	Ducker	Myers	Thomas
Beaufort	Fincher	Plante	Trask
Bishop	Friday	Poston	
Broxson	Haverfield	Saunders	
Chiles	Hollahan	Sayler	

Senator Plante offered the following amendment which failed:

In Section 2, lines 19 and 20, page 3, strike all of section 2 and insert the following: New section 2. This act shall take effect Jan. 1, 1971.

Senator Henderson offered the following amendment which failed:

In Section 1, line 30, page 1, insert the following: (3) If a vacancy occurs in any elected office as a result of this law, no member of the legislature elected at a general election and whose term has not expired shall be eligible to qualify and serve the unexpired portion of the vacated office.

On motion by Senator Mathews, the rules were waived and CS for SB 170 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—32

Mr. President	Beaufort	Daniel	Friday
Askew	Bell	de la Parte	Gong
Barron	Broxson	Ducker	Haverfield
Barrow	Chiles	Fincher	Hollahan

Horne  
Karl  
Lane  
McClain

Myers  
Plante  
Poston  
Reuter

Saunders  
Sayler  
Shevin  
Slade

Stone  
Thomas  
Weissenborn  
Young

Nays—15

Bishop  
Boyd  
Deeb  
Gunter

Henderson  
Johnson  
Knopke  
Ott

Pope  
Scarborough  
Stolzenburg  
Trask

Weber  
Williams  
Wilson

The President presiding.

On motion by Senator Horne, the rules were waived and the Committee on Judiciary was granted an additional 7 days for the consideration of all bills now in the Committee.

On motion by Senator Friday, the rules were waived and the Committee on Rules and Calendar was granted an additional 5 legislative days for the consideration of all bills now in the Committee.

On motion by Senator Thomas, the rules were waived, and the Committee on Agriculture was granted permission to report its recommendations on HB 3641 which was referred to the Committee this day, a companion measure, SB 1102, having been considered by the committee.

On motion by Senator Saunders, by two-thirds vote, SB 730 was withdrawn from the Committee on Governmental Organization.

On motion by Senator Friday, the rules were waived and the Committee on Rules and Calendar was granted permission to meet May 14, at 12:30 p.m. in Room 31 and would consider all bills which had been noted on the Calendar for the scheduled meeting this day.

CO-INTRODUCER

By permission, Senator Weissenborn was recorded as a co-introducer of Senate Bills 706, 707, 738, 811, 814, 848, 849, 863, 867, 897, 901, 963, 973, 984, 996, 1013, 1042, 1052, 1098, 1109, 1114, 1115, 1129, 1143, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1177, 1211, 1246, 1257, 1397, 1401 and 1416, SCR 936, SJR 916, SM 1260 and SCR 1379.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 2:13 p.m. to reconvene at 8:30 a.m., Thursday, May 14, 1970.

# JOURNAL OF THE SENATE

Thursday, May 14, 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.

## INTRODUCTION

By Senators Karl and Daniel—

**SB 1507**—A bill to be entitled An act relating to Citrus County, hospital and medical nursing and convalescent home act; amending sections 3, 5 and 16 of chapter 65-1371, Laws of Florida, by increasing the maximum interest rate for all debts and obligations of the hospital board; increasing the number of banks which are authorized to act as depositories for hospital funds; providing for senate approval and confirmation for the appointment of trustees; providing for ambulance service; authorizing the charging of interest on patients' accounts, discounting and collecting accounts and debt obligations; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1507.

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

By Senators Karl and Daniel—

**SB 1508**—A bill to be entitled An act relating to Volusia County; providing for the administration of the Volusia County juvenile detention home by the Volusia County juvenile court; providing that the appointment of the superintendent of the Volusia County juvenile detention home shall be made upon recommendation of the merit board; providing for a board of visitors, their powers and duties; providing that this act may be amended by ordinance of the board of county commissioners; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1508.

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

By Senators Karl and Daniel—

**SB 1509**—A bill to be entitled An act relating to Citrus County; amending chapter 69-936, Laws of Florida; relating to

law libraries, filing fees in the circuit, county judge's and small claims court in Citrus County, imposing additional filing fees in such courts and appropriating same for a county law library setting the amount of such additional filing fees, providing for the collection of said additional filing fees; providing for said funds to be used for the establishment and maintenance of a county law library; providing for the administration of said law library, declaring the establishment and maintenance of said library to be a public need and a general county purpose; declaring the purchase of law books and legal periodicals for placement in said county law library to be a general county purpose; providing that all property belonging to said library shall be deemed to be held and used as a charitable public trust; providing for payment of monies collected in Citrus County, pursuant to chapter 63-604, Laws of Florida, into said trust; providing for a librarian; repealing all laws in conflict herewith and providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1509.

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

By Senator Thomas—

**SR 1510**—A resolution commending Ruth S. Wedgworth for her assistance to farm laborers and her successful farming career.

Was read the first time by title and placed on the Calendar.

By Senators Stone, Barrow, Broxson and Friday—

**SR 1511**—A resolution honoring Dr. Arthur Cohen and George Kokus, students of the University of Miami.

Was read the first time by title and placed on the Calendar.

## BILL REFERRED TO SUBCOMMITTEE

State Government: SB 584 (10 days to report to the Committee on Governmental Organization)

The Senate adjourned at 8:40 a.m. to reconvene at 8:30 a.m., Friday, May 15, 1970.