

# JOURNAL OF THE SENATE

Friday, May 15, 1970

The Senate was called to order by the President at 9:00 a.m.  
A quorum present—46:

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

Excused: Senator Young after 11:35 a.m., Senators Poston and Gong.

Prayer by the Secretary of the Senate:

Eternal Father God, we have established a good government under thy wings of influence. We find areas needing repair even though it has served us well. Let the Holy Spirit reign with us so that no mistakes will be made in this new application. We commit ourselves to this task wholly for thy will be done.

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

The Journal of May 14 was corrected and approved.

The Journal of May 13 was corrected and approved as follows:

Page 400, column 1, in roll call insert "Shevin" alphabetically

Page 402, counting from the bottom of column 1, strike lines 18 through 20

## REPORTS OF COMMITTEES

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

May 14, 1970

Sir:

Pursuant to the Rules and Calendar Committee meeting today at 12:30 p.m., the Committee submits the following noncontroversial bills for Special Order Calendar Friday, May 15, 1970:

SB 330	SB 812	SB 761	SB 1107
SB 480	SB 624	SB 767	SB 1167
SB 734	SB 1052	SB 768	SB 1301
SB 636	SB 1098	SB 839	SB 1020
SB 998	SB 925	SB 840	SB 1171
SB 848	SB 1103	SB 704	HB 910
SB 1025	SB 146	SB 1206	HB 3536
SB 689	SB 760	SB 1187	SB 1124

Elmer O. Friday  
Chairman, Committee on Rules and Calendar

The Committee on Rules and Calendar referred the following bills to the Local Calendar: Senate Bills 1490, 1491, 1487, 1489, 1488, 1484, 1492, 1485, 1486, 962 and House Bills 4318, 4287, 4292, 4167, 4205, 4305, 4130, 4022 with 1 amendment and 4194.

The Committee on Constitutional Amendments and Revision recommends the following pass: SJR 435

The Committee on Agriculture recommends the following pass:

SB 1111 with 1 amendment	SB 1077
SB 1075	SB 1078
SB 1074	SB 1084 with 1 amendment
SB 1076	

The Committee on Education recommends the following pass:

SB 835	SB 971	HB 587
SB 968	HB 507	HB 3851

The Committee on Natural Resources and Conservation recommends the following pass: HCR 3996, SB 1015, SB 1018, SB 1189, SB 1395

The Committee on Transportation recommends the following pass:

SB 1160 with 2 amendments	SB 1345
SB 1209	SB 1159 with 1 amendment
SB 1258	

The Committee on Ways and Means recommends the following pass:

SB 259 with 2 amendments	SB 1302
SB 468	SB 1313
SB 536 with 3 amendments	SB 1377
SB 572 with 2 amendments	SB 1441
SB 579 with 1 amendment	SB 1451
SB 593 with 1 amendment	SB 1470
SB 849	SM 1260
SB 905	CS/HB's 178 & 241
SB 929	HB 1596
SB 934	HB 3384
SB 1101	SB 1172 with 3 amendments
SB 1130	SB 1354 with 1 amendment
SB 1133	HB 2154 with 1 amendment

The Committee on Insurance recommends the following pass:

HB 4106 with 1 amendment	HB 4104
HB 4192 with 1 amendment	HB 2382 with 1 amendment
SB 1315 with 1 amendment	SB 1121
HB 2022 with 1 amendment	HB 1062
SB 1073 with 3 amendments	

The Committee on Rules and Calendar recommends the following pass: SB 954, SB 1157, with 1 amendment, SB 1158

The Committee on Governmental Organization recommends the following pass:

SB 1324	SB 994 with 3 amendments
SB 1342	HB 3972
SB 800 with 2 amendments	HB 1297
SB 1359 with 1 amendment	HB 3711 with 1 amendment
SB 644 with 1 amendment	

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

The Committee on Agriculture recommends the following pass: SB 1102 with 1 amendment, HB 3641, SB 1086, SB 1068

The Committee on Natural Resources and Conservation recommends the following pass: SB 1402 with 1 amendment

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

The Committee on Agriculture recommends the following pass: SB 1303 with 1 amendment, SB 1304

The Committee on Governmental Organization recommends the following pass: SB 1457 with 1 amendment, SB 1469



—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—

SR 797 with 6 amendments

—reports that the Senate amendments have been incorporated and the bill is returned herewith.

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

Your Engrossing Clerk to whom was referred—

SB 135 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 175	SB 436	SB 314
SB 213	SB 541	

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on May 14, 1970.

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

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motion by Senator Barrow, the rules were waived and the Committee on Commerce and Licensed Businesses was granted an additional 5 days from its present date of expiration for the consideration of SB 1334.

On motion by Senator de la Parte, by two-thirds vote, SB 1268 was withdrawn from the Committee on Judiciary and from the Senate.

By permission, Senator de la Parte withdrew SB 1180 from the Senate.

On motion by Senator Chiles, by two-thirds vote, Senate Bills 756, 757, 975, 1082 and 1083 were withdrawn from the Committee on Ways and Means.

Senator Chiles moved that the rules be waived and HB 2178 be recommitted to the Committee on Ways and Means. The motion failed and the vote was:

Yeas—16

Askew	de la Parte	Plante	Trask
Bishop	Ducker	Sayler	Weissenborn
Chiles	Hollahan	Scarborough	Williams
Deeb	Johnson	Stolzenburg	Wilson

Nays—14

Bafalis	Henderson	McClain	Shevin
Beaufort	Horne	Myers	Young
Daniel	Karl	Ott	
Friday	Knopke	Reuter	

On motion by Senator Chiles, the rules were waived and the Committee on Ways and Means was granted an additional 10 legislative days for the consideration of

SB 24	SB 59	SB 66
SB 32	SB 65	SB 81

SB 86	SB 311	SB 529
SB 97	SB 317	SB 537
SB 129	SB 318	SB 577
SB 134	SB 319	SB 594
SB 165	SB 346	SB 626
SB 168	SB 353	SB 658
SB 178	SB 366	SB 714
SB 189	SB 368	SB 748
SB 190	SB 377	SB 775
SB 200	SB 381	SB 776
SB 201	SB 382	SB 777
SB 218	SB 392	SB 915
SB 219	SB 394	SB 1030
SB 234	SB 395	SB 1035
SB 237	SB 399	SB 1051
SB 238	SB 425	SB 1056
SB 242	SB 439	SB 1067
SB 250	SB 451	SB 1081
SB 258	SB 452	SB 1106
SB 274	SB 453	SB 764
SB 275	SB 488	HB 352
SB 287	SB 490	
SB 295	SB 520	

On motion by Senator Pope, the rules were waived and the Committee on Transportation was granted an additional 20 days for the consideration of SB 1027.

On motion by Senator Barrow, by two-thirds vote, HB 4279 was withdrawn from the Committee on Commerce and Licensed Businesses.

On motions by Senator Daniel, by two-thirds vote, Senate Bills 984, 996 and 1319 were withdrawn from the Committee on Governmental Organization.

On motions by Senator Saunders, Senate Bills 612 and 730 were ordered placed at the head of the Special Order Calendar for Monday, May 18.

On motion by Senator Chiles, by two-thirds vote, SB 69 was withdrawn from the Committee on Ways and Means, together with amendment recommended by the Committee, and placed on the Calendar.

On motion by Senator Pope, by two-thirds vote, SB 1450 was withdrawn from the Committee on Ways and Means and placed at the foot of the Special Order Calendar.

**MESSAGE FROM THE GOVERNOR**

The Governor advised that on May 14 he had transmitted to the Office of Secretary of State Senate Bills 263, 264 265 and 583 which will become law without his approval.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable John E. Mathews, Jr.* May 14, 1970  
*President of the Senate*

Sir:

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

By Representative Smith—

**HB 1411**—A bill to be entitled An act relating to junior colleges; providing for the use of monies earned from college auxiliary enterprises and undesignated gifts; 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 14, 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 Mixson—

**HB 3878**—A bill to be entitled An act for the relief of Irene Mayo; making an appropriation to compensate her for the death of her husband; 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 14, 1970

Sir:

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

By Representative Wolfson—

**HB 3282**—A bill to be entitled An act authorizing the district boards of trustees of all junior colleges in the State of Florida having a total junior college enrollment in excess of 20,000 students as of January 1, 1970, to provide a residence for the president of such junior colleges conveniently located to the campus, and further providing that any home built be on donated land and further providing that title vest in the district board of trustees and further providing an effective date therefor.

—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 14, 1970

Sir:

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

By the Committee on Finance & Taxation—

**HB 5084**—A bill to be entitled An act relating to the tax on sales, use and transaction; amending section 212.02(9), Florida Statutes, relating to the definition of business; repealing section 212.08 (3) (b), Florida Statutes, relating to an exemption of sale or lease of certain motor vehicles; amending section 212.08(3)(a), Florida Statutes, and adding subsection (10) to said section, relating to taxation of equipment and motor vehicles and to the superseding of conflicting laws; clarifying legislative intent expressed in chapter 68-119, Laws of Florida, relative to state and other public instrumentalities that activities for public gain are defined as business as are those for private gain and that other laws pertaining thereto are superseded to the extent of the conflict with chapter 212, Florida Statutes; clarifying that occasional or isolated sales of motor vehicles are subject to the tax imposed thereby and that farm equipment and commercial equipment are not; providing an effective date.

—and requests the concurrence of the Senate therein.

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

House Bills 1411, 3878, 3282 and 5084, 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.*  
*President of the Senate*

May 14, 1970

Sir:

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

By the Committee on Elections—

**HB 4471**—A bill to be entitled An act relating to elections; amending section 99.161(2) and (8), Florida Statutes, requiring quarterly reports of contributions and expenditures after a

campaign treasurer has been appointed and a campaign depository has been designated; requiring weekly or biweekly reports from qualifying time until election or elimination; requiring a final report forty-five (45) days after the general election; requiring unopposed candidates to file reports; 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 14, 1970

Sir:

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

By Representative Andrews—

**HB 3266**—A bill to be entitled An act relating to elections; adding section 99.161(16), Florida Statutes, requiring every person who was a candidate for nomination or election to office to submit a sworn statement of contributions or expenditures incurred for a period of one (1) year following the last election in which he participated; providing an effective date.

—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 14, 1970

Sir:

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

By the Committee on Elections—

**HB 4007**—A bill to be entitled An act relating to testimonial affairs; prohibiting certain testimonial affairs unless a notice containing certain information is filed with the department of state; requiring a report containing the names and addresses of contributors, amounts of contributions, expenses incurred, and disposition of funds; providing that contributions to testimonial affairs are subject to the provisions of section 99.161, Florida Statutes; providing a penalty; providing an effective date.

By the Committee on Elections—

**HB 4472**—A bill to be entitled An act relating to elections; amending section 104.27, Florida Statutes, authorizing the circuit courts to declare the nomination or election of a candidate void for violations of section 99.161, Florida Statutes, by candidates or persons acting for them; providing procedures for certain persons having information of any violation of section 99.161, Florida Statutes, to petition the circuit court; providing for the distribution of copies of petitions by the court; directing the state attorney to act as counsel for the state; allowing petitioners to file pleadings in the name of the state under certain circumstances; authorizing the revocation of charters, licenses, and permits; providing a misdemeanor penalty; 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 14, 1970

Sir:

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



provides for separate residential and business limits or districts for white and negro residents and further prohibits a negro from living in a white district; providing an effective date.

Proof of Publication attached.

By Representative Alvarez and others—

**HB 5144**—A bill to be entitled An act conferring City of Jacksonville Civil Service status upon Augen A. Waarum; 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.*  
*President of the Senate*

May 14, 1970

*Sir:*

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

By Representative Heath and others—

**HB 5147**—A bill to be entitled An act relating to Charlotte County; amending sections 3, and 22 of chapter 65-1357, Laws of Florida; changing the name of Charlotte County development commission to Charlotte County development authority; authorizing the vice-chairman to sign checks and warrants.

Proof of Publication attached.

By Representative Earle and others—

**HB 5148**—A bill to be entitled An act relating to Orange County; providing for compensation of the County Solicitor, Assistant County Solicitors, Administrative Assistant and Special Investigators; providing for appointment of such Assistants, providing for the duties of Special Investigators and authorizing reimbursement of automobile transportation expense under certain circumstances and appropriating county funds for the purposes declared in the act; repealing Chapter 67-774 and Chapter 69-739 and inconsistent 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.*  
*President of the Senate*

May 14, 1970

*Sir:*

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

By Representative Sessums and others—

**HB 5044**—A bill to be entitled An act relating to Hillsborough County, City of Tampa; amending section 8, chapter 61-2914, Laws of Florida, relating to the granting of probation by the municipal court; making fingerprinting discretionary with said court; providing an effective date.

Proof of Publication attached.

By Representative Sessums and others—

**HB 5045**—A bill to be entitled An act relating to Hillsborough County, City of Tampa; amending section 1 of chapter 26253, Laws of Florida, 1949, by increasing the amount of pension paid by said city to Dave King, repealing chapters 57-1892 and 63-1974, Laws of Florida, relating to the amount of pension to be paid said Dave King; providing an effective date.

Proof of Publication attached.

By Representative Sessums and others—

**HB 5046**—A bill to be entitled An act relating to Hillsborough County, port district; amending section 2 of chapter 23338, Laws of Florida, 1945, as amended, by extending the limits of the port district, so as to comprise and include all the territory within Hillsborough County; extending all provisions of chapter 23338, Laws of Florida, 1945, as amended, and extending all provisions of chapter 27600, Laws of Florida, 1951, to the said extended territorial limits of the Hillsborough County Port District; repealing sections 313.01, 313.02, 313.03, 313.04, 313.05, 313.06, 314.01, 314.02, 314.03, 314.04, 314.05, 314.06, 314.07, 314.08, 314.09, and 314.10, Florida Statutes, and chapter 59-1358, Laws of Florida, relating to harbor masters for ports in general and specified ports and relating to the territorial limits of the Hillsborough County port district, insofar as they affect or apply to the territory embraced within Hillsborough County port 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.*  
*President of the Senate*

May 14, 1970

*Sir:*

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

By Representatives Middlemas and Chapman—

**HB 5116**—A bill to be entitled An act to authorize and empower the county commission of Bay County to call a special election to be held at the same time as the general election in November, 1970, for the purpose of determining whether said commission shall build a new courthouse, remodel the existing courthouse facilities, or do neither.

Proof of Publication attached.

By Representative Randell—

**HB 5118**—A bill to be entitled An act relating to the acquisition and construction of capital improvements, consisting of municipal recreational facilities by the City of Fort Myers; authorizing the issuance of excise taxes revenue bonds payable from the proceeds of said city's cigarette tax levied under and by virtue of chapter 210, Florida statutes, and/or any other moneys of said city not derived from ad valorem taxation and legally available for such purpose, to finance the cost of such projects; and providing an effective date.

Proof of Publication attached.

By Representative Smith—

**HB 5119**—A bill to be entitled An act relating to Taylor County, board of county commissioners; authorizing the board of county commissioners to consolidate any or all of its separate budgetary funds into a single general fund; providing that the millage shall not be affected by such consolidation; 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 14, 1970

*Sir:*

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

By Representative James and Others—

**HB 5152**—A bill to be entitled An act relating to Palm Beach County; amending sections 4 and 5 of chapter 67-1873, Laws

of Florida, as amended by sections 2 and 3 of chapter 69-1428, Laws of Florida; providing certain requirements for membership on the Palm Beach County Development Board; providing that employees of the board are to be considered employees of Palm Beach County; providing for an accounting of the board's funds by the board of county commissioners with the results of the accounting to be made public; 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 14, 1970

Sir:

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

By Representative Davis and others—

**HB 5125**—A bill to be entitled An act relating to Indian River County; establishing an aquatic preserve upon the expiration of a certain lease; providing an effective date.

Proof of Publication attached.

By Representative McNulty and others—

**HB 5126**—A bill to be entitled An act relating to Indian River County; providing that the clerk of the circuit court may accept checks for payment of fees or commissions; providing that the clerk of the circuit court may deduct from his excess fees paid to the board of county commissioners the amount of any checks so received which remain uncollected and that the county may institute suit to recover the amount of such checks; providing an effective date.

Proof of Publication attached.

By Representative R. J. Tillman and others—

**HB 5127**—A bill to be entitled An act relating to Indian River County; providing for the compensation of the clerk of the circuit court for each tax certificate redeemed or sold, for each application for tax deed, for each cancellation of tax certificate, for each assignment of tax certificate, for each year's search of tax records, for each statement of payment of taxes, for issuing duplicate tax certificate, and for collection and disbursement of each omitted tax 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 14, 1970

Sir:

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

By Representative Rude and others—

**HB 5069**—A bill to be entitled An act relating to Broward County; amending section 9 of chapter 59-877, Laws of Florida, to provide for the appointment of investigators by the county solicitor; providing for their duties, powers, and compensation; providing an effective date.

Proof of Publication attached.

By Representative Rude and others—

**HB 5070**—A bill to be entitled An act relating to Broward county, Florida, amending section 1 of chapter 63-1167, laws of Florida, special acts of 1963, as amended by chapter 65-1321, laws of Florida, special acts of 1965, the same being an act relating to Fair Haven of Broward County, Inc., a nonprofit corporation of Florida; authorizing the board of county commissioners of said county to include in its annual budget a sum not to exceed ten thousand dollars (\$10,000.00) for the purpose of a grant or contribution to Fair Haven of Broward County, Inc.; and providing for an effective date.

Proof of Publication attached.

By Representative Prominski and others—

**HB 5080**—A bill to be entitled An act relating to the charter of the City of Hallandale, Broward County; amending subsection (3) of section 10 of chapter 29108, Laws of Florida, 1953, as amended, by increasing the compensation of each commissioner from two hundred dollars (\$200) per month to three hundred dollars (\$300) per month; 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 14, 1970

Sir:

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

By Representative Roberts and others—

**HB 5133**—A bill to be entitled An act relating to Monroe County; authorizing the purchase of foodstuffs, canned goods and other products by the district school board of Monroe County from the division of corrections; providing an effective date.

Proof of Publication attached.

By Representative Roberts and others—

**HB 5135**—A bill to be entitled An act relating to Monroe County; authorizing the district school board of said county to erect, construct, repair, alter and improve any school building in Monroe County on a day labor basis with any funds from authorized source when such erection, construction, repair, alteration or improvement costs more than twenty thousand dollars (\$20,000), but does not exceed one hundred thousand dollars (\$100,000) at any one (1) time, after plans for such work have been approved by the department of education and have been advertised according to law and the bid is ten percent (10%) in excess of the architect's estimate; repealing all laws or parts of laws, whether general or special, particularly section 235.31, Florida Statutes, in conflict with this act, to the extent of such conflict; providing an effective date.

Proof of Publication attached.

By Representative Roberts and others—

**HB 5136**—A bill to be entitled An act relating to the City of Key West, Monroe County; authorizing said city to determine that certain buildings are unfit for human habitation or dangerous and further authorizing said city to adopt ordinances to cause the demolition and removal of buildings which are unfit for human habitation or dangerous and to place a lien for the actual costs and expenses of such demolition and removal against the property on which such buildings were located; 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 14, 1970

Sir:

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

By Representative Heath and others—

**HB 5106**—A bill to be entitled An act relating to Highlands County; repealing chapter 65-1640, Laws of Florida, which permits board of county commissioners to provide group insurance for county officers and employees; providing an effective date.

Proof of Publication attached.

By Representative Culbreath and others—

**HB 5113**—A bill to be entitled An act relating to Hernando County; authorizing the board of county commissioners to enter into agreements for group insurance for members and employees of the board of county commissioners, for county officers, and for families of said members, employees and officers; providing for contributions by the board to the premiums; providing for periodic deduction from the wages of any employee upon written request of such employee any portion of premium for such insurance; declaring purpose of act to be a county purpose; approving payment of premiums for such insurance made heretofore; providing an effective date.

Proof of Publication attached.

By Representatives Chapman and Middlemas—

**HB 5115**—A bill to be entitled An act to authorize and empower Bay County to borrow not more than Four Hundred Thousand Dollars (\$400,000.00) and pay interest thereon at the legal rate.

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 14, 1970

Sir:

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

By Representatives Shaw and Tyre—

**HB 5145**—A bill to be entitled An act relating to the City of Fernandina Beach, authorizing the borrowing of money up to seven hundred fifty thousand dollars (\$750,000); not exceeding seven and one-half per centum (7 1/2%) per annum; not exceeding four (4) years; repealing all laws in conflict therewith; and providing an effective date.

Proof of Publication attached.

By Representative Nergard—

**HB 5146**—A bill to be entitled An act relating to St. Lucie County, City of Fort Pierce; amending sections 185, 186, 187, 188, 189 and 190 of chapter 57-1331, Laws of Florida, as amended; providing for the issuance of general obligation bonds, revenue bonds, excise tax bonds or refunding bonds; 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 14, 1970

Sir:

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

By Representative Spicola and others—

**HB 4634**—A bill to be entitled An act relating to Hillsborough County, City of Tampa; amending sections 1 and 11 of chapter 67-2124, Laws of Florida; providing that the arts council of Tampa is part of the municipal government of the City of Tampa; providing that employees of the arts council shall be subject to the provisions of the City of Tampa's civil service; providing an effective date.

Proof of Publication attached.

By Representative Spicola and others—

**HB 4636**—A bill to be entitled An act relating to the Tampa Sports Authority; amending section 9 of chapter 65-2307, Laws of Florida, to grant to the authority the right to lease, as lessor, certain real property for commercial purposes; providing an effective date.

Proof of Publication attached.

By Representative E. L. Martinez and others—

**HB 5043**—A bill to be entitled An act authorizing and empowering the Hillsborough County, a Political Subdivision, to sell and convey its reversionary interest in and to the following described real estate, to wit: Lots 1 to 24, inclusive, Block 24, John H. Drew's Subdivision of North West Tampa, with the exception of the West 12.50 feet of Lots 12 and 13, Block 24, beginning at a point 12.50 feet East and 37.50 feet North of the Southwest corner of Lot 13, Block 24 of Subdivision, run thence southeasterly along the arc of a curve to the left 39.27 feet, radius 25.00 feet, lying Southwest of a chord whose length is 35.35 feet to a point 12.50 feet North and 37.50 feet East of the Southwest corner of said Lot 13, thence west parallel to the South boundary of said Lot 13 a distance of 25.00 feet, thence North parallel to the West boundary thereof 25.00 feet to the point of beginning, as per map or plat thereof recorded in Plat Book 4, page 73, of the public land records of Hillsborough County, Florida; RESERVING HOWEVER, the South twenty feet of lots 12 to 24, inclusive, of said Block 24 for public road purposes; 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 14, 1970

Sir:

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

By Representative Rude and others—

**HB 5094**—A bill to be entitled An act amending Section 24, relating to arrests of the charter of the city of Hallandale, Broward County, Florida, (Chapter 29108, Laws of Florida, Special Acts of 1953, as amended) by providing for the power and duty of police officers to make arrests, without a warrant, in cases where the violation of the municipal ordinance was committed within the officer's presence, for felonies not committed within their presence when reasonable cause exists that an offense has been committed and in cases where facts warranting a fresh pursuit exist; providing for an effective date.

Proof of Publication attached.

By Representative Culbreath and others—

**HB 5095**—A bill to be entitled An act relating to Hernando County; amending section 7 of chapter 65-1627, Laws of

Florida, relating to establishment of a law library in said county; providing a five dollar (\$5) fee to be levied on each civil case, suit, or proceedings filed in the circuit court and on each probate case filed in the probate court of said county; providing an effective date.

Proof of Publication attached.

By Representative King and others—

**HB 5098**—A bill to be entitled An act relating to Broward County; amending chapter 69-724, Laws of Florida, prescribing the compensation for judges of the court of record of Broward County; 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 14, 1970  
*President of the Senate*

Sir:

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

By Representative Jordan and others—

**HB 5122**—A bill to be entitled An act relating to Palm Beach County; requiring that all leases entered into by said county for the use of real estate or heavy equipment shall be pursuant to competitive bidding; providing an effective date.

Proof of Publication attached.

By Representative McNulty and others—

**HB 5123**—A bill to be entitled An act relating to Brevard County; authorizing the district school board, the board of county commissioners, and the Brevard junior college board of trustees to enter into agreements, jointly or severally, for obtaining various kinds of insurance for the members and employees of said boards, the superintendent of schools, and their dependents; providing for the payment by said boards of all or a portion of the premiums; providing that the costs of said insurance for dependents of board members must be paid for by the board member; providing for periodic deduction of premiums from the wages of said persons, upon written request; repealing chapter 28925, Laws of Florida, 1953; providing an effective date.

Proof of Publication attached.

By Representative R. J. Tillman and others—

**HB 5124**—A bill to be entitled An act relating to Titusville-Cocoa airport district, in Brevard County, Florida; amending section 13, of chapter 63-1143, Laws of Florida, special acts of 1963, to provide for increasing the maximum rate of interest on bonds from 6% to 8% and 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 14, 1970  
*President of the Senate*

Sir:

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

By Representative Heath and others—

**HB 5117**—A bill to be entitled An act relating to Sarasota County; establishing a court of record in and for said county; prescribing the civil and criminal jurisdiction of the court and the terms, practice, and procedure therein; providing for the

appointment, election, qualifications, terms, duties, and compensation of the judge or judges; providing for the prosecuting officers, clerk, executive officer, and reporter thereof including the relationship of the county solicitor, state attorney, clerk of the circuit court, sheriff, and official court reporter to said court; providing for the compensation of personnel, fees, and other details of administration and operation; 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 14, 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 and others—

**HB 3421**—A bill to be entitled An act for the relief of W. J. Colson; reimbursing him for damages suffered in a transaction with the state road department; making an appropriation to compensate him therefor; providing an effective date.

Proof of Publication attached.

By Representative Gorman and others—

**HB 4531**—A bill to be entitled An act providing for the payment of a past due bill for the placement of fill dirt along Lake Pleasant Road in Orange County, Florida; providing an appropriation from the Orange County general revenue fund; providing an effective date.

Proof of Publication attached.

By Representative Sessums (By request) and others—

**HB 4080**—A bill to be entitled An act providing for the relief of Elaine E. Seligman, a minor, and Howard G. Seligman, her father, for damages sustained by them resulting from an accident at Town and Country Elementary School in Tampa, Florida; providing an appropriation; 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 14, 1970  
*President of the Senate*

Sir:

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

By Representative Bothwell and others—

**HB 4650**—A bill to be entitled An act relating to Seminole County; regulating the governments of the municipalities in said county; providing that the annual salaries of the mayor-commissioners and of each of the other city commissioners, or the respective corresponding executive officers, of the municipalities in said county shall be fixed by the respective city council, or the respective corresponding municipal governing body of the municipalities in said county; providing an effective date.

Proof of Publication attached.

By Representative Featherstone—

**HB 5064**—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) nor more than nine

hundred thousand (900,000), according to the latest decennial census; repealing House Bill 4118, 1970 session of Florida legislature insofar as it pertains to said counties; providing an effective date.

By Representative Sessums and others—

**HB 5047**—A bill to be entitled An act relating to Hillsborough County, hospital and welfare board; amending subsection (21) added by chapter 69-1113, Laws of Florida, to section 6 of chapter 63-1402, Laws of Florida; authorizing the board to hold an annual merit award banquet for, and issue merit awards to, employees of the hospital division and employees of the welfare division; making the expenditures therefor a proper public expense; 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 14, 1970

Sir:

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

By Representative Whitson and others—

**HB 5100**—A bill to be entitled An act to amend Section 166 of the Municipal Charter of the City of Clearwater, Pinellas County, Florida, being Chapter 9710, Special Acts of Florida, 1923, as amended by Chapter 28971, Section 2, Special Acts of Florida, 1953, by Chapter 63-1227, Section 4, Special Acts of Florida, 1963, by Chapter 65-1385, Section 10, Special Acts of Florida, 1965, and by Chapter 69-949, Section 4, Special Acts of Florida, 1969, by providing that candidates for the offices of mayor-commissioner and city commissioner shall file their petitions with the City Clerk during regular business hours at the Clearwater City Hall not more than sixty days and not less than thirty days prior to the day of election; 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.

By Representatives Middlemas and Chapman—

**HB 5104**—A bill to be entitled An act relating to fresh and continuous pursuit by police officers of Cedar Grove, amending chapter 27447, laws of Florida, acts of 1951, by adding section 9A, allowing Cedar Grove police officers in fresh pursuit of municipal violators to effect arrest anywhere in county; providing an effective date.

Proof of Publication attached.

By Representative Heath and others—

**HB 5105**—A bill to be entitled An act relating to the City of Sebring, Highlands County; providing for the issuance of revenue bonds or certificates by the city; amending section 33 of chapter 14371, Laws of Florida, 1929, relating to the construction of said act; 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.  
President of the Senate

May 14, 1970

Sir:

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

By Representative Heath and others—

**HB 5150**—A bill to be entitled An act relating to Sarasota County, South Trail area fire control district, amending subsection (3) of section 2 of chapter 65-2241, Laws of Florida, as amended by chapter 67-2046, Laws of Florida, and adding section 18 to said chapter; providing for the purchase of property and insurance; providing for participation in the state retirement plan; providing for the sale or disposition of property; authorizing contracts with other governmental units and providing other powers; providing the district may acquire property by gift, purchase or eminent domain proceedings; 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 5143, 4374, 5138, 5144, 5147, 5148, 5044, 5045, 5046, 5116, 5118, 5119, 5152, 5125, 5126, 5127, 5069, 5070, 5080, 5133, 5135, 5136, 5106, 5113, 5115, 5145, 5146, 4634, 4636, 5043, 5094, 5095, 5098, 5122, 5123, 5124, 5117, 5124, 5117, 3421, 4531, 4080, 4650, 5047, 5100 and 5104.

House Bills 5143, 4374, 5138, 5144, 5147, 5148, 5044, 5045, 5046, 5116, 5118, 5119, 5152, 5125, 5126, 5127, 5069, 5070, 5080, 5133, 5135, 5136, 5106, 5113, 5115, 5145, 5146, 4634, 4636, 5043, 5094, 5095, 5098, 5122, 5123, 5124, 5117, 3421, 4531, 4080, 4650, 5064, 5047, 5100, 5104, 5105, and 5150, 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 13, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has adopted SCR 1205, SCR 774.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

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

May 14, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 829, SB 830.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

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

May 15, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 180, SB 181, SB 183, SB 553.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The bills, contained in the above messages, were ordered enrolled.

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

May 15, 1970

Sir:

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

By Senator Karl—

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

Which amendment reads as follows:

On page 4, line 10, strike “upon becoming a law” and insert the following:

June 1, 1970

—and requests the concurrence of the Senate therein.

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

On motion by Senator Karl, the Senate refused to concur in the House amendment to SB 1010, and the House was requested to recede therefrom. The action of the Senate was certified to the House.

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

May 14, 1970

Sir:

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

By Senators Karl and Daniel—

**SB 942**—A bill to be entitled An act to establish a charter government for Volusia County; to provide for the separation of powers; to establish a legislative body; to establish an administrative branch; to provide for the continuation of the existing judicial system; to establish departments of county government; to provide authority for the appointment of advisory, adjustment and regulatory boards; to provide for a system of elections for county officers; to provide for a uniform personnel administration system; to provide for a unified budget system for the county; to provide for the consolidation into the charter government of the amendment of the acts creating certain boards, districts, authorities and agencies including; east volusia navigation district, chapter 37-18967; halifax area research commission, chapter 59-1950; halifax drainage district, chapter 19-7968; halifax river waterways improvement district, chapter 53-29596; lake ashby drainage district, chapter 18-7760; new smyrna inlet district, chapter 25-10448; north ormond drainage district, chapter 27-12107; northeast volusia development authority, chapter 61-02977; south county drainage district, chapter 67-1022; turnbull hammock drainage district, chapter 17-7611; volusia county sanitary district, chapter 53-29587; volusia county water and sewer district, chapter 59-1951; volusia county water district, chapter 51-27960; water conservation and control authority, chapter 63-1019; daytona beach special road and bridge district, chapter 25-11783; deland-lake helen special road and bridge district, chapter 25-11275; deleon springs-glenwood special road and bridge district, chapter 27-13493; deleon springs-seville special road and bridge district, chapter 21-8851; east volusia special road and bridge district, chapter 55-31335; halifax-st. johns river road and bridge district, chapter 27-498; halifax special road and bridge district, chapter 27-13514; lake helen-osteen special road and bridge district, chapter 23-9654; new smyrna-coronado beach special road and bridge district, chapter 27-13497; new smyrna beach special road and bridge district, chapter 19-8205; orange city-enterprise special road and bridge district, chapter 23-9653; orange city-lake helen special road and bridge district, chapter 27-13496; ormond special road and bridge district, chapter 27-13495; osteen-enterprise special road and bridge district, chapter 29-14447; osteen-may-town, oak hill special road and bridge district, chapter 27-13491; port orange-inlet special road and bridge district, chapter 27-13492; port orange-south peninsula special road and bridge district, chapter 49-26288; port orange special road and bridge district, chapter 41-21057; east volusia special road and bridge district, chapter 53-29581; special road and bridge district, chapter 61-2973; turnbull special road and bridge district, chapter

23-9051; east volusia mosquito control district, chapter 37-18963; ponce deleon inlet and port authority, chapter 65-2363; halifax advertising tax district, chapter 49-26294; to authorize the levy of ad valorem and other taxes; to authorize the performance of municipal services by the county; to authorize the pledging of taxes to bond issues; to repeal certain laws; to provide for an administrative code; to provide for referendum and effective date.

Amendment 1—

On page 14, line 2, strike the period and insert the following:  
upon conviction and punished according to law.

Amendment 2—

Following page 25, strike the second number “25” at the bottom of the page and insert the following: 25A

Amendment 3—

Strike on page 36 “Section 1419”, on page 39 “Section 1427” and on page 40 “Section 1433” and renumber remaining sections accordingly

Amendment 4—

On page 41, strike lines 12 through 19 and insert the following:

Section 1435. Turnbull Special Road and Bridge District. The Turnbull special road and bridge district, chapter 23-9051 laws of Florida as amended is hereby amended by adding a new section to read:

“Section . The Turnbull Special Road and Bridge District shall continue in effect with all necessary powers, including the power to levy taxes and special assessments, solely for the purpose of fulfilling the contractual obligations of the district to the holders of bonds or certificates of indebtedness and to the former state road department of Florida (now the department of transportation), including lease purchase agreements which exist on the effective date of this act or thereafter arise from such existing contracts, bonds, certificates or agreements. All other powers or duties and all real or personal property not included in the performance of such contracts, bonds, certificates or agreements are hereby transferred and vested in the charter government on October 1, 1971. From and after October 1, 1971, said district shall not levy any tax, special assessment or millage for any purpose except as hereinabove expressly authorized.”

Amendment 5—

On page 51, line 29, strike “upon becoming a law” and insert the following:

June 1, 1970

Amendment 6—

In the title, strike on page 2, lines 18, 19, and 20, “east volusia special road and bridge district, chapter 55-31335”

On page 3, lines 4 and 5, “ormond special road and bridge district, chapter 27-13495”

On page 3, lines 15 and 16, “east volusia special road and bridge district, chapter 53-29581”

Amendment 7—

In the Title, on page 1, line 19, strike “of the amendment” and insert the following: or the amendment

—and requests the concurrence of the Senate therein.

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

On motions by Senator Karl, the Senate concurred in House amendments 1, 2, 3, 4, 6 and 7 to SB 942 and refused to concur in House amendment 5 to SB 942, and the House was requested to recede therefrom. The action of the Senate was certified to the House.



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

May 15, 1970

Plante	Scarborough	Thomas	Young
Reuter	Shevin	Trask	
Saunders	Stolzenburg	Weissenborn	
Sayler	Stone	Williams	

Sir:

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

By the Committee on Judiciary—

**CS for SB 194**—A bill to be entitled An act relating to state contracts; adding section 255.052, Florida Statutes, providing for substitution of securities for retainages on state contracts, providing an effective date.

Which amendment reads as follows:

On page 2, line 22, strike all of line 22 and insert the following: October 1, 1970.

—and requests the concurrence of the Senate therein.

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

On motion by Senator Myers, the Senate concurred in the House amendment to CS for SB 194.

CS for SB 194 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—33 Nays—None

Mr. President	Ducker	McClain	Stolzenburg
Askew	Friday	Myers	Thomas
Barron	Haverfield	Ott	Trask
Bell	Henderson	Plante	Weissenborn
Bishop	Horne	Reuter	Williams
Chiles	Johnson	Saunders	Young
Daniel	Karl	Sayler	
Deeb	Knopke	Scarborough	
de la Parte	Lane	Shevin	

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

May 15, 1970

Sir:

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

By Senator Poston—

**SB 112**—A bill to be entitled An act relating to the highway code; amending chapter 337, Florida Statutes, by adding section 337.33 to require the department of transportation to make a finding concerning the qualifications of persons prior to their employment as consultants; providing an effective date.

Which amendment reads as follows:

On page 1, lines 26 and 27, strike “upon becoming law” and insert the following: October 1, 1970

—and requests the concurrence of the Senate therein.

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

On motion by Senator Myers, the Senate concurred in the House amendment to SB 112.

SB 112 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—33 Nays—None

Mr. President	Daniel	Haverfield	Knopke
Askew	Deeb	Henderson	Lane
Bell	de la Parte	Horne	McClain
Bishop	Ducker	Johnson	Myers
Chiles	Friday	Karl	Ott

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

May 15, 1970

Sir:

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

By Senator Weissenborn—

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

Which amendment reads as follows:

On page 1, lines 28 and 29, strike “upon becoming law” and insert the following: July 1, 1970

—and requests the concurrence of the Senate therein.

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

On motion by Senator Thomas, the Senate concurred in the House amendment to SB 685.

SB 685 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—30 Nays—None

Mr. President	Friday	Lane	Stone
Askew	Haverfield	McClain	Thomas
Bell	Henderson	Ott	Trask
Bishop	Hollahan	Reuter	Weissenborn
Chiles	Horne	Saunders	Williams
Daniel	Johnson	Sayler	Young
de la Parte	Karl	Scarborough	
Ducker	Knopke	Stolzenburg	

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

May 15, 1970

Sir:

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

By Senator Young—

**SB 29**—A bill to be entitled An act relating to the board of regents; amending section 240.052(2), Florida Statutes, by adding paragraph (d), regulating admission of transfer students to the state university system; providing an effective date.

Amendment 1—

On page 1, lines 19-25, strike all of lines 19 through and including line 25 and insert the following:

(d) Past actions of any person applying for admission as a student to any state university, either as a new applicant, an applicant for continuation of his studies, or as a transfer student, where such actions have been found to disrupt or interfere with the orderly conduct, processes, functions or programs of any other university, college, or junior college.

Amendment 2—

On page 1, between lines 25 and 26, insert a new section 2 to read: Section 2. Paragraph (b) of subsection (2) of section 240.052, Florida Statutes, is repealed.

and renumber subsequent section.

Amendment 3—

In title on page 1, line 8, after the semicolon insert the following:

repealing paragraph (b) of subsection (2) of section 240.052, Florida Statutes, which provides that each county shall have the right to send one student annually to each state university without charge for instruction;

Amendment 4—

In title page 1, line 7, strike “transfer”

—and requests the concurrence of the Senate therein.

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

On motions by Senator Wilson, the Senate concurred in House amendment 1 to SB 29 and refused to concur in House amendments 2, 3 and 4 to SB 29, and the House was requested to recede therefrom. The action of the Senate was certified to the House.

*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 adopted the Conference Committee report on—

By Senator Mathews and others—

**SJR 171**—A joint resolution proposing an amendment to section 2, article VI, of the Constitution of the state of Florida, relating to electors.

and pursuant thereto has passed Conference Committee Bill 1—

By the Conference Committee on SJR 171—

**Conference Committee Bill 1**—A bill to be entitled An act relating to persons the age 18 and over; providing that the age of attaining legal majority shall be 18; providing an effective date.

—and requests the concurrence of the Senate therein.

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

**CONFERENCE COMMITTEE REPORT ON SJR 171**

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

*The Honorable Frederick H. Schultz*  
*Speaker of the Florida House of Representatives*

Sirs:

Your Conference Committee on the disagreeing votes of the two houses on Senate Joint Resolution 171, having met, and after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

1. That the Senate and the House of Representatives adopt and pass the Conference Committee Bill as proposed by the Conference Committee and attached hereto, without amendment, to read as follows:

A bill to be entitled  
An act relating to persons the age 18 and over; providing that the age of attaining legal majority shall be 18; providing an effective date.

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

Section 1. Every person shall reach legal majority upon attaining the age of eighteen (18) years, and thereafter shall have all the rights and responsibilities of an adult.

Section 2. This act shall take effect January 1, 1971.

This Conference Committee Bill shall originate in the House of Representatives.

2. That, upon passage of the above bill by the Senate, the House of Representatives recede from the House amendment by Representatives Pratt and Dubbin and pass Senate Joint Resolution 171 as passed by the Senate.

JERRY THOMAS  
LAWTON M. CHILES  
J. H. WILLIAMS (Alternate)  
HAROLD S. WILSON  
BOB SAUNDERS

GERALD LEWIS  
JEROME PRATT  
WILLIAM G. JAMES  
MURRAY H. DUBBIN  
WILLIAM H. FLEECE

Managers on the part  
of the Senate

Managers on the part of the  
House of Representatives

—was read the first time. On motion by Senator Thomas, the rules were waived and the Conference Committee Report was read the second time, and considered.

Senator Horne presiding.

The President presiding.

A motion by Senator Thomas that the Conference Committee Report be adopted failed. The vote was:

Yeas—16

Mr. President	Ducker	Reuter	Thomas
Bell	Fincher	Saunders	Weissenborn
Chiles	Karl	Shevin	Williams
de la Parte	Myers	Stone	Wilson

Nays—28

Askew	Broxson	Horne	Saylor
Bafalis	Daniel	Johnson	Scarborough
Barron	Deeb	Knopke	Slade
Barrow	Friday	Lane	Stolzenburg
Beaufort	Haverfield	McClain	Trask
Bishop	Henderson	Ott	Weber
Boyd	Hollahan	Pope	Young

On motion by Senator Thomas, the Conferees on the part of the Senate returned to Conference, uninstructed, and the House was requested to return its Conferees to Conference.

On motion by Senator Saunders, the President appointed Senators Saunders, Scarborough and Chiles as a committee to escort Coach Douglas A. Dickey of the University of Florida to the rostrum where he addressed the Senate briefly.

**RESOLUTIONS**

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

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

WHEREAS, Ruth S. Wedgworth of Belle Glade has for many years evidenced a sincere concern for the problems of the farm laborer and has rendered much invaluable aid and assistance in helping to alleviate these problems, and

WHEREAS, while carrying out these important deeds of social concern, Ruth S. Wedgworth has also operated a farm and fertilizer operation which employs up to four hundred persons, and

WHEREAS, Ruth S. Wedgworth was recently given an award in recognition of her activities among farm laborers by the Everglades Progressive Citizens Association, an organization that has successfully urged many migrants to self-improvement by encouraging savings, providing guidance, and rendering financial assistance for the acquisition of property and homes, and

WHEREAS, Ruth S. Wedgworth was a member of the Palm Beach County school board, the Florida Fruit and Vegetable Association, and the state commission for migrant workers, and

WHEREAS, along with her farming and community concern activities, Ruth S. Wedgworth also finds time to serve as a member of the Social Concerns Committee of the Florida Conference of the United Methodist Church, is a trustee of

Florida Southern College, and is a member of many civic and social organizations, and

WHEREAS, the splendid example of free enterprise and social conscience evidenced by Ruth S. Wedgworth is a contribution to the citizens of Florida and is worthy of legislative recognition,

NOW, THEREFORE,

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

That Ruth S. Wedgworth is hereby commended for her exemplary community service among farm laborers, her successful farming ventures, and her outstanding sense of civic concern.

BE IT FURTHER RESOLVED that a copy of this resolution duly attested under the seal of the Florida Senate, be presented to Ruth S. Wedgworth as a tangible token of the sentiments expressed herein and a lasting symbol of the appreciation and gratitude of her fellow Floridians.

Was taken up and read the second time in full. On motion by Senator Thomas SR 1510 was adopted. The vote was: Yeas—36 Nays—None

Mr. President	Daniel	Karl	Slade
Askew	Deeb	Lane	Stolzenburg
Bafalis	de la Parte	McClain	Stone
Barron	Ducker	Myers	Thomas
Barrow	Friday	Plante	Weber
Bell	Gunter	Pope	Weissenborn
Bishop	Henderson	Reuter	Williams
Broxon	Hollahan	Sayler	Wilson
Chiles	Horne	Scarborough	Young

By permission, Senators Bafalis and Friday were recorded as co-introducers of SR 1510.

Consideration of SR 1511 was deferred, the bill retaining its place on the Calendar.

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

WHEREAS, Nancy Bell Oldham, a resident of the City of Satellite Beach was honored by being voted unanimously the "Most Outstanding Woman Slow-Pitch Softball Player in America" on September 1, 1969, and

WHEREAS, Nancy Bell Oldham was voted All American Woman Softball Player in the Years 1962, 1965, 1966, 1968, and 1969, and

WHEREAS, Nancy Bell Oldham was voted "All American Woman Basketball Player" in 1961, and

WHEREAS, Nancy Bell Oldham is a person of superior character and modesty in spite of her many achievements in athletics, and

WHEREAS, Nancy Bell Oldham, as the first recreation director of the City of Satellite Beach has shown exceptional dedication in her work with boys and girls and adults of all ages, and

WHEREAS, Nancy Bell Oldham has thus earned nationwide recognition and acclaim for the State of Florida, and

WHEREAS, Nancy Bell Oldham's extraordinary accomplishments in athletic competition and professional career mark her as an outstanding citizen for the State of Florida, NOW, THEREFORE,

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

That on behalf of the people of the State of Florida, this Legislature does commend and congratulate Nancy Bell Oldham for her exceptional record of achievement in sports competition, for distinctive service to the citizens of Florida, and for being selected as the "Most Outstanding Woman Slow-Pitch Softball Player in America."

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the Speaker of the House of Representatives and the

President of the Senate with the great seal of the State of Florida attached, be presented to Nancy Bell Oldham as a tangible token of the sentiments expressed herein and a lasting symbol of the appreciation and gratitude of her fellow Floridians.

Was taken up and read the second time in full. On motion by Senator Reuter, HCR 3759 was adopted and certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Daniel	Karl	Slade
Askew	Deeb	Lane	Stolzenburg
Bafalis	de la Parte	McClain	Stone
Barron	Ducker	Myers	Thomas
Barrow	Friday	Plante	Weber
Bell	Gunter	Pope	Weissenborn
Bishop	Henderson	Reuter	Williams
Broxson	Hollahan	Sayler	Wilson
Chiles	Horne	Scarborough	Young

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

WHEREAS, H. T. Waller, a resident of the City of Vernon, was voted the Most Valuable Player of the 1969 National Open Slow Pitch Softball Tournament, and

WHEREAS, on the path to attaining this honor, H. T. Waller set a new tournament record by hitting 16 home runs in 9 games while batting a tournament average of .591, scoring 21 runs, and batting in 28 more runs, and

WHEREAS, H. T. Waller's batting feats and his superb defensive play at second base led his team, Jo's Pizza of Milton, to a second place finish in the tournament for the second year in a row, and

WHEREAS, three other members of Jo's Pizza team broke world's records in the course of an outstanding team effort, and

WHEREAS, H. T. Waller was voted most valuable player in 5 of the 6 tournaments he played in during the 1969 season, and

WHEREAS, H. T. Waller has thus earned nationwide recognition and acclaim for the State of Florida, and

WHEREAS, H. T. Waller's outstanding accomplishments in athletic competition mark him as an outstanding citizen of the State of Florida, NOW, THEREFORE,

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

That on behalf of the people of the State of Florida, this Legislature does commend and congratulate H. T. Waller for his exceptional record of achievement in sports competition and for being named Most Valuable Player of the 1969 National Open Slow Pitch Softball Tournament; and does further commend and congratulate the effort of the entire Jo's Pizza team.

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

Was taken up and read the second time in full. On motion by Senator Horne, CS for HCR 4387 was adopted and certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Daniel	Karl	Slade
Askew	Deeb	Lane	Stolzenburg
Bafalis	de la Parte	McClain	Stone
Barron	Ducker	Myers	Thomas
Barrow	Friday	Plante	Weber
Bell	Gunter	Pope	Weissenborn
Bishop	Henderson	Reuter	Williams
Broxson	Hollahan	Sayler	Wilson
Chiles	Horne	Scarborough	Young

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

WHEREAS, on May 15 and 16, 1970, the first Florida Special Olympics will be held, and

WHEREAS, the Florida Special Olympics is supported by the Jaycees of the State of Florida, the Fort Walton Beach Jaycees and many civic, fraternal and business organizations in Okaloosa County, and

WHEREAS, the Florida Special Olympics will feature competition in track and swimming events for retarded young people, and

WHEREAS, this program of athletic competition will provide these unfortunate children with a sense of pride and achievement, and

WHEREAS, winners of the state meet held in Fort Walton Beach, Okaloosa County, will be selected to participate in the International Olympics to be held in Chicago, Illinois, on August 13, 14, and 15, and

WHEREAS, expenses for participation in the International Olympics are being paid by local and statewide contributions, NOW, THEREFORE,

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

That the Florida Legislature on behalf of the people of the State of Florida offer sincere commendation to the sponsors of Florida's First Special Olympics.

BE IT FURTHER RESOLVED that copies of this resolution shall be made available to the community of Fort Walton Beach to distribute to all who assist in this worthwhile project.

Was taken up and read the second time in full. On motion by Senator Barron, HCR 4774 was adopted and certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Daniel	Karl	Slade
Askew	Deeb	Lane	Stolzenburg
Bafalis	de la Parte	McClain	Stone
Barron	Ducker	Myers	Thomas
Barrow	Friday	Plante	Weber
Bell	Gunter	Pope	Weissenborn
Bishop	Henderson	Reuter	Williams
Broxson	Hollahan	Saylor	Wilson
Chiles	Horne	Scarborough	Young

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

WHEREAS, Joe B. Fields, basketball coach at Lake City Junior College, has achieved national recognition for the leadership he has given the College's "Timberwolves" for eight seasons, and

WHEREAS, Coach Fields was named "Coach of the Year" in Florida Junior College Conference Division II for 1965-66, 1966-67, 1967-68, and 1969-70, and

WHEREAS, Coach Fields earned a 160-55 record at Lake City Junior College and a 217-77 overall coaching record, and has taken the team to the state tournament four consecutive years, and

WHEREAS, Coach Fields and the "Timberwolves" had a 29-7 record this season, including victory in the division, the state, and Region VII, and winning three of four games at the National Tournament at Hutchinson, Kansas, to capture third in the nation—best ever for a Florida junior college team, and

WHEREAS, Coach Fields is a native of Greenville, Tennessee, having been born there on June 6, 1925, and a graduate of Doak High in Tusculum, Tennessee, and of East Tennessee State College (Bachelor of Science, 1957) and of George Peabody College (Master of Arts, 1960), and

WHEREAS, Coach Fields served in the U. S. Navy for four years; taught at Andrew Lewis High School in Roanoke, Virginia, in 1957-60, and coached at Columbia High in Lake City (1960-62), NOW, THEREFORE,

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

1. That the Legislature salutes Coach Joe B. Fields because of his achievements as a coach and leader at Lake City Junior College, and

2. That a copy of this Resolution, signed by the Speaker and Clerk of the House of Representatives and by the President and Secretary of the Senate, be sent by the Secretary of State to Coach Fields and his wife, the former Geraldine Melton.

Was taken up and read the second time in full. On motion by Senator Bishop, HCR 5099 was adopted and certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Daniel	Karl	Slade
Askew	Deeb	Lane	Stolzenburg
Bafalis	de la Parte	McClain	Stone
Barron	Ducker	Myers	Thomas
Barrow	Friday	Plante	Weber
Bell	Gunter	Pope	Weissenborn
Bishop	Henderson	Reuter	Williams
Broxson	Hollahan	Saylor	Wilson
Chiles	Horne	Scarborough	Young

**HCR 3996**—A concurrent resolution commending the students of Florida Presbyterian College and the people of St. Petersburg for their untiring efforts to save the lives of thousands of waterfowl trapped in the oil slick that occurred when the Greek ship Delian Apollon ran aground in Tampa Bay.

WHEREAS, the waters and wildlife of Tampa Bay, Boca Ciega Bay, the Gulf of Mexico and many bayous and inlets were contaminated by the thousands of gallons of crude oil which were spilled when the Greek ship Delian Apollon ran aground on Friday, February 13, 1970, and

WHEREAS, thousands of waterfowl were trapped in the oil slick, covered with crude oil, and rendered helpless and in danger of being destroyed, and

WHEREAS, Florida Presbyterian College canceled all classes on Monday, February 16, 1970, so that most of the institution's nine hundred and fifty (950) students and many of the faculty could aid the people of St. Petersburg in a round-the-clock clean-up campaign to save the lives of said waterfowl, and

WHEREAS, Lakewood High School released two hundred (200) teenagers to retrieve floundering birds for a life saving wash-in in the school's biology laboratory, and

WHEREAS, St. Petersburg Junior College students, many St. Petersburg citizens including housewives, students, retirees, and city employees became immediately involved in saving the lives of approximately seven thousand (7000) waterfowl and, by working together for life and against pollution, exemplified the deep concern of millions of Americans for the preservation and protection of our natural resources and animal life, and

WHEREAS, both the pollution and generation gaps closed significantly as youth and age, scrub-brush-to-scrub-brush, found that they did care, and could work together, NOW, THEREFORE,

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

The Legislature of the State of Florida does hereby commend the students, administration, and faculty of Florida Presbyterian College and the people of St. Petersburg, young and old, who, working together, saved thousands of waterfowl and set such an outstanding example of concern for the protection and conservation of this nation's resources.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of Florida Presbyterian College and to student government officials of said college, the Principal of Lakewood High School, and to the City of St. Petersburg.

Was taken up and read the second time in full. On motion by Senator Wilson HCR 3996 was adopted and certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Daniel	Karl	Slade
Askew	Deeb	Lane	Stolzenburg
Bafalis	de la Parte	McClain	Stone
Barron	Ducker	Myers	Thomas
Barrow	Friday	Plante	Weber
Bell	Gunter	Pope	Weissenborn
Bishop	Henderson	Reuter	Williams
Broxson	Hollahan	Saylor	Wilson
Chiles	Horne	Scarborough	Young

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

By Senators Mathews, Pope, Scarborough, Beaufort and Slade—

**SCR 1520**—A concurrent resolution honoring and commending Miss Olga Louise Pratt, Founder and Director of the Bartram School of Jacksonville, Florida.

WHEREAS, Miss Olga Louise Pratt has made a most notable, worthwhile and altruistic dedication of her life as hereafter set forth, and

WHEREAS, having been born at New Haven, Connecticut, March 20, 1896, and having taken her Bachelor's degree in history and economics from Vassar College and her Master of Arts degree from Columbia University, and having been one of the original Farmerettes in World War I, and

WHEREAS, she had taught at Westover School in Connecticut and co-founded the Barrington School in Massachusetts, and

WHEREAS, in September, 1934, at the invitation of four Jacksonville, Florida, families, to wit: Judge and Mrs. George Couper Gibbs, Mr. and Mrs. J. Kenneth Attwood, Mr. and Mrs. W. Malcolm McCrory and Mr. and Mrs. H. Plant Osborne, she came to Duval County and founded the Bartram School for Girls first upon rented property of Mrs. Madeline Downing Knight on Big Pottsburg Creek, then on the school's own property on Little Pottsburg Creek since 1938, and

WHEREAS, with modest, dedicated, resourceful and talented effort over a period of thirty-six years, Miss Olga Louise Pratt founded and directed the school from an original enrollment of twenty-five to a present enrollment of one hundred seventy-five predominantly with a curriculum of grades seven through twelve, and

WHEREAS, because of her devotion and continuing influence, the Bartram School is and has become one of the most respected and productive schools of the highest quality education for girls anywhere, with a beauty of natural surrounding of Miss Pratt's taste that will always be remembered by the graduates, and

WHEREAS, notwithstanding the wonderful product of her efforts, Miss Pratt has always remained modest while her accomplishments have been praised by thousands and her graduates have gone on to richer, more significant and more mature and knowledgeable lives as a result of her efforts;

NOW, THEREFORE, BE IT RESOLVED this day of May, A.D., 1970, the Senate of the State of Florida, the House of Representatives concurring, does hereby and herewith take note of, praise and commend Miss Olga Louise Pratt for her said laudable and beautiful accomplishments and dedicated life which have been so meaningful and beneficial to so many of the daughters of this State.

BE IT FURTHER RESOLVED that a copy of this Concurrent Resolution duly attested by the President and the Secretary of the Senate and the Speaker and the Clerk of the House of Representatives, under the Great Seal of the State of Florida be forwarded to the beloved and faithful Miss Olga Louise Pratt.

—which was read the first time in full and placed on the Calendar.

On motions by Senator Pope, the rules were waived and SCR 1520 was read the second time in full, adopted and certified to the House. The vote was: Yeas—35 Nays—None

Mr. President	Daniel	McClain	Stolzenburg
Askew	Deeb	Myers	Stone
Bafalis	de la Parte	Ott	Thomas
Barron	Ducker	Plante	Weber
Barrow	Henderson	Pope	Weissenborn
Bell	Hollahan	Reuter	Williams
Bishop	Horne	Saylor	Wilson
Broxson	Karl	Scarborough	Young
Chiles	Knopke	Slade	

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

**SM 880**—A memorial to the Congress of the United States urging the improvement of present policies with relation to prisoners of war in North Viet Nam.

WHEREAS, the lot of a prisoner of war is at best an unhappy one, and all governments should be persuaded that the mistreatment of the prisoner of war lends no support to the political and military causes those governments espouse, and

WHEREAS, the conditions in North Vietnamese prison camps are known to be shocking and inhumane, and

WHEREAS, North Vietnamese prison camps refuse to release sick and wounded prisoners of war in need of intensive medical attention, refuse to permit neutral inspections in accordance with the Geneva Convention which they ratified, and refuse to permit a regular flow of mail, and

WHEREAS, the effects of the knowledge of the inhumane treatment coupled with the absence of knowledge of who has survived to endure that treatment extracts an unconscionable toll of grief and anxiety from the families of those missing in action or known to be prisoners of war, and

WHEREAS, the Florida Legislature feels compelled to act in whatever capacity it may to be of assistance in this matter, NOW, THEREFORE,

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

That the United States Congress take all appropriate measures to insure that the United States Government redouble its efforts on behalf of those persons imprisoned in North Viet Nam, to curtail flagrant violations of human decency, to mollify the familiar pang of anxiety and anticipation, to bring about safe and more tolerable conditions, and to urge the release of the identity of prisoners, release of the sick and injured, initiation of neutral inspections and the permitting of a free flow of mail.

BE IT FURTHER RESOLVED that copies of this memorial be transmitted forthwith to the President of the United States, the Vice-President of the United States, the President of the Senate, the Speaker of the House in the United States Congress, and each member of the Florida delegation to the Congress of the United States.

—which was read the second time in full. On motion by Senator Horne, SM 880 was adopted and certified to the House. The vote was: Yeas—42 Nays—None

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

By permission, Senators Askew, Bafalis, Barron, Barrow, Beaufort, Bell, Bishop, Boyd, Broxson, Chiles, Daniel, Deeb, de la Parte, Ducker, Fincher, Friday, Gong, Gunter, Haverfield, Henderson, Hollahan, Johnson, Karl, Knopke, Lane, Mathews, McClain, Myers, Ott, Plante, Pope, Poston, Reuter, Saunders, Saylor, Scarborough, Shevin, Slade, Stolzenburg, Stone, Thomas, Trask, Weber, Williams, Wilson and Young were recorded as co-introducers of SM 880.

**SPECIAL ORDER**

SB 330 was taken up, together with, by the Committee on Agriculture, CS for SB 330, which was read the first time by title and SB 330 was laid on the table.

Pending further consideration of CS for SB 330, on motion by Senator Ducker, by two-thirds vote, CS for HB 3188 was withdrawn from the Committee on Agriculture and placed on the Calendar.

On motion by Senator Ducker—

**CS for HB 3188**—A bill to be entitled An act relating to pesticides; amending section 487.021, Florida Statutes, by

adding subsections (40) to define persistent pesticide; amending section 487.031, Florida Statutes, by adding subsection (9), regulating the use of persistent pesticides; providing an effective date.

—a companion measure to CS for SB 330 was substituted therefor and read the second time by title. On motion by Senator Ducker the rules were waived and CS for HB 3188 was read the third time by title, passed and certified to the House. The vote was: Yeas—40 Nays—None

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

SB 480 was taken up, together with:

By the Committee on Agriculture—

**CS for SB 480**—A bill to be entitled An act relating to sale of frozen meat, fish, or poultry, or products thereof, for human consumption; prohibiting sale of such products that have been frozen and defrosted unless said product has a notice thereon that said product was previously frozen; making violation a misdemeanor; providing for revocation or suspension of occupational license upon subsequent offenses; providing an effective date.

—which was read the first time by title and SB 480 was laid on the table.

On motion by Senator Thomas, the rules were waived and CS for SB 480 was read the second time by title.

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

In Section 1, line 2, page 2, strike the period at the end of Section 1 and insert the following: ; provided however that shrimp shall be exempt from the provisions of this act.

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

In title, line 13, following "offenses;" insert the following: providing exemption;

On motion by Senator Thomas, the rules were waived and CS for SB 480 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—37 Nays—None

Mr. President	Friday	Myers	Thomas
Bafalis	Haverfield	Ott	Trask
Beaufort	Henderson	Plante	Weber
Bell	Hollahan	Pope	Weissenborn
Bishop	Horne	Reuter	Williams
Broxson	Johnson	Saunders	Wilson
Daniel	Karl	Scarborough	Young
Deeb	Knopke	Slade	
de la Parte	Lane	Stolzenburg	
Ducker	McClain	Stone	

SB 734 was taken up, together with:

By the Committee on Health, Welfare, and Institutions—

**CS for SB 734**—A bill to be entitled An act relating to state-owned property and public buildings; wheelchair users; requiring that the internationally recognized wheelchair symbol be displayed at the entrance of state-owned buildings and facilities having provisions to accommodate wheelchair users; providing an effective date.

—which was read the first time by title and SB 734 was laid on the table.

On motion by Senator Bell, the rules were waived and CS for SB 734 was read the second time by title.

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

In title, line 5, page 1, strike "requiring" and insert permitting

On motion by Senator Bell, the rules were waived and CS for SB 734 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—41 Nays—None

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

**SB 636**—A bill to be entitled An act relating to veterinarians; amending section 474.25(4), Florida Statutes, changing the annual renewal fee; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Hollahan, the rules were waived and SB 636 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

SB 998 was taken up and, on motion by Senator Johnson—

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

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Johnson, the rules were waived and HB 3536 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

**SB 848**—A bill to be entitled An act relating to fire extinguishers; prohibiting the sale or use of certain types of fire extinguishers; making violation a misdemeanor; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Karl, the rules were waived and SB 848 was read the third time by title, passed and certified to the House. The vote was: Yeas—43 Nays—None

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

Shevin	Stone	Weber	Wilson
Slade	Thomas	Weissenborn	Young
Stolzenburg	Trask	Williams	

**SB 1025**—A bill to be entitled An act relating to livestock marks and brands; amending section 534.041, Florida Statutes, to authorize cancellation of inactive marks and brands; providing effective date.

Was taken up and read the second time by title. On motion by Senator Barrow, the rules were waived and SB 1025 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

**SB 689**—A bill to be entitled An act relating to standards of conduct for public officers and employees; amending section 112.314(3), Florida Statutes, to exempt occupational licensing from the restriction on the sale of goods and services between an agency and a person licensed by it; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and SB 689 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

The President Pro Tempore presiding.

**SB 812**—A bill to be entitled An act relating to the employment of relatives by certain public officials; amending section 116.11, Florida Statutes, providing that any public official who violates section 116.111, Florida Statutes, shall be deemed guilty of misfeasance and malfeasance in office and shall be also deemed guilty of a misdemeanor; providing penalties; repealing section 116.10, Florida Statutes, relating to the prohibition of nepotism; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and SB 812 was read the third time by title, passed and certified to the House. The vote was:

Yeas—38

Askew	Ducker	McClain	Stone
Bafalis	Friday	Ott	Thomas
Barron	Gunter	Plante	Trask
Beaufort	Haverfield	Pope	Weber
Bell	Henderson	Reuter	Weissenborn
Boyd	Hollahan	Sayler	Williams
Broxson	Horne	Scarborough	Wilson
Chiles	Johnson	Shevin	Young
Daniel	Knopke	Slade	
Deeb	Lane	Stolzenburg	

Nays—1

Bishop

**SB 624**—A bill to be entitled An act relating to credit unions; amending section 657.06(3)(a), Florida Statutes, reducing examination fees for credit unions with assets over \$1,000,000.00 and further reducing examination fees for credit unions with assets over \$5,000,000.00; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Chiles, the rules were waived and SB 624 was read the third time by title, passed and certified to the House. The vote was:

Yeas—38

Askew	Daniel	Lane	Slade
Bafalis	Deeb	McClain	Stolzenburg
Barron	Ducker	Myers	Stone
Barrow	Friday	Ott	Thomas
Beaufort	Gunter	Plante	Trask
Bell	Haverfield	Pope	Weissenborn
Bishop	Henderson	Reuter	Williams
Boyd	Hollahan	Sayler	Young
Broxson	Horne	Scarborough	
Chiles	Johnson	Shevin	

Nays—1

Wilson

**SB 1052**—A bill to be entitled An act relating to sanitary sewage disposal facilities; requiring that future construction of any such facilities for sanitary sewage disposal provide for secondary waste treatment and in addition thereto, advanced waste treatment as deemed necessary by the department of air and water pollution control; requiring all existing facilities for sanitary sewage disposal to provide for secondary waste treatment and in addition thereto, advanced waste treatment as deemed necessary by the department of air and water pollution control, by January 3, 1974; providing a penalty; providing an effective date.

Was taken up and read the second time by title.

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

In Section 2, line 5, page 2, after "deemed necessary" insert the following: and ordered

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

In Section 1, line 26, page 1, strike "future"

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

In title, lines 3-20, page 1, strike the title and insert the following: A bill to be entitled An act relating to sanitary sewage disposal facilities; requiring that construction of any such facilities for sanitary sewage disposal provide for secondary waste treatment and in addition thereto, advanced waste treatment as deemed necessary and ordered by the department of air and water pollution control; requiring all existing facilities for sanitary sewage disposal to provide for secondary waste treatment and in addition thereto, advanced waste treatment as deemed necessary and ordered by the department of air and water pollution control, by January 3, 1974; providing a penalty; providing an effective date.

On motion by Senator Thomas, the rules were waived and SB 1052 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—38 Nays—None

Askew	Daniel	McClain	Stolzenburg
Bafalis	Deeb	Myers	Stone
Barron	Ducker	Ott	Thomas
Barrow	Friday	Plante	Trask
Beaufort	Gunter	Reuter	Weber
Bell	Haverfield	Saunders	Williams
Bishop	Henderson	Sayler	Wilson
Boyd	Horne	Scarborough	Young
Broxson	Knopke	Shevin	
Chiles	Lane	Slade	

**SB 1098**—A bill to be entitled An act authorizing the Department of Air and Water Pollution Control to conduct a comprehensive survey to determine the extent and nature of the litter problem in Florida; providing that a report be made to the Speaker of the House of Representatives and the President of the Senate of the State of Florida at least forty-five (45) days prior to the 1971 regular session of the Legislature.

Was taken up and read the second time by title.

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

In Section 1, line 27, page 2, strike “, to coordinate law enforcement efforts on,” and insert the following: and law enforcement needs under

On motion by Senator Thomas, the rules were waived and SB 1098 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—38 Nays—None

Askew	Fincher	McClain	Slade
Bafalis	Friday	Myers	Stolzenburg
Barron	Gunter	Ott	Stone
Barrow	Haverfield	Plante	Thomas
Beaufort	Henderson	Pope	Trask
Boyd	Horne	Reuter	Williams
Chiles	Johnson	Saunders	Wilson
Daniel	Karl	Sayler	Young
Deeb	Knopke	Scarborough	
Ducker	Lane	Shevin	

**SB 925**—A bill to be entitled An act relating to local government; amending section 1(4) of Chapter 69-32, Laws of Florida, General Acts of 1969, redefining notice to require publication by title only; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Henderson, the rules were waived and SB 925 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Askew	Fincher	Myers	Stolzenburg
Bafalis	Friday	Ott	Stone
Barron	Gunter	Plante	Thomas
Barrow	Haverfield	Pope	Trask
Beaufort	Henderson	Reuter	Weber
Boyd	Hollahan	Saunders	Weissenborn
Broxson	Horne	Sayler	Williams
Daniel	Johnson	Scarborough	Wilson
Deeb	Karl	Shevin	Young
Ducker	McClain	Slade	

**SB 1103**—A bill to be entitled An act relating to the department of state; renaming the Stephen Foster memorial commission; amending sections 265.13—265.151, Florida Statutes; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Bishop, the rules were waived and SB 1103 was read the third time by title, passed and certified to the House. The vote was: Yeas—40 Nays—None

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

SB 146 was taken up, together with:

By the Committee on Governmental Organization—

**CS for SB 146**—A bill to be entitled An act relating to the department of community affairs; providing for the creation of the fire fighters standards council within the department; providing powers and duties; amending chapter 163, Florida Statutes; providing an effective date.

—which was read the first time by title and SB 146 was laid on the table.

On motions by Senator Stone, the rules were waived and CS for SB 146 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

Mr. President	Bafalis	Barrow	Bell
Askew	Barron	Beaufort	Bishop

Boyd	Henderson	Pope	Thomas
Broxson	Hollahan	Reuter	Trask
Daniel	Horne	Saunders	Weber
Deeb	Johnson	Sayler	Weissenborn
Ducker	Karl	Scarborough	Wilson
Fincher	Knopke	Shevin	Young
Friday	McClain	Slade	
Gunter	Myers	Stolzenburg	
Haverfield	Ott	Stone	

**SB 760**—A bill to be entitled An act relating to industrial savings banks; amending section 656.21, Florida Statutes, authorizing the commissioner to furnish the federal reserve board with a copy of examinations, and requiring industrial savings banks to submit annual report of its income and dividends; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Trask, the rules were waived and SB 760 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

**SB 761**—A bill to be entitled An act relating to banks and trust companies; amending section 658.07(1), Florida Statutes; requiring the bank rather than the commissioner to publish in a newspaper a statement of its assets and liabilities, authorizing the commissioner to furnish the federal reserve board with a copy of examinations, and requiring bank and trust companies to submit annual report of its income and dividends; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Trask, the rules were waived and SB 761 was read the third time by title, passed and certified to the House. The vote was: Yeas—38 Nays—None

Mr. President	Daniel	Knopke	Stone
Askew	Deeb	Lane	Thomas
Bafalis	Ducker	McClain	Trask
Barron	Fincher	Myers	Weber
Barrow	Friday	Ott	Weissenborn
Beaufort	Gunter	Reuter	Williams
Bell	Haverfield	Saunders	Wilson
Bishop	Henderson	Scarborough	Young
Boyd	Johnson	Shevin	
Broxson	Karl	Stolzenburg	

**SB 767**—A bill to be entitled An act relating to industrial savings banks; amending section 656.091(1), Florida Statutes; reducing minimum par value for capital stock; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Horne, the rules were waived and SB 767 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

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

**SB 768**—A bill to be entitled An act relating to banks and trust companies; amending section 659.08(1), Florida Statutes; reducing minimum par value of capital stock; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Horne, the rules were waived and SB 768 was read

the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

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

**SB 839**—A bill to be entitled An act relating to consumer protection organizations; providing a definition; providing for registration; providing a fee; requiring an annual financial statement; providing a penalty; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Karl, the rules were waived and SB 839 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Daniel	Karl	Stolzenburg
Askew	Deeb	Knopke	Stone
Bafalis	Ducker	Lane	Thomas
Barron	Fincher	McClain	Trask
Barrow	Friday	Myers	Weber
Beaufort	Gunter	Ott	Weissenborn
Bell	Haverfield	Reuter	Williams
Bishop	Henderson	Saunders	Wilson
Boyd	Horne	Scarborough	Young
Broxson	Johnson	Shevin	

Senator Young excused.

**SB 840**—A bill to be entitled An act relating to auctioneers; requiring the placing of a price tag showing the value attributed to an item; providing exemptions; providing a penalty; providing an effective date.

Was taken up and read the second time by title.

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

In Section 1, lines 11, 14, 16, page 1, strike "price"

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

In title, line 5, page 1, strike "price"

On motion by Senator Karl, the rules were waived and SB 840 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—37 Nays—None

Mr. President	Ducker	Knopke	Stone
Askew	Fincher	Lane	Thomas
Bafalis	Friday	McClain	Trask
Barrow	Gunter	Myers	Weber
Beaufort	Haverfield	Ott	Weissenborn
Bell	Henderson	Pope	Williams
Boyd	Hollahan	Reuter	Wilson
Broxson	Horne	Shevin	
Daniel	Johnson	Slade	
Deeb	Karl	Stolzenburg	

SB 704 was taken up and read the second time by title.

Pending further consideration of SB 704, on motion by Senator Horne, by two-thirds vote, HB 3924 was withdrawn from the Committee on Rules and Calendar and placed on the Calendar.

On motion by Senator Horne—

**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.

—a companion measure to SB 704 was substituted therefor and read the second time by title. On motion by Senator Horne the rules were waived and HB 3924 was read the third time by title, passed and certified to the House. The vote was: Yeas—30 Nays—None

Askew	Gunter	McClain	Stone
Bafalis	Haverfield	Myers	Thomas
Barrow	Henderson	Ott	Weber
Beaufort	Hollahan	Pope	Weissenborn
Broxson	Horne	Reuter	Williams
Daniel	Johnson	Shevin	Wilson
Deeb	Karl	Slade	
Ducker	Lane	Stolzenburg	

**SB 1206**—A bill to be entitled An act relating to the department of health and rehabilitative services; amending paragraph (b) of subsection 2 of section 19 of chapter 69-106, laws of Florida; and subsection 4 of chapter 69-106, laws of Florida; changing the name of the division of adult corrections to the division of corrections; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Daniel, the rules were waived and SB 1206 was read the third time by title, passed and certified to the House. The vote was: Yeas—33 Nays—None

Askew	Friday	McClain	Stone
Bafalis	Gunter	Myers	Thomas
Barrow	Haverfield	Ott	Weber
Beaufort	Henderson	Pope	Weissenborn
Bell	Hollahan	Reuter	Williams
Boyd	Horne	Saunders	Wilson
Daniel	Johnson	Shevin	
Deeb	Karl	Slade	
Ducker	Lane	Stolzenburg	

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

Was taken up and read the second time by title. On motion by Senator Pope, the rules were waived and SB 1187 was read the third time by title, passed and certified to the House. The vote was: Yeas—33 Nays—None

Mr. President	Deeb	Lane	Stone
Askew	Ducker	McClain	Thomas
Bafalis	Gunter	Myers	Weber
Barrow	Haverfield	Ott	Weissenborn
Beaufort	Henderson	Reuter	Williams
Bell	Hollahan	Saunders	Wilson
Bishop	Horne	Shevin	
Boyd	Johnson	Slade	
Daniel	Karl	Stolzenburg	

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

Was taken up and read the second time by title. On motion by Senator Broxson, the rules were waived and SB 1124 was read the third time by title, passed and certified to the House. The vote was: Yeas—36 Nays—None

Askew	Deeb	Karl	Slade
Bafalis	Ducker	Lane	Stolzenburg
Barrow	Friday	McClain	Stone
Beaufort	Gunter	Myers	Thomas
Bell	Haverfield	Ott	Trask
Bishop	Henderson	Pope	Weber
Boyd	Hollahan	Reuter	Weissenborn
Broxson	Horne	Saunders	Williams
Daniel	Johnson	Shevin	Wilson

**SB 1107**—A bill to be entitled An act relating to the Florida Commission on human relations; removing the lieutenant-governor as chairman of the commission; naming the secretary of the department of community affairs as chairman of the commission; amending subsection 3(d) of chapter 69-287, Laws of Florida (1969); providing an effective date;

Was taken up and read the second time by title. On motion by Senator Johnson, the rules were waived and SB 1107 was read the third time by title, passed and certified to the House. The vote was: Yeas—32 Nays—None

Askew	Daniel	Johnson	Shevin
Bafalis	Deeb	Karl	Stolzenburg
Barrow	Ducker	Lane	Stone
Beaufort	Friday	McClain	Thomas
Bell	Gunter	Myers	Trask
Bishop	Henderson	Pope	Weber
Boyd	Hollahan	Reuter	Weissenborn
Broxson	Horne	Saunders	Wilson

SB 1167 was taken up and, on motion by Senator Pope—

**HB 4569**—A bill to be entitled An act relating to the department of state; amending section 266.06, Florida Statutes, authorizing the St. Augustine historical restoration and preservation commission to sell crafts products and merchandise relating to the historical and antiquarian period of St. Augustine; and providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Pope, the rules were waived and HB 4569 was read the third time by title, passed and certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	Deeb	Lane	Stone
Askew	Ducker	McClain	Thomas
Bafalis	Fincher	Myers	Trask
Barrow	Friday	Ott	Weber
Beaufort	Gunter	Pope	Weissenborn
Bell	Henderson	Reuter	Williams
Bishop	Hollahan	Saunders	Wilson
Boyd	Horne	Shevin	
Broxson	Johnson	Slade	
Daniel	Knopke	Stolzenburg	

**SB 1301**—A bill to be entitled An act relating to tampering with jurors; adding section 40.44, Florida Statutes; providing for penalties; providing for effective date.

Was taken up and read the second time by title. On motion by Senator Henderson, the rules were waived and SB 1301 was read the third time by title, passed and certified to the House. The vote was: Yeas—38 Nays—None

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

By permission, Senators Barron, Barrow, Boyd, Broxson, Haverfield, Lane, McClain, Pope, Stolzenburg and Weber were recorded as co-introducers of SB 1301.

**SB 1020**—A bill to be entitled An act relating to physicians; amending sections 393.021(2), 394.22(6)(a), 394.24(1)(b), 394.56(1), Florida Statutes, to change the requirement for physicians to practice in regional community centers for mentally retarded, children's psychiatric centers, and with respect to commitments to the state hospital psychiatric centers, from a requirement of graduation from a school of medicine recognized by the American medical association to a requirement of licensure to practice pursuant to chapter 458 or 459, Florida Statutes; providing an effective date.

Was taken up and read the second time by title.

Senator Karl offered the following amendment which was adopted:

In Section 5, line 27, page 4, strike "Section 5. This act shall take effect July 1, 1970." and insert the following: Section 5. Subsection (1) of section 394.57, Florida Statutes, is amended to read:

394.57 Admissions, involuntary, procedure, etc.—

(1) PETITION.—Whenever any child in this state is believed to be severely emotionally disturbed or psychotic a written petition under oath may be made to the county judge of the county wherein said child resides or may be found for judicial inquiry into the mental condition of said child. Every petition

so filed shall be accompanied by a report of at least one qualified physician of good professional standing and [a graduate of a school of medicine recognized by the American medical association,] *licensed to practice under the provisions of chapter 458 or 459, Florida Statutes*, stating that the child named in the petition has been examined by said physician and said report shall contain the results of the examination, a diagnosis and history of the child's mental and physical condition, and a statement of belief that the child would benefit from intensive care and treatment at the children's division of the south Florida state hospital.

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

Senator Karl also offered the following amendment which was adopted:

In title, line 6, page 1, after "394.56(1)," insert 394.57(1),

On motion by Senator Karl, the rules were waived and SB 1020 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—36 Nays—None

Askew	Deeb	Karl	Slade
Bafalis	Ducker	Knopke	Stolzenburg
Barrow	Fincher	Lane	Stone
Beaufort	Friday	McClain	Thomas
Bell	Gunter	Myers	Trask
Bishop	Haverfield	Ott	Weber
Boyd	Henderson	Plante	Weissenborn
Broxson	Hollahan	Reuter	Williams
Daniel	Johnson	Shevin	Wilson

**SB 1171**—A bill to be entitled An act to provide that bonds, notes, certificates of indebtedness or other obligations issued by counties, municipalities, towns, villages, districts, commissions, authorities or any other public body or agency or political subdivision of the State of Florida may bear interest at the maximum rate or rates of interest permitted by law and may be sold at such price less than par as will not require the payment of interest on the money received therefrom at greater than the maximum rate or rates of interest permitted by law, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values; excluding, however, from such computation the amount of any premium to be paid on redemption of any bonds prior to maturity; and to provide an effective date.

Was taken up and read the second time by title. On motion by Senator Stone, the rules were waived and SB 1171 was read the third time by title, passed and certified to the House. The vote was: Yeas—35 Nays—None

Askew	Deeb	Karl	Stolzenburg
Bafalis	de la Parte	Knopke	Stone
Barrow	Ducker	McClain	Thomas
Beaufort	Fincher	Myers	Trask
Bell	Friday	Ott	Weber
Bishop	Gunter	Pope	Weissenborn
Boyd	Haverfield	Saunders	Williams
Broxson	Hollahan	Shevin	Wilson
Daniel	Johnson	Slade	

**HB 910**—A bill to be entitled An act relating to public health, treatment of communicable diseases upon the consent of the minor; amending chapter 384, Florida Statutes by adding section 384.061; providing that parental consent need not be obtained; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Lane, the rules were waived and HB 910 was read the third time by title, passed and certified to the House. The vote was: Yeas—36 Nays—None

Askew	Deeb	Knopke	Saylor
Bafalis	Ducker	Lane	Shevin
Barrow	Fincher	McClain	Slade
Beaufort	Friday	Myers	Stolzenburg
Bell	Gunter	Ott	Thomas
Bishop	Haverfield	Plante	Trask
Boyd	Henderson	Pope	Weber
Broxson	Johnson	Reuter	Williams
Daniel	Karl	Saunders	Wilson

Consideration of SB 1450 was deferred, the bill retaining its place on the Calendar.

On motion by Senator Friday, it was agreed that at the hour of 12:45 p.m. the Senate would proceed to the consideration of House Bills on the Calendar.

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

**EXECUTIVE BUSINESS**

By direction of the presiding officer, the Secretary read the following:

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

May 13, 1970

Dear Tom:

Enclosed is the resignation of Niles Keen, Constable, District Number Two, Duval County, which I have accepted effective today.

Sincerely,  
CLAUDE R. KIRK, JR.  
Governor

*The Honorable Claude R. Kirk  
Governor of Florida  
Tallahassee, Florida*

May 12, 1970

Dear Governor Kirk:

You are respectfully requested to accept the resignation of the undersigned as Constable of District No. 2 in Duval County, Florida, effective this date. This action is taken in order to alleviate your office and the State of Florida of the expense of continuing with the suspension proceedings pending against me with the Florida Senate. You are advised that in order to further save the State expense and time, no appeal will be taken from my convictions in the Criminal Court of Record in Duval County for falsifying public records.

In order to completely clear any pending proceedings against me, you are respectfully requested to withdraw any proceedings pending against me in the Florida Senate and accept this resignation in lieu thereof. I hereby waive any and all claim which I may have or which may accrue to me from the time of my original suspension as Constable to the date hereof for compensation or fees to which I may have otherwise been entitled.

Your cooperation in accepting this resignation will be very much appreciated.

Respectfully yours,  
/s/ NILES A. KEEN

ACCEPTED ON MAY 13, 1970 CLAUDE R. KIRK, Jr  
Governor

Which was referred to the Select Committee on Executive Suspensions.

**ORDER OF SUSPENSION**

WHEREAS, Earl Jackson Carroll is presently serving as a member of the Board of County Commissioners of Metropolitan Dade County, Florida, and

WHEREAS, acting pursuant to the Constitution and laws of Florida, an Executive Order was issued on April 8, 1969, suspending Earl Jackson Carroll as a Member of the Board of County Commissioners of Metropolitan Dade County, Florida, based upon an Indictment returned by the Grand Jury of the Eleventh Judicial Circuit of Dade County, Florida, charging the said Earl Jackson Carroll with conspiracy to solicit a bribe and soliciting a bribe, and

WHEREAS, on July 25, 1969, I revoked the Executive Order of April 8, 1969, restoring the said Earl Jackson Carroll as a member of the Board of County Commissioners of Metropolitan Dade County, Florida, having been officially advised that on July 24, 1969, the Criminal Court of Record in and for Dade County, Florida, dismissed the charges contained in the aforementioned Indictment, and

WHEREAS, the State of Florida appealed the Order of Dismissal, and on April 20, 1970, the Third District Court of Appeals reversed the said Order of Dismissal, reinstating the said charges, and

WHEREAS, I have been officially advised that the time for the filing of a Petition for Rehearing of the District Court's Order has expired and that the mandate has issued and that the Indictment and criminal charges are in full force and effect;

NOW, THEREFORE, I, Claude R. Kirk, Jr., as Governor of the State of Florida, and by virtue of the power and authority vested in me by Article IV, Section 7 of the Constitution of the State of Florida, do hereby suspend the said Earl Jackson Carroll as a member of the Board of County Commissioners of Metropolitan Dade County, Florida, on the grounds of misfeasance, malfeasance and incompetency in office as reflected by the Indictment returned against him, a copy of which is attached hereto and made a part hereof, and because of such, it would be improper for him to continue to perform the responsibilities of his office. Therefore, the said Earl Jackson Carroll is hereby prohibited from performing the duties or exercising the authorities of said office during the period of suspension.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 14 day of May, 1970.

CLAUDE R. KIRK, JR.  
Governor

ATTEST:  
TOM ADAMS  
Secretary of State

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL  
CIRCUIT OF FLORIDA, IN AND FOR DADE COUNTY  
FALL TERM, 1968

STATE OF FLORIDA  
VS.  
SY CHADROFF and  
EARL JACKSON CARROLL,  
Defendants.

CONSPIRACY TO SOLICIT A BRIBE  
SOLICITING A BRIBE

IN THE NAME AND BY THE AUTHORITY OF THE STATE  
OF FLORIDA:

The Grand Jurors of the State of Florida, County of Dade, charge that on the 8th day of January, 1969, SY CHADROFF and EARL JACKSON CARROLL, who was then and there a duly elected County Commissioner of Dade County, Florida, did, in the County and State aforesaid, agree, conspire, combine or confederate to commit a felony, to-wit: to corruptly request or solicit a bribe in violation of Section 838.012, Florida Statutes, and, in furtherance of said conspiracy, SY CHADROFF and EARL JACKSON CARROLL did corruptly request or solicit cash in the amount of One Hundred and Fifteen Thousand (\$115,000) Dollars from Edward G. Grafton with an understanding that said money would influence the act, vote, opinion, decision, judgment or behavior of EARL JACKSON CARROLL in his aforesaid official capacity on a matter then pending before him as a County Commissioner of Dade County, Florida, to-wit: a bid or proposal of Urban Systems Development Corporation for a contract to redevelop property under the Urban Renewal Project of Dade County, Florida, said conspiracy being in violation of Section 833.04, Florida Statutes, and against the peace and dignity of the State of Florida.

**COUNT TWO**

The Grand Jurors of the State of Florida, County of Dade, further charge that on the 8th day of January, 1969, SY CHADROFF and EARL JACKSON CARROLL, who was then and there a duly elected County Commissioner of Dade County, Florida, did, in the County and State aforesaid, corruptly request or solicit for themselves or another cash in the amount of One Hundred and Fifteen Thousand (\$115,000) Dollars from Edward G. Grafton with an understanding to the effect that such money would influence the act, vote, opinion,

decision, judgment or behavior of EARL JACKSON CARROLL in his capacity as the aforesaid public officer in a matter then pending before him as a County Commissioner of Dade County, Florida, to-wit: a bid or proposal of Urban Systems Development Corporation for a contract to redevelop property under the Urban Renewal Project of Dade County, Florida, in violation of Section 838.012, Florida Statutes, and against the peace and dignity of the State of Florida.

/s/ JOSEPH DURANT  
ASSISTANT STATE ATTORNEY  
11TH JUDICIAL CIRCUIT OF FLORIDA

This Copy is a true Copy of the Original on file in this Office. WITNESS my hand and Official Seal, This 2 day of April A. D., 1969

E. B. LEATHERMAN  
Clerk Circuit Court  
By /s/ E. H. Lanway

FALL TERM, 1968.

NO. 2555

CIRCUIT COURT OF THE ELEVENTH  
JUDICIAL CIRCUIT OF FLORIDA,  
IN AND FOR DADE COUNTY.

THE STATE OF FLORIDA  
VS.  
SY CHADROFF

and  
EARL JACKSON CARROLL,  
Defendants.

INDICTMENT FOR  
CONSPIRACY TO SOLICIT A BRIBE  
SOLICITING A BRIBE  
(TWO COUNTS)

A TRUE BILL

/s/ R. H. McTAGUE  
FOREMAN OF THE GRAND JURY

I HEREBY CERTIFY that I have advised the Grand Jury, as authorized by law on the attached True Bill.

/s/ Joseph Durant  
JOSEPH DURANT, Assistant State Attorney

Presented and filed in Open Court, in the presence of the Grand Jury, this 1 day of April, 1969.

E. B. LEATHERMAN, CLERK, CIRCUIT COURT  
BY: /s/ E. H. Lanway  
DEPUTY CLERK

Which was referred to the Select Committee on Executive Suspensions.

#### MESSAGES FROM THE GOVERNOR

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

Dear Mr. President:

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

Brigade Commander George H. Dale, Post Office Box 700, Live Oak, to Brigadier General, 53rd Infantry Brigade, Florida Army National Guard. Serves during the pleasure of the Governor.

Sincerely,  
CLAUDE R. KIRK, JR.  
Governor

Which was referred to the Select Committee on Executive Suspensions.

The President presiding.

On motion by Senator Wilson, the rules were waived and the Senate reverted to the order of—

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable John E. Mathews, Jr.  
President of the Senate  
May 15, 1970

Sir:

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

By the Committee on Conservation—

HCR 5128—A concurrent resolution urging the U. S. Army Corps of Engineers to consider carefully the overwhelming adverse biological evidence presented in reply to SAJSP Perinit (59-277), Honeymoon Island, Pinellas County, Florida, and deny the issuance of this permit.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HCR 5128, contained in the above message, was read the first time in full. On motion by Senator Wilson, the rules were waived and the resolution was placed on the Calendar.

Pursuant to Rule 4.14, Senator Wilson gave notice of intention to move to take up HCR 5128 out of order at 12:30 p.m.

The Honorable John E. Mathews, Jr.  
President of the Senate  
May 15, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has receded from House amendment to SB 1010.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

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

The Honorable John E. Mathews, Jr.  
President of the Senate  
May 15, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has receded from House amendment 5 to SB 942.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

SB 942 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—32 Nays—None

Mr. President	Gunter	McClain	Stolzenburg
Barrow	Henderson	Myers	Stone
Beaufort	Hollahan	Ott	Thomas
Bishop	Horne	Plante	Trask
de la Parte	Johnson	Reuter	Weber
Ducker	Karl	Saunders	Weissenborn
Fincher	Knopke	Saylor	Wilson
Friday	Lane	Slade	Young

The Honorable John E. Mathews, Jr.  
President of the Senate  
May 15, 1970

Sir:

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

By Representative Fortune and others—

**HCR 4051**—A concurrent resolution in support of captured American and allied fighting men and those missing in action in the Vietnam conflict.

—and requests the concurrence of the Senate therein.

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

HCR 4051, contained in the above message, was read the first time in full and placed on the Calendar.

*The Honorable John E. Mathews, Jr.* May 15, 1970  
*President of the Senate*

Sir:

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

By Representative Shaw and others—

**HCR 5186**—A concurrent resolution in memoriam of John Preston Hall, Sr.

—and requests the concurrence of the Senate therein.

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

HCR 5186, contained in the above message, was read the first time in full and placed on the Calendar.

*The Honorable John E. Mathews, Jr.* May 19, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed by the required constitutional three-fifths vote of all Members elected to the House—

By Representative Graham and others—

**HJR 3778**—A joint resolution proposing an amendment to Section 7 of Article III of the State Constitution to provide that any bill or joint resolution pending in the legislature at final adjournment of a regular session held in an odd-numbered year shall be carried over in the same status to the next regular session.

—and requests the concurrence of the Senate therein.

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

HJR 3778, contained in the above message, was read the first time by title and referred to the Committees on Rules and Calendar and Constitutional Amendments and Revision.

**SECOND READING**

Consideration of SB 493 was deferred, the bill retaining its place on the Calendar.

**SB 618**—A bill to be entitled An act relating to the game and fresh water fish commission; adding section 372.071, Florida Statutes; authorizing arrests by conservation agents based on information relayed to them by other officers stationed on the ground or in the air, in cases involving certain violations of deer and alligator protection laws; providing an effective date.

Was taken up and read the second time by title.

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

In Section 2, line 8, page 2, strike “upon becoming a law.” and insert the following: October 1, 1970.

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

In Section 1, line 18, page 1, strike: “conservation agent of the game and fresh water fish commission” and insert the following: agent of the department of natural resources

Senator Saylor offered and moved the following substitute amendment:

In Section 1, line 18, page 1, strike: “conservation agent of the game and freshwater fish commission” and insert the following: agent of the Department of natural resources and the game and fresh water fish commission,

Further consideration of SB 618 as amended with pending amendment was deferred.

**SB 278**—A bill to be entitled An act relating to the regulation of municipally-owned water and sewerage utilities; limiting the regulation to the county in which such municipality is located; providing for court proceedings to enforce the act or practice prohibited hereby; providing for treble damages, attorney fees and costs to the person or persons aggrieved and who prevail in the legal proceedings; providing an effective date.

Was taken up and read the second time by title.

Senator Deeb offered and moved the following amendment:

In Section 1, line 25, page 1, strike: all of section 1 and insert the following: Section 1. Any municipality operating a water or sewer utility outside of the boundaries of such municipality shall charge consumers outside the boundaries such rates, fees and charges as may be determined in one of the following manners:

(a) The same rates, fees and charges as consumers inside the municipal boundaries; provided, in addition thereto, the municipality may add a surcharge of not more than 25% of such rates, fees and charges to consumers outside the boundaries. Fixing of such rates, fees and charges shall not require a public hearing except as may be provided for service to consumers inside the municipality.

(b) Rates, fees and charges that are just and equitable and which are based on the same factors used in fixing the rates, fees and charges for consumers inside the municipal boundaries. In addition thereto, the municipality may add a surcharge not to exceed 25% of such rates, fees and charges for said services to consumers outside the boundaries.

No such rates, fees and charges shall be fixed until after a public hearing at which all of the users of the water or sewer systems and owners, tenants or occupants of property served or to be served thereby and all others interested shall have an opportunity to be heard concerning the proposed rates, fees and charges. Any change or revision of such rates, fees or charges may be made in the same manner as such rates, fees or charges were originally established as hereinabove provided, but if such change or revision be made substantially pro rata as to all classes of service, no hearing or notice shall be required.

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

In Section 1, subsection (b), strike: period following boundaries and insert the following: ; provided that the total of such rates, fees, and charges for said services to consumers outside the boundaries shall not be more than fifty (50) per cent in excess of the total amount the municipality charges consumers served within the municipality for corresponding service.

The amendment as amended was adopted.

On motion by Senator Thomas, the rules were waived and SB 278 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—31

Mr. President	Daniel	Henderson	Myers
Askew	Deeb	Horne	Ott
Bafalis	Ducker	Johnson	Plante
Bell	Fincher	Karl	Reuter
Bishop	Friday	Knopke	Saunders
Boyd	Haverfield	McClain	Saylor

Shevin Stone	Thomas Weber	Weissenborn Williams	Wilson	McClain Myers Ott Plante Pope	Reuter Saunders Shevin Slade Stolzenburg	Stone Thomas Trask Weber Weissenborn	Williams Wilson
Nays—4							
Lane	Pope	Stolzenburg	Trask				

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

**SB 157**—A bill to be entitled An act amending Chapter 711, Florida Statutes, Condominium Act; amending Section 711.13 by providing a time limitation on maintenance contracts and control of the association; amending Section 711.19 concerning homestead exemption of condominiums; adding a section requiring full disclosure prior to closing of the sale of condominiums; adding a section concerning advance deposits on condominiums; providing an effective date.

—which was read the second time by title.

The Committee on Commerce and Licensed Businesses offered the following amendment which was moved by Senator Weber:

In Section 1, line 18 et seq, page 1-3, strike: all of Section 1 and renumber subsequent sections accordingly.

Senator Thomas offered the following substitute amendment which was adopted:

In Section 1, line 21, page 1, strike after "711.13(4)" everything through line 6, page 3 and insert the following: From and after effective date of this act any initial or original contract, by which is meant the contract first entered into by the Condominium Association, for maintenance, management or operation of condominium property shall be subject to cancellation at any time subsequent to the time any individual unit owners assume control of their association by vote of no less than 75% of said individual unit owners.

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

In Section 3, lines 10 and 11, page 4, strike the word "after" on line 10; and all of line 11.

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

In Section 3, line 5, page 5, strike "buyer of" and insert the following: buyer or

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

In Section 5, line 23, page 7, strike: "September 1, 1970" and insert the following: January 1, 1971

The Committee on Commerce and Licensed Businesses also offered the following amendment which was moved by Senator Stone:

In title, lines 5-8, page 1, strike "amending Section 711.13 by providing a time limitation on maintenance contracts and control of the association;"

Senator Weber offered the following substitute amendment which was adopted:

In title, lines 6-8, page 1, strike: everything through the semi-colon on line 8 and insert the following: providing a method for cancelling or modifying maintenance contracts;

On motion by Senator Stone, the rules were waived and SB 157 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—41 Nays—None

Mr. President	Bell	de la Parte	Henderson
Askew	Bishop	Ducker	Hollahan
Bafalis	Boyd	Fincher	Johnson
Barron	Broxson	Friday	Karl
Barrow	Daniel	Gunter	Knopke
Beaufort	Deeb	Haverfield	Lane

**SB 158**—A bill to be entitled An act relating to cooperative apartments; providing a time limitation on maintenance contracts and control of the association; requiring full disclosure prior to closing of the sale of cooperative apartments; concerning advance deposits on cooperative apartments; providing an effective date.

Was taken up and read the second time by title.

The Committee on Commerce and Licensed Businesses offered the following amendment which was moved by Senator Stone:

In Section 1, line 14 et seq, page 1-3, strike: all of Section 1 and renumber subsequent sections accordingly.

Senator Thomas offered the following substitute amendment which was adopted:

In Section 1, line 14, page 1, Strike after "Section 1" everything through line 4, page 3, and insert the following: From and after effective date of this act any initial or original contract, by which is meant the contract first entered into by the Cooperative Association, for maintenance, management or operation of cooperative property shall be subject to cancellation at any time subsequent to the time any individual unit owners assume control of their association by vote of no less than 75% of said individual unit owners.

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

In Section 2, lines 26 and 27, page 3, strike all of line 26 and the first word of line 27.

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

In Section 4, line 5, page 7, strike "September 1, 1970" and insert the following: January 1, 1971

Senator Weber offered the following amendment which was adopted:

In Title, lines 5 and 6, page 1, strike: everything through the semicolon on line 6 and insert the following: providing a method for cancelling or modifying maintenance contracts;

On motion by Senator Stone, the rules were waived and SB 158 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—41 Nays—None

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

By permission, Senator Haverfield was recorded as a co-introducer of Senate Bills 157 and 158.

Senator Wilson requested unanimous consent to take up HCR 5128 out of order. Senator Ott objected.

Pursuant to the motion by Senator Friday, the hour of 12:45 p.m. having arrived; the Senate proceeded to the consideration of House Bills on Second Reading.

Consideration of HJR 59 and House Bills 872, 3920 and 399 was deferred, the bills retaining their places on the Calendar.

**HB 1408**—A bill to be entitled An act relating to intangible personal property taxation; amending section 199.101, Florida Statutes (1967), requiring returns to be filed on May 1 of each

year in the county of the beneficial owner; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Stone, the rules were waived and HB 1408 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Mr. President	de la Parte	McClain	Stolzenburg
Askew	Ducker	Ott	Stone
Bafalis	Gunter	Plante	Thomas
Barrow	Haverfield	Pope	Trask
Beaufort	Henderson	Reuter	Weissenborn
Bell	Hollahan	Saunders	Wilson
Boyd	Johnson	Sayler	
Broxson	Knopke	Shevin	
Daniel	Lane	Slade	

Nays—1

Williams

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

Was taken up having been amended and retained on second reading on May 5. On motion by Senator Friday, the rules were waived and HB 872 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—35 Nays—None

Mr. President	Deeb	Knopke	Shevin
Bafalis	de la Parte	Lane	Slade
Barron	Ducker	McClain	Stolzenburg
Barrow	Friday	Ott	Thomas
Beaufort	Gunter	Plante	Trask
Bell	Haverfield	Pope	Weissenborn
Boyd	Henderson	Reuter	Williams
Broxson	Hollahan	Saunders	Wilson
Daniel	Johnson	Sayler	

On motion by Senator Friday, by two-thirds vote, SB 1450 was removed from the Calendar and re-referred to the Committee on Rules and Calendar.

**HB 1967**—A bill to be entitled An act relating to game and fresh water fish; repealing section 372.023(1)(b), Florida Statutes, authorizing the game and fresh water fish commission to lease portions of the J. W. Corbett wildlife management area; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Thomas, the rules were waived and HB 1967 was read the third time by title, passed and certified to the House. The vote was: Yeas—35 Nays—None

Mr. President	Deeb	Lane	Slade
Askew	de la Parte	McClain	Stolzenburg
Bafalis	Ducker	Myers	Stone
Barron	Fincher	Ott	Thomas
Beaufort	Henderson	Plante	Trask
Bell	Hollahan	Reuter	Weissenborn
Boyd	Johnson	Saunders	Williams
Broxson	Karl	Sayler	Wilson
Daniel	Knopke	Shevin	

Consideration of CS for HB 403 was deferred, the bill retaining its place on the Calendar.

**HB 1342**—A bill to be entitled An act relating to insurance rates and rating organizations; amending section 627.331, Florida Statutes, by adding subsection (4) requiring rating information to be furnished insurance commissioner and available to the public; providing an effective date.

Was taken up and read the second time by title.

Senator Deeb offered the following amendment which failed:

Strike: everything after the enacting clause and insert the following: Section 1. Part I of chapter 627, Florida Statutes, is amended by adding section 627.063:

627.063 Rate filings—public hearing—commissioner to set rates.—

(1) Every insurer entering into a contract of insurance as defined in chapter 324, Florida Statutes, (financial responsibility), and to residential property policies (homeowners), shall file with the Insurance Commissioner and Treasurer every manual, minimum, class rate, rating schedule or rating plan and every other rating rule, and every modification of the foregoing which it proposes to use in contracts in the sovereign state of Florida.

(2) Every insurer who seeks or desires a rate change (increase or decrease) or restriction of forms or conditions of coverage shall independently file with the insurance commissioner and treasurer notice of the proposed change or restriction of forms or conditions of coverage; and provided that any rate change or restriction of forms or conditions of coverage shall be filed with the insurance commissioner and treasurer ninety (90) days prior to the proposed effective date of the rate change or restriction of forms or conditions of coverage.

(3) The insurance commissioner and treasurer, upon receipt of such proposed change, shall send a rate examiner to investigate the proposed changes. Thirty (30) days prior to the proposed change the rate examiner shall make his report public record. The report shall state the examiner's findings as to the reasonableness of the proposed change, and it shall contain information in a form which will be meaningful for public inspection. The report shall take into consideration the investment income earned on the loss and unearned premium reserves in determining the reasonableness of the proposed change, and such findings shall be incorporated into the examiner's report.

(4) The rate examiner's report shall also contain the "pure premium", which for the purposes of this section is defined as the loss cost per insured unit (the quotient obtained from dividing incurred losses by exposures as reported in the statistical plan approved and adopted by the insurance commissioner and treasurer) for the state for each rating territory and for each classification for the current experience period and the two (2) immediately preceding experience periods. Acceptable credibility standards may be used.

(5) Within ten (10) days after the rate examiner's report is received, the insurance commissioner and treasurer shall place the rate examiner's report, the proposed change filing by the insured, and any additional information, if any, requested by him on display in his offices for public inspection.

(6) The documents which the insurance commissioner and treasurer has placed on display for public inspection in his offices as provided in subsection (5) shall so remain for fifteen (15) days counting the first day as the tenth day of the review period by the insurance commissioner and treasurer.

(7) The insurance commissioner and treasurer shall give written notice of a public hearing to the insurer that made the filing thirty (30) days prior to hearing. The public hearing shall be held on the last day of the fifteen (15) day public inspection period. The insurance commissioner and treasurer shall also give advance public notice of such hearings on the first day of the public inspection period to all news services having offices or correspondents at Tallahassee.

(8) At the conclusion of the public hearing, the insurance commissioner and treasurer shall decide whether there is sufficient reason to disapprove the proposed change. For the purpose of Part 1 and this section, sufficient reason shall be as defined in section 627.062, Florida Statutes. If the insurance commissioner and treasurer disapproves a proposed change he shall give notice of such disapproval not later than five (5) days after the conclusion of the public hearing to the insurer that made the filing, stating in what respects he finds the filing does not meet the requirements of this chapter. If the insurance commissioner and treasurer determines that there is no reason to disapprove the proposed change he shall give prompt notice thereof to the insurer that made the filing, in which case the proposed change shall become effective upon the ninetieth day from the date of filing.

(9) Any such order of the insurance commissioner and treasurer shall be subject to judicial review as provided in section 627.391, Florida Statutes.

Section 2. Subsection (2) of section 627.031 is hereby repealed.

Section 3. This act shall take effect July 1, 1970.

Senators Shevin and Deeb offered the following amendment which was moved by Senator Shevin:

In Section 2, lines 1 and 2, page 2, strike: all of Section 2. and insert the following: Section 2. Section 627.031, Florida Statutes, is amended to read: (Substantial rewording of Section. See Sec. 627.031, F.S. for present text.)

627.031 Purpose of part 1; interpretation.—

(1) The purposes of part 1 of this chapter are:

(a) To promote the public welfare by regulating insurance as herein provided so that rates shall not be excessive, inadequate, or unfairly discriminatory, and rate increases shall not be excessive or unfairly discriminatory;

(b) To promote price competition among insurers, to provide rates that are responsive to competitive market conditions, and to improve the availability and reliability of insurance.

(c) To authorize the existence and operation of qualified rating organizations and advisory organizations and require that specified rating services of such organizations be generally available to all authorized insurers.

Section 3. Section 627.041, Florida Statutes, is amended by adding subsections (8) and (9) to read:

627.041 Definitions.—As used in part 1 of this chapter:

(8) "Competition" means price competition.

(9) "Noncompetitive practices" includes, but is not limited to, entering into agreements in the setting or adhering to rates, or acting in concert in the setting or adhering to rates, charging unreasonably high rates for the type of insurance provided, charging of rates which are destructive of competition, unreasonably subjective or restrictive underwriting practices, refusing to renew, surcharging, canceling policies, or adopting a plan of reclassification of risk, without objective justification.

Section 4. Subsections (1) and (2) of section 627.062, Florida Statutes, are amended to read:

627.062 [Rate standards] Standards for rates and rate increases.—

(1) [The] Rates [for all classes of insurance to which the provisions of this part are applicable] shall not be excessive, inadequate, [or] unfairly discriminatory, *destructive of competition, or detrimental to the solvency of insurers. In this section "rates" means rates or rate increases when applicable.*

(2) As to all such classes of insurance, other than workmen's compensation and employer's liability insurances:

(a) No rate shall be held to be excessive unless:

1. Such rate is unreasonably high for the insurance provided, and,

2. A reasonable degree of competition does not exist in the area with respect to the classification to which the rate is applicable[.]; *provided, however, that it will be presumed that a reasonable degree of competition does not exist as to any rate, rate classification, or as to any territory when the department of insurance finds that noncompetitive practices prevail.*

(b) No rate shall be held to be inadequate unless:

1. The rate is unreasonably low for the insurance provided, and

2. The continued use of the rate endangers the solvency of the insurer using the same, or unless

3. The rate is unreasonably low for the insurance provided and the use of the rate by the insurer using the same has, or if continued will have, the effect of destroying competition or of creating a monopoly.

(c) *No rate increase shall be held to be excessive so long as such increase bears a direct relationship to actual and prospective loss and expense experience. An insurer shall have the duty to show by a preponderance of the evidence the reasonableness of all its loss reserves, prospective loss and expense factors, and any other factors relied upon by it in arriving at a rate increase. In addition, the department of insurance shall take into account investment income on*

*unearned premium reserves and loss reserves. In order to support a finding that a rate increase is excessive it shall be necessary to find that the resulting rate is unreasonably high for the insurance provided.*

Section 5. Paragraph (a) of subsection (1) of section 627.072, Florida Statutes, is amended to read:

627.072 Making and use of rates.—

(1)(a) As to all rates which are subject to part 1 of this chapter due consideration shall be given to:

[1. The extent applicable;]

[2] 1. Past and prospective loss experience within and outside this state;

[3] 2. The conflagration and catastrophe hazards;

[4] 3. A reasonable margin for underwriting profit and contingencies;

[5] 4. Dividends, savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders, members or subscribers;

[6] 5. Investment income on unearned premium reserves and loss reserves;

[7] 6. Past and prospective expenses both country-wide and those specifically applicable to this state; and

[8] 7. All other relevant factors, including judgment factors, within and outside this state.

Section 6. Chapter 627, Florida Statutes, is amended by adding section 627.073 to read:

627.073 Unfairly discriminatory rate classifications, rate plans and territories prohibited.—Except as otherwise provided in this chapter, prior filing of rates with the department of insurance or its prior approval thereof shall not be required. Prior approval of rate classifications, rate plans and rate territories is not required except upon a finding by the department of insurance that such rate classifications, rate plans, or rate territories are unfairly discriminatory.

Section 7. Section 627.321, Florida Statutes, is amended by adding subsection (5) thereto:

627.321 Examinations and rate hearings.—

(5) The department of insurance at any time, whether after examination or not, may hold a public hearing on any rate in effect or rate increase announced to determine whether or not the same complies with the provisions of part of this chapter. All hearings held by the department of insurance under this subsection shall be held pursuant to and in compliance with sections 624.0123 through 624.0127, Florida Statutes.

Section 8. Chapter 627, Florida Statutes, is amended by adding section 627.342 to read:

627.342 Public notification.—

(1) Every insurer and rating organization shall, within thirty (30) days from the effective date of any changes in rate classifications, rate plans, and rate territories, furnish the department of insurance all changes in the rating rules and schedules of rates such insurer or rating organization is then using in this state, and shall furnish the department of insurance within said thirty (30) days all statistical, rating, and other information in support of such changes.

(2) The department of insurance shall require each insurer which has made a rate change to furnish it the following information used in determining the rate change:

(a) The experience or judgment of the insurer which made the rate change or the experience or judgment of any rating organization;

(b) The insurer's interpretation of any statistical data which it relies on;

(c) The experience of other insurers or rating organizations;

(d) Any other factors which the insurer deems relevant. Upon receipt of such information by the department of insurance, it shall be made available for public inspection in its office at Tallahassee during the usual business hours.

Section 9. Subsection (2) of section 627.371, Florida Statutes, is amended, new subsections (5) and (6) are added to said section and present subsection (5) is renumbered subsection (7) and amended to read:

627.371 Hearings.—

(2) If after examination of an insurer, rating organization, advisory organization, or group, association, or other organization of insurers which engages in joint underwriting or joint reinsurance, or upon the basis of other information, or upon its own motion, or upon sufficient complaint as provided in subsection (1), the [commissioner] *department of insurance* has [good] cause to believe that such insurer, organization, group or association, or any rate, rating plan, or rating system made or used by any such insurer or rating organization, does not comply with the requirements and standards of this part, applicable to it, *or that any rate increase is excessive, or if it has cause to believe that any insurer, organization, group, or association is engaged in noncompetitive practices, or that a reasonable degree of competition does not exist as to any class or territory of insurance, [he] it shall, unless [he] it has [good] cause to believe such noncompliance is willful, give notice in writing to such insurer, organization, group, or association stating therein in what manner and to what extent noncompliance is alleged to exist and specifying therein a reasonable time, not less than ten (10) days thereafter, in which the noncompliance may be corrected, including any premium adjustment.*

(5) *In addition to the remedies in subsection (4) the department of insurance shall have the specific power to order the suspension of the noncomplying rate or rates and reimpose the last previous rate in effect.*

(6) *Any enforcement order under subsection (5) shall be for a period of time not in excess of six (6) months. Such order may be renewed after a further public hearing, unless the department finds that the conditions giving rise to the order have been corrected and that a reasonable degree of competition exists.*

[(5)] (7) Except as otherwise provided in this part, all proceedings in connection with the denial, suspension or revocation of a license or certificate of authority shall be conducted in accordance with the provisions of chapter 624, Florida Statutes, [of this code], and the [commissioner] department of insurance shall have all the powers granted to [him] it therein.

Section 10. This act shall take effect September 1, 1970.

Senator Barron raised a point of order that the amendment appeared to be identical to HB 4109 which was reported unfavorably by the Committee on Insurance and requested the President to appoint a committee to examine the bill and the amendment as proposed by Senators Shevin and Deeb before making a ruling.

The President stated that the nature of the point of order was of such tremendous importance, not only to the consideration of HB 1342, but insofar as precedents were concerned, that the best purposes of the Senate would be served if a committee were appointed to compare the wording of the amendment with the House Bill, research precedents, and advise the Chair.

The President appointed Senators Friday, Henderson and Horne as the advisory committee.

Further consideration of HB 1342 with pending amendment was deferred, the bill retaining its place on the Calendar.

**HB 848**—A bill to be entitled An act relating to motor vehicle inspection amending section 325.19, Florida Statutes, by adding a new subsection (4) requiring the operator of a motor vehicle presented for inspection to display a valid driver's license; amending subsection 325.13(4); providing that it shall be unlawful for the owner of a motor vehicle to operate it or cause it to be operated on public streets where said vehicle does not have on display a valid current inspection certificate; and providing an effective date.

Was taken up and read the second time by title.

Further consideration of HB 848 was deferred, the bill retaining its place on the Calendar as Unfinished Business.

**HB 443**—A bill to be entitled An act relating to the public defender; amending section 27.52, Florida Statutes, by adding a new subsection (2) to provide evidentiary rules to be used in proceedings for the determination of insolvency; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Ott, the rules were waived and HB 443 was read the third time by title, passed and certified to the House. The vote was:

Yeas—27

Mr. President	Boyd	Horne	Saunders
Askew	Broxson	Johnson	Sayler
Bafalis	Daniel	Knopke	Slade
Barron	Ducker	Lane	Stolzenburg
Barrow	Friday	McClain	Thomas
Beaufort	Henderson	Ott	Young
Bell	Hollahan	Plante	

Nays—5

Myers	Stone	Williams	Wilson
Pope			

**CS for HB 403**—A bill to be entitled An act relating to the insurance code, administrative and general provisions; amending section 624.0223, subsection (6), Florida Statutes, adding subsection (7) establishing a presumption as to the validity of signatures affixed to annual statements and other reports; providing a penalty for the unauthorized use of another's signature; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Barron, the rules were waived and CS for HB 403 was read the third time by title, passed and certified to the House. The vote was: Yeas—34 Nays—None

Mr. President	Deeb	Lane	Stolzenburg
Askew	Ducker	McClain	Thomas
Barron	Friday	Myers	Trask
Barrow	Haverfield	Ott	Weber
Beaufort	Henderson	Plante	Williams
Bell	Hollahan	Reuter	Wilson
Boyd	Horne	Saunders	Young
Broxson	Johnson	Sayler	
Daniel	Knopke	Slade	

**HB 3920**—A bill to be entitled An act relating to elections; amending section 99.161(2)(a), Florida Statutes, establishing maximum amounts of contributions to candidates for political office; excepting a candidate's personal contributions from the limits established; providing an effective date.

Was taken up and read the second time by title.

Pending consideration thereof, the hour of adjournment having arrived, a point of order was called and the Senate adjourned at 1:51 p.m. to reconvene at 9:30 a.m., Monday, May 18, 1970.