

JOURNAL OF THE SENATE

Monday, May 18, 1970

The Senate was called to order by the President at 10:00 a.m. A quorum present—46:

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

Excused: Senator Barrow until 11:00 a.m. and Senator Plante.

Prayer by the Senate Chaplain:

"I will cause breath to enter you and you shall live"

Ezekiel 37:5

Lord, give us a pure heart
that we may see you,
A humble heart
that we may hear you,
A heart of love
that we may serve you.
For unless you live in us,
Fill us, hold us and
possess us, fully—
The work you want to be done
in this Senate will not be
accomplished.
Meet us, O God, each one of us
this morning at the point of our need. Amen.

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

The Journal of May 15 was corrected and approved.

The Journal of April 30 was further corrected and approved as follows:

Page 261, counting from the bottom of column 2, strike lines 16 and 17

REPORTS OF COMMITTEES

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

SB 877	SB 1192	HB 1288	HB 3553
SB 876	SB 1193	HB 1334	
SB 976	SB 1424	HB 1355	

The bills were placed on the Calendar.

The Committee on Commerce and Licensed Businesses recommends the following pass: HB 3969

The bill was referred to the Local Calendar.

The Committee on Commerce and Licensed Businesses recommends the following pass: SB 1178 with 1 amendment

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

The Committee on Commerce and Licensed Businesses recommends the following pass: SB 861

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

The Committee on Commerce and Licensed Businesses recommends the following not pass: Senate Bills 893 and 894

The bills were laid on the table.

Report of the Committee on Rules and Calendar

The Committee on Rules and Calendar requests that HB 4311 be removed from that Committee and referred to the Committee on Natural Resources and Conservation; and pending a favorable report of the Committee on Natural Resources and Conservation, recommends the bill be placed on the local calendar.

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

The Committee on Rules and Calendar requests that HB 4306 be removed from the Committee on Rules and Calendar and be referred to the Committee on Judiciary and pending a favorable report of the Committee on Judiciary, recommends the bill be placed on the Local Calendar.

The Committee on Rules and Calendar has determined that SB 1131 is not a local bill and requests that it be referred to the Committee on Judiciary.

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

The Committee on Rules and Calendar requests SB 932 be removed from that Committee and referred to the Committee on Ways and Means; and pending a favorable report by the Committee on Ways and Means, requests it be placed on Local Calendar.

The bill was referred to the Committee on Ways and Means.

The Committee on Rules and Calendar requests that SB 1480 be removed from the Committee on Rules and Calendar and be referred to the Committee on Commerce and Licensed Businesses, and pending a favorable report by the Committee on Commerce and Licensed Businesses, requests that it be referred to the Local Calendar.

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

BILLS REFERRED TO SUBCOMMITTEES

House Bills 189, 3941, 411, 680, 3878, 726, 883, 947, 1058, 1221, 1516, 3113, 3114, 3369, 3370, 352 and SB 932 referred to the Select Committee on Claims (10 days to report to the Committee on Ways and Means)

CS for SB 311 withdrawn from Appropriations Subcommittee

Taxation: HB 5084 (10 days to report to the Committee on Ways and Means)

INTRODUCTION

By Senators Daniel and Karl—

SB 1512—A bill to be entitled An act ratifying, confirming, validating and legalizing all assessments, assessment rolls, valuations of properties, levies of taxes and delinquent tax certificates, heretofore made by and as entered upon the rolls and records of the town of Montverde, Lake County, Florida, for

the year 1969, together with all acts and proceedings had, done or performed by the duly constituted governing authorities, officials of said town in connection therewith, making same valid, legal and binding liens upon lands and properties upon which same are made, assessed and levied; and authorizing the collection of said taxes, assessments and delinquent tax certificates; providing for the effective date of such law and for the repeal of all laws in conflict therewith.

Evidence of notice and publication was established by the Senate as to SB 1512.

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

By Senators Karl and Daniel—

SB 1513—A bill to be entitled An act relating to the Homosassa special water district, Citrus County; amending chapter 59-1177, Laws of Florida, by adding section 16 to provide for compensation for the commissioners of said district; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1513.

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

By Senators Karl and Daniel—

SB 1514—A bill to be entitled An act relating to Ponce DeLeon port authority, Volusia County; amending subsection (1) of section 6 of chapter 69-1705, Laws of Florida, by providing that all official acts of the authority shall require a majority vote of the entire authority and by reducing public notice of intention to adopt an ordinance or resolution and public notice of meetings from fifteen (15) days to seven (7) days; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1514.

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

By Senators Daniel and Karl—

SB 1515—A bill to be entitled An act amending section 19 of Florida Statute 69-1202 to provide that invitations for bids for purchases exceeding one thousand dollars (\$1,000.00) may be published in any newspaper of general circulation published in Lake County, Florida, instead of a daily newspaper published in the City of Leesburg, Florida; providing an effective date therefor.

Evidence of notice and publication was established by the Senate as to SB 1515.

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

By Senators Reuter and Johnson—

SB 1516—A bill to be entitled An act relating to Indian River County; authorizing the clerk of the circuit court to place registry of court moneys on time deposit; ratifying and confirming the legality of such deposits; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1516.

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

By Senators Johnson and Reuter—

SB 1517—A bill to be entitled An act relating to Brevard County; authorizing the district school board, the board of county commissioners, and the board of trustees of Brevard Junior College to buy from the department of health and rehabilitative services; authorizing said department to sell to said boards masonry products, food stuffs, metal products, canned goods and any and all other products and services produced by the department or institutions under its supervision; eliminating any requirement of general or special law

requiring bids in making such purchases; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1517.

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

By Senators Johnson and Reuter—

SB 1518—A bill to be entitled An act to amend by adding Section 23 to Article IV, Chapter 28922, Laws of Florida, 1953, which created and established the Canaveral Port District in Brevard County, Florida, and provided for the Canaveral Port Authority as its governing body, defined its boundaries and to construct, operate and maintain a deep water port at Port Canaveral, Brevard County, Florida: to grant to the Canaveral Port Authority power to establish bulkhead lines and authorize dredging and filling as to the lands and waters under the jurisdiction of the Canaveral Port Authority, and to repeal Section 253.126 as to the Canaveral Port Authority.

Evidence of notice and publication was established by the Senate as to SB 1518.

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Hollahan, the rules were waived and the Committee on Governmental Organization was granted an additional 14 days for the consideration of Senate Bills 159, 687, 741, 844, 890, 917, 940, 1066, 1113, 584, 1244, 1245, 1277, 1279, 1284, 1290, 1298, 1397, 1408, 1433, 1448, 1055, 1059, 821; CS for SB 1011, House Bills 2056 and 1297.

On motion by Senator Young, by two-thirds vote, SB 8 was withdrawn from the Committee on Judiciary and from the Senate.

On motion by Senator Askew, the rules were waived and the Committee on Constitutional Amendments and Revision was granted an additional 10 days for the consideration of all bills now in the Committee.

On motion by Senator Hollahan, by two-thirds vote, SB 1050 was withdrawn from the Committee on Health, Welfare, and Institutions.

On motions by Senator Henderson, by two-thirds vote, HB 1125 was removed from the table, the unfavorable report of the Committee to the contrary notwithstanding, and recommitted to the Committee on Natural Resources and Conservation.

On motion by Senator Knopke, the rules were waived and the Committee on Natural Resources and Conservation was granted an additional 10 days for the consideration of Senate Bills 1091, 1094, 1144, 1177, 1188, 1190, 1202; CS for CS for HB 634 and HB 2905.

On motion by Senator Horne, the rules were waived and the Committee on Judiciary was granted an additional 10 days for the consideration of all bills now in the Committee.

On motions by Senator Johnson, by two-thirds vote, Senate Bills 837, 838 and 977 were withdrawn from the Committee on Education and from the Senate.

On motion by Senator Chiles, Rule 2.5 was waived and the Committee on Ways and Means was granted permission to consider CS for SB 311, Senate Bills 307 and 308 at the scheduled meeting on May 19.

On motion by Senator Horne, Rule 2.5 was waived and the Committee on Judiciary was granted permission to consider Senate Bills 817 and 1431 at the scheduled meeting on May 19.

On motion by Senator Chiles, the rules were waived and the Committee on Ways and Means was granted an additional 10 legislative days for the consideration of Senate Bills 1122, 1123, 1129, 1135, 1138, 1162, 1168, 1174, 1181, 1194, 1200, 307, 308, 568 and 348.

On motions by Senator Chiles, by two-thirds vote, HB 1934 was withdrawn from the Committee on Commerce and Licensed Businesses and SB 404 was withdrawn from the Committee on Ways and Means.

On motion by Senator Stone, by two-thirds vote, HB 3481 was withdrawn from the Committee on Natural Resources and Conservation.

On motion by Senator Barron, the rules were waived and the Committee on Insurance was granted an additional 15 days for the consideration of Senate Bills 1136, 551 and 1248.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable John E. Mathews, Jr. May 18, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has passed Senate Bills 677 and 682.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

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

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

Sir:

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

By Representatives Reed and James—

HB 4139—A bill to be entitled An act relating to adults, minors; removing all disabilities of nonage for persons over eighteen (18) years of age and making them adults; authorizing substitution of the age of eighteen (18) for the ages of nineteen (19), twenty (20), or twenty-one (21) in numerous statutes; repealing section 62.011, Florida Statutes, relating to removal of minors' disabilities; amending section 691.03(15), Florida Statutes, to conform; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 4139, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

The Honorable John E. Mathews, Jr. May 18, 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 Arnold—

HB 3941—A bill to be entitled An act for the relief of Estalee Miller on account of injuries received by her due to the negligence of employees of the Florida Board of Parks; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3941, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

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

May 15, 1970

Sir:

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

By Representatives Glisson and Sackett—

HB 3660—A bill to be entitled An act relating to unsolicited credit cards; prohibiting the issuance or delivery of same in the absence of a written request; providing an exception; providing penalty; providing an effective date.

By Representative Baker—

HB 1397—A bill to be entitled An act relating to the licensing of psychologists; creating the Florida state board of examiners of psychology; providing for its membership, powers and duties; providing qualifications for applicants; providing for examinations and certification; providing exceptions; providing for rules, regulations, fees and procedures; providing penalties; providing for privileged communications; repealing chapter 490, Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3660, contained in the above message, was read the first time by title and referred to the Committee on Commerce and Licensed Businesses.

HB 1397, contained in the above message, was read the first time by title and referred to the Committee on Health, Welfare, and Institutions.

RESOLUTIONS

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

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

WHEREAS, the Senate of Florida has urged the university students of Florida to take an affirmative roll in supporting the uninterrupted educational processes of higher educational institutions in Florida, and

WHEREAS, strong attempts to disrupt these processes have recently been occurring, and

WHEREAS, such attempts to disrupt and shut down universities, whether for temporary or for permanent periods, do great harm to the general welfare of the State of Florida, and

WHEREAS, Dr. Arthur Cohen and George Kokus individually as students at the Law School of the University of Miami demonstrated initiative, a sense of duty and courage in petitioning and achieving an injunction against the closing of their university for demonstration purposes, and

WHEREAS, by their action they have established a precedent that a student has the legal right to the uninterrupted continuation of his education for which he and the public has paid tuition, and

WHEREAS, the Senate of Florida wishes to encourage such initiative, NOW, THEREFORE,

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

That Dr. Arthur Cohen and George Kokus, students of the University of Miami, are highly commended and congratulated by the Senate of Florida for resolutely defending higher education and promoting the general welfare of the people of Florida and the United States.

Was taken up and read the second time in full. On motion by Senator Stone, SR 1511 was adopted. The vote was: Yeas—33 Nays—None

Mr. President	Beaufort	Bishop	Chiles
Bafalis	Bell	Broxson	Daniel

Deeb	Karl	Reuter	Thomas
Ducker	Lane	Saunders	Trask
Gong	McClain	Scarborough	Weissenborn
Gunter	Myers	Shevin	Wilson
Henderson	Ott	Slade	
Hollahan	Pope	Stolzenburg	
Johnson	Poston	Stone	

On motion by Senator Stone, the President appointed Senators Stone, Broxson and Bishop as a committee to escort Dr. Cohen and Mr. Kokus to the rostrum where they addressed the Senate briefly.

SCR 954—A concurrent resolution proposing that young men residing at the Walter Scott Criswell House be given the utmost consideration for employment as legislative pages and messengers during this and all future legislative sessions.

WHEREAS, Florida's young people represent our most important resource, and

WHEREAS, young people benefit greatly from exposure to the processes of democracy, and

WHEREAS, working as a legislative page or messenger is a valuable and worthwhile experience, and

WHEREAS, young people in difficulty with the law are particularly in need of positive and constructive experiences, and

WHEREAS, the Florida Legislature has in previous sessions successfully employed young men from the Walter Scott Criswell House, a juvenile rehabilitation center in Tallahassee, and

WHEREAS, those young men so employed did perform their duties responsibly and capably, and

WHEREAS, no young men from the Walter Scott Criswell House are now so employed, NOW, THEREFORE,

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

That the utmost consideration be given to the employment of young men now residing at the Walter Scott Criswell House, during the remainder of the 1970 regular session of the Legislature, and all future sessions of the Legislature.

BE IT FURTHER RESOLVED, that any positions as legislative page or messenger which become available for the employment of these young men be rotated among other residents of the Walter Scott Criswell House at intervals commensurate with the number of such young men qualified and willing to serve, and with ability to participate in this experience without detriment to their schooling.

Was taken up and read the second time in full. On motion by Senator Hollahan, SCR 954 was adopted and certified to the House. The vote was: Yeas—33 Nays—None

Mr. President	Ducker	Myers	Stolzenburg
Bafalis	Gong	Ott	Stone
Beaufort	Gunter	Pope	Thomas
Bell	Henderson	Poston	Trask
Bishop	Hollahan	Reuter	Weissenborn
Broxson	Johnson	Saunders	Wilson
Chiles	Karl	Scarborough	
Daniel	Lane	Shevin	
Deeb	McClain	Slade	

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

Whereas, the citizens of Florida would be aided in understanding the processes of government if they had available to them an index to the rates and amounts of the taxes and fees levied by or on behalf of the state, and

Whereas, such an index would be most helpful if it accompanies and is available with the statutes to which it refers, and

Whereas, the legislature needs to know the costs of collection of the various taxes and fees as well as their income and purposes to be able to exercise proper supervision and planning of the taxes it levies and to best achieve fairness, efficiency, and balance in the tax structure of the state, Now, Therefore,
Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

Section 1. The rates and amounts of the taxes and fees levied by or on behalf of the state of Florida contained in the official Florida Statutes are to be organized and set forth in a schedule prepared by the director of the legislative service bureau, which is adopted as an index and not as a statute nor with force or standing as law.

Section 2. Such index shall be revised to conform with legislation enacted by the 1970 regular session and shall be published in and with the next edition of the official Florida Statutes, and thereafter so revised and published as the official Florida Statutes are revised and published.

Section 3. The department of revenue is requested to compile periodically, but at least annually, to the extent feasible, as much fiscal data as to each such tax and fee as may be reasonably determinable but at least the periodic amounts collected and the estimated direct cost of collection for each such tax and fee, and to furnish same to the legislature and, as needed, to the legislative service bureau for inclusion in the publication of the aforesaid schedule.

Section 4. When feasible, the legislative service bureau shall have the aforesaid schedule converted to data processing form so that it may be more readily analyzed and utilized for planning purposes by the legislature, and shall add additional information as available, including that compiled by the department of revenue pursuant to section 3 of this resolution.

Was taken up and read the second time in full.

The Committee on Ways and Means offered the following amendment which was adopted on motion by Senator Chiles:

In Section 3, line 16, page 2, strike "department of revenue" and insert the following: auditor general

The Committee on Ways and Means also offered the following amendment which was adopted on motion by Senator Chiles:

In Section 4, line 3, page 3, strike "department of revenue" and insert the following: auditor general

The Committee on Ways and Means also offered the following amendment which was adopted on motion by Senator Chiles:

In title, line 10, page 1, strike "department of revenue" and insert the following auditor general

On motion by Senator Stone, SCR 1172, as amended, was adopted and ordered engrossed. The vote was: Yeas—33 Nays—None

Mr. President	Ducker	Myers	Stolzenburg
Bafalis	Gong	Ott	Stone
Beaufort	Gunter	Pope	Thomas
Bell	Henderson	Poston	Trask
Bishop	Hollahan	Reuter	Weissenborn
Broxson	Johnson	Saunders	Wilson
Chiles	Karl	Scarborough	
Daniel	Lane	Shevin	
Deeb	McClain	Slade	

HCR 3655—A resolution recognizing the achievements of the Dolphins of Jacksonville University.

WHEREAS, the Dolphins of Jacksonville University have put the State of Florida on the national basketball map and earned for themselves a place in the Valhalla of this state's sports heroes by playing their way to the finals of the National Collegiate Athletic Association, and

WHEREAS, as the Florida Times-Union editorially declared, the full glamor of this achievement "is wrapped up in the mercurial rise of the squad from anonymity to national prominence"—a drama embracing "the saga of a team that kept on winning when everybody said it shouldn't, simply because it refused to lose," and

WHEREAS, the human interest element involves an aggregation of individuals as diverse as they are dedicated to team play, men as personalities as well as athletes, and a team which has produced in our time a real Horatio Alger story, and

WHEREAS, the Cinderella Dolphins of Jacksonville University have contributed mightily to the development of Jacksonville as "Actionville," a development from which all Floridians rightfully derive pride and pleasure, and

WHEREAS, there is every probability that 1971 will see a rematch of Jacksonville University and the University of California at Los Angeles in the 1971 finals, NOW, THEREFORE,

Be It Resolved by the House of Representatives, the Senate Concurring, that

1. The Legislature congratulates the Dolphins of Jacksonville University upon capturing the hearts of Floridians by their gallant charge to national basketball prominence,

2. The Legislature commends the administration of Jacksonville University, and in particular Dr. Robert H. Spiro, President; Dr. Dan A. Thomas, Vice President and Dean of Faculties, and Dr. Judson B. Harris, Director of Athletics, for their support of the program which resulted in the development of this splendid team,

3. The Legislature praises the coaching staff, Joe Williams, Coach; Tom Wasdin, Assistant Coach and Recruiter, and Bill Coulhart, Freshman Coach and Trainer, for a job exceedingly well done in discovering and promoting the individual talents and then melding these talents to produce a team able to achieve the national heights,

4. The Legislature recognizes the athletic prowess of these Dolphins of Jacksonville University: Vaughn Wedeking of Evansville, Indiana; Rusty Baldwin of Jacksonville Beach; Curtis Krueer of Jacksonville; Dan Hawkins of Jacksonville; Mike Mivlins of Jacksonville Beach; Rex Morgan of Charleston, Illinois; Ken Selke of Sunman, Indiana; Chip Dublin of New York, New York; Pembroke Burrows of West Palm Beach; Rod McIntyre of Jacksonville; Artis Gilmore of Chipley, and Greg Nelson of Evansville, Indiana,

5. The Legislature requests the Secretary of State to supply, as a personal memento of this occasion, a copy of this Resolution, signed by the appropriate officials, to each of the persons named in the Resolution.

Was taken up and read the second time in full. On motion by Senator Beaufort, HCR 3655 was adopted and certified to the House. The vote was: Yeas—33 Nays—None

Mr. President	Ducker	Myers	Stolzenburg
Bafalis	Gong	Ott	Stone
Beaufort	Gunter	Pope	Thomas
Bell	Henderson	Poston	Trask
Bishop	Hollahan	Reuter	Weissenborn
Broxson	Johnson	Saunders	Wilson
Chiles	Karl	Scarborough	
Daniel	Lane	Shevin	
Deeb	McClain	Slade	

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

WHEREAS, Article VI of the United States Constitution specifically states that provisions of treaties ratified by the United States Government become the "supreme law of the land", notwithstanding contrary limitations of the Constitution itself; and

WHEREAS, notwithstanding solemn promises ratified at the international conference at Geneva that all prisoners of war captured would be given the respect of humane treatment; that Article 2 of the convention provides that it "shall apply to all cases of declared war or any other armed conflict which may arise between two or more of the High Contracting parties, even if the state of war is not recognized by one of them."

WHEREAS, the government of North Vietnam acceded to the convention on June 28, 1957, and the government of South Vietnam acceded to the convention on November 14, 1953, and the government of the United States acceded to the

convention on August 2, 1955; no pretense of compliance has been advanced by North Vietnam or the National Liberation Front (Viet Cong) despite a request to do so on June 11, 1965, by Jacques Freymond, Vice President of the International Committee of the Red Cross and numerous appeals by international humanitarian organizations subsequently, and

WHEREAS, repeated appeals on the part of wives, parents, relatives, and dependents of those unfortunate victims of Communist inhumanity have proven ineffective through diplomatic, military and humanitarian channels, and

WHEREAS, among Floridians this continuing tragedy is felt most grievously in the homes of the 85 families of this state's prisoners of war, of which 22 families reside in Okaloosa County, NOW, THEREFORE,

Be It Resolved that the House of Representatives, the Senate Concurring,

Does codemn in the strongest terms the repressive and cruel treatment of American and allied prisoners and petitions that the government of North Vietnam act as follows to:

1. Observe the international accords of the Geneva Convention in the same manner the government of South Vietnam accords to captured troops of the North Vietnam government and their allies.
2. Release names and physical condition of all prisoners held.
3. Immediately release sick and wounded prisoners.
4. Provide for impartial inspections of prisoner of war facilities by international humanitarian organizations.
5. Provide for medical treatment of all prisoners.
6. Provide for regular flow of mail, food, and comfort items.
7. Cease using prisoners for purposes of public degradation, political propaganda and mental torture of prisoners and their innocent families.
8. Agree to immediately negotiate through international humanitarian organizations for the fair and equitable exchange of prisoners of both sides.

Be It Further Resolved that certified copies of this resolution be transmitted by the Secretary of State to the Okaloosa County Chapter of the National League of Families of American Prisoners in Southeast Asia, and to the POW & MIA Wives of Okaloosa County, each at P. O. Box 100,000, Fort Walton Beach, Florida.

Was taken up and read the second time in full. On motion by Senator Horne, HCR 4051 was adopted and certified to the House. The vote was: Yeas—33 Nays—None

Mr. President	Ducker	Myers	Stolzenburg
Bafalis	Gong	Ott	Stone
Beaufort	Gunter	Pope	Thomas
Bell	Henderson	Poston	Trask
Bishop	Hollahan	Reuter	Weissenborn
Broxson	Johnson	Saunders	Wilson
Chiles	Karl	Scarborough	
Daniel	Lane	Shevin	
Deeb	McClain	Slade	

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 Permit (59-277), Honeymoon Island, Pinellas County, Florida, and deny the issuance of this permit.

WHEREAS, the lands adjacent to Honeymoon Island are one of the few remaining prime estuarine areas in Pinellas County; and

WHEREAS, these lands both grassy and sand are producing the myriad shrimp and a host of other organisms necessary as food source to the valuable Pompano; and

WHEREAS, the water circulation in the aquatic preserve area will be limited causing the eventual devastation of the preserve; and

WHEREAS, the Caladesi State Park lies two hundred (200) yards south of this mammoth project there is a distinct possibility of destructive silting, and

WHEREAS, the construction of bulkheads and groins may divert green sea waves to the Caladesi coast causing severe erosion of the natural park shoreline, and

WHEREAS, the Survey Management Division of the Florida Department of Natural Resources, the Florida Air and Water Pollution Control Commission, the Florida Game and Fresh Water Fish Commission, and the Federal Bureau of Sport Fisheries and Wildlife have recommended denial of the permit because of the likelihood of siltation, erosion, water turbidity and adverse effect upon the wildlife involved; NOW, THEREFORE,

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

That permit SAJSP (59-277) Honeymoon Island, Pinellas County, Florida, be denied.

Was taken up and read the second time in full.

Senator Ott moved that HCR 5128 be referred to an appropriate Committee.

The motion failed and the vote was:

Yeas—13

Beaufort	de la Parte	Ott	Williams
Bishop	Horne	Pope	
Broxson	Knopke	Poston	
Daniel	McClain	Trask	

Nays—24

Bafalis	Gong	Myers	Stolzenburg
Barron	Henderson	Reuter	Stone
Bell	Hollahan	Saylor	Thomas
Deeb	Johnson	Scarborough	Weber
Ducker	Karl	Shevin	Wilson
Fincher	Lane	Slade	Young

On motion by Senator Wilson, HCR 5128 was adopted and certified to the House. The vote was:

Yeas—39

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

Nays—2

Beaufort Ott

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

WHEREAS, during the long period in which he faithfully performed the arduous tasks, oftentimes fraught with grimest realities, incident to the office of sheriff of a county, there ever remained with the late John P. Hall the elements of human kindness and genuine concern for the welfare of others, and

WHEREAS, he came into an office suffering conditions little short of those of the pioneer era and by dint of perseverance, good management and the innate qualities of humanitarianism so grew with the times that he has left to posterity a lasting evidence of his good works among men, and

WHEREAS, we would recount to his memory something of the lasting achievements of this exceptional man, NOW, THEREFORE,

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

That this Resolution be spread upon the pages of the Journal of the Florida House of Representatives and the Journal of the Florida Senate—

IN MEMORIAM
JOHN PRESTON HALL, SR.

—who was born in Clay County, Florida, on August 26, 1894. He spent his long and fruitful life in his home county of Clay. It was the scene of his early education, his marriages, and the rearing of his daughter, Dena Mae, son, J. P., Jr., and two stepsons, Al and David Ivey, and his eminently successful career as a businessman and public official.

Latterly referred to as the "Patriarch of Clay County", he gave early evidence of the extensive and continuing exercise of his many God-given talents. In addition to his long tenure as a faithful public official he had been successfully engaged in many other pursuits. He was one of the county's early cowboys, beginning in 1915 when he became the top hand in charge of a large herd of cattle on a ranch operated by the St. Johns River Cattle Association. This career was interrupted by service with the Army motor transport corps overseas during World War I. He returned in 1919 and became a stockholder in the Bank of Green Cove Springs in 1920. He was named to the board of directors in 1926 and in 1938 became chairman of the board and president of the bank. He also had extensive holdings of land, cattle and timber, and his advice in such areas was eagerly sought by others engaged in like interests.

When he came to the office of Sheriff of Clay County on January 8, 1929, it was not even equipped with a telephone. One of his first activities as sheriff was to provide a phone for the office. His other equipment then consisted of a badge, a pistol, one deputy and a Model A Ford. There were times when the Ford proved more of a liability than an asset for there were few paved roads in Clay County at that time.

Undaunted by these modest beginnings—almost unbelievable in the present day—and by dent of his understandings and sympathetic attitude, fearlessness—he had been elected on a platform "to run out the bootleggers", which he did in short order—and constant attention to duty he and his office grew in efficiency. He brought to public office that same degree of business acumen which marked the conduct of his private enterprises and was ever zealous to modernize and expand the office for the use and benefit of the people of his county. When he retired from the post of sheriff in 1965 he left an office improved beyond comparison with the almost ludicrous picture it presented thirty-six years earlier.

He was a former president of the Florida Sheriffs Association and a past member of the Board of Directors. He was elected Treasurer of the Association in 1946 and served in that capacity until his retirement at which time he was granted a life membership and faithfully continued attending meetings. He was named to the Administrative Board of the Florida Sheriffs Bureau, created by the Legislature at the request of the Florida Sheriffs Association.

He was one of the founders and served as the first treasurer of the Florida Sheriffs Boys Ranch at Live Oak, established in 1957 to provide a home for needy and worthy boys. He was still serving on the Board of Trustees of the Ranch at the time of his demise on March 24, 1970. A special fund was created on March 26, 1970, to establish a permanent memorial at the Florida Sheriffs Boys Ranch honoring the long record and exemplary achievements of this kindly and highly respected citizen, who fabulously rose from orphan to millionaire and yet found time to give so much of his talents to the service of his fellowman during his life's span of seventy-five years.

He had been a member of the Green Cove Springs Rotary Club, the local Elks Club, Moose Lodge 455, Morocco Temple Shrine; was a 50-year Mason and member of Cabul Lodge 116, F. and A. M., the V.F.W. and the Independent Order of Oddfellows.

Be It Further Resolved that a copy of this Resolution, duly attested under the seal of the Florida House of Representatives, together with the condolences of this Body, be forwarded to the family of the late, illustrious John P. Hall.

Was taken up and read the second time in full. On motion by Senator Williams, HCR 5186 was adopted and certified to the House. The vote was: Yeas—33 Nays—None

Mr. President	Ducker	Myers	Stolzenburg
Bafalis	Gong	Ott	Stone
Beaufort	Gunter	Pope	Thomas
Bell	Henderson	Poston	Trask
Bishop	Hollahan	Reuter	Weissenborn
Broxson	Johnson	Saunders	Wilson
Chiles	Karl	Scarborough	
Daniel	Lane	Shevin	
Deeb	McClain	Slade	

UNFINISHED BUSINESS

Consideration of SB 618 and HB 1342 was deferred, the bills retaining their places on the Calendar.

SPECIAL ORDER

SB 612—A bill to be entitled An act relating to chapter 366 to provide electric consumer protection, in that rural electric cooperatives and municipal electric systems shall be subject to the jurisdiction of the Florida Public Service Commission in certain respects; to prescribe certain rights and restrictions with respect to the furnishing of electric service within municipalities and in areas outside municipalities; to provide for the establishment of electric service areas by the Florida Public Service Commission; to subject such utilities to the gross receipts provisions of Section 350.78, Florida Statutes; to amend Chapter 366 by adding new provisions thereto; and to prohibit the requirement that a consumer must purchase one type of utility service as a condition to receiving any other type of utility service; 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 Daniel:

In Section 1, line 28, page 1, strike entire section and renumber remaining.

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

In Section 3, line 18, page 19, strike lines 18, 19 and 20, inclusive and insert the following: 366.23 Regulation of cooperatives and municipal electric systems; imposition of application fees to be paid to the Florida Public Service Commission hereunder.—

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

In Section 3, page 20, strike all of subsection (c) and insert the following: (c) All applications invoking the jurisdiction of the Florida public service commission under sections 366.14 through 366.24, inclusive, shall be accompanied by a fee of five hundred (\$500) dollars to be placed in the Florida public service regulatory trust fund. The commission may, in its discretion, waive the payment of such fee when application is made by a consumer who desires service in the first instance.

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

Page 20, between lines 7 and 8 insert the following: subsection (d) The Public Service Commission shall require the intertie between any electric supplier not having an intertie and whatever electric supplier deemed by the Public Service Commission to be best able to provide such intertie. The cost of such intertie shall be borne entirely by the beneficial recipient of such intertie. Rates for any power exchanged by such intertie arrangement will be set by the Public Service Commission.

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

Strike: the period and insert the following: ; provided, however, that the intertie shall be used bilaterally and only during emergency times proximately resulting from riots, civil disorders and natural disasters. It may be done, however, if both suppliers on the intertie concur.

Senator Daniel offered and moved the following substitute amendment:

In Sections 5 and 6, lines 23-27, page 20, strike lines 23 through 27 and insert the following: Section 5. This law shall not apply to any area within existing municipal corporate limits as of the effective date of this act; and nothing in this act shall prohibit or restrict any improvement district authorized by law to furnish electric energy to persons within the corporate limits of such district from exercising such authority within its corporate limits as such corporate limits exist as of the effective date of this act.

Section 6. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Section 7. This act shall take effect immediately upon becoming a law.

Senator Horne offered the following amendment to the substitute amendment which failed:

In Section 5, page 20, add to Section 5 after the period in line 7: All municipalities shall have the right to continue to serve those areas they presently have the exclusive right, power and authority to serve by law as of the effective date of this act.

The substitute amendment was adopted. The vote was:

Yeas—26

Askew	Friday	Knopke	Reuter
Bafalis	Gunter	Lane	Scarborough
Beaufort	Haverfield	McClain	Stolzenburg
Bishop	Henderson	Myers	Stone
Broxson	Hollahan	Ott	Williams
Daniel	Johnson	Pope	
Fincher	Karl	Poston	

Nays—15

Barrow	de la Parte	Saunders	Weissenborn
Bell	Ducker	Shevin	Wilson
Boyd	Gong	Slade	Young
Chiles	Horne	Trask	

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

In Sections 5 and 6, lines 23 through 27, page 20, strike lines 23 through 27 and insert the following: Section 5. This law shall not apply to any area within existing municipal corporate limits as of the effective date of this act.

Section 6. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Section 7. This act shall take effect immediately upon becoming a law.

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

In title, line 16, page 1, strike "to subject such utilities to the gross receipts provisions of section 350.78, Florida Statutes;" and insert the following: fixing the amount of fees to be paid to the Florida public service commission upon filing of applications invoking commission jurisdiction;

Senator Broxson offered and moved the following amendment:

Add a new Section 5 and renumber accordingly. SECTION 5. Notwithstanding the provisions of this act, investor-owned utility corporations operating in that portion of Florida west of the Apalachicola River shall not be precluded from furnishing electric service to any premises outside the corporate limits of a municipality and the Florida Public Service Commission shall

not make assignment of service areas outside municipalities in that portion of Florida.

Senator Gong presiding.

The President presiding.

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

Yeas—28

Askew	Deeb	Horne	Scarborough
Barron	de la Parte	Knopke	Shevin
Barrow	Ducker	McClain	Slade
Boyd	Gong	Myers	Stolzenburg
Broxson	Gunter	Pope	Thomas
Chiles	Haverfield	Poston	Trask
Daniel	Hollahan	Saunders	Weissenborn

Nays—14

Beaufort	Henderson	Ott	Williams
Bell	Johnson	Reuter	Wilson
Fincher	Karl	Stone	
Friday	Lane	Weber	

On motion by Senator Saunders, the rules were waived and time of adjournment was extended until final action on Senate Bills 612 and 730.

Senator Saunders offered the following amendment which failed:

In Section 5, lines 23-25, page 20, strike: all of section 5 and add new section 5 and renumber the existing sections and insert the following: Section 5. The area encompassed by the Seventh Senatorial District shall be exempt from the provisions of this act.

The vote was:

Yeas—20

Barron	Ducker	Horne	Thomas
Bell	Fincher	Knopke	Trask
Boyd	Gong	Myers	Weber
Chiles	Gunter	Saunders	Weissenborn
de la Parte	Haverfield	Shevin	Williams

Nays—21

Askew	Friday	McClain	Stolzenburg
Barrow	Henderson	Ott	Stone
Beaufort	Hollahan	Pope	Young
Bishop	Johnson	Poston	
Daniel	Karl	Reuter	
Deeb	Lane	Scarborough	

Senator Boyd moved that the Senate reconsider the vote by which the amendment offered by Senator Broxson was adopted and the Senate refused to reconsider. The vote was:

Yeas—16

Bell	Gong	Lane	Trask
Bishop	Haverfield	Reuter	Weber
Chiles	Henderson	Saunders	Weissenborn
Fincher	Knopke	Shevin	Williams

Nays—27

Askew	Deeb	Johnson	Scarborough
Barron	de la Parte	Karl	Stolzenburg
Barrow	Ducker	McClain	Stone
Beaufort	Friday	Myers	Thomas
Boyd	Gunter	Ott	Wilson
Broxson	Hollahan	Pope	Young
Daniel	Horne	Poston	

Senator Ducker offered the following amendment which failed:

Page 20, following section 4, and before section 5 between lines 22 and 23 insert the following: Section 5 The provisions of this act shall not apply to any county which does not contain a secondary supplier

Renumber the remaining paragraphs

Senator Saunders offered and moved the following amendment:

In Section 3, line 31, page 19, strike "no" and insert the

Senator Bishop offered the following substitute amendment which was adopted:

Line 31, page 19, strike "have no power to"

Senator Barrow offered the following amendment which was adopted:

New Section 5, line 23, page 20, Renumber old Section 5 and Sections following and insert the following: Franchise fee—In every municipality after the effective date of this act and in every newly annexed or newly incorporated area after the effective date of such annexation or incorporation, and in the absence of written consent, a secondary supplier, its successors and assigns, shall within thirty (30) days after the first anniversary of such effective date and within thirty (30) days after each succeeding anniversary of such effective date pay into the general revenue of the affected municipality an amount which added to the amount of all taxes, licenses, and other impositions levied or imposed by such municipality upon such secondary supplier's electric property, business or operations, for the preceding tax year, will equal six percent (6%) of such secondary supplier's revenues from the sale of electrical energy to residential and commercial customers within the corporate limits of such affected municipality for the twelve (12) months preceding the applicable anniversary date.

Senator Barrow also offered the following amendment which was adopted:

In title, line 24, page 1, insert following "service;" providing for a franchise fee;

Senator Ducker offered the following amendment which failed:

Following Section 4 and before section 5 add a new section 5 and renumber the following sections

Section 5. The provisions of this act shall not apply to any county not having a cooperative electrical system.

Senator Saunders offered the following amendment which was adopted:

Line 23, page 20, add new section 5 and renumber subsequent sections and insert the following: Section 5. In each case wherein the public service commission is authorized to determine and fix fair, just and reasonable rates that may be requested, demanded, charged or collected by any person, firm or corporation under the jurisdiction of the commission, the commission shall exclude contributions to charitable, benevolent or other non-profit organizations and dues and fees paid to organizations from consideration as part of the legitimate costs of the property or operating expenses of such regulated person, firm or corporation for rate making purposes.

Senator Scarborough moved that the Senate reconsider the vote by which the substitute amendment by Senator Bishop was adopted and the Senate refused to reconsider. The vote was:

Yeas—17

Beaufort	Henderson	McClain	Stolzenburg
Bishop	Hollahan	Ott	Stone
Daniel	Johnson	Pope	
Fincher	Karl	Reuter	
Friday	Lane	Scarborough	

Nays—24

Askew	Deeb	Horne	Shevin
Barron	de la Parte	Knopke	Trask
Bell	Ducker	Myers	Weissenborn
Boyd	Gong	Poston	Williams
Broxson	Gunter	Saunders	Wilson
Chiles	Haverfield	Sayler	Young

Senator Broxson offered the following amendment which was adopted:

In title, line 24, page 1, insert the following: providing exceptions from the provisions of this act.

Senator Saunders offered and moved the following amendment:

Line 23, page 20, add new section 5 and renumber subsequent sections: Section 5. No person, firm, corporation or rural electric cooperative regulated by this act or by the Public Service Commission of this state shall make, directly or indirectly, any contribution of any nature to any political party or to any candidate for nomination for, or election to, political office in this state and no officer, director or supervisory employee shall make any such contribution for, or on behalf of, any such person, firm, corporation or rural electric cooperative. There shall be filed, on or before January 1 each year, with the Secretary of State and with the Public Service Commission a sworn statement declaring under oath that no campaign contribution contrary to this act or any other provision of law has been made. Any person who knowingly violates the provisions of this act by failure to file the declaration under oath as herein provided, or who shall knowingly violate this act with respect to campaign contributions shall be deemed guilty of a misdemeanor and subject to a fine of not more than \$1,000.00 or to imprisonment for not more than six (6) months. The right of any person, firm, corporation or rural electric cooperative which willfully violates the provisions of this act, to supply or to continue to supply electrical power in this state, shall be subject to revocation by the Public Service Commission.

Senator Daniel raised a point of order that the amendment was not germane to the bill.

The President ruled that the point was well taken; that while the contents of the amendment with reference to the present law were generally correct, that the amendment was not germane to the main point of the bill.

On motion by Senator Askew, the Senate reconsidered the vote by which the following amendment was adopted:

In Section 3, line 18, page 19, strike lines 18, 19 and 20, inclusive and insert the following: 366.23 Regulation of cooperatives and municipal electric systems; imposition of application fees to be paid to the Florida Public Service Commission hereunder.—

The question recurred on the adoption of the amendment which failed.

On motion by Senator Askew, the Senate reconsidered the vote by which the following amendment was adopted:

In Section 3, page 20, strike all of subsection (c) and insert the following: (c) All applications invoking the jurisdiction of the Florida public service commission under sections 366.14 through 366.24, inclusive, shall be accompanied by a fee of five hundred (\$500) dollars to be placed in the Florida public service regulatory trust fund. The commission may, in its discretion, waive the payment of such fee when application is made by a consumer who desires service in the first instance.

The question recurred on the adoption of the amendment which failed.

On motion by Senator Askew, the Senate reconsidered the vote by which the following amendment was adopted:

In title, line 16, page 1, strike: "to subject such utilities to the gross receipts provisions of section 350.78, Florida statutes"; and insert the following: fixing the amount of fees to be paid to the Florida public service commission upon filing of applications invoking commission jurisdiction;

The question recurred on the adoption of the amendment which failed.

Senator Daniel offered the following amendment which was adopted:

In Section 6, page 20, Add a new Section 6 and renumber subsequent sections.

Section 6. If any of the provisions of this act are held unconstitutional such holding shall not effect the remainder of the act.

Senators Weissenborn and Gong offered the following amendment which was moved by Senator Weissenborn:

Line 23, page 20, add a new section 5 to the bill to read:

Section 5. Section 366.06, Florida Statutes, is amended by adding subsection (4) to read:

366.06 Rates; procedure for fixing and changing.—

(4) Whenever the commission shall find pursuant to section 366.06 (3) or section 366.07, Florida Statutes, that rates demanded, charged or collected by any public utility as defined in this chapter or that the rules, regulations, or practices of any such public utility company affecting such rates are unjust, unreasonable, unjustly discriminatory, or in anywise in violation of law, the commission shall order the public utility to make full refunds with interest at the legal rate to the persons who have paid such rates for the full period of the overcharges. Any refunds which the public utility has been unable to make to the persons entitled thereto within three (3) years from the date the commission's order becomes final shall escheat to the state and be used for park and recreation purposes.

Renumber present section 5 as section 6 and renumber remaining sections accordingly.

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

Line 10, following "legal rate" insert the following: not to exceed six percent

The amendment as amended was adopted.

Senators Weissenborn and Gong offered the following amendment which was adopted on motion by Senator Weissenborn:

In title, line 20, after "thereto;" insert: amending section 366.06, Florida Statutes, by adding subsection (4) requiring refunds to consumers for unreasonable rates with interest at the legal rate, providing any refunds the public utility is unable to make shall escheat to the state to be used for recreational purposes;

Senator Daniel offered the following amendment which was adopted:

In title, line 20, following "thereto" insert the following: providing rate regulation; providing provisions relating to refunds; providing escheat provision;

Senator Daniel also offered the following amendment which was adopted:

In title, line 24, page 1, following the words "utility service" insert the following: providing a severability clause;

On motion by Senator Daniel, the rules were waived and SB 612 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—26

Bafalis	Fincher	Lane	Slade
Beaufort	Friday	McClain	Stolzenburg
Bell	Henderson	Myers	Stone
Bishop	Hollahan	Ott	Weber
Daniel	Johnson	Pope	Young
Deeb	Karl	Reuter	
de la Parte	Knopke	Sayler	

Nays—18

Askew	Ducker	Saunders	Weissenborn
Barron	Gong	Scarborough	Williams
Boyd	Gunter	Schevin	Wilson
Broxson	Haverfield	Thomas	
Chiles	Poston	Trask	

PAIR

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

I am paired with Senator Barrow on SB 612, if he were present he would vote yea and I would vote nay.

Mallory E. Horne, 5th District

SB 730—A bill to be entitled An act relating to municipal electric utilities; creating the municipal electric cooperative act, providing purposes, legislative findings and legislative intent; providing authority for municipalities to organize municipal electric cooperatives, to enter cooperative agreements for the construction of electric generating facilities, the interchange of electrical energy and the transmission of electrical energy over the transmission lines and facilities of public utilities as defined in chapter 366, Florida Statutes; providing authority to construct, maintain and operate electric transmission and distribution lines throughout the state; providing eminent domain power for the exercise of the powers and purposes of the act; providing authority for municipalities to organize nonprofit corporations under chapter 617, Florida Statutes; providing authority for municipalities to exercise general municipal powers and the powers conferred by this act through municipal electric cooperatives organized under chapter 617, Florida Statutes; 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 Saunders:

In Section 5, line 26, page 5, following the words "municipal electric cooperative" strike the (.) insert the following: , provided, however, that the powers of eminent domain granted herein shall not be exercised where the existing transmission lines and facilities of public utilities as defined in Chapter 366, Florida Statutes, may be used for the transmission and interchange of electrical energy under the provisions of section 5(3) herein and, provided further, however, that no power of eminent domain granted herein may be exercised to acquire any electrical generating or transmission line or facility owned by any public utility as defined in Chapter 366, Florida Statutes.

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

In Section 5, line 4, page 5, following the word "act" strike the period (.) insert the following: , provided, however, that this act shall not be construed to authorize any additional electrical transmission or distribution authority or additional electrical transmission or distribution territorial rights on the part of any municipality or municipal electric cooperative other than the power and authority for the interchange of electrical energy and power among and between the various municipal electric facilities for ultimate transmission and distribution by the individual municipal electric facility to its customers.

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

In Section 6, line 22, page 6, following the words "provided, however" strike the remainder of the section and insert the following: that the public service commission shall establish rates and charges in any case where agreement as to a fair, just and reasonable rate cannot be established between the parties.

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

In Section 8, line 11, page 7, strike: the entire subsection (2)

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

In Section 8, line 10, page 7, following the words "Florida Statutes" strike the period (.) and insert the following: and they shall be empowered to exercise all the powers and authority contained in that chapter to the extent that such powers and authority are not inconsistent with and do not exceed the expressed powers granted in this act.

Senator Karl offered and moved the following amendment:

In Section 7, line 3, page 7, strike: the period and insert the following: and shall have the power and authority to regulate all rates charged their consumers by such municipally owned utilities.

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

In Section 7, page 7, add: provided that they then have the power and authority to regulate all rates charged their consumers by private public utilities and Rural Electric Authorities.

The amendment as amended was adopted.

Senators Karl and Chiles offered the following amendment which was adopted on motion by Senator Karl:

In title, line 30, page 1, strike: everything after the semicolon and insert the following: providing that the public service commission shall have the power and authority to regulate the rates charged their consumers by private public utilities, municipally owned utilities and rural electric authorities; providing an effective date.

On motion by Senator Saunders, the rules were waived and SB 730 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—22

Bafalis	Gunter	Myers	Thomas
Broxson	Hollahan	Pope	Trask
Chiles	Horne	Saunders	Weissenborn
de la Parte	Johnson	Shevin	Williams
Ducker	Knopke	Slade	
Fincher	McClain	Stolzenburg	

Nays—16

Barron	Daniel	Karl	Reuter
Beaufort	Deeb	Lane	Sayler
Bell	Friday	Ott	Wilson
Bishop	Henderson	Poston	Young

Senate Bills 612 and 730
Explanation of non vote

I did not vote on final passage of Senate Bills 612 and 730 because of a possible potential conflict of interest inasmuch as I represent one of the litigants in a law suit growing out of factual situations which are the subject of said bills.

From a technical standpoint, while one of the bills spelled out that it will not influence any pending litigation, out of an abundance of caution, particularly in view of the amended form the bill finally took, I felt it best not to cast my vote.

John E. Mathews, Jr., Senate President

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

SB 1485—A bill to be entitled An act relating to the City of Ormond Beach, Volusia County; amending section 103-A of chapter 15401, Laws of Florida, 1931, as amended, pertaining to the issuance of bond anticipation notes; providing an effective date.

—which was read the second time by title. On motion by Senator Karl, the rules were waived and SB 1485 was read the third time by title, passed and certified to the House. The vote was: Yeas—34 Nays—None

Mr. President	Ducker	Lane	Stolzenburg
Beaufort	Friday	McClain	Stone
Bell	Gong	Myers	Thomas
Bishop	Gunter	Ott	Trask
Broxson	Henderson	Poston	Weissenborn
Chiles	Horne	Reuter	Williams
Daniel	Johnson	Saunders	Wilson
Deeb	Karl	Sayler	
de la Parte	Knopke	Slade	

BILL REFERRED TO SUBCOMMITTEE

HB 3941 (10 days to report to the Committee on Ways and Means.)

CO-INTRODUCERS

By permission, Senator Reuter was recorded as a co-introducer of SB 701.

By permission, Senators Poston, Gong, Haverfield, Hollahan, Myers, Fincher and Stone were recorded as co-introducers of SCR 1379.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 2:34 p.m. to reconvene at 8:30 a.m., Tuesday, May 19, 1970.

LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE
MAY 11 THROUGH MAY 15

<i>Name and Address</i>	<i>Entity Represented and Address</i>	<i>Duration of Representation</i>	<i>Particular Legislation Involved</i>	<i>Direct Business Association or Partnership with Legislator</i>
Adkins, David C. 237 West Forsyth Jacksonville 32202	Florida Waterways Assn. Inc. same address	Session	Florida Canal	None
Arrington, Larry SGA-Stetson DeLand 32750	United Student Action Stetson University Box 1253, DeLand	Continuous	18 year old vote; student affairs	None
Bennett, Ralph J. 303 Magnolia Ave. Panama City 32401	Bay County Motel & Restaurant Assn. West Panama City Beach	Session	Motels and hotels	None
Boyd, Margaret E. 4415 Beach Blvd. Jacksonville 32207	Fla. State Board of Nursing same address	Session	Amendments to chapter 464 Fla. Statutes	None
Cooper, Morton J. 425 Recker Highway Auburndale	Jacquin-Florida Distilling Co. same address	Session	Alcoholic beverages	None
Crosby, Richard Dudley III Student Govt. Office Stetson University DeLand 32720	United Student Action Student Govt. Office Stetson Univ., DeLand	Continuous	Student affairs and opinion	None
Davis, Hal A. 640 TB&T Bldg. Tallahassee 32301	Mr. Boston Distiller Lakeland	Session	Senate bill 1163	None
Duncan, Douglas W. 305 J. Wayne Reitz Union U. of Fla. Gainesville 32601	United Student Action same address	Continuous	Student affairs	None
Feather, Dan M. Box 742 Stetson Univ. DeLand 32720	United Student Action same address	Continuous	Student affairs	None
Fuller, Cynthia J. Box 737 Stetson Univ. DeLand 32720	United Student Action same address	Continuous	Student affairs	None
Griffin, Mark F. 305 J. Wayne Reitz Union Gainesville 32601	United Student Action Box 20-0125 Hume W. U. of Fla. Gainesville	Continuous	University of Fla. community concerns	None
Jones, Elizabeth N. 1194 62nd Ave. South St. Petersburg	League of Women Voters 5915 NW 27 Ave. Gainesville	Continuous	General	None
Knight, Willard T. Rm. 268 Larson Bldg. Tallahassee 32304	State Fire Marshal same address	Continuous	Fire services and state fire marshal	None
Lewis, H. R. 415 So. Ingraham Ave. Lakeland 33802	Cities Transit Inc. & Fla. Bus Assn. same address	Continuous		None
McCree, William A., Jr. P. O. Box 7457 Orlando 32804	Fla. Waterways Assn. 237 W. Forsythe St. Jacksonville	Continuous	Waterways, water control, conservation	None
McFadyen, Al R. 1st and Lemon Ave. Sarasota 33578	Fla. Assn. Dispensing Opticians same address	Continuous	Health and welfare	None
McLaughlin, John J. 1814 W. University Ave. Gainesville 33618	Service Employees Into Union same address	Continuous	Collective bargaining for state employees	None
Miller, Timothy E. Box 993 Stetson Univ. DeLand 32720	United Student Action Student Govt. Assn. Stetson U. DeLand	Continuous	Student affairs	None

LOBBYIST REGISTRATIONS UNDER SENATE RULE NINE
MAY 11 THROUGH MAY 15 (Continued)

<i>Name and Address</i>	<i>Entity Represented and Address</i>	<i>Duration of Representation</i>	<i>Particular Legislation Involved</i>	<i>Direct Business Association or Partnership with Legislator</i>
Mortimer, George L. 2206 Woodlawn Dr. Tallahassee 32303	Div. of Motor Vehicles Dept. of Highway Safety 107 W. Gaines St. Tallahassee	Session . . .	Division of Motor Vehicles . . .	None
Nelson, Fred 1901 N. Halifax Dr. Daytona Beach 32018	Investment Corp of South Fla. Federal Highway Hollywood	Continuous	Pari-mutuel	None
Newfield, Neal A. 305 J. Wayne Reitz Union U. of Fla. Gainesville 32601 .	United Student Action U. of Fla. Buckman D 63 U. of Fla. Gainesville	Continuous	Student Affairs	None
Peeples, Hazel M. 4415 Beach Blvd. Jacksonville 32207	Division of Professions— Board of Nursing same address	Session . . .	Amendments to chapter 464, Fla. Statutes	None
Roberts, Linda C. 305 J.W.R.U. Univ. of Fla. Gainesville 32601	United Student Action U. of Fla. same address	Continuous	Student affairs	None
Roskove, Richard K. 305 J. Wayne Reitz Union Gainesville 32601	United Student Action 12-1205 Towers B. Gainesville	Continuous	University of Fla. community needs and desires	None
Solares, Henry M. 305 J. W. Reitz Union U. of Fla. Gainesville 32601	United Student Action same address	Continuous	Student affairs	None
Spicola, Angelo G. Jr. 725 E. Kennedy Tampa 33602	Florida Osteopathic Medical Assn. Palmetto	Continuous	Health	None
Uttenweiler, William L. 305 J. Wayne Reitz Union Gainesville 32601	United Student Action same address	Continuous	Student affairs	None
Wimberley, Edward T. Lakeside Trailer Park DeLand 32720	United Student Action Student Govt. Assn. Stetson U. DeLand	Continuous	Student affairs	None
Young, Roy C. P. O. Box 1288 Tampa	Fla. Credit Service Center, Inc. P. O. Box 3329 Tampa	Continuous	Credit cards	None
	Mobil Oil Corp. Macedin, New York	Session . . .	General	None