

JOURNAL OF THE SENATE

Tuesday, May 19, 1970

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

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

Excused: Senator Friday.

Prayer by Senator Gunter:

O Lord our God, guide and bless this legislature as we embark upon the final weeks of our deliberative responsibilities during the current session.

In these days of decision making, both great and small, may we depend less and less on ourselves and more and more on Thee. Remove from us the sophistication and skepticism of our age that, like the frost, would blight our faith and make it weak. We pray for a return of that simple faith, that old-fashioned trust in God, which made strong and great the homes of our forefathers who built this good land and who in building left us our heritage of freedom.

We ask all of this in the name of the Master, whose statutes are right and whose law is truth. Amen.

The Journal of May 18 was corrected and approved.

REPORTS OF COMMITTEES

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

SB 842	SB 1199 with 1 amendment
SB 857	SB 1227
SB 858	SB 1467 with 8 amendments
SB 1023	HB 1341
SB 1110 with 1 amendment	

The Committee on Insurance recommends the following pass:
House Bills 4091 and 4097

The Committee on Transportation recommends the following pass:

SB 1027	HB 1634
SB 739	CS for HB 3117 with 1 amendment

The Committee on Education recommends the following pass:

SB 843 with 1 amendment	SB 1392
SB 972	HB 3698
SB 1089	CS for HB 3897
SB 1120	CS for HB 3898
SB 1140	with 1 amendment
SB 1332	CS for HB 3895
SB 1391	

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

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

HB 3837	HB 3842	HB 3910
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The bills were placed on the Local Calendar.

The Committee on Education recommends the following pass:
SB 1125

The Committee on Commerce and Licensed Businesses recommends the following pass: SB 851 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 Education recommends the following pass:

SB 908	SB 1169	CS for HB 3892
SB 970	SB 1182	
SB 1108	SB 1318	

The Committee on Commerce and Licensed Businesses recommends the following pass: SB 1316 with 1 amendment and with 1 amendment to the amendment

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

The Committee on Commerce and Licensed Businesses recommends a Committee Substitute for the following: SB 852

The Committee on Transportation recommends a Committee Substitute for the following: SB 1474

The Committee on Education recommends Committee Substitutes for the following: SB 1307, SB 1058 with 1 amendment

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

The Committee on Education recommends a Committee Substitute for the following: SB 239

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

SB 1249 with 6 amendments

The Committee on Education recommends a Committee Substitute for the following: SB 846

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

The Committee on Education recommends a Committee Substitute for the following: SB 969

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

The Committee on Transportation recommends the following not pass: SB 1257, SB 1378, SB 1399, SB 1406

The Committee on Commerce and Licensed Businesses recommends the following not pass: Senate Bills 351 and 1118

The Committee on Education recommends the following not pass: SB 1195

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

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

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

SB 88 with 2 amendments	SB 685 with 1 amendment
SB 112 with 1 amendment	SB 942 with 6 amendments
SB 148 with 1 amendment	CS for SB 194 with 1 amendment
SB 184 with 1 amendment	

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

EDWIN G. FRASER
Secretary of the Senate

The bills were ordered enrolled.

Your Engrossing Clerk to whom was referred—

SB 157 with 5 amendments	SB 1098 with 1 amendment
SB 158 with 4 amendments	CS for SB 480 with
SB 278 with 2 amendments	2 amendments
SB 840 with 2 amendments	CS for SB 734 with
SB 1020 with 2 amendments	1 amendment
SB 1052 with 3 amendments	

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

EDWIN G. FRASER
Secretary of the Senate

The bills were certified to the House.

ENROLLING REPORTS

Your Enrolling Clerk to whom was referred—SB 135 and SB 182

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on May 19, 1970.

EDWIN G. FRASER
Secretary of the Senate

INTRODUCTION

By Senator Slade—

SCR 1521—A concurrent resolution recognizing the learning and talents of the many Cuban doctors, lawyers and other professionals residing within the state, and urging the people, professional associations, and government agencies of the state to better utilize the talents of said professionals.

Was read the first time in full and referred to the Committee on Rules and Calendar.

By Senators Saylor, Deeb, Wilson and Young—

SB 1522—A bill to be entitled An act relating to Pinellas County; providing for the establishment of a sewer authority to study and determine the feasibility of providing sewer service to the county as a single unit; providing for development of a workable plan of sewer service on a countywide basis that would be fair and equitable to all users of said system; providing that the authority may draft a plan or plans for any solution of problems disclosed as a result of such study and submit the same to the members of the legislature from Pinellas County; providing for periodic reports, and for a final report; providing for appointment of the members of the authority; providing for appointment in event of a vacancy; providing for the organization and term of said authority; prescribing its duties and powers; providing for an appropriation for the payment of the cost of operation of said authority; directing the board of county commissioners to provide certain services for the use of the authority; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1522.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Henderson, by two-thirds vote, HB 5117 was also referred to the Committee on Judiciary.

On motions by Senator Chiles, by two-thirds vote, Senate Bills 1474 and 1304 were withdrawn from the Committee on Ways and Means.

On motion by Senator Chiles, the rules were waived and the Committee on Ways and Means was granted an additional 10 legislative days for the consideration of Senate Bills 179, 708, 744, 745, 1208, 1221, 1225, 1242, 1263, 1265, 1274, 1281, 1282, 1289, 1310, 1314, 1337, 1339, 1340, 1350, 1369, 1382, 1393, 1396, 1407, 1423, 1435, 1437, 1442, 1476; and House Bills 2352, 1689, 1858, 1499 and 2218.

On motion by Senator Horne, by two-thirds vote, SB 939 was withdrawn from the Committee on Judiciary.

On motion by Senator Askew, by two-thirds vote, SM 1452 was withdrawn from the Committee on Constitutional Amendments and Revision.

On motion by Senator Bishop, by two-thirds vote, HB 2151 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Boyd, the rules were waived and SB 1054 with pending amendments was removed from the Calendar and re-referred to the Committee on Education.

On motion by Senator Pope, the rules were waived and the Committee on Transportation was granted an additional 10 days for the consideration of Senate Bills 1275, 1421, 1434, 1447 and House Bill 2407.

On motion by Senator Barrow, by two-thirds vote, SB 1372 was withdrawn from the Committee on Commerce and Licensed Businesses.

On motions by Senator Horne, by two-thirds vote, Senate Bills 802, 466, 861, 601 and CS for SB 376 were withdrawn from the Committee on Judiciary.

On motion by Senator Stolzenburg, by two-thirds vote, SB 1477 was withdrawn from the Committee on Judiciary and from the Senate.

On motion by Senator Thomas, the rules were waived and the Committee on Agriculture was granted an additional 10 days for the consideration of Senate Bills 1291 and 1405.

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 adopted SCR 1520.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

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

RESOLUTION

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

UNFINISHED BUSINESS

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 with the following pending substitute amendment offered by Senator Saylor on May 15:

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 and the game and fresh water fish commission.

The substitute amendment was adopted.

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

In Section 1, line 17, page 1, strike: "conservation agents" and in lieu thereof insert the following: agents of the department of natural resources

Senator Saylor offered the following substitute amendment which was adopted:

In Section 1, line 17, page 1, strike: "conservation agents" and insert the following: agents of the department of natural resources and the game and fresh water fish commission

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

In title, line 7, page 1, strike "conservation agents" and insert in lieu thereof "agents of the department of natural resources"

Senator Saylor offered the following substitute amendment which was adopted:

In title, line 7, page 1, strike: "conservation agents" and insert the following: agents of the department of natural resources and the game and fresh water fish commission

Senator Saylor also offered the following amendment which was adopted:

In title, line 4, page 1, add after "the" department of natural resources and

On motion by Senator Knopke, the rules were waived and SB 618 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—37

Mr. President	Ducker	Myers	Stolzenburg
Askew	Gong	Ott	Stone
Barron	Haverfield	Plante	Thomas
Beaufort	Henderson	Poston	Trask
Bell	Hollahan	Reuter	Weber
Bishop	Horne	Saunders	Weissenborn
Boyd	Johnson	Saylor	Young
Chiles	Knopke	Scarborough	
Deeb	Lane	Shevin	
de la Parte	McClain	Slade	

Nays—1

Wilson

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 with pending amendment offered by Senators Shevin and Deeb on May 15.

The Select Committee appointed by the President on May 15, consisting of Senators Friday, Henderson and Horne, submitted the following:

REPORT OF SELECT COMMITTEE OF RULES AND CALENDAR

Mr. President:

The Select Committee of Rules and Calendar appointed by you advises the Chair that the point of order raised by Senator Barron is well taken and supported by two separate and distinct lines of precedent.

First, the amendment to House Bill 1342 is substantially identical to House Bill 4109 which was reported unfavorably by the Senate Committee on Insurance. Rule Seven, although providing for amendments of the same general subject matter as stated in the original title, did not purport to reverse the philosophy of Rule 4.4 which compels all bills and joint resolutions to be referred to and considered by at least one committee, nor does it mitigate the philosophy of Rule Two in its entirety, the effect of which is to provide that no bill or joint resolution shall be considered by the floor without consideration by and favorable report from at least one standing committee of the Senate. The amendment offered is so substantially identical as to foul the rules of procedure of the Senate and destroy the established committee system. (See p. 149, Senate Journal, 1969 Regular Session).

Secondly, a specific subject may not be amended by a provision general in nature, even when of the class of the specific subject. Thus the following is not germane: to a bill modifying an existing law as to one specific particular, an amendment relating to the terms of the law other than those dealt with by the bill. (Jefferson's Manual, Secs. 796, 794.)

Applying this precedent to the facts before us, the proposed amendment is out of order. House Bill 1342 purports to modify Section 627.331, F.S., relating to rate information, but the proposed amendment modifies Sections 627.031, 627.041, 627.062, 627.072, 627.073, 627.321, 627.342 and 627.371, F.S. which in effect restructures the insurance rating system of the State.

The Chair ruled that the point of order was well taken and was recognized by the Chair. He stated that the existence of committees, the very existence of rules, does place limitations on the amendatory process and is within the power and the prerogative of this body to change the rules at any time and within the prerogative of this body to waive the rules at any time; but under the rules as they now exist, as they are written in the rule book, taking into consideration all the rules and the reasons for having a committee system, the point was well taken.

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

In Section 1, line 31, page 1, insert the following: New sections 2 and 3 and renumber Section 2 as Section 4.

Section 2. Section 627.041, Florida Statutes, is amended by adding subsections (8) and (9) to read:

627.041 Definitions.—As used in part I 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 3. 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 factor relied upon by it in arriving at a rate increase.

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

In line 3 of subsection (9) of Section 2 after "on adhering to rates" insert: when such agreements result in an unreasonably high rate for the type of insurance provided,

The amendment as amended failed. The vote was:

Yeas-16

Table with 4 columns: Beaufort, Bell, Deeb, Fincher; Gong, Haverfield, Henderson, Hollahan; Myers, Shevin, Slade, Stone; Weissenborn, Williams, Wilson, Young

Nays-23

Table with 4 columns: Mr. President, Askew, Barron, Barrow, Bishop, Boyd; Broxson, Daniel, de la Parte, Ducker, Gunter, Horne; Johnson, Knopke, Lane, McClain, Ott, Plante; Pope, Poston, Reuter, Scarborough, Trask

ABSTENTION FROM VOTING

Pursuant to Rules 1.35 and 1.36, the Senator from the 35th district disqualified himself from voting on the amendment to HB 1342 as offered by the Senator from the 43rd district.

JERRY THOMAS, 35th District

I abstained from voting on an amendment to HB 1342. This amendment in essence would change the so called "California Plan". My abstention is due to my belief that I have a conflict of interest in this matter.

L. A. BAFALIS, 33rd District

On motion by Senator Shevin, the rules were waived and HB 1342 was read the third time by title, passed and certified to the House. The vote was: Yeas-42 Nays-None

Table with 4 columns: Mr. President, Askew, Bafalis, Barron, Barrow, Beaufort, Bell, Bishop, Boyd, Broxson, Daniel; Deeb, de la Parte, Ducker, Fincher, Gong, Gunter, Haverfield, Henderson, Hollahan, Horne, Johnson; Knopke, Lane, McClain, Myers, Ott, Plante, Pope, Poston, Reuter, Saylor, Scarborough; Shevin, Slade, Stolzenburg, Thomas, Trask, Weissenborn, Williams, Wilson, Young

ABSTENTION FROM VOTING

Because of my position as an officer and board member of a corporation engaged in the insurance business I wish to recuse myself from voting on HB 1342 and all proposed amendments thereto.

FREDERICK B. KARL, 14th District

On motion by Senator Young, the rules were waived and the Senate reverted to-

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 refused to recede from House Amendments 2, 3 and 4 to-

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 2-

On page 1, between lines 25 & 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 on page 1, line 7, strike "transfer"

-and again requests the Senate to concur therein.

Respectfully, ALLEN MORRIS Clerk, House of Representatives

On motions by Senator Myers, the Senate concurred in House amendments 2, 3 and 4 to SB 29.

SB 29 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas-35 Nays-None

Table with 4 columns: Mr. President, Askew, Bafalis, Beaufort, Bell, Bishop, Boyd, Chiles, Deeb; Ducker, Gong, Haverfield, Henderson, Hollahan, Horne, Johnson, Karl, Knopke; McClain, Myers, Ott, Plante, Pope, Poston, Reuter, Saylor, Shevin; Slade, Stolzenburg, Stone, Thomas, Trask, Weissenborn, Wilson, Young

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 adopted-

By Representative Lewis and others-

HCR 4090-A concurrent resolution commending the Vol-Teens of Miami, Florida.

WHEREAS, the Vol-Teens of Miami, Florida, have for some time been active in community service work, and,

WHEREAS, the Vol-Teens have served as Junior Goodwill Ambassadors of Dade County, and,

WHEREAS, the Vol-Teens have in recent months embarked on a national campaign to assure every American freedom of religion, and,

WHEREAS, the campaign was directed to assure our American astronauts the freedom to read the bible or pray in space, and,

WHEREAS, the Vol-Teens raised the necessary funds to launch this national campaign by bake sales and car washes and through a tremendous group effort, and

WHEREAS, this effort resulted in a petition signed by many Americans affirming the right of freedom of religion, and was presented to the National Aeronautics and Space Administration, and,

WHEREAS, for this effort the Vol-Teens have been awarded the George Washington Honor Medal Award by the Four Freedoms Foundation of America at Valley Forge, Pennsylvania

NOW, THEREFORE,

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

That the Vol-Teens of Miami be commended for their tremendous effort in assuring every American his right of freedom of religion, and

BE IT FURTHER RESOLVED that the Vol-Teens of Miami be congratulated for being chosen as a recipient of the George Washington Honor Medal Award.

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

HCR 4090, contained in the above message, was read the first time in full. On motion by Senator Poston the rules were waived and HCR 4090 was read the second time by title, adopted and certified to the House. The vote was: Yeas—32 Nays—None

Mr. President	Henderson	Ott	Stolzenburg
Askew	Hollahan	Plante	Stone
Bafalis	Horne	Pope	Thomas
Barrow	Johnson	Poston	Trask
Beaufort	Karl	Reuter	Weissenborn
Bell	Knopke	Sayler	Williams
Deeb	Lane	Scarborough	Wilson
Gong	McClain	Slade	Young

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

May 19, 1970

Sir:

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

By Representative Sackett and others—

HCR 4775—A concurrent resolution commending Mike Levesque for his outstanding leadership in organizing a Rally for Decency and for being recognized by the Freedom Foundation.

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

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

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

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

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

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

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

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

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

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

HCR 4775, contained in the above message, was read the first time in full. On motion by Senator Poston, the rules were waived and HCR 4775 was read the second time by title, adopted and certified to the House. The vote was: Yeas—32 Nays—None

Mr. President	Henderson	Ott	Stolzenburg
Askew	Hollahan	Plante	Stone
Bafalis	Horne	Pope	Thomas
Barrow	Johnson	Poston	Trask
Beaufort	Karl	Reuter	Weissenborn
Bell	Knopke	Sayler	Williams
Deeb	Lane	Scarborough	Wilson
Gong	McClain	Slade	Young

On motion by Senator Poston, Mike Levesque, Donna Childers, President of Vol-Teens; and Mrs. Virginia Collins, Sponsor of Vol-Teens, were escorted to the rostrum where Mr. Levesque addressed the Senate briefly.

THIRD READING

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, having been read the second time on May 15.

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

Insert the following: No person who is or would be directly regulated by an officer or candidate for office shall make directly or indirectly a contribution of any nature to such officer or candidate for nomination for an election to political office in state.

It shall be unlawful for any person, firm, corporation, trust, or business entity to contribute to or on behalf of any candidate or officer who heads or will head a department or who appoints or will appoint the secretary of a department which the contributor does business with or for. This paragraph

shall not apply to contributors who, by the nature of their business, must submit bids for all work or supplies furnished the state or any department thereof.

On motion by Senator Deeb, HB 3920 was read the third time by title and passed. The vote was:

Yeas—23

Mr. President	de la Parte	Knopke	Scarborough
Bafalis	Gong	McClain	Slade
Barrow	Gunter	Myers	Trask
Beaufort	Horne	Ott	Weber
Bell	Johnson	Poston	Weissenborn
Daniel	Karl	Reuter	

Nays—21

Askew	Ducker	Pope	Williams
Bishop	Haverfield	Saunders	Wilson
Boyd	Henderson	Sayler	Young
Broxson	Hollahan	Shevin	
Chiles	Lane	Stolzenburg	
Deeb	Plante	Stone	

Senator Gunter moved that the Senate reconsider the vote by which HB 3920 passed.

The motion went over under the rule.

SECOND READING

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

SB 211 with committee substitute was taken up and, by unanimous consent, HB 3371 was substituted in lieu thereof.

HB 3371—A bill to be entitled An act relating to the division of recreation and parks of the department of natural resources; amending chapter 592, Florida Statutes, by adding section 592.075, to vest police powers in the director and designated park officers; providing an effective date.

Was taken up and read the second time by title.

Senator Haverfield offered the following amendment which was adopted:

In Section 1, line 17, page 1, strike "The governor and cabinet" and insert the following: The executive director

Senator Haverfield also offered the following amendment which was adopted:

In Section 1, line 22, page 1, insert the following after the word "shall,": when commissioned and bonded as required by law,

Senator Haverfield also offered the following amendment which was adopted:

Line 9, page 1, strike "Park officers" and insert agents

On motion by Senator Haverfield, the rules were waived and HB 3371 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—38 Nays—None

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

SB 211 and the committee substitute was laid on the table.

SB 176 was taken up, together with:

By the Committee on Judiciary—

CS for SB 176—A bill to be entitled An act relating to campaign expenses; amending section 99.161(6), Florida Stat-

utes, by imposing a ceiling on amounts which may be spent in campaigns for certain public offices; providing an effective date.

—which was read the first time by title and SB 176 was laid on the table.

On motion by Senator Shevin, the rules were waived and CS for SB 176 was read the second time by title.

Senator Karl offered and moved the following amendment:

In Section 2, line 13, strike "July 1, 1970" and insert January 1, 1971

Senator Askew offered the following substitute amendment which was adopted:

Add new Section 2 as follows: Any moneys actually expended prior to the effective date of the bill will not be included in determining the maximum allowable for expenditures.

Renumber Section 2 accordingly.

Senator Thomas offered and moved the following amendment:

In Section 1, paragraph 2, page 2, insert new paragraph 2 to read: 2. Justices of Supreme Court. For a first and second primary election campaign, which shall, for the purposes of this act, be deemed a single campaign, the maximum allowable expenditure of funds shall be fifty thousand dollars; in the general election, the maximum allowable expenditure of funds shall be one hundred thousand dollars and renumber accordingly.

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

In line 7 of amendment strike "fifty thousand dollars" and insert one hundred thousand dollars

The amendment failed.

Senator Ducker offered the following amendment which failed:

In Section 1, between lines 11 and 12, page 4, insert the following: (4) If a candidate is not opposed in a primary election then the provisions relating to expenditures for the primaries shall not apply. The total amount such candidate shall spend shall be that allowed in the general election.

Senator Daniel offered the following amendment which was adopted:

In title, line 9, page 1, following "public office;" insert the following: ; providing exceptions.

A motion by Senator Shevin that the time of adjournment be extended until final action on CS for SB 176 failed.

On motion by Senator Shevin, the rules were waived and CS for SB 176 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—32

Mr. President	Deeb	Knopke	Slade
Askew	Ducker	Lane	Stolzenburg
Bafalis	Fincher	McClain	Stone
Bell	Gong	Myers	Thomas
Boyd	Gunter	Poston	Weber
Broxson	Haverfield	Reuter	Weissenborn
Chiles	Henderson	Scarborough	Wilson
Daniel	Johnson	Shevin	Young

Nays—15

Barron	de la Parte	Ott	Sayler
Barrow	Hollahan	Plante	Trask
Beaufort	Horne	Pope	Williams
Bishop	Karl	Saunders	

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

EXECUTIVE BUSINESS

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

REPORTS OF THE SELECT COMMITTEE ON EXECUTIVE SUSPENSIONS

Senator John E. Mathews
President
The Florida Senate
May 18, 1970

Dear Mr. President:

On April 8, 1969, Niles A. Keen was suspended from the Office of Constable, District 2, Duval County. Mr. Keen submitted his resignation May 12, 1970, to Governor Claude R. Kirk, Jr. It was accepted May 13, 1970, by the Governor.

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

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

KENNETH PLANTE
JERRY THOMAS
J. H. WILLIAMS
HAROLD S. WILSON

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

Senator John E. Mathews
President, The Florida Senate
The Capitol
May 18, 1970

Dear Mr. President:

Your Select Committee on Executive Suspensions to which was referred for consideration the following appointment subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
Henry V. Dartigalongue Jacksonville	Pensacola Historical Restoration and Preservation Commission	February 9, 1974

—after full inquiry hereby tender as the recommendation of this Committee that the Senate advise and consent to the aforesaid appointment made by the Governor.

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

On motions by Senator Karl, the Report of the Committee was adopted, the rules were waived and the Senate in open Session advised and consented to the appointment by the Governor of Henry V. Dartigalongue, as contained and set forth in the foregoing Report. The vote was: Yeas—46 Nays—None

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

Slade
Stolzenburg
Stone
Thomas
Trask
Weber
Weissenborn
Williams
Wilson
Young

On motion by Senator Barrow, Rule 2.5 was waived and the Committee on Commerce and Licensed Businesses was granted permission to consider Senate Bills 1480 and 454 at the scheduled meeting May 20.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Sir:

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

By Representative James—

HCR 5227—A concurrent resolution requesting the Governor of the State of Florida to return HB 3830 to the House of Representatives for the purpose of further consideration.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 5227, contained in the above message, was read the first time in full. On motion by Senator Thomas, the rules were waived and HCR 5227 was read the second time by title, adopted and certified to the House. The vote was: Yeas—46 Nays—None

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

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

By Senators Horne, Chiles, Friday, Barron, Weissenborn, Mathews, de la Parte, Boyd and Trask—

SCR 1529—A concurrent resolution expressing the legislative support for the autonomy and continued existence of Florida A & M University adequately funded.

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

Senator de la Parte announced that the Committee on Health, Welfare, and Institutions would meet at 6:00 p.m. this day instead of 7:00 p.m.

Senator Horne announced that the Committee on Judiciary would meet at 6:00 p.m. instead of 7:00 p.m.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:36 p.m. to reconvene at 8:30 a.m., Wednesday, May 20, 1970.