

JOURNAL OF THE SENATE

Wednesday, May 27, 1970

The Senate was called to order by the President at 9:00 a.m.
A quorum present—48:

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

HB 3947
HB 3962
HB 4007
HB 4471
SB 805
SB 804
SB 114
SB 1016
SB 1017
SB 806
SB 1015
SB 1018
SB 1345
SB 1197

SB 118
SB 717
SB 747
SB 1253
CS for HB 3898
CS for HB 3897
CS for HB 3895
SB 1089
SB 1318
SB 643
SB 822
SB 555
SB 1237
SB 656

HB 785
SB 951
HB 507
HB 399
SB 683
SB 644
HB 3698
SB 968
SB 763
SB 856
SB 1049
SB 855

Prayer by the Secretary of the Senate:

Father God, in the midst of pricking questions, unchanging smooth words, angry shoutings, hungry cries, frustrating excuses, world's unrest of man—renew us, O Lord. May we courageously step forward and be more truly your word.

Others, Lord, yes others. Let this our motto be. Let us live for others so that we may live like thee.

We revere thy son, our Lord and Master. Amen.

The Journal of May 26 was corrected and approved as follows:

Page 561, column 2, strike lines 29 and 30 and insert the following: CS for CS for HB 634 as amended was read the third time by title, passed and certified to the House. The vote was:

Page 570, column 1, strike lines 29 through 38 and insert the following:

HB 1128—A bill to be entitled An act relating to rights of entry and easements; providing a twenty (20) year limitation upon nonexercised rights of entry and easements; providing an effective date.

The Journal of May 25 was further corrected and approved as follows:

Page 537, column 1, in roll call insert Broxson alphabetically and strike "Weber"

Page 540, counting from the bottom of column 2, between lines 11 and 12 insert the following: the circuit court, sheriff, and official court reporter to said court; providing for the compensation of personnel, fees, and other details of administration and operation; providing an effective date.

Page 545, column 1, strike lines 8 and 9 and insert the following: Add: Item 843 a. Cross and Sword \$25,000

Page 546, counting from the bottom of column 1, line 7, strike "\$2,500,000" and insert \$32,500,000

The Journal of May 18 was further corrected and approved as follows:

Page 454, counting from the bottom of column 1, between lines 9 and 10 insert the following: The question recurred on the adoption of the amendment which failed.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills for Special Order Calendar Wednesday, May 27, 1970:

SB 444	HB 2352	SB 771
SB 638	SB 719	SB 772
SB 639	SB 477	SB 896
SB 985	SB 1081	SB 1383
SB 914	SB 641	SB 1440
SB 1082	SB 1324	SB 1367
SB 1083	SB 986	HB 1504
SB 1340	SB 615	SB 1203
HB 1858	SB 869	HB 4472
HB 2218	SB 1359	HB 3266

Elmer O. Friday, Jr.
Chairman, Committee
on Rules and Calendar

The Committee on Ways and Means recommends the following pass: SB 1369, HB 4030

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

HB 1125 with 1 amendment SB 1229 with 1 amendment
HB 5176 SB 1190 with 6 amendments

The Committee on Judiciary recommends the following pass:

HB 860	SB 724
CS for HB 155	SB 751 with 2 amendments
HB 606 with 1 amendment	SB 882
SB 398 with 5 amendments	SB 887 with 3 amendments
SB 590	SB 1092
SB 654 with 1 amendment	SB 1093 with 2 amendments
SB 671 with 1 amendment	SB 1250 with 2 amendments
SB 721	SB 1320 with 1 amendment
SB 722	SB 1472 with 2 amendments
SB 723	

The Committee on Health, Welfare, and Institutions recommends the following pass: House Bills 223 and 1397 and SB 1287 with 2 amendments

The Committee on Ethics recommends the following pass: SB 1185

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

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

SB 1204 with 10 amendments SB 196
SB 1412 SB 1041 with 2 amendments
SB 1398

The Committee on Judiciary recommends the following pass:

SB 672 SB 807 with 9 amendments
SB 1286 SB 532 with 1 amendment
SB 1285 with 1 amendment

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

The Committee on Health, Welfare, and Institutions recommends the following pass: Senate Bills 1453 and 1179

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

The Committee on Natural Resources and Conservation recommends the following pass: House Bills 3775, 3899, 3900, 4188, and 4196.

The bills were referred to the Committee on Rules and Calendar.

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 450

The Committee on Ways and Means recommends a Committee Substitute for the following: SBs 425 and 490 with 3 amendments

The Committee on Judiciary recommends a Committee Substitute for the following: SB 713

The Committee on Judiciary recommends a Committee Substitute for the following: SB 865

The Committee on Judiciary recommends a Committee Substitute for the following: SB 864

The Committee on Judiciary recommends a Committee Substitute for the following: SB 198 with 1 amendment

The Committee on Judiciary recommends a Committee Substitute for the following: SB 1276

The Committee on Judiciary recommends a Committee Substitute for the following: SB 1024

The Committee on Judiciary recommends a Committee Substitute for the following: SB 547

The Committee on Judiciary recommends a Committee Substitute for the following: SB 1368

The Committee on Ways and Means recommends a Committee Substitute for the following: SB 950 with 3 amendments

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

The Committee on Health, Welfare, and Institutions recommends a Committee Substitute for the following: SB 1272

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

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 1091

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

The Committee on Judiciary recommends the following not pass: CS for SB 921, SB 862, CS for SB 126, HB 536

The Committee on Ethics recommends the following not pass: Senate Bills 27 and 1173

The Committee on Health, Welfare, and Institutions recommends the following not pass: SB 1176

The Committee on Natural Resources and Conservation recommends the following not pass: SB 632

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

BILLS REFERRED TO SUBCOMMITTEES

SB 1298 and CS for SB 1011 withdrawn from State Government Subcommittee

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

SB 259 with 2 amendments SB 1178 with 1 amendment
 SB 725 with 3 amendments SB 1303 with 1 amendment
 SB 999 with 1 amendment CS for SB 400 with 9 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 immediately certified to the House.

Your Engrossing Clerk to whom was referred—

SB 392 with 2 amendments

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

EDWIN G. FRASER
Secretary of the Senate

The bill was placed on the Calendar pending roll call.

Your Engrossing Clerk to whom was referred—

SB 673 with 1 amendment	SB 1160 with 2 amendments
SB 674 with 1 amendment	SB 1530 with 37 amendments
SB 699 with 1 amendment	CS for SB 311
SB 778 with 1 amendment	with 2 amendments
SB 789 with 3 amendments	CS for SBs 349 and 634
SB 799 with 3 amendments	with 3 amendments
SB 939 with 4 amendments	CS for SB 938
SB 941 with 3 amendments	with 3 amendments
SB 994 with 3 amendments	CS for SB 1058
SB 1008 with 2 amendments	with 1 amendment
SB 1157 with 1 amendment	CS for SB 1218
SB 1159 with 1 amendment	with 1 amendment

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

EDWIN G. FRASER
Secretary of the Senate

The bills were certified to the House.

Your Engrossing Clerk to whom was referred—

SB 221 with 2 amendments SB 1481 with 2 amendments
 SB 570 with 3 amendments

—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.

INTRODUCTION

By Senators Karl and Daniel—

SB 1548—A bill to be entitled An act amending Section 5 of Chapter 67.2159, Laws of Florida, by amending the Northerly boundary for gill net fishing from the South or Lytle Avenue Bridge in New Smyrna Beach, Florida, to the Northerly limit of the City of Edgewater, Florida, or the 29th parallel, North latitude, in Volusia County, Florida, and providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1548.

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

By Senators Barrow, Barron and Horne—

SB 1549—A bill to be entitled An act relating to Walton and Okaloosa Counties, taking of shrimp; providing limitations on

gear and equipment; making violation a misdemeanor; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1549.

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

By Senators Shevin and Hollahan—

SCR 1550—A concurrent resolution commending Michael Gus Frankel for his outstanding forensic achievements.

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

By Senators Pope, Scarborough and Slade—

SR 1551—A resolution designating the "Cross and Sword" pageant of St. Augustine as the official play of this state.

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

By Senators Johnson and Reuter—

SB 1552—A bill to be entitled An act relating to Martin County; providing for and authorizing the withdrawal of Martin County from the central Florida regional housing authority; providing for the method of such withdrawal; providing for an effective date.

Evidence of notice and publication was established by the Senate as to SB 1552.

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

On motion by Senator Trask, Rule 10.1 was waived to accord the privileges of the floor to the staff of the Committee on Ways and Means during the consideration of personnel and retirement bills.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Horne, by two-thirds vote, Senate Bills 1045, 1445, 1422 and 450 were withdrawn from the Committee on Judiciary.

On motion by Senator Chiles, Rule 2.5 was waived and the Committee on Ways and Means was granted permission to hold a meeting at 6:00 p.m. this day to consider all bills which were on the agenda for the scheduled meeting May 26.

On motion by Senator Chiles, the rules were waived and the Committee on Ways and Means was granted an additional 5 legislative days for the consideration of Senate Bills 707, 1064, 1224, 1384 and 123.

On motion by Senator Barrow, Rule 2.5 was waived and the Committee on Commerce and Licensed Businesses was granted permission to consider SB 1014 and HB 5276 at the scheduled meeting this day.

On motion by Senator Friday, the rules were waived and HJR 792 was removed from the Calendar of Bills on Third Reading and placed at the head of the Special Order Calendar.

On motions by Senator Poston, by two-thirds vote, Senate Bills 807 and 1457 were withdrawn from the Committee on Ways and Means and re-referred to the Committee on Rules and Calendar.

On motions by Senator Chiles, by two-thirds vote, Senate Bills 239 and 846 were withdrawn from the Committee on Ways and Means.

On motion by Senator Pope, by two-thirds vote, SB 1450 was withdrawn from the Committee on Rules and Calendar and placed on the Calendar.

On motion by Senator Horne, by two-thirds vote, SB 1069 was withdrawn from the Committee on Judiciary.

On motion by Senator Broxson, by two-thirds vote, SB 745 was withdrawn from the Committee on Ways and Means.

On motion by Senator Stolzenburg, by two-thirds vote, SB 1204 was withdrawn from the Committee on Ways and Means.

On motion by Senator Hollahan, by two-thirds vote, SB 1270 was withdrawn from the Committee on Governmental Organization.

On motion by Senator Weissenborn, by two-thirds vote, SJR 916 was withdrawn from the Committee on Ways and Means.

On motion by Senator Hollahan, Rule 2.5 was waived and the Committee on Governmental Organization was granted permission to consider Senate Bills 1468 and 1464 at the scheduled meeting May 28.

On motion by Senator Barrow, by two-thirds vote, HB 3722 was withdrawn from the Committee on Commerce and Licensed Businesses.

On motion by Senator Horne, by two-thirds vote, HB 2407 was withdrawn from the Committee on Transportation and placed on the Calendar.

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

HB 2407—A bill to be entitled An act relating to regulation of traffic on highways; revising section 317.221, Florida Statutes; providing a change in speed limits on certain highways for certain types of vehicles; providing an effective date.

—which was read the second time by title.

The Committee on Transportation offered the following amendment which was adopted on motion by Senator Horne:

In Section 1, line 18, page 2, strike lines 18 through and including 29. and insert the following:

(c) The maximum speed limits for motor vehicles of more than eight thousand (8,000) pounds, or any combination of vehicles, except as provided in paragraph (d), shall be:

1. Thirty (30) miles per hour in business or residential districts.

2. During daytime, sixty-five (65) miles per hour on highways provided for in paragraph (b) and sixty (60) miles per hour on other highways.

3. During nighttime, sixty (60) miles per hour on highways provided for in paragraph (b) and fifty-five (55) miles per hour on other highways.

(d) The maximum speed limits for motor vehicles towing house trailers shall be:

1. Thirty (30) miles per hour in business or residential districts.

2. During daytime, sixty (60) miles per hour on highways provided for in paragraph (b) and fifty-five (55) miles per hour on other highways.

3. During nighttime, fifty-five (55) miles per hour on highways provided for in paragraph (b) and fifty (50) miles per hour on other highways.

(e) The minimum speed on all highways which

On motion by Senator Horne, the rules were waived and HB 2407 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—25 Nays—None

Askew	de la Parte	Johnson	Stone
Beaufort	Fincher	Knopke	Thomas
Bell	Friday	McClain	Trask
Bishop	Gong	Poston	Wilson
Boyd	Gunter	Reuter	
Chiles	Henderson	Saunders	
Deeb	Horne	Shevin	

Senator Henderson moved that the Senate reconsider the vote by which SB 1178 as amended passed on May 26.

The motion went over under the rule.

MESSAGE FROM THE GOVERNOR

The Governor advised that on May 27 he had transmitted to the Office of Secretary of State Senate Bills 135 and 182 which will become law without his signature.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable John E. Mathews, Jr., May 26, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendments to HB 1271 HB 5066.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr., May 26, 1970
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has adopted SCR 1529.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

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

The Honorable John E. Mathews, Jr., May 26, 1970
President of the Senate

Sir:

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

By the Committee on Insurance—

HB 4102—A bill to be entitled An act relating to wet marine and transportation insurance; amending section 627.01001(3), Florida Statutes, by excepting attorney fee under section 627.0127, Florida Statutes, from the exclusion of section 627.01001(3); providing an effective date.

By Representatives Murphy and Gallen—

HB 4646—A bill to be entitled An act naming the “William Ennels Dean, Jr. Bridge”; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 4102, contained in the above message, was read the first time by title and referred to the Committee on Insurance.

HB 4646, contained in the above message, was read the first time by title. On motion by Senator Beaufort, the rules were waived and the bill was placed on the Calendar.

Unanimous consent was granted Senator Beaufort to take up HB 4646 out of order.

On motions by Senator Beaufort, the rules were waived and HB 4646 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—32 Nays—None

Mr. President	de la Parte	Knopke	Scarborough
Bafalis	Ducker	Lane	Shevin
Barrow	Gong	McClain	Slade
Beaufort	Haverfield	Myers	Stolzenburg
Bell	Henderson	Ott	Thomas
Bishop	Hollahan	Pope	Trask
Boyd	Horne	Poston	Weissenborn
Broxson	Johnson	Reuter	Williams

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

May 26, 1970

Sir:

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

By Representative Pettigrew—

HB 4519—A bill to be entitled An act repealing the prohibition against a legislator from being appointed or elected to a civil office that has been created or the emoluments whereof have been increased during the time for which he was elected; repealing section 11.132, Florida Statutes; repealing section 5 of article III of the 1885 Constitution; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 4519, contained in the above message, was read the first time by title. On motion by Senator Horne, the rules were waived and the bill was placed on the Calendar.

On motion by Senator Horne, by two-thirds vote, HB 4519 was placed at the foot of the Special Order Calendar.

The Honorable John E. Mathews, Jr., May 26, 1970
President of the Senate

Sir:

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

By the Committee on Finance & Taxation—

HCR 5302—An act creating a joint committee to study the tax structure of the state, counties and municipalities, providing for its composition, the appointment of members, organization, and its powers, duties and functions; providing for expenditures; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 5302, contained in the above message, was read the first time in full and referred to the Committee on Rules and Calendar.

The Honorable John E. Mathews, Jr., May 26, 1970
President of the Senate

Sir:

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

By the Committee on Insurance—

HB 4101—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 treasurer and made available to the public; providing an effective date.

By the Committee on Insurance—

HB 4105—A bill to be entitled An act relating to regulation of traffic on highways; amending chapter 317, Florida Statutes, by adding section 317.1511, providing for report to department of highway safety and motor vehicles of judicial disposition of all cases on which accident reports have been made to

department; amending section 317.171, Florida Statutes, providing that the department may disclose the judicial disposition of a case on which an accident report has been made to the department; providing an effective date.

By the Committee on Insurance—

HB 4113—A bill to be entitled An act relating to insurance; amending section 624.0223, Florida Statutes, by adding subsection (7), requiring foreign insurers to notify the department of insurance of changes in ownership, control, or assets; defining controlling stock; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 4101, contained in the above message, was read the first time by title. On motion by Senator Friday, the rules were waived and the bill was placed on the Calendar.

HB 4105, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

HB 4113, contained in the above message, was read the first time by title and referred to the Committee on Insurance.

The Honorable John E. Mathews, Jr. May 26, 1970
President of the Senate

Sir:

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

By the Committee on Public School Education—

CS for HB 4358—A bill to be entitled An act relating to education; repealing subsection 236.04(10), Florida Statutes, removing the ninety percent (90%) requirement for instructional positions to instruction units; amending subsection 236.07 (5), Florida Statutes, by combining educational improvement expense and county school sales tax fund into one allocation; repealing subsection 236.07(6), Florida Statutes, repealing education improvement expense allocation; amending subsection 236.07(8), Florida Statutes, providing for a cost of living increase for salaries, other current expense and transportation; amending subsection 236.07(9), Florida Statutes, increasing the required local effort for participation in the minimum foundation program; amending paragraph 236.074 (4) (d), Florida Statutes; expanding the purposes for which district school additional capital outlay funds may be used; amending section 236.075, Florida Statutes; providing a severability clause; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 4358, contained in the above message, was read the first time by title and referred to the Committees on Education and Ways and Means.

The Honorable John E. Mathews, Jr. May 26, 1970
President of the Senate

Sir:

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

By Representative Reed and others—

HB 3789—A bill to be entitled An act relating to migrant labor; creating the Florida legislative commission on migrant labor and an advisory committee thereto, and providing its composition, duties, and authority; authorizing participation by Florida in the interstate migrant labor compact and setting forth its terms; prescribing the Florida membership of the interstate migrant labor commission created by such compact; providing an effective date.

By the Committee on Commerce—

HB 5276—A bill to be entitled An act relating to police officers, prohibiton from being employed by beverage licensees; amending section 561.25, Florida Statutes, excluding security service employment from such prohibition; providing an effective date.

By Representatives J. K. Tillman and Heath—

HB 4394—A bill to be entitled An act authorizing the division of adult corrections of the department of health and rehabilitative services to utilize funds already appropriated for a warehouse at Dorr Field to construct the warehouse and needed maintenance shops; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3789, contained in the above message, was read the first time by title. On motion by Senator Thomas, the rules were waived and the bill was placed on the Calendar.

Unanimous consent was granted Senator Thomas to take up HB 3789 out of order.

On motions by Senator Thomas, the rules were waived and HB 3789 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—31 Nays—None

Mr. President	Daniel	Horne	Reuter
Bafalis	de la Parte	Johnson	Shevin
Barron	Ducker	Lane	Stolzenburg
Beaufort	Fincher	McClain	Thomas
Bell	Friday	Myers	Trask
Boyd	Gong	Ott	Williams
Broxson	Gunter	Pope	Wilson
Chiles	Haverfield	Poston	

HB 5276, contained in the above message, was read the first time by title and referred to the Committee on Commerce and Licensed Businesses.

HB 4394, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

The Honorable John E. Mathews, Jr. May 26, 1970
President of the Senate

Sir:

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

By the Committee on Insurance—

HB 4110—A bill to be entitled An act relating to insurance; amending section 627.0852(1)(a), Florida Statutes, to include automobile physical damage insurance within the definition of policy; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 4110, contained in the above message, was read the first time by title and referred to the Committee on Insurance.

The Honorable John E. Mathews, Jr. May 26, 1970
President of the Senate

Sir:

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

By Representative Hess—

HB 3503—A bill to be entitled An act relating to the department of air and water pollution control; amending section 403.121(2), Florida Statutes, requiring that a notice of

violation, when issued subsequent to a hearing, shall include an order to take corrective action by a prescribed date; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3503, contained in the above message, was read the first time by title and referred to the Committee on Natural Resources and Conservation.

The Honorable John E. Mathews, Jr. May 26, 1970
President of the Senate

Sir:

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

By the Committee on Insurance—

HB 4098—A bill to be entitled An act relating to insurance; amending chapter 628, Florida Statutes, by adding section 628.255, prohibiting persons with effective control of a domestic insurer from receiving commissions or other compensation unless under contract approved by the department of insurance; defining effective control; providing exemption; providing penalties; providing an effective date.

By Representative Wilson—

HB 4140—A bill to be entitled An act relating to the regulation and certification of speech pathologists and audiologists; amending chapter 69-395, Laws of Florida; reducing application and renewal fees; removing certain exemptions; providing for dual certification; restricting fees charged by students, interns and trainees; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 4098, contained in the above message, was read the first time by title and referred to the Committee on Insurance.

HB 4140, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

The Honorable John E. Mathews, Jr. May 26, 1970
President of the Senate

Sir:

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

By Representative Renick and others—

HB 3919—A bill to be entitled An act relating to consumer protection; making it unlawful for any retail food dealer to sell certain meats unless packaged in transparent containers; providing for enforcement by the Department of Agriculture and Consumer Services; providing a penalty; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3919, contained in the above message, was read the first time by title and referred to the Committee on Commerce and Licensed Businesses

The Honorable John E. Mathews, Jr. May 26, 1970
President of the Senate

Sir:

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

By Representative Redman and others—

HB 3772—A bill to be entitled An act relating to the execution of anatomical gifts; amending chapter 736, Florida Statutes, as created by chapter 69-88, Laws of Florida, by adding a new section, to allow licensed and certified funeral directors, as well as physicians, to enucleate eyes; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. May 26, 1970
President of the Senate

Sir:

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

By Representatives Craig and Gustafson—

HB 3270—A bill to be entitled An act relating to municipal police officers' retirement trust fund; amending sections 185.16(2) and 185.18(5), Florida Statutes, increasing the retirement benefit factors from one and sixty-seven hundredths percent (1.67%) per year to two percent (2%) per year, and from one percent (1%) per year to one and twenty hundredths percent (1.20%) per year; providing an effective date.

By Representative Brantley—

HB 3336—A bill to be entitled An act relating to the municipal firemen's pension trust fund; amending subsection (2) of section 175.162, and subsection (5) of section 175.191, Florida Statutes, so as to increase pension benefits from one and sixty-seven hundredths percent (1.67%) per year to two percent (2%) per year, and from one percent (1%) per year to one and two tenths percent (1.2%) per year; repealing all laws in conflict herewith; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable John E. Mathews, Jr. May 26, 1970
President of the Senate

Sir:

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

By Representative Walker—

HB 3661—A bill to be entitled An act relating to banks and banking; amending subsection (2) of section 659.06, Florida Statutes; providing for the operation of bank facilities and specifying requirements for location thereof if not part of or physically connected to the main banking room or building; and providing an effective date.

By Representative Ryals—

HB 4257—A bill to be entitled An act relating to education; amending paragraph (c) of subsection (1) of Section 231.40, Florida Statutes; defining normal retirement for terminal pay purposes; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

House Bills 3772, 3270, 3336, and 3661, contained in the above messages, were read the first time by title. On motions by Senator Friday, the rules were waived and the bills were placed on the Calendar.

HB 4257, 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 26, 1970

Sir:

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

By the Committee on Public School Education—

CS for HB 4172—A bill to be entitled An act relating to the district school system, investment of deposits of school funds; amending section 230.23(10), Florida Statutes, by adding paragraph (k); amending section 230.33(12), Florida Statutes, by adding paragraph (j); providing for the investment of school funds not needed for immediate expenditures; making minor changes of terminology; amending subsection (1) of section 136.02, Florida Statutes, relating to public education, county depositories; removing the requirement of pro rata division of deposits; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 4172, contained in the above message, was read the first time by title. On motion by Senator Friday, the rules were waived and the bill was placed on the Calendar.

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

May 26, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate amendment to—

By the Committee on Appropriations—

HB 5210—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1970, and ending June 30, 1971, to pay salaries, other expenses, capital outlay—buildings and improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—and requests the Senate to recede therefrom. In the event the Senate refuses to recede that a Conference Committee of seven Members be appointed to confer with a like Committee to be appointed by the Speaker of the House to adjust the differences on Senate amendment to House Bill 5210.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Chiles, the Senate refused to recede from the Senate amendment to HB 5210 and requested the Speaker of the House to appoint a conference committee to confer with a like committee to be appointed by the President of the Senate to adjust the differences on the Senate amendment. The President appointed Senators Chiles, Boyd, de la Parte, Gunter, Myers, Scarborough and Saylor as the committee. The action of the Senate was certified to the House.

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

May 26, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has refused to accept the Conference Committee report on—

By Senators Poston and Myers—

SB 267—A bill to be entitled An act relating to corporations; amending section 608.09, Florida Statutes, by renumbering present subsection (3) as subsection (4) and adding new

subsections (3), (5), and (6); providing that directors of corporations may serve on executive committees in the place of absent or disqualified members of such boards; providing that executive committee meetings may be held by use of various communications systems; protecting members of executive committees who rely in good faith on the books of account of the corporations or other records of the corporation or reports made to the corporation by its officers, independent certified public accountants, or appraisers; providing an effective date.

—and has requested the conferees to return to conference, has instructed conferees, and respectfully requests the Senate to return its conferees to conference.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Poston, the President instructed the Conferees on the part of the Senate to return to Conference and the action of the Senate was certified to the House.

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

May 26, 1970

Sir:

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

By the Committee on Health, Welfare, and Institutions—

CS for SB 84—A bill to be entitled An act relating to mental health; providing for the establishment of community mental health programs; providing for the establishment of service districts; providing a method of state assistance in the funding of local mental health programs and services; providing for appointment and terms of office of community mental health boards and for appointment of directors of local programs; requiring annual local and state planning; providing an effective date.

Amendment 1—

On page 5, lines 6-13, strike: All of lines 6 through and including line 13 and on page 5, line 14, strike: appointment and insert the following:

(a) First priority shall be given to an existing nonprofit corporation with a demonstrated commitment to the mental health of the general public and which petitions the governing body or bodies to be appointed as the mental health board: provided however that such corporation agrees to comply with the provisions of Section 11 herein within six (6) months from the date of its appointment: and provided that if a county government has an existing local governmental structure dealing primarily with mental health such agency may be designated the mental health board under this act.

Amendment 2—

On page 15, line 5, strike "impatient" and insert the following: inpatient

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Reuter, the Senate concurred in House amendments 1 and 2 to CS for SB 84.

CS for SB 84 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—34 Nays—None

Mr. President	Deeb	Johnson	Stone
Askew	Ducker	Knopke	Thomas
Bafalis	Fincher	McClain	Trask
Beaufort	Friday	Poston	Weissenborn
Bishop	Gunter	Reuter	Williams
Boyd	Haverfield	Saunders	Wilson
Broxson	Henderson	Scarborough	Young
Chiles	Hollahan	Shevin	
Daniel	Horne	Slade	

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

May 26, 1970

Sir:

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

By Senator Wilson—

SB 204—A bill to be entitled An act relating to part II of the insurance code; amending section 627.01001(5), Florida Statutes, to provide for attorney fees to an insured or beneficiary of a credit life or credit disability insurance contract; providing an effective date.

Amendment 1—

On page 1, lines 19 & 20, strike all of Section 2 and insert new Sections 2, 3, 4, 5, 6, 7, 8, 9, and 10, as follows:

Section 2. Section 627.031, Florida Statutes, is amended to read:

(Substantial rewording of section. See section 627.031, F.S., for present text.)

627.031 Purpose of part I; interpretation.—

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

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

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

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

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

627.041 Definitions.—As used in part 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 4. Subsections (1) and (2) of section 627.062, Florida Statutes, are amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

627.072 Making and use of rates.—

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

[1. The extent applicable;]

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

[3] 2. The conflagration and catastrophe hazards;

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

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

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

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

[8] 7. All other relevant factors, including judgment factors, within and outside this state. Provided, however, that any insurer using such factors shall have the burden of proving their relevance, necessity and applicability.

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

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

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

627.321 Examinations and rate hearings.—

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

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

627.342 Public notification.—

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

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

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

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

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

(d) Any other factors which the insurer deems relevant.

Upon receipt of such information by the department of insurance, it shall be made available for public inspection in its office at Tallahassee during the usual business hours.

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

627.371 Hearings.—

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

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

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

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

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

Amendment 2—

On page 1, strike the title and insert the following: An act relating to the insurance code; amending section 627.01001 (5), Florida Statutes, to provide for attorney fees to an insured or beneficiary of a credit life or credit disability insurance contract; amending section 627.031, Florida Statutes, redefining

the purpose of part I of chapter 627, Florida Statutes; modifying the so-called "California plan"; amending section 627.041, Florida Statutes, by adding subsections (8) and (9), providing definitions; amending section 627.062 (1) and (2), Florida Statutes, providing that rates shall not be destructive of competition or detrimental to the solvency of insurers; providing a definition of rates; providing a formula for presuming excessive rates; amending section 627.072, Florida Statutes, clarifying the factors to be considered in setting rates; amending chapter 627, Florida Statutes, by adding section 627.073; providing the department of insurance must approve rate classifications, plans, and territories in certain instances; amending section 627.321, Florida Statutes, by adding subsection (5), providing for certain hearings; amending chapter 627, Florida Statutes, by adding section 627.342, requiring the filing and publication of certain information; amending section 627.371 (2) and (5), Florida Statutes, and adding new subsections (5) and (6) to said section, providing additional hearing procedures; providing for reinstatement of prior approval of rates under certain circumstances; providing for the insurer to have the burden of proving the reasonableness of rates, rate classifications and competitive practices; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Senator Wilson moved that the Senate refuse to concur in House amendments 1 and 2 to SB 204 and request the House to recede therefrom.

Pending consideration of the motion by Senator Wilson, Senator Barron raised a point of order that the House amendments were not germane to the bill as it was an attempt to place an amendment to provide for attorneys' fees on a measure which provides for rate-making.

The President appointed Senators Friday, Horne and Henderson as a special committee to examine the House amendment and report to the chair on the point raised by Senator Barron.

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

May 26, 1970

Sir:

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

By Senator Stone and Others—

SB 157—A bill to be entitled An act amending Chapter 711, Florida Statutes, Condominium Act; providing a method for cancelling or modifying maintenance contracts; amending Section 711.19 concerning homestead exemption of condominiums; adding a section requiring full disclosure prior to closing of the sale of condominiums; adding a section concerning advance deposits on condominiums; providing an effective date.

Amendment 1—

On page 1, line 19, after "711.13(4)" strike everything through line 7, page 3 and insert the following: From and after the effective date of this act any initial or original contract, by which is meant the contract first entered into by the Condominium Association, for maintenance, management or operation of condominium property shall be subject to cancellation at any time subsequent to the time any individual unit owners assume control of their association by vote of no less than 75% of said individual unit owners. In the case of a multi-phase condominium project the contract for maintenance, management or operation of the condominium property shall not be subject to cancellation as provided above until after the last association in the entire project comes under control of the individual unit owners, notwithstanding the fact that individual phases of the entire project may be closed out and control of the association as to those phases may be assumed by the individual unit owners; provided, however, if not less than 75% of the individual unit owners in residence in those associations which are under control of the individual unit owners vote to cancel said contract as to the building or buildings in which they reside, said contract may be cancelled as to that building or buildings, but this shall not affect the legal efficacy of said contract as to common recreational areas or as to other buildings in the project.

Amendment 2—

On page 4, lines 7-10, strike "with interest thereon at the rate then being paid on savings accounts by savings and loan associations in the area in which the condominium property is located." and insert the following: with interest thereon at the highest rate then being paid on savings accounts, not inclusive of certificates of deposit, by savings and loan associations in the area in which the condominium property is located.

Amendment 3—

On page 5, lines 25-29, strike "with interest thereon at the rate then being paid on savings accounts by savings and loan associations in the area in which the condominium property is located;" and insert the following: with interest thereon at the highest rate then being paid on savings accounts, not inclusive of certificates of deposit, by savings and loan associations in the area in which the condominium property is located;

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Stone, the Senate concurred in House amendments 1, 2 and 3 to SB 157.

SB 157 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

Mr. President	Daniel	Johnson	Stolzenburg
Bafalis	Deeb	Lane	Stone
Barron	Ducker	McClain	Thomas
Beaufort	Friday	Pope	Trask
Bell	Gong	Poston	Weissenborn
Bishop	Gunter	Reuter	Williams
Boyd	Henderson	Saunders	Wilson
Broxson	Hollahan	Shevin	Young
Chiles	Horne	Slade	

On motion by Senator Chiles, by two-thirds vote, SB 1476 was withdrawn from the Committee on Ways and Means.

The Honorable John E. Mathews, Jr. May 26, 1970
President of the Senate

Sir:

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

By Senators Stone and Weissenborn—

SB 158—A bill to be entitled An act relating to cooperative apartments; providing a time limitation on maintenance providing a method for cancelling or modifying maintenance contracts; concerning advance deposits on cooperative apartments; providing an effective date.

Amendment 1—

On page 1, line 12, strike All of section 1 and insert the following:

Section 1. From and after effective date of this act any initial or original contract, by which is meant the contract first entered into by the Cooperative Association, for maintenance, management or operation of cooperative property shall be subject to cancellation at any time subsequent to the time any individual unit owners assume control of their association by vote of no less than 75% of said individual unit owners. In the case of a multiphase cooperative apartment project, the contract for maintenance management or operation of the cooperative apartment property shall not be subject to cancellation as provided above until after the last association or corporation in the entire project comes under control of the individual unit owner, notwithstanding the fact that individual phases of entire project may be closed out and control of the association or corporation as to those phases may be assumed by the individual unit owner; provided, however, if no less than 75% of the individual unit owners in residence in the association or corporation which are under control of the individual unit owners vote to cancel said contract as to the building or buildings in which they reside, said contract may be canceled as

to that building or buildings, but this shall not affect the legal efficacy of said contract as to common recreational areas or as to other buildings in the project.

Amendment 2—

On page 3, lines 20-23, strike: all of lines 20 through and including line 23 and insert the following:

paid with interest thereon at the highest rate then being paid on savings accounts, not inclusive, of certificates of deposit, by savings and loan associations in the area in which the cooperative apartment project is located.

Amendment 3—

On page 5, lines 8-11, strike: all of lines 8 through and including line 11 and insert the following:

with interest thereon at the highest rate then being paid on savings accounts, not inclusive, of certificates of deposit, by savings and loan associations in the area in which the cooperative apartment project is located; provided, however, nothing herein

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Stone, the Senate concurred in House amendments 1, 2 and 3 to SB 158.

SB 158 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—33 Nays—None

Mr. President	Deeb	McClain	Thomas
Bafalis	Ducker	Myers	Trask
Barron	Fincher	Pope	Weissenborn
Beaufort	Gong	Poston	Williams
Bell	Gunter	Saunders	Wilson
Bishop	Haverfield	Shevin	Young
Broxson	Hollahan	Slade	
Chiles	Horne	Stolzenburg	
Daniel	Johnson	Stone	

The Honorable John E. Mathews, Jr. May 26, 1970
President of the Senate

Sir:

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

By Senators Thomas and Slade—

SB 463—A bill to be entitled An act relating to standards of conduct for public officers and employees; amending section 112.317, Florida Statutes, making violation of the provisions of part III of chapter 112, Florida Statutes, a misdemeanor; providing an effective date.

Amendment 1—

On page 1, line 19, strike the period (.) and insert the following: and upon conviction shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) or imprisonment not exceeding one (1) year.

Amendment 2—

Strike all of section 2 and insert the following: Section 2. This act shall take effect on October 1, 1970.

Amendment 3—

On page 1, between lines 19 and 20, insert a new section 2 to read:

Section 2. Subsection (3) of section 112.314, Florida Statutes, is repealed. and renumber subsequent section.

Amendment 4—

In Title on page 1, line 9, following the semicolon insert the following: repealing subsection 112.314(3), Florida Statutes,

relating to the prohibition against sale of goods by certain state officers and employees to the agency by which they are employed or of which they are officers;

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Thomas, the Senate concurred in House amendments 1, 2, 3 and 4 to SB 463.

SB 463 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—31 Nays—None

Mr. President	Deeb	Horne	Stolzenburg
Bafalis	de la Parte	Johnson	Thomas
Beaufort	Ducker	McClain	Trask
Bell	Fincher	Myers	Weissenborn
Bishop	Gong	Poston	Williams
Broxson	Gunter	Saunders	Wilson
Chiles	Haverfield	Shevin	Young
Daniel	Hollahan	Slade	

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

SB 473—A bill to be entitled An act relating to the juvenile courts; amending sections 39.02(1)(a), 39.03(1) and (7), 39.04, 39.05(1) and (4), 39.06(2), 39.08, and 39.10(1), (2), and (3), Florida Statutes, to incorporate therein the concept of a “child in need of supervision”; providing an effective date.

—passed on May 26.

Senator de la Parte offered the following amendment which was adopted by a two-thirds vote:

In Section 39.10, line 22, page 6, insert the following: (4) Nothing in this chapter shall be construed to authorize an adjudication by a juvenile court that a child is a dependent child for the sole reason that the child is being provided treatment by spiritual means alone through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof.

On motion by Senator Henderson, SB 473 as amended was read by title, passed and ordered engrossed. The vote was: Yeas—30 Nays—None

Mr. President	de la Parte	Johnson	Thomas
Bafalis	Ducker	McClain	Trask
Barron	Gong	Poston	Weissenborn
Beaufort	Gunter	Reuter	Williams
Bell	Haverfield	Saunders	Wilson
Bishop	Henderson	Scarborough	Young
Daniel	Hollahan	Slade	
Deeb	Horne	Stolzenburg	

The Honorable John E. Mathews, Jr. May 27, 1970
President of the Senate

Sir:

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

By Senator Myers and Others—

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

Which amendment reads as follows:

On page 2, lines 2 & 3, strike “upon becoming law” and insert the following: July 1, 1970

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Myers, the Senate concurred in the House amendment to SB 302.

SB 302 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—32 Nays—None

Mr. President	Ducker	Johnson	Scarborough
Bafalis	Fincher	Lane	Shevin
Barron	Gong	McClain	Stolzenburg
Beaufort	Gunter	Myers	Thomas
Bell	Haverfield	Pope	Trask
Bishop	Henderson	Poston	Weissenborn
Broxson	Hollahan	Reuter	Wilson
de la Parte	Horne	Saunders	Young

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

May 26, 1970

Sir:

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

By Senator Myers—

SB 374—A bill to be entitled An act relating to hazardous substances; providing definitions, authorizing determinations, variations and exemptions; providing prohibited acts, penalties and injunctions; authorizing embargo and seizure of misbranded or banned hazardous substances; requiring hearing before reporting for prosecution; authorizing rules; authorizing examination of records; authorizing publication of reports summarizing judgements, decrees, and court orders; providing an effective date.

Amendment 1—

On page 1, lines 23 thru 27, strike all of (1) and (2) and insert the following: (1) “Department” means the Florida Department of Agriculture. (2) “Commissioner” means the Commissioner of Agriculture or his legally authorized representative or agent.

Amendment 2—

On page 16, line 9, strike “imbargoed” and insert the following: embargoed

Amendment 3—

Strike “secretary” where ever it appears on

page 2, lines 17, 22, & 27.
page 4, line 25.
page 5, line 16.
page 6, line 1.
page 7, line 28.
page 9, lines 7 & 17.
page 11, lines 9, & 10, 12, & 17.
page 12, lines 1, 8, & 13.
page 14, line 7.
page 15, lines 2 & 16.
page 17, lines 7, 10, 15, 24, & 30.
page 18, lines 1 & 8.
page 19, lines 7, & 26.
page 20, lines 2, 4, & 5 and 6.

and insert the following: commissioner

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Myers, the Senate concurred in House amendment 2 to SB 374. On motions by Senator Myers, the Senate refused to concur in House amendments 1 and 3 to SB 374, and the House was requested to recede therefrom. The action of the Senate was certified to the House.

RESOLUTIONS

HCR 5318—A concurrent resolution commemorating the retirement of Mr. George A. Kelsey; expressing appreciation for his long service to the people of Florida.

WHEREAS, Mr. George A. Kelsey was born in Collierville, Tennessee, on March 12, 1904, and

WHEREAS, Mr. Kelsey started teaching in Florida in 1924, first in Okeechobee County, teaching all grades from one through six, remaining there one year, at the end of which time he went to Highlands County, and

WHEREAS, Mr. Kelsey's devoted service to the children of Highlands County from 1925 until 1950 included teaching many combinations of elementary grades in Hicoria, Lake Placid, Venus, Brighton and DeSoto City, and

WHEREAS, from 1950 until 1954, Mr. Kelsey was the principal and teacher at Avon Park and since that time has been Principal of the Avon Park Elementary School, and

WHEREAS, during Mr. Kelsey's forty-six years of service, he has had only five days absence due to illness, and

WHEREAS, Mr. Kelsey has been active in community and civic affairs in Highlands County, and

WHEREAS, the faculty of the Avon Park Elementary School and the officials of Highlands County are planning a banquet on May 29th, 1970, at which time this beloved educator will be presented many citations, honors, plaques and letters, and

WHEREAS, Mr. Kelsey is a man who has given uncommon commitment, loyalty and diligence to the improvement of his community, NOW, THEREFORE,

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

That in recognition of Mr. George A. Kelsey's service to Highlands County and all of Florida, and in deep gratitude for his service and affection, the Legislature does hereby express its heartfelt appreciation for this service to this distinguished Floridian.

BE IT FURTHER RESOLVED that the Secretary of State is hereby directed to furnish a formally certified copy of this resolution to Mr. Kelsey.

Was taken up and read the second time in full. On motion by Senator Boyd, HCR 5318 was adopted and certified to the House. The vote was: Yeas—38 Nays—None

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

On motion by Senator Boyd, SB 789 was ordered immediately certified to the House after engrossing.

UNFINISHED BUSINESS

SB 1044—A bill to be entitled An act amending Section 403.061(25), Florida Statutes, to authorize the Florida Air and Water Pollution Control Commission to adopt, modify, and repeal rules governing the sale and use of phosphorus and polyphosphates in detergents; providing that no rule prohibiting the sale or use of detergents containing phosphorus or polyphosphates shall become effective before December 31, 1971.

Was taken up with the following pending amendment which had been reconsidered and deferred on May 26:

In Section 1, line 15, page 2, strike "1971" and insert 1973

On motion by Senator Chiles, the amendment was adopted.

On motion by Senator Chiles, SB 1044 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—39 Nays—None

Mr. President	Bafalis	Barrow	Bell
Askew	Barron	Beaufort	Bishop

Boyd	Gunter	McClain	Slade
Chiles	Haverfield	Myers	Thomas
Daniel	Henderson	Ott	Trask
Deeb	Hollahan	Plante	Weissenborn
de la Parte	Horne	Poston	Williams
Ducker	Johnson	Reuter	Wilson
Friday	Karl	Scarborough	Young
Gong	Lane	Shevin	

Consideration of SB 1163 was deferred, the bill retaining its place on the Calendar.

On motion by Senator Boyd, by two-thirds vote, SB 1108 was withdrawn from the Committee on Ways and Means and placed on the Special Order Calendar.

Senator Thomas moved that the Senate reconsider the vote by which HB 2016 passed on May 26. The motion went over under the rule.

SPECIAL ORDER

HJR 792—A Joint Resolution proposing an amendment to Section 11 of Article X of the Florida Constitution; providing authority for private use of sovereignty submerged lands only if in the public interest.

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

That the following proposed amendment of Section 11 of Article X of the Constitution of Florida is agreed to and shall be submitted to the electors of the state for ratification or rejection at the general election to be held in November, 1970:

Section 11. Sovereignty lands.—The title to lands under navigable waters, within the boundaries of the state, which have not been alienated, including beaches below mean high water lines, is held by the state, by virtue of its sovereignty, in trust for all the people. Sale or private use of portions of such lands may be authorized by law, but only when *clearly in* [not contrary to] the public interest as the same may be defined by general law.

Was taken up pending roll call having been reconsidered on May 22. On motion by Senator Thomas, the rules were waived and the Senate immediately reconsidered the vote by which HJR 792 was placed on third reading.

Senator Henderson offered the following amendment which was adopted:

Line 22, page 1, strike "or private use of portions". After the period in line 25, page 1, add the following: Private use of portions of such lands may be authorized by law, but only when not contrary to the public interest.

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

In title, line 7, page 1, strike all of lines 7, 8 and 9 and insert the following: *ity* for sale of sovereignty submerged lands only when in the public interest and providing authority for private use of sovereignty submerged lands only when not contrary to the public interest.

On motion by Senator Henderson, HJR 792 as amended was read in full, passed by the required Constitutional three-fifths vote of all members elected to the Senate, and certified to the House. The vote was: Yeas—41 Nays—None

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

SB 444 was taken up, together with:

By the Committee on Ways and Means—

CS for SB 444—A bill to be entitled An act relating to retirement; creating a consolidated "Florida retirement system" consisting of existing retirement systems except the retirement system for supreme court justices, district courts of appeal judges, and circuit judges; providing for the administration thereof and making appropriations; providing for the consolidation of liabilities and assets of all retirement trust funds except the judicial retirement trust fund; providing compulsory membership for certain state, county, school district, city, and special district officers and employees; providing employee and employer contribution for retirement and social security; providing for benefits, investments, and appropriations for same; consolidating laws constituting existing systems except the retirement system for supreme court justices, district courts of appeal judges, and circuit judges; providing for the promulgation of regulations and the taking of administrative action to implement the operation of act on its effective date; repealing sections 122.36-122.49, Florida Statutes, providing for Division C of the state and county officers and employees retirement system; providing an effective date.

—which was read the first time by title and SB 444 was laid on the table.

On motion by Senator Trask, the rules were waived and CS for SB 444 was read the second time by title.

Senator Horne presiding.

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

In Section 1, page 4, after line 10 insert the following: (c) Any member of the supreme court justices, district courts of appeal judges and circuit judges retirement system, Chapter 123, Florida Statutes, who has or hereafter terminates his service as a justice or judge and accepts employment covered under this Chapter and elects to transfer to the "Florida retirement system" rather than retain his vested right under Chapter 123, Florida Statutes, may transfer to the "Florida retirement system"; provided all contributions including matching contributions shall be transferred from the Judicial Retirement Trust fund to the system trust fund and his normal retirement benefit shall conform with Section 9 of this act from November 30, 1970, or from date of transfer thereafter.

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

In Section 7, line 2, page 21, after subparagraph (4) insert the following new subparagraph (5):

(5) Any member of the legislature who is a member of any state and county retirement system on the effective date of this act, or any future member of the legislature, may pay into any state and county retirement trust fund, based on his prior or future service eight percent (8%) of his salary for the first twelve years of service and receive credit for three and one third percent (3 1/3%) for each year of service during said twelve (12) years; thereafter he shall contribute ten per cent (10%) of his salary and shall receive credit for four percent (4%) for each year of service after the first twelve, said salary to be considered during his total service, one thousand dollars (\$1,000) per month unless said salary is increased after the effective date of this act, then said above percentage of salary shall apply to the increased salary.

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

In Section 9, line 12, page 23, after the word "compensation", strike the period and insert the following: ,except, all creditable years of special risk service, A is two percent (2%) of his average monthly compensation.

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

In Section 9, line 28, page 28, after the semicolon insert or

Senator Henderson offered the following amendment which was adopted:

In Section 9, line 27, page 35, insert the following: 9(d) Any person who has previously retired and who is holding public

office on or after July 1, 1969, may have their membership in the Florida retirement system reinstated by making the necessary contributions to the retirement fund for the period of reemployment. Any person electing this alternative shall not be eligible for retirement compensation during the period of employment. During this period of employment, such contributions shall be included in the computation of the employees average final compensation, and his years of creditable service.

Senator Henderson offered the following amendment which was adopted:

In Section 9(b), line 9, page 35, insert the following: , unless such persons desire to utilize paragraph (d) of this section.

On motion by Senator Trask, the rules were waived and CS for SB 444 as amended was read the third time by title, passed and ordered immediately certified to the House after engrossing. The vote was: Yeas—43 Nays—None

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

SB 638 was taken up and on motion by Senator Trask—

HB 3336—A bill to be entitled An act relating to the municipal firemen's pension trust fund; amending subsection (2) of section 175.162, and subsection (5) of section 175.191, Florida Statutes, so as to increase pension benefits from one and sixty-seven hundredths percent (1.67%) per year to two percent (2%) per year, and from one percent (1%) per year to one and two tenths percent (1.2%) per year; repealing all laws in conflict herewith; providing an effective date.

—a companion measure was substituted therefor. On motion by Senator Trask, the rules were waived and HB 3336 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—42 Nays—None

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

SB 639 was taken up and on motion by Senator Trask—

HB 3270—A bill to be entitled An act relating to municipal police officers' retirement trust fund; amending sections 185.16(2) and 185.18(5), Florida Statutes, increasing the retirement benefit factors from one and sixty-seven hundredths percent (1.67%) per year to two percent (2%) per year, and from one percent (1%) per year to one and twenty hundredths percent (1.20%) per year; providing an effective date.

—a companion measure was substituted therefor.

On motion by Senator Trask, the rules were waived and HB 3270 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—43 Nays—None

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

On motion by Senator Pope, the rules were waived and SB 1178 was ordered immediately certified to the House.

Senator Henderson raised a point of order that the foregoing motion was out of order in that a motion to reconsider the vote on SB 1178 was pending. The chair ruled that the point was well taken and the motion by Senator Pope was out of order.

SB 985—A bill to be entitled An act relating to state public officers and employees; providing recomputation of retirement benefits to persons over sixty-five (65) years of age with ten (10) years of creditable service; adding section 112.362 to chapter 112, Florida Statutes; providing an effective date.

Was taken up and read the second time by title.

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

In Section 1, line 22, page 1, strike "ten dollars (\$10)" and insert the following: eight dollars (\$8)

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

In Section 2, line 27, page 1, strike "September 1" and insert July 1

On motion by Senator Trask, the rules were waived and SB 985 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—44 Nays—None

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

Consideration of SB 914 was deferred, the bill retaining its place on the Calendar.

SB 1082—A bill to be entitled An act relating to special acts or laws granting special pensions; transferring administration of same to the state of Florida department of administration and assigning same to the division of personnel and retirement; providing and effective date.

Was taken up and read the second time by title. On motion by Senator Trask, the rules were waived and SB 1082 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

SB 1083—A bill to be entitled An act relating to the state and county retirement system; repealing sections 122.36, 122.37, 122.38, 122.39, 122.40, 122.41, 122.42, 122.43, 122.44, 122.45, 122.46, 122.47, 122.48, and 122.49, Florida Statutes, which established division C of the system; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Trask, the rules were waived and SB 1083 was read the third time by title, passed and certified to the House. The vote was: Yeas—42 Nays—None

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

Haverfield	Lane	Sayler	Trask
Henderson	McClain	Scarborough	Weissenborn
Hollahan	Myers	Shevin	Williams
Horne	Ott	Slade	Wilson
Johnson	Plante	Stolzenburg	Young
Karl	Poston	Stone	
Knopke	Reuter	Thomas	

SB 1340—A bill to be entitled An act relating to the state and county retirement system; amending paragraphs (a) and (b) of subsection (1) of section 122.34, Florida Statutes, by classifying as "high hazard" members of said system state attorneys, assistant state attorneys, county solicitors and assistant county solicitors prosecuting in courts having felony jurisdiction, and full-time investigators employed by state attorneys, except those who file written rejection as provided herein; and providing an effective date.

Was taken up and read the second time by title.

Senator Shevin offered the following amendment which was adopted:

In Section 1(b), line 19, page 2, after "state attorneys" add the following: and full-time investigators employed by county solicitors,

Senator Shevin offered the following amendment which was adopted:

In Section 1(c), line 27, page 2, after "state attorneys" add the following: or full-time investigators employed by county solicitors

Senator Shevin offered the following amendment which was adopted:

In title, line 14, page 1, after "state attorneys" add the following: and full-time investigators employed by county solicitors,

On motion by Senator Shevin, the rules were waived and SB 1340 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—44 Nays—None

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

HB 1858—A bill to be entitled An act relating to retirement system for teachers; amending section 238.07(16)(a)2., Florida Statutes, defining the term "child"; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Trask, the rules were waived and HB 1858 was read the third time by title, passed and certified to the House. The vote was: Yeas—42 Nays—None

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

HB 2218—A bill to be entitled An act relating to sick leave, amending Section 231.41, Florida Statutes, to provide for additional sick leave under certain circumstances, to be paid out of local funds; and providing an effective date.

Was taken up and read the second time by title. On motion by Senator Trask, the rules were waived and HB 2218 was read the third time by title, passed and certified to the House. The vote was:

Yeas—39

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

Nays—1

Williams

HB 2352—A bill to be entitled An act relating to social security for public employees; amending subsection 650.02(1)(c)(1) by deleting services of an emergency nature; and providing an effective date.

Was taken up and read the second time by title. On motion by Senator Trask, the rules were waived and HB 2352 was read the third time by title, passed and certified to the House. The vote was: Yeas—40 Nays—None

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

SB 719—A bill to be entitled An act relating to retirement system for state and county officers and employees; amending section 122.08(9), Florida Statutes, relating to certain retirement benefit options for surviving spouse of deceased member; removing time limitation for application of section; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Trask, the rules were waived and SB 719 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

SB 477—A bill to be entitled An act relating to the judges retirement system; amending the introductory paragraph and paragraph (c) of subsection (7) of section 123.07, Florida Statutes; deleting the expiration date; providing for payment of the actuarial equivalent of the amount of monthly benefit; providing an effective date.

Was taken up and read the second time by title.

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

In Section 1, lines 14-16, page 1, strike all of line 14 through and including line 16 and insert the following: Section 1. Subsection (7) of section 123.07, Florida Statutes, is amended to read:

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

In Section 1, page 1, following line 22 and preceding line 23, insert the following:

(a) If the deceased member's surviving spouse has previously received a refund of the member's accumulated contributions

made to the retirement trust fund, such spouse may pay to the division of personnel and retirement an amount equal to the sum of the amount of the deceased member's accumulated contributions previously refunded and interest at three percent compounded annually on the amount of such refunded contributions from the date of refund to the date of payment to the division and receive the monthly retirement benefit provided in paragraph (c).

(b) If the deceased member's surviving spouse has not received a refund of the deceased member's contributions, such spouse shall, upon application to the division within thirty days of the death of the member receive the monthly retirement benefit provided in paragraph (c).

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

In title, lines 5 and 6, page 1, strike all of line 5 and all of line 6 and insert the following: system; amending subsection

On motion by Senator Pope, the rules were waived and SB 477 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—41 Nays—None

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

On motion by Senator Broxson, by two-thirds vote, HB 4257 was withdrawn from the Committee on Ways and Means and placed on the Special Order Calendar.

SB 1081—A bill to be entitled An act relating to the state and county retirement system; amending section 122.05, Florida Statutes, by adding subsection (6), providing alternative bases for calculating payments made by members of the legislature; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Trask, the rules were waived and SB 1081 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

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

SB 626—A bill to be entitled An act to amend chapter 123, section 123.06, subsection 2, Florida Statutes; providing that average final compensation as used in determining retirement benefits for supreme court justices, district court of appeals judges and circuit court judges shall mean the average cash compensation received from the state and county as salary for the best five (5) of the last ten (10) years of service; providing an effective date.

—which was read the second time by title. On motion by Senator Trask, the rules were waived and SB 626 was read the third time by title, passed and certified to the House. The vote was: Yeas—43 Nays—None

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

Poston	Scarborough	Thomas	Williams
Reuter	Shevin	Trask	Wilson
Saunders	Slade	Weber	Young
Sayler	Stolzenburg	Weissenborn	

On motion by Senator Barrow, consideration of SB 641 was indefinitely postponed.

SB 1324—A bill to be entitled An act to amend section 145.121(2)(c), Florida Statutes, which statute relates to the salaries for county officials; to provide, in substance, that those county officials whose total compensation was in excess of the salary payable under chapter 145, Florida Statutes, as amended effective July, 1969, are to continue to be compensated under the terms and conditions which prevailed immediately prior to July 1, 1969, until the expiration of their present term of office, thereafter the salary for those officials to be reduced to that provided by said chapter; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Trask, the rules were waived and SB 1324 was read the third time by title, passed and certified to the House. The vote was:

Yeas—41

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

Nays—1

Thomas

SB 986 was taken up, together with:

By the Committee on Governmental Organization—

CS for SB 986—A bill to be entitled An act relating to supervisors of elections; amending section 145.09, Florida Statutes, as amended by section 5 of chapter 69-346, laws of Florida, changing the salaries of the supervisors of elections; providing an effective date.

—which was read the first time by title and SB 986 was laid on the table.

On motions by Senator Daniel, the rules were waived and CS for SB 986 was read the second time by title, the third time by title, passed and certified to the House. The vote was:

Yeas—42

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

Nays—2

Thomas Young

SB 615—A bill to be entitled An act relating to sheriffs, salaries; amending section 145.071, Florida Statutes, providing for a salary increase to sheriffs in existing bracketed population counties and creating three (3) new population brackets for counties with population in excess of three hundred thousand (300,000); providing an effective date.

Was taken up and read the second time by title.

Senator Pope offered the following amendment which was adopted:

Add a new section 2 to read: The provisions of this act may increase but shall not reduce the sheriffs salary of any county having Charter government.

Senator Thomas offered the following amendment which failed:

In Section 2, line 2, strike all of Section 2 and renumber remaining section.

The President presiding.

On motion by Senator Shevin, the rules were waived and SB 615 as amended was read the third time by title, passed and ordered immediately certified to the House after engrossing. The vote was:

Yeas—38

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

Nays—6

Bell	Lane	Thomas	Young
Ducker	Stolzenburg		

On motion by Senator Horne, by two-thirds vote, Senate Bills 422, 1369, 1476 and 1382 were placed on the Special Order Calendar.

On motion by Senator Pope, by two-thirds vote, Senate Bills 425 and 490 with committee substitute were placed on the Special Order Calendar.

SB 869—A bill to be entitled An act relating to uniform salaries of county officials; amending section 145.121 (2) (a); providing that the salary of a board or commission member shall not be reduced until the first Tuesday after the first Monday in January, 1973; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Trask, the rules were waived and SB 869 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	de la Parte	Knopke	Slade
Askew	Ducker	McClain	Stolzenburg
Bafalis	Friday	Myers	Trask
Barron	Gong	Ott	Weber
Bell	Gunter	Plante	Weissenborn
Bishop	Haverfield	Pope	Williams
Boyd	Henderson	Poston	Wilson
Broxson	Hollahan	Reuter	Young
Deeb	Johnson	Scarborough	

Nays—2

Lane Thomas

SB 1359—A bill to be entitled An act relating to clerks of courts of record; amending chapter 145, Florida Statutes, by adding section 145.065, providing salary schedule; providing an effective date.

Was taken up and read the second time by title.

The Committee on Governmental Organization offered the following amendment which was adopted on motion by Senator Trask:

In Section 1, lines 8 through 12, page 2, strike in their entirety and insert the following: (10) Implementation of the salaries set forth in this act shall be regulated under the provisions of Section 145.065, F.S.

On motion by Senator Trask, the rules were waived and SB 1359 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—36

Mr. President	Chiles	Horne	Reuter
Askew	Daniel	Johnson	Scarborough
Bafalis	de la Parte	Karl	Shevin
Barron	Friday	Knopke	Slade
Barrow	Gong	McClain	Stone
Bell	Gunter	Ott	Trask
Bishop	Haverfield	Plante	Weber
Boyd	Henderson	Pope	Weissenborn
Broxson	Hollahan	Poston	Wilson

Nays—4

Ducker	Stolzenburg	Thomas	Young
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On motions by Senator Chiles, by two-thirds vote, Senate Bills 1273, 451, 1154, 1156 and 1152 and HB 3892 were withdrawn from the Committee on Ways and Means.

On motion by Senator Chiles, by two-thirds vote, SB 1273 was placed on the Special Order Calendar.

SB 771—A bill to be entitled An act relating to industrial savings banks; amending section 656.24, Florida Statutes, requiring all authorized stock investments to be made pursuant to the banking code; specifying method of entry of investments, amortization of premium and accrual of discount; increasing investment limit on bank premises; establishing eligibility and limitation on investment in industrial development bonds; authorizing investment in savings and loan shares, operating subsidiaries, Florida industrial development corporation, and community help projects; providing an effective date.

Was taken up and read the second time by title.

Senator Ott offered the following amendment which was adopted:

In Section 1, lines 3-8, page 5, strike all of subsection 7 (b) and insert new subsection 7 (b) to read as follows: (b) With the prior written approval of the Commissioner, up to fifty per cent of the unimpaired capital and surplus of the bank may be invested in the stock of a corporation which owns the land and buildings within which the business of the bank is transacted.

On motion by Senator Ott, the rules were waived and SB 771 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—32 Nays—None

Mr. President	Daniel	Johnson	Reuter
Askew	de la Parte	Karl	Scarborough
Bafalis	Ducker	Knopke	Stolzenburg
Beaufort	Friday	McClain	Stone
Bell	Gong	Ott	Trask
Bishop	Haverfield	Plante	Weber
Boyd	Henderson	Pope	Weissenborn
Broxson	Hollahan	Poston	Young

SB 772—A bill to be entitled An act relating to banks and trust companies; amending section 659.20, Florida Statutes; requiring all authorized stock investments to be made pursuant to the banking code; specifying method of entry of investments, amortization of premium and accrual of discount; increasing investment limit on bank premises; establishing eligibility and limitation on investment in industrial development bonds; authorizing investment in savings and loan shares, operating subsidiaries, Florida Industrial Development Corporation, and community help projects; providing an effective date.

Was taken up and read the second time by title.

Senator Ott offered the following amendment which was adopted:

In Section 1, line 29, pages 4 and 5, strike all of subsection 7 (b) and insert new subsection 7 (b) to read as follows: (b) With the prior written approval of the Commissioner, up to fifty per cent of the unimpaired capital and surplus of the bank may be invested in the stock of a corporation which owns the land and buildings within which the business of the bank is transacted.

On motion by Senator Ott, the rules were waived and SB 772 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—36 Nays—None

Mr. President	Ducker	Karl	Reuter
Bafalis	Friday	Knopke	Scarborough
Barrow	Gong	Lane	Slade
Beaufort	Gunter	McClain	Stone
Bell	Haverfield	Myers	Trask
Bishop	Henderson	Ott	Weber
Boyd	Hollahan	Plante	Weissenborn
Broxson	Horne	Pope	Wilson
Daniel	Johnson	Poston	Young

ABSTENTION FROM VOTING

Pursuant to Senate Rules 1.35 and 1.36, the Senator from the 35th District disqualified himself from voting on Senate Bills 771 and 772.

Jerry Thomas, 35th District

SB 896 was taken up and on motion by Senator Friday—

HB 3661—A bill to be entitled An act relating to banks and banking; amending subsection (2) of section 659.06, Florida Statutes; providing for the operation of bank facilities and specifying requirements for location thereof if not part of or physically connected to the main banking room or building; and providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Friday, the rules were waived and HB 3661 was read the third time by title, passed and certified to the House. The vote was: Yeas—31 Nays—None

Mr. President	Daniel	Horne	Reuter
Bafalis	Ducker	Johnson	Scarborough
Barrow	Friday	Karl	Slade
Beaufort	Gong	Knopke	Stone
Bell	Gunter	McClain	Trask
Bishop	Haverfield	Myers	Wilson
Broxson	Henderson	Ott	Young
Chiles	Hollahan	Poston	

SB 1383—A bill to be entitled An act relating to contributions for political candidates; amending subsection 99.161 (3) by adding a new paragraph (a) creating quarterly reporting of contributions received in years prior to qualification in primary elections and relettering the remaining paragraphs; repealing section 99.161 (8)(e), Florida Statutes; amending sections 99.021 (1)(a) 11. and 99.021 (1)(b) to conform to the quarterly reporting requirements; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Askew, the rules were waived and SB 1383 was read the third time by title, passed and certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Broxson	Horne	Poston
Askew	Chiles	Johnson	Reuter
Bafalis	Daniel	Karl	Scarborough
Barron	Ducker	Knopke	Slade
Barrow	Gong	McClain	Stone
Beaufort	Gunter	Myers	Thomas
Bell	Haverfield	Ott	Trask
Bishop	Henderson	Plante	Wilson
Boyd	Hollahan	Pope	Young

SB 1440—A bill to be entitled An act relating to the definition of contributions for political candidates, amending section 97.021, Florida Statutes, by adding a new subsection; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Askew, the rules were waived and SB 1440 was read the third time by title. Further consideration of SB 1440 was temporarily deferred.

SB 1367—A bill to be entitled An act relating to elections, campaign expenses of candidates; amending section 99.161(7), Florida Statutes, to provide for advance authorization of travel expenses for a candidate's immediate staff; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Askew, the rules were waived and SB 1367 was read the third time by title, passed and certified to the House. The vote was: Yeas—37 Nays—None

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

Consideration of HB 1504 was deferred, the bill retaining its place on the Calendar.

SB 1203—A bill to be entitled An act relating to elections; providing a procedure by which minority parties obtain a position on the general election ballot; providing a procedure allowing independent candidates to obtain a position on the general election ballot; repealing the provision prohibiting candidates from seeking the nomination of a party if they have been members of another party within one (1) year; repealing the provision prohibiting candidates from supporting opponents of members of his own party; providing a new procedure by which minority parties may have the names of their candidates for the offices of president and vice-president placed on the general election ballot; amending section 97.021, 99.021, 100.051, 101.251 and 101.263, Florida Statutes; adding new sections 99.152, 99.153, 101.261, 101.262, 101.263; providing an effective date.

Was taken up and read the second time by title.

Senator Stone offered the following amendment which was adopted:

In Section 6, line 23, page 12, strike "three percent (3%)" and insert the following: five percent (5%)

On motion by Senator Stone, the rules were waived, SB 1203 as amended was read the third time by title and failed to pass. The vote was:

Yeas—16

Mr. President	Gunter	Knopke	Saunders
Daniel	Henderson	Ott	Scarborough
Fincher	Hollahan	Poston	Shevin
Gong	Horne	Reuter	Stone

Nays—19

Bafalis	Bishop	Haverfield	Stolzenburg
Barron	Broxson	Johnson	Thomas
Barrow	Deeb	McClain	Williams
Beaufort	Ducker	Plante	Young
Bell	Friday	Slade	

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

Was taken up and read the second time by title. Further consideration of HB 4472 was deferred, the bill retaining its place on the Calendar.

Consideration of HB 3266 was deferred, the bill retaining its place on the Calendar.

HB 3947—A bill to be entitled An act relating to elections; amending section 99.161(9)(a), Florida Statutes; requiring quarterly reports by political party committees and organizations until the closing date of qualification of candidates; requiring monthly reports from the closing date of qualification of candidates until the month following the general election; eliminating the requirement of a final report; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Horne, the rules were waived and HB 3947 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

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

HB 3962—A bill to be entitled An act relating to elections; repealing subsection (6) of section 99.161, Florida Statutes, which requires that expenditures by a candidate or his campaign treasurer be restricted to amounts on deposit in the campaign depository; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Horne, the rules were waived and HB 3962 was read the third time by title and failed to pass. The vote was:

Yeas—14

Mr. President	Daniel	Johnson	Shevin
Askew	Friday	Karl	Williams
Boyd	Haverfield	Knopke	
Broxson	Horne	Pope	

Nays—23

Bafalis	de la Parte	McClain	Stone
Barron	Ducker	Plante	Weber
Barrow	Gong	Poston	Weissenborn
Bell	Gunter	Reuter	Wilson
Bishop	Henderson	Scarborough	Young
Deeb	Lane	Stolzenburg	

Senator Barrow moved that the Senate reconsider the vote by which SB 1203 as amended failed to pass this day. The motion went over under the rule.

HB 1504—A bill to be entitled An act relating to judicial officers; creating chapter 105, Florida Statutes, providing for the nomination and election of certain judicial officers; providing for time of qualifying and amount of filing fees; providing form of ballot; providing for filling of vacancies; providing penalties for violations; exempting certain judicial officers from the operation of sections 99.021, 99.061 and 99.092, Florida Statutes; providing an effective date.

Was taken up and read the second time by title.

Senator Young offered the following amendment which failed:

In Section 1, lines 19 through 22, page 4, strike "The name of the incumbent candidate, if there be one, shall appear first on the primary and general election ballot for the judicial office being filled."

Senator Young offered the following amendment which failed:

In Section 1, line 19, page 3, after "Election." insert the following: All such fees collected shall be distributed equally to

the state treasurer of the Democratic and Republican Parties for deposit to the accounts of said parties.

The vote was:

Yeas—12

Bell	Henderson	McClain	Slade
Deeb	Johnson	Plante	Wilson
Ducker	Lane	Reuter	Young

Nays—27

Mr. President	Boyd	Haverfield	Shevin
Askew	Broxson	Hollahan	Stolzenburg
Bafalis	Chiles	Horne	Stone
Barron	Daniel	Karl	Trask
Barrow	de la Parte	Knopke	Weissenborn
Beaufort	Friday	Ott	Williams
Bishop	Gong	Poston	

Senator Ducker offered and moved the following amendment:

In Section 1, line 21, page 7, insert the following: No candidate for judicial office shall accept directly or indirectly any contribution to said candidate's campaign fund from any attorney or association of attorneys or any officer of any of the courts of Florida or any judge of any court of Florida or its political subdivisions.

Pending consideration of the foregoing amendment, the hour of adjournment having arrived, a point of order was called and the Senate recessed at 12:30 p.m. to reconvene at 2:00 p.m., this day.

AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—48:

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

On motion by Senator Askew, by two-thirds vote, SB 1411 was withdrawn from the Committee on Education and placed on the Special Order Calendar.

The Senate resumed consideration of—

HB 1504—A bill to be entitled An act relating to judicial officers; creating chapter 105, Florida Statutes, providing for the nomination and election of certain judicial officers; providing for time of qualifying and amount of filing fees; providing form of ballot; providing for filling of vacancies; providing penalties for violations; exempting certain judicial officers from the operation of sections 99.021, 99.061 and 99.092, Florida Statutes; providing an effective date.

—with pending amendment by Senator Ducker, which failed. The vote was:

Yeas—14

Bafalis	Ducker	Reuter	Wilson
Bell	Henderson	Stolzenburg	Young
Bishop	Johnson	Weber	
Deeb	Plante	Williams	

Nays—22

Mr. President	Daniel	Horne	Shevin
Askew	de la Parte	Knopke	Stone
Barrow	Fincher	McClain	Thomas
Beaufort	Friday	Pope	Trask
Boyd	Gong	Saunders	
Chiles	Haverfield	Scarborough	

Senator Wilson offered the following amendment which failed:

In Section 1, line 18, page 1, strike all after the enacting clause and insert the following:

Section 1. All supreme court judges, district court of appeal judges, and circuit court judges, shall be appointed by the governor with the advice and consent of the senate for a period of six years.

Senator Wilson offered the following amendment which failed:

In Section 1, lines 19-23, page 3, strike "all qualifying fees of candidates for judicial office collected by the secretary of state shall be turned over to the state executive committee of the political party of which a candidate is a registered member." and insert the following: All qualifying fees of candidates for judicial office shall be paid into the general treasury of the state.

The vote was:

Yeas—16

Bafalis	Henderson	Reuter	Weissenborn
Bell	Johnson	Sayler	Williams
Deeb	McClain	Stolzenburg	Wilson
Ducker	Plante	Weber	Young

Nays—24

Mr. President	Daniel	Horne	Saunders
Askew	de la Parte	Karl	Scarborough
Barrow	Fincher	Knopke	Shevin
Beaufort	Gong	Ott	Stone
Boyd	Haverfield	Pope	Thomas
Broxson	Hollahan	Poston	Trask

Senator Stolzenburg offered the following amendment which failed:

In Section 105.11, line 7, page 6, strike "other than in his own behalf"

Senator Deeb offered the following amendment which failed:

In Section 1, line 3, page 5, strike "first primary election" and the rest of the paragraph and insert the following: general election.

The vote was:

Yeas—11

Bell	Henderson	Reuter	Wilson
Deeb	Johnson	Sayler	Young
Ducker	Plante	Stolzenburg	

Nays—27

Mr. President	Fincher	McClain	Shevin
Askew	Friday	Myers	Stone
Barrow	Haverfield	Ott	Thomas
Beaufort	Hollahan	Pope	Trask
Broxson	Horne	Poston	Weissenborn
Daniel	Karl	Saunders	Williams
de la Parte	Knopke	Scarborough	

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

In Section 1, line 17, page 3, strike "and shall pay to him a qualifying fee of five percent (5%) of the annual salary of the office to which he seeks election," and insert the following: a period (.) at the end of the words "to be provided by him."

The vote was:

Yeas—13

Bell	Johnson	Sayler	Young
Deeb	McClain	Slade	
Ducker	Plante	Stolzenburg	
Henderson	Reuter	Wilson	

Nays—22

Mr. President	Fincher	Myers	Stone
Askew	Friday	Ott	Thomas
Beaufort	Gunter	Pope	Trask
Broxson	Horne	Poston	Williams
Daniel	Karl	Saunders	
de la Parte	Knopke	Shevin	

Senator Wilson offered the following amendment which failed:

In Section 1, line 17, page 6, strike the period after "party" and insert a comma, then the words: nor shall any candidate for judicial office be a member of any political party, except that such candidates may be registered as independents.

Senator Horne presiding.

On motion by Senator Askew, the rules were waived and HB 1504 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

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

Nays—12

Bafalis	Ducker	Lane	Stolzenburg
Bell	Henderson	Reuter	Wilson
Deeb	Johnson	Saylor	Young

PAIR

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

I am paired with Senator Karl on HB 1504.

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

KENNETH PLANTE, 16th District

A motion by Senator Askew that the rules be waived and HB 1504 be immediately certified to the House failed.

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

Was taken up and read the second time by title.

Senator Young offered the following amendment which was adopted:

In Section 1, lines 26-29, page 1, strike all of subsection (2). Renumber following subsections.

The President presiding.

Senator Young offered the following amendment which was adopted:

In title, strike:

"Prohibiting certain testimonial affairs unless a notice containing certain information is filed with the Department of State,"

On motion by Senator Shevin, the rules were waived and HB 4007 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—35 Nays—None

Mr. President	Daniel	Johnson	Slade
Bafalis	Deeb	Knopke	Stone
Barron	Ducker	McClain	Thomas
Barrow	Fincher	Ott	Weber
Beaufort	Gong	Plante	Weissenborn
Bell	Gunter	Poston	Williams
Bishop	Haverfield	Reuter	Wilson
Boyd	Henderson	Scarborough	Young
Chiles	Horne	Shevin	

HB 4471—A bill to be entitled An act relating to elections; amending section 99.161(2) and (8), Florida Statutes, requiring quarterly reports of contributions and expenditures after a campaign treasurer has been appointed and a campaign depository has been designated; requiring weekly or biweekly reports from qualifying time until election or elimination; requiring a final report forty-five (45) days after the general election; requiring unopposed candidates to file reports; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Shevin, the rules were waived and HB 4471 was read the third time by title, passed and certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	Ducker	Knopke	Stone
Bafalis	Fincher	McClain	Thomas
Barrow	Friday	Ott	Weber
Beaufort	Gong	Plante	Weissenborn
Bell	Gunter	Pope	Williams
Bishop	Haverfield	Poston	Wilson
Boyd	Henderson	Reuter	Young
Chiles	Hollahan	Saunders	
Daniel	Horne	Scarborough	
Deeb	Johnson	Shevin	

On motion by Senator Boyd, by two-thirds vote, SB 765 was placed on the Special Order Calendar.

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

UNFINISHED BUSINESS

SB 1163—A bill to be entitled An act relating to tax rate on Florida-grown products; amending Chapter 561, Florida Statutes, by adding a new section limiting the tax rate accorded beverages manufactured in Florida from Florida-grown products to such beverages manufactured exclusively from Florida-grown products, and not blended with out-of-state whiskey, and distilled and bottled by a distiller who conducts distilling operations only in the state of Florida and in no other state, or bottled by a bottler who conducts bottling operations only in the state of Florida and in no other state; and providing certain other limitations; providing an effective date.

Was taken up with the following pending amendment by Senator Henderson which was adopted:

In Section 6, line 1, page 4, strike "July 1, 1970" and insert the following: October 1, 1970.

Senators Haverfield, Young, Thomas and Plante offered the following amendment which was moved by Senator Haverfield and failed:

Strike everything after enacting clause and insert the following:

Section 1. Subsection 561.46(5)(b) is repealed.

Section 2. Subsection 561.46(6)(b) is repealed.

Section 3. Subsection 561.461(2) is repealed.

Section 4. Subsection 561.64(2) is repealed.

Section 5. This act shall take effect immediately upon becoming a law.

The vote was:

Yeas—19

Askew	Barron	Daniel	Hollahan
Bafalis	Broxson	Haverfield	McClain

Myers	Poston	Thomas	Wilson
Ott	Saylor	Weissenborn	Young
Plante	Shevin	Williams	

Nays—23

Mr. President	Ducker	Karl	Scarborough
Barrow	Fincher	Knopke	Slade
Beaufort	Friday	Lane	Stolzenburg
Bell	Henderson	Pope	Trask
Boyd	Horne	Reuter	Weber
de la Parte	Johnson	Saunders	

Senator Daniel offered the following amendment which failed:

Pages 1, 2 and 3, strike all of sections (1), (2) and (3) and insert the following:

(1) In order to qualify, in whole or in part, for the Florida tax rate provided in section 561.46(5)(b), (6)(b), section 561.461(2) and section 561.64(2), an alcoholic beverage must be manufactured exclusively from raw materials produced in the state of Florida (except for flavoring extracts) and may not be blended with whiskey produced in any other state; provided further, that such beverage must be distilled, rectified or bottled by a distiller or rectifier licensed under section 561.35(1)(d) and (f), who conducts distilling or rectifying operations only in the state of Florida and in no other state, or bottled by a bottler licensed under section 561.35(1)(e) who conducts bottling operations only in the state of Florida and in no other state; provided further, that such beverages shall bear a Florida sunburst emblem no smaller than one-half (1/2) inch in diameter reading "Made in Florida".

(2) If a Florida distiller or rectifier shall be an individual or co-partnership, such individual or co-partnership shall be deemed to be conducting distilling or rectifying operations in a state other than Florida in the event the individual or any member of the co-partnership is interested or connected, directly or indirectly, or if such distiller or rectifier produces an alcoholic beverage sold under a brand name identical or deceptively similar to the brand name of any corporation which is engaged, directly or indirectly, or through any subsidiary or affiliate corporation, including any stock ownership as set forth in subsection (3) of this section, in distilling or rectifying spirituous liquors in any state other than the state of Florida.

(3) If a Florida distiller or rectifier shall be a corporation, such corporation shall be deemed to be engaged in distilling or rectifying operations in a state other than Florida when such corporation is affiliated with, directly or indirectly, or if such distiller or rectifier produces an alcoholic beverage sold under a brand name identical or deceptively similar to the brand name of any other corporation, which is engaged in distilling or rectifying spirituous liquors in any state other than Florida, or when such corporation is controlled by, or the majority of stock therein is owned by another corporation, which latter corporation owns or controls in any way the majority of stocks or controlling interest in any other corporation which is engaged directly or indirectly in distilling or rectifying spirituous liquors in any state other than the state of Florida.

Senator Friday presiding.

The vote was:

Yeas—13

Askew	Daniel	Plante	Young
Barron	Ducker	Poston	
Bell	Hollahan	Thomas	
Broxson	Ott	Williams	

Nays—27

Mr. President	Friday	Lane	Slade
Bafalis	Gunter	McClain	Stolzenburg
Barrow	Henderson	Pope	Trask
Beaufort	Horne	Reuter	Weber
Boyd	Johnson	Saunders	Weissenborn
de la Parte	Karl	Scarborough	Wilson
Fincher	Knopke	Shevin	

Senator Plante offered the following amendment which failed:

Line 1, page 4, insert the following:

Section 2. Subsection (5)(b) and (6)(b) of Section 561.46, F.S., are amended to read:

561.46 Excise taxes on beverages; exemption.—

(5)(b) As to all such beverages manufactured and bottled in Florida from Florida-grown citrus products, citrus by-products, honey, fresh fruits, berries, grapes, sugar cane, guavas, potatoes, peaches, papayas, strawberries and mangoes, and not from concentrates thereof, except concentrates grown and concentrated in the state the tax imposed by paragraph (a) hereof shall not apply; provided, however, that in lieu thereof there shall be paid by all manufacturers and distributors a tax at the rate of [twenty-eight cents per gallon.] *one dollar and thirty-eight cents (\$1.38) per gallon.*

(6)(b) As to all such beverages manufactured and bottled in Florida from Florida-grown citrus products, citrus by-products, honey, fresh fruits, berries, grapes, sugar cane, guavas, potatoes, peaches, papayas, strawberries and mangoes, and not from concentrates thereof except concentrates grown and concentrated in the state the tax imposed by paragraph (a) hereof shall not apply; provided, however, that in lieu thereof there shall be paid by all manufacturers and distributors a tax at the rate of [fifty-five cents per gallon.] *two dollars and seventy-six cents (\$2.76) per gallon.*

Section 3. Subsection (2) of Section 561.461, F.S., is amended to read:

561.461 Additional tax on certain beverages; exceptions.—

(2) As to beverages manufactured and bottled in this state from Florida-grown citrus products, citrus by-products, honey, fresh fruits, berries, grapes, sugar cane, guavas, potatoes, peaches, papayas, strawberries, and mangoes, and not from concentrates thereof, except concentrates grown and concentrated in the state, the additional tax imposed by subsection (1) of this section shall not apply; provided, however, that in addition to all taxes now levied and imposed by the laws of Florida upon such beverages there is hereby levied and imposed an additional tax of [five cents] *fourteen cents (14c)* per gallon upon such beverages containing fourteen per cent or more of alcohol by weight and not more than forty-eight per cent of alcohol by weight and an additional tax of [ten cents] *twenty-seven cents (27c)* per gallon upon such beverages containing more than forty-eight per cent of alcohol by weight.

Section 4. Subsection (2) of Section 561.64, F.S., is amended to read:

561.64 Additional tax upon alcoholic beverages containing fourteen per cent or more of alcohol; exceptions.—

(2) As to beverages manufactured and bottled in this state from Florida-grown citrus products, citrus by-products, honey, fresh fruits, berries, sugar cane, grapes, guavas, potatoes, peaches, papayas, strawberries and mangoes, and not from concentrates thereof, except concentrates grown and concentrated in the state, the additional tax imposed by subsection (1) shall not apply; provided, however, that in addition to all taxes now levied and imposed by the laws of this state upon such beverages there is hereby levied and imposed an additional tax of [fourteen and four tenths cents] *thirty-six cents (36c)* per gallon upon such beverages containing fourteen per cent or more of alcohol by weight and not more than forty-eight per cent of alcohol by weight and an additional tax of [twenty-eight and eight tenths cents] *seventy-two cents (72c)* per gallon upon such beverages containing more than forty-eight per cent of alcohol by weight.

and renumber present Section 6 as Section 5

Senator Haverfield was excused at 4:50 p.m. for the remainder of the session.

Senator Plante offered the following amendment which was adopted:

On line 1, page 4, insert the following:

Section 2. Subsections (5)(b) and (6)(b) of Section 561.46, F.S., are amended to read:

561.46 Excise taxes on beverages; exemptions.—

(5)(b) As to all such beverages manufactured and bottled in Florida from Florida-grown citrus products, citrus by-products,

honey, fresh fruits, berries, grapes, sugar cane, guavas, potatoes, peaches, papayas, strawberries and mangoes, and not from concentrates thereof, except concentrates grown and concentrated in the state the tax imposed by paragraph (a) hereof shall not apply; provided, however, that in lieu thereof there shall be paid by all manufacturers and distributors a tax at the rate of [twenty-eight cents] *fifty-six cents (56c)* per gallon.

(6)(b) As to all such beverages manufactured and bottled in Florida from Florida-grown citrus products, citrus by-products, honey, fresh fruits, berries, grapes, sugar cane, guavas, potatoes, peaches, papayas, strawberries and mangoes, and not from concentrates thereof except concentrates grown and concentrated in the state the tax imposed by paragraph (a) hereof shall not apply; provided, however, that in lieu thereof there shall be paid by all manufacturers and distributors a tax at the rate of [fifty-five cents] *one dollar and ten cents (\$1.10)* per gallon.

On line 1, page 4, insert the following:

Section 3. Subsection (2) of Section 561.461, F.S., is amended to read:

561.461 Additional tax on certain beverages; exceptions.—

(2) As to beverages manufactured and bottled in this state from Florida-grown citrus products, citrus by-products, honey, fresh fruits, berries, grapes, sugar cane, guavas, potatoes, peaches, papayas, strawberries, and mangoes, and not from concentrates thereof, except concentrates grown and concentrated in the state, the additional tax imposed by subsection (1) of this section shall not apply; provided, however, that in addition to all taxes now levied and imposed by the laws of Florida upon such beverages there is hereby levied and imposed an additional tax of [five cents] *ten cents (10c)* per gallon upon such beverages containing fourteen per cent or more of alcohol by weight and not more than forty-eight per cent of alcohol by weight and an additional tax of [ten cents] *twenty cents (20c)* per gallon upon such beverages containing more than forty-eight per cent of alcohol by weight.

On line 1, page 4, insert the following:

Section 4. Subsection (2) of Section 561.64, F.S., is amended to read:

561.64 Additional tax upon alcoholic beverages containing fourteen percent or more of alcohol; exceptions.—

(2) As to beverages manufactured and bottled in this state from Florida-grown citrus products, citrus by-products, honey, fresh fruits, berries, sugar cane, grapes, guavas, potatoes, peaches, papayas, strawberries and mangoes, and not from concentrates thereof, except concentrates grown and concentrated in the state, the additional tax imposed by subsection (1) shall not apply; provided, however, that in addition to all taxes now levied and imposed by the laws of this state upon such beverages there is hereby levied and imposed an additional tax of [fourteen and four tenths cents] *twenty-eight and eight tenths cents (28 8/10c)* per gallon upon such beverages containing fourteen per cent or more of alcohol by weight and not more than forty-eight percent of alcohol by weight and an additional tax of [twenty-eight and eight tenths cents] *fifty-seven and six tenths cents (57 6/10c)* per gallon upon such beverages containing more than forty-eight percent of alcohol by weight.

and renumber present Section 6 as Section 5.

Senator Plante offered the following amendment which was adopted:

In title, line 18, page 1, insert the following: amending Sections 561.46(5) (b) and (6) (b), 561.461(2) and 561.64(2), Florida Statutes, by increasing the tax rate on alcoholic beverages made from Florida grown products;

Senator Daniel offered the following amendment which failed:

In Section 1, line 29, page 1, after "from" insert: the specified

Senator Daniel offered the following amendment which failed:

Line 12, page 4, insert the following: a new Section 6 and renumber the remaining Sections.

Section 6. The reduced tax rates for beverages produced from Florida products as provided in subsections 561.46 (5) (b) and (6) (b), subsection 561.461 (2) and subsection 561.64 (2) shall continue to apply until such time as the gallonage produced in a department fiscal year from such Florida grown products shall increase in an amount equal to or exceeding 50 per cent of the total gallonage produced from such products in the 1969-1970 fiscal year which shall be the base year for computation purposes. At such time as such increase shall occur, the reduced Florida tax rate provided in such subsections shall be proportionately increased in such subsections so that the overall tax rate applicable to such beverages shall be 50 per cent of the rate applicable to other beverages of like alcoholic content. Such increased rate of taxation shall thereafter continue until production during any such fiscal year shall increase in an amount equal to or exceeding 100 per cent of the total gallonage produced in the 1969-1970 base fiscal year at which time the tax provided by said subsections shall be proportionately increased so that the total tax applicable to such beverages shall be equal to the tax on other beverages of like alcoholic content. When these amounts of production increase have been reached the Director shall immediately certify the gallonage figures and the computation relating the percentage increases to the 1969-1970 base year under his signature and immediately notify all licensed wholesalers of spirituous liquors in this state, of the increased rate of taxation to be applicable to the beverages concerned. The new rate of taxation shall apply to all such beverages sold by wholesalers after the date of such notice.

Senator Daniel offered the following amendment which failed:

Strike everything after enacting clause and insert the following: Section 1. The tax rate established in subsections (5)(b) and (6)(b) of section 561.46 and subsection (2) of section 561.461, Florida Statutes, shall be applied to products exclusively manufactured or bottled from the products enumerated in subsections (5)(b) and (6)(b) of section 561.46 and subsection (2) of section 561.461, Florida Statutes, which shall consist exclusively and solely of spirits distilled from the Florida products enumerated in subsections (5)(b) and (6)(b) of section 561.46 and subsection (2) of section 561.461, Florida Statutes.

Section 2. The tax rate established in subsections (5)(b) and (6)(b) of section 561.46 and subsection (2) of section 561.461, Florida Statutes, shall be applied for a period of four (4) years from the effective date of this act after which time the tax rate established in subsections (5)(b) and (6)(b) of section 561.46 and subsection (2) of section 561.461, Florida Statutes, shall expire.

Section 3. No person, firm or corporation who is not engaged in the business of the distillation or bottling of spirituous beverages from Florida grown products in the State of Florida on April 8, 1970, shall be eligible to receive any benefits of the tax rate established in subsection (5)(b) and (6)(b) of section 561.46 and subsection (2) of section 561.461, Florida Statutes.

Section 4. This act shall become effective July 1, 1970.

On motion by Senator Horne, the rules were waived and SB 1163 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—25

Mr. President	Fincher	Karl	Slade
Bafalis	Friday	Knopke	Trask
Barrow	Gong	Pope	Weber
Beaufort	Gunter	Reuter	Weissenborn
Boyd	Henderson	Saunders	
de la Parte	Horne	Scarborough	
Ducker	Johnson	Shevin	

Nays—15

Askew	Deeb	Ott	Williams
Bell	Hollahan	Plante	Wilson
Broxson	McClain	Poston	Young
Daniel	Myers	Thomas	

ABSTENTIONS FROM VOTING

I excuse myself from voting on SB 1163. My firm has represented a company which would be affected by this legislation so I feel I must recuse myself pursuant to Rules 1.35 and 1.36.

Lawton Chiles, 28th District

Members of my law firm have done legal work for an affected company, therefore I abstained from voting for SB 1163 in committee and on the floor.

Richard Stone, 48th District

On motion by Senator Horne, the rules were waived and time of adjournment was extended until completion of the Special Order Calendar.

By direction of the President, the following report was read—

CONFERENCE COMMITTEE REPORT ON SB 267

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

May 27, 1970

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

Sirs:

Your Conference Committee on Senate Bill 267, relating to corporations, having met, and after full and free conference, have agreed to recommend and do recommend to their respective Houses, as follows:

1. That the Senate recede from the Senate amendments offered by Senators Thomas and Barron, respectively, to Senate Bill 267.
2. That the Senate and the House adopt Conference Committee Substitute for Senate Bill 267.
3. That the Senate and the House pass Conference Committee Substitute for Senate Bill 267.

KENNETH M. MYERS
RALPH POSTON
DEMPSEY J. BARRON
Managers on the part
of the Senate

TALBOT D'ALEMBERTE
JOEL K. GUSTAFSON
WILLIAM C. ANDREWS
Managers on the part of the
House of Representatives

A bill to be entitled

An act relating to corporations; amending section 608.09, Florida Statutes, by renumbering present subsection (3) as subsection (4) and adding new subsections (3) and (5); providing that directors of corporations may serve on executive committees in the place of absent or disqualified members of such boards; providing that executive committee meetings may be held by use of various communications systems; amending section 608.10 (2); Florida Statutes, to provide that the record date for determination of stockholders for purposes of stockholder meetings shall not be more than sixty (60) days prior to the date of the stockholder meeting and to delete the requirement that notice of the record date be published in a newspaper; amending section 608.14 (2), Florida Statutes, to more clearly state that the board of directors or executive committee have the power to fix all of the characteristics of preferred or special stock; providing an effective date.

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

Section 1. Subsection (3) of Section 608.09, Florida Statutes, is renumbered as subsection (4), and new subsections (3) and (5) are added to said section to read:

608.09 Directors; powers; qualifications; executive committee.—

(3) Unless otherwise provided in the certificate of incorporation or bylaws, the board of directors may designate one (1) or more directors as alternate members of any executive committee, who may replace at any meeting of such committee any absent member or member disqualified from voting. The bylaws may provide that in absence or disqualification from voting of a member of the committee, the member or members thereof

present at any meeting and not disqualified from voting, whether or not he or they constitute a quorum, may unanimously appoint another member of the board of directors to act at the meeting in the place of such absent or disqualified member.

(4) Unless otherwise provided in the certificate of incorporation or bylaws, any action of the board of directors or of any committee thereof, which is required or permitted to be taken at a meeting, may be taken without a meeting if written consent to the action signed by all of the members of the board or of the committee, as the case may be, is filed in the minutes of the proceedings of the board or committee prior to the taking of such action.

(5) Where provided in the certificate of incorporation or bylaws, members of the board of directors or an executive committee shall be deemed present at a meeting of such board or committee if a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other, is used.

Section 2. Subsection (2) of section 608.10, Florida Statutes, is amended to read:

608.10 Stockholders' meetings; notice; qualifications of voters; proxies.—

(2) The directors may, unless prohibited by the certificate of incorporation or the bylaws, fix a date not more than sixty (60) days prior to the date set for such meetings as the record date as of which the stockholders of record who have the right to and are entitled to notice of and to vote at such meeting and any adjournment thereof shall be determined.

Section 3. Subsection (2) of section 608.14, Florida Statutes, is amended to read:

608.14 Capital stock; power to issue, etc.—

(2) Shares of preferred or special stock of and class may be divided by number from time to time into and issued in designated series, and such shares of preferred or special stock of any class or series thereof shall have such relative rights and preferences with regard to dividend rates, redemption rights, conversion privileges, voting power, and with regard to such other distinguishing characteristics as shall be stated and expressed with respect to such class or series either in the certificate of incorporation or in the resolution or resolutions providing for the issue of such stock adopted by the board of directors or duly constituted executive committee of the corporation.

Section 4. This act shall take effect July 1, 1970.

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

On motion by Senator Myers, the Conference Committee Report on SB 267 was adopted in its entirety. The vote was: Yeas—31 Nays—None

Mr. President	de la Parte	Knopke	Slade
Bafalis	Ducker	McClain	Stolzenburg
Beaufort	Friday	Myers	Thomas
Bell	Gong	Plante	Weber
Bishop	Gunter	Pope	Williams
Boyd	Henderson	Poston	Wilson
Broxson	Johnson	Reuter	Young
Deeb	Karl	Shevin	

CCS for SB 267, contained in the Conference Committee Report, was read the first time by title. On motions by Senator Myers, the rules were waived and CCS for SB 267 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—31 Nays—None

Mr. President	de la Parte	Knopke	Slade
Bafalis	Ducker	McClain	Stolzenburg
Beaufort	Friday	Myers	Thomas
Bell	Gong	Plante	Weber
Bishop	Gunter	Pope	Williams
Boyd	Henderson	Poston	Wilson
Broxson	Johnson	Reuter	Young
Deeb	Karl	Shevin	

The Senate resumed—

SPECIAL ORDER

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

Was taken up and read the second time by title.

Senator Shevin offered the following amendment which was adopted:

In Section 1, line 20, page 1, strike: "incurred since the last election in which he participated for a period of twelve (12) months." and insert the following: incurred for a period of 12 months since the last election in which he participated

On motion by Senator Shevin, the rules were waived and HB 3266 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—31 Nays—None

Mr. President	Deeb	Johnson	Stolzenburg
Bafalis	de la Parte	Knopke	Stone
Barron	Ducker	McClain	Thomas
Beaufort	Fincher	Plante	Trask
Bell	Friday	Poston	Weber
Bishop	Gong	Reuter	Williams
Boyd	Gunter	Shevin	Wilson
Broxson	Henderson	Slade	

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

Was taken up and read the second time by title.

Senator Shevin offered the following amendment which was adopted:

In Section 1, line 3, page 2, after the word "who" insert the following: knowingly

Senator Shevin offered the following amendment which was adopted:

In Section 1, line 9, page 2, after the word "who" insert the following: willfully

Senator Shevin offered the following amendment which was adopted:

In Section 1, line 10, page 2, strike: "or who permits a violation on his behalf without using all reasonable means to prevent such violation"

Senator Shevin offered the following amendment which was adopted:

In Section 1, line 16, page 2, strike "or who permits a violation without using all reasonable means to prevent such violation"

Senator Shevin offered the following amendment which was adopted:

In Section 1, line 20, page 4, strike "that all reasonable means for preventing the commission of such offense at such election were taken by and on behalf of the candidate or"

Senator Shevin offered the following amendment which was adopted:

In title, line 10, page 1, strike "or persons acting for them"

On motion by Senator Shevin, the rules were waived and HB 4472 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—27

Bafalis	Fincher	McClain	Stone
Barron	Friday	Plante	Thomas
Bell	Gong	Pope	Weber
Boyd	Horne	Poston	Williams
Daniel	Johnson	Saunders	Wilson
Deeb	Karl	Shevin	Young
Ducker	Knopke	Stolzenburg	

Nays—5

Mr. President	Bishop	Broxson	Ott
Barrow			

SB 805—A bill to be entitled An act relating to the department of transportation; amending section 337.32(3), Florida Statutes; increasing the jurisdictional limit of the state road arbitration board; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Poston, the rules were waived and SB 805 was read the third time by title, passed and certified to the House. The vote was: Yeas—32 Nays—None

Mr. President	Deeb	Karl	Stolzenburg
Bafalis	Ducker	Knopke	Stone
Barron	Friday	Ott	Thomas
Barrow	Gong	Plante	Trask
Bell	Gunter	Poston	Weber
Bishop	Henderson	Reuter	Williams
Boyd	Horne	Saunders	Wilson
Broxson	Johnson	Shevin	Young

SB 804—A bill to be entitled An act relating to wayside parks and access roads to public waters, amending subsection (3) of section 335.16, Florida Statutes, to provide that the department of transportation shall have the power to condemn such rights of way for wayside parks and rest areas on any limited access facility; providing an effective date.

Was taken up and read the second time by title.

The Committee on Transportation offered the following amendment which was adopted on motion by Senator Poston:

In Section 1, line 21, page 1, strike "may be" and insert is

On motion by Senator Poston, the rules were waived and SB 804 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—28

Mr. President	Deeb	McClain	Shevin
Bafalis	Ducker	Plante	Stolzenburg
Barron	Friday	Pope	Stone
Barrow	Gong	Poston	Thomas
Bishop	Horne	Reuter	Weber
Boyd	Karl	Saunders	Wilson
Broxson	Knopke	Scarborough	Young

Nays—1

Williams

SB 114 was taken up, together with:

By the Committee on Transportation—

CS for SB 114—A bill to be entitled An act providing for the collection and distribution of an eighth cent gas tax; amending subsections (1) and (4) of section 208.04, Florida Statutes, to provide for the collection and distribution of a third gas tax of one cent (1c), subject to the exemption of section 208.05, Florida Statutes; adding subsection (4) of section 208.08, Florida Statutes, to provide for transfer of a third gas tax to a local government distribution trust fund; adding section 208.121 to chapter 208, Florida Statutes, to provide for the apportionment, allocation, distribution and use of a third gas tax; amending section 208.41, Florida Statutes, to provide for the imposition of an excise tax of eight cents (8¢) on gasoline used as a motor fuel; amending section 208.08(3), Florida Statutes, providing for the transfer of the seventh and eighth

cent excise tax on motor fuels; amending section 208.20(1), Florida Statutes, increasing to eight cents (8¢) the excise tax imposed on motor vehicle fuel carriers and motor vehicle fuel reservoirs; amending sections 208.23 and 208.27, Florida Statutes, to provide for the levy and distribution of an additional two cent (2¢) tax on stored motor fuels; amending section 209.02, Florida Statutes, to increase to eight cents (8¢) the excise tax imposed on special fuels used for propelling motor vehicles; providing an effective date.

—which was read the first time by title and SB 114 was laid on the table.

On motion by Senator Poston, the rules were waived and CS for SB 114 was read the second time by title.

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

In Section 1, line 21, page 2, insert the following: after the word "retail": or use

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

In Section 4, line 6, page 4, insert the following: after the word "retail": or use

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

In Section 4, line 7, page 4, insert the following: after the word "retail": or use

Senator Barron presiding.

The Committee on Ways and Means offered the following amendment which was moved by Senator Poston:

In Section 4, line 16, page 4, insert the following:

(c) When a municipality is incorporated within a county after the latest federal census, the department of revenue may determine the population of such municipality for purposes of this act until the following federal census or upon the request of any county or any municipality therein the governor may appoint three commissioners from such county who shall obtain from the United States census bureau an outline of proper criteria other than by the actual counting of individuals, to be used by the commissioners for the purpose of determining the population of a county and the municipalities therein, and the commissioners shall proceed in accordance with the criteria to determine the number of inhabitants of such county and municipalities. In making their determination the commissioners shall also, after public notice, hold a public hearing or hearings at such place or places in the county as they deem advisable to receive such further proof needed to assist them in determining the number of inhabitants. After the conclusion of their study and after the public hearings to be held, as aforesaid, the commissioners shall make proof to the governor, first, of the establishment of criteria by the United States census bureau and second, their findings based thereon. They shall also forward to the governor a certified transcript of the record taken at the public hearings to be held as aforesaid.

(d) The findings by any such commission or commissioners as to the number of inhabitants or the population of any county and the municipalities therein when proclaimed by the governor shall have the same force and effect in law as if according to a census taken pursuant to either federal or state law insofar as a census affects the distribution of the third gas tax levied pursuant to this act but such determination shall not be effective for any other purpose.

(e) The commissioners shall not be paid any compensation but shall be reimbursed for traveling expenses as provided in section 112.061, Florida Statutes.

(f) The department of revenue shall pay all expenses of any special census from the proceeds of the third gas tax allocated to the county affected before distribution as provided herein.

and reletter (c) and (d) as (g) and (h).

A motion by Senator Plante that the Senate do now adjourn failed. The vote was:

Yeas—18

Bafalis	Ducker	Myers	Thomas
Barron	Henderson	Plante	Weissenborn
Bell	Hollahan	Reuter	Young
Daniel	Karl	Shevin	
Deeb	Lane	Stolzenburg	

Nays—20

Mr. President	Friday	Knopke	Stone
Beaufort	Gong	McClain	Trask
Bishop	Gunter	Ott	Weber
Boyd	Horne	Pope	Williams
Broxson	Johnson	Poston	Wilson

Senator Boyd moved that the rules be waived and in the event the Senate adjourned before completion of the Special Order Calendar, all remaining bills would be considered on the Special Order Calendar, May 28. The motion was adopted.

The President presiding.

The question recurred on the adoption of the foregoing amendment which was adopted.

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

In Section 7, line 8, page 7, strike Section 208.121 and insert the following: Sections 208.121 and 208.44

Further consideration of CS for SB 114 as amended was deferred, the bill retaining its place on the Calendar.

SB 1016—A bill to be entitled An act relating to the state road department, amending section 337.27, Florida Statutes, authorizing the department to enter into agreements with other public agencies for condemnation of property for joint use projects; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Bishop, the rules were waived and SB 1016 was read the third time by title, passed and certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Ducker	Karl	Shevin
Bafalis	Fincher	Knopke	Stolzenburg
Barrow	Friday	McClain	Thomas
Bell	Gong	Ott	Trask
Bishop	Gunter	Plante	Weber
Boyd	Henderson	Pope	Weissenborn
Broxson	Hollahan	Poston	Williams
Daniel	Horne	Reuter	Wilson
Deeb	Johnson	Scarborough	Young

SB 1017—A bill to be entitled An act relating to the state road department, amending section 339.09(1), Florida Statutes, relating to the use of gasoline tax revenues; permitting the state to spend gas tax revenue for joint or multiple use including appropriate roadside development and other related facilities; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Bishop, the rules were waived and SB 1017 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Fincher	Knopke	Stolzenburg
Bafalis	Friday	McClain	Stone
Barron	Gong	Ott	Thomas
Barrow	Gunter	Plante	Trask
Bell	Henderson	Pope	Weber
Bishop	Hollahan	Poston	Weissenborn
Boyd	Horne	Reuter	Wilson
Broxson	Johnson	Scarborough	Young
Ducker	Karl	Shevin	

Nays—1

Williams

SB 806—A bill to be entitled An act amending subsection (2) of section 20.23, Florida Statutes, to change the name of the division of mass transit operations to the division of public transportation and providing an effective date.

Was taken up and read the second time by title. On motion by Senator Poston, the rules were waived and SB 806 was read the third time by title, passed and certified to the House. The vote was: Yeas—34 Nays—None

Mr. President	Fincher	Knopke	Thomas
Bafalis	Friday	McClain	Trask
Barron	Gong	Plante	Weber
Barrow	Gunter	Poston	Weissenborn
Bell	Henderson	Reuter	Williams
Bishop	Hollahan	Scarborough	Wilson
Boyd	Horne	Shevin	Young
Broxson	Johnson	Stolzenburg	
Ducker	Karl	Stone	

SB 1015—A bill to be entitled An act amending chapter 372, Florida Statutes by adding section 372.024 relating to the sale or trade of lands in the Cecil M. Webb Wildlife Management Area to the State of Florida as needed for interstate highways; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Stone, the rules were waived and SB 1015 was read the third time by title, passed and certified to the House. The vote was: Yeas—38 Nays—None

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

SB 1018—A bill to be entitled An act amending chapter 372, Florida Statutes by adding section 372.025 relating to the sale or trade of commission lands in wildlife management areas to the State of Florida as needed for interstate highways; providing an effective date.

Was taken up and read the second time by title. On motion by Senator Bishop, the rules were waived and SB 1018 was read the third time by title, passed and certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	Fincher	McClain	Thomas
Bafalis	Friday	Ott	Trask
Barron	Gong	Plante	Weber
Barrow	Gunter	Poston	Weissenborn
Bell	Henderson	Reuter	Williams
Bishop	Hollahan	Saunders	Wilson
Boyd	Horne	Scarborough	Young
Broxson	Johnson	Shevin	
Chiles	Karl	Stolzenburg	
Ducker	Knopke	Stone	

SB 914 was taken up, together with:

By the Committee on Ways and Means—

CS for SB 914—A bill to be entitled An act relating to the highway patrol; amending section 321.17(1), Florida Statutes, increasing employee contributions to the highway patrol pension trust fund; amending sections 321.18(1) and 321.20(1), Florida Statutes, providing retirement benefits after twenty-five (25) years of service for members of the highway patrol employed after July 1, 1953; amending section 321.19, Florida Statutes, by adding new subsection (2) relating to credit for time served in armed forces; providing an effective date.

—which was read the first time by title and SB 914 was laid on the table.

On motions by Senator Horne, the rules were waived and CS for SB 914 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—38 Nays—None

Mr. President	Boyd	Friday	Johnson
Bafalis	Broxson	Gong	Karl
Barron	Chiles	Gunter	Knopke
Barrow	Daniel	Henderson	McClain
Bell	Ducker	Hollahan	Ott
Bishop	Fincher	Horne	Plante

Poston	Shevin	Trask	Wilson
Reuter	Stolzenburg	Weber	Young
Saunders	Stone	Weissenborn	
Scarborough	Thomas	Williams	

SB 1345—A bill to be entitled An act amending Florida Statutes 335.04(3) to provide that the primary road system, excluding the interstate system, shall be limited to eleven thousand three hundred miles, and providing an effective date.

Was taken up and read the second time by title. On motion by Senator Poston, the rules were waived and SB 1345 was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

Mr. President	Fincher	Knopke	Stone
Bafalis	Friday	McClain	Thomas
Barrow	Gong	Plante	Trask
Bell	Henderson	Poston	Weber
Broxson	Hollahan	Reuter	Weissenborn
Daniel	Horne	Saunders	Williams
Deeb	Johnson	Scarborough	Wilson
Ducker	Karl	Stolzenburg	Young

Nays—2

Bishop Boyd

Senator Plante moved that the Senate reconsider the vote by which Senate Bills 1015 and 1018 passed this day. The motion went over under the rule.

SB 1197—A bill to be entitled An act relating to transportation facilities; providing general authority for expenditures by public bodies for development of balanced transportation systems; adding transportation systems to municipal purposes as used in section 169.02, Florida Statutes; adding definitions; authorizing purchase of mass transit facilities by the division of bond finance of the department of general services and the department of transportation; amending section 334.02, Florida Statutes, to include the development of transportation systems within the authority of the department of transportation; recognizing the public interest in transportation facilities and providing for local authority over such facilities; amending section 339.09, Florida Statutes to prohibit the use of gasoline tax revenues for nontransportation purposes; amending section 344.26, Florida Statutes, relating to debt service of bonds by the state board of administration, to conform with this act; amending section 344.261, Florida Statutes, to require approval by the state board of administration for purchase or lease of transportation facilities; providing an effective date.

Was taken up and read the second time by title.

Senator Boyd offered and moved the following amendment:

Add a new Section 11:

Section 11. Any provision of this law to the contrary notwithstanding, the department of transportation shall not, in any one year, expend more than five million dollars (\$5,000,000) on non-highway transportation facilities, planning or studies.

Renumber remaining sections.

Senator Stolzenburg offered and moved the following amendment to the amendment which was adopted:

Add to new Section 11 after the word "studies" the following: from funds allocated by the State of Florida for

Pending further consideration of the foregoing amendment as amended, Senator Chiles moved that the Senate do now adjourn, and the motion failed. The vote was:

Yeas—16

Barrow	Deeb	McClain	Thomas
Bell	de la Parte	Reuter	Weber
Broxson	Ducker	Slade	Weissenborn
Chiles	Hollahan	Stolzenburg	Young

Nays—17

Mr. President	Bishop	Daniel	Gunter
Bafalis	Boyd	Friday	Johnson

Knopke	Pope	Stone	Williams
Ott	Poston	Trask	Wilson
Plante			

Senator Thomas moved that the Senate adjourn upon the expiration of one minute. The motion was adopted and the vote was:

Yeas—19

Bafalis	de la Parte	Plante	Weber
Bell	Ducker	Reuter	Weissenborn
Broxson	Hollahan	Slade	Wilson
Chiles	Horne	Stolzenburg	Young
Deeb	McClain	Thomas	

Nays—12

Mr. President	Friday	Ott	Stone
Bishop	Johnson	Pope	Trask
Daniel	Knopke	Poston	Williams

By unanimous consent the following Concurrent Resolution was introduced out of order on motion by Senator Chiles:

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

SCR 1560—A concurrent resolution recognizing Spessard L. Holland for a career of honorable and distinguished service to the people of Florida and inviting him to address the legislature in joint session.

WHEREAS, Spessard L. Holland has served the people of Florida for more than a half-century; and

WHEREAS, he has decided that he will retire from active public service at the end of this year; and

WHEREAS, Spessard L. Holland was born in Bartow in 1892, and in his youth became both an outstanding scholar and an outstanding athlete, having been elected to Phi Beta Kappa and having been a college letterman in football, baseball, basketball, and track; and

WHEREAS, he rejected an opportunity to become a professional baseball pitcher in a major league, instead became a teacher, and thereafter enlisted in the United States Army during World War I, serving overseas and winning the Distinguished Service Cross; and

WHEREAS, following the armistice he returned to Polk County and was appointed its prosecuting attorney, and was soon thereafter elected by its people as their county judge, the first of an unbroken succession of elections and re-elections to public office; and

WHEREAS, he thereafter ably served as a senator in this legislature for eight years, sponsoring measures that included those for revitalization of a depressed tax structure, for improvement of schools and the welfare of teachers, and for the development of Florida's citrus industry; and

WHEREAS, he served as Florida's governor for four years, under the pressure of worldwide war, and his administration sponsored needed amendments of the state constitution, greater public responsibilities to the aged and blind, increases in the strength and fairness in the state's property tax structure, reductions in the cost of bonded indebtedness, and improvements in the public school system; and

WHEREAS, he has served as a United States Senator from Florida since 1946, with distinction and honor; and

WHEREAS, he has diligently participated as a member of the United States Senate's standing committees on Appropriations, Agriculture and Forestry, and Aeronautical and Space Sciences, committees he purposely chose because they provided special opportunities for service to Florida; and

WHEREAS, he has consistently championed the preservation of state, local and individual rights and responsibilities in all

areas where centralization and expansion of governmental power is not clearly necessary to the public good; and

WHEREAS, he worked for many years, at times almost alone, to increase democracy by abolishing poll taxes, but to do so by clearly constitutional means, and his efforts resulted in the 24th Amendment to the United States Constitution, sometimes known as the Holland Amendment; and

WHEREAS, he has earned the respect, trust, and affection of his colleagues in the United States Congress, and of the people whom he represents and serves; and

WHEREAS, a fellow United States Senator has publicly proclaimed that Spessard L. Holland has "made an unexcelled record as a skillful athlete, as a brilliant student, as a gallant soldier, as an effective teacher, as an able trial lawyer, as a wise legal counselor, as a citizen and churchman, as a diligent prosecuting attorney, as a just judge . . . and as one of the most beloved, dedicated, and effective members of the Senate"; and

WHEREAS, it is fitting and proper that this legislature recognize his distinguished and lengthy public service; NOW, THEREFORE,

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

Section 1. That the Legislature of the State of Florida does hereby pay tribute to Spessard L. Holland for his courageous, honorable, and effective service to the people of Florida as a prosecuting attorney, county judge, state senator, governor, and United States Senator.

Section 2. Be It Further Resolved, that the Legislature of the State of Florida, with gratitude for the services that Spessard L. Holland has rendered to his community, state, and nation, expresses hope and confidence that his future years will be numerous and productive and that he will continue to be an influence for stable and constitutional government.

Section 3. Be It Further Resolved, that Spessard L. Holland is hereby recognized and designated by the Legislature of the State of Florida as Florida's "Most Distinguished Son."

Section 4. Be It Further Resolved, that the Legislature of the State of Florida invite Spessard L. Holland to visit and address the Florida Legislature in joint session to be convened on Monday, June 1, 1970, at 12:00, Noon, and that a copy of this resolution be presented to Spessard L. Holland as a token of the sentiments expressed herein and as a symbol of the respect, affection and gratitude of his fellow Floridians.

Was read the first time in full. On motion by Senator Chiles, the rules were waived and SCR 1560 was read the second time by title, adopted, and immediately certified to the House. The vote was: Yeas—34 Nays—None

Mr. President	de la Parte	McClain	Thomas
Bafalis	Ducker	Ott	Trask
Barrow	Friday	Plante	Weber
Bell	Gong	Pope	Weissenborn
Bishop	Gunter	Poston	Williams
Boyd	Hollahan	Reuter	Wilson
Broxson	Horne	Saunders	Young
Chiles	Johnson	Slade	
Deeb	Knopke	Stolzenburg	

CO-INTRODUCERS

By permission, Senator Askew was recorded as a co-introducer of Senate Bills 985 and 914.

By permission, Senators Askew and Friday were recorded as co-introducers of SB 1340.

By permission, Senators Barrow, Horne, Mathews, Barron, Friday, Pope, Ott, Gong, Beaufort, de la Parte, Knopke, Haverfield, Broxson, Karl, Johnson, Bafalis, Daniel, Reuter, Stone and Poston were recorded as co-introducers of SB 626.

By permission, Senators Stone and Bishop were recorded as co-introducers of SB 986.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 6:14 p.m. to reconvene at 8:30 a.m., Thursday, May 28, 1970.