

SPECIAL SESSION

JOURNAL OF THE SENATE

At a special session of the Florida Legislature convened by proclamation of His Excellency, Claude R. Kirk, Jr., Governor of the State of Florida, hereinafter set forth, begun and held at the Capitol in the City of Tallahassee, in the State of Florida.

Wednesday, June 10, 1970

In pursuance of the Proclamation of Honorable Claude R. Kirk, Jr., Governor of the State of Florida, the Senate met in Special Session at 1:00 p.m. and was called to order by Senator John E. Mathews, Jr., President of the Senate; the Secretary of the Senate, Edwin G. Fraser; the Sergeant At Arms of the Senate, LeRoy Adkison, being at their posts.

The Proclamation of the Governor convening the Legislature in Special Session was read as follows:

PROCLAMATION

TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE AND THE HOUSE OF REPRESENTATIVES:

WHEREAS, on June 9, 1970, I vetoed the general appropriation bill and a related bill enacted during the 1970 regular session of the Legislature for the reasons set forth in my veto message of June 9, 1970, and

WHEREAS, it is my belief that it is in the best interest of all the citizens of the State that the Legislature be convened forthwith in a special session to enact a fiscally responsible appropriation bill;

NOW, THEREFORE, I, Claude R. Kirk, Jr., by virtue of the authority vested in me by Section 3, Article III, Constitution of the State of Florida, do hereby convene the Legislature of the State of Florida in special session at the Capitol, for four (4) legislative days beginning at 1 p.m. on Wednesday, June 10, 1970, and ending at 5 p.m. on Saturday, June 13, 1970.

This call is for the sole and exclusive purpose of considering the adoption of a general appropriation bill in conformity with the requirements of the Constitution of Florida.



In Testimony Whereof, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 9 day of June A. D. 1970.

CLAUDE R. KIRK, JR.  
Governor

ATTEST:  
TOM ADAMS  
Secretary of State

By direction of the President the roll was called and the following Senators were recorded present:

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

46. A quorum present.

Excused: Senators Reuter and Young.

Prayer by the Secretary of the Senate:

Father God, we need to labor in an environment of quietness because time is of essence. Save us from confusion and frustration. Alert us to calmness in thought and

application so that the best will be done for our state. We need counsel in these few hours to finalize the end result of good and progressive effort. Help us to be mindful of our freedoms and expansions thereof for the benefit of our state and citizenry.

In our master's name, we seek this audience. Amen.

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

On motion by Senator Friday, the Senate recessed at 1:19 p.m. to reconvene at 4:00 p.m.

The Senate was called to order by the President at 4:00 p.m. A quorum present—46:

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

A motion by Senator Chiles was adopted that the Senate stand in recess until 6:00 p.m. for the purpose of acquiring additional information, based on the latest estimates, from various state agencies. The vote was:

Yeas—31

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

Nays—13

Bafalis	Henderson	Sayler	Wilson
Bell	Johnson	Scarborough	
Deeb	Lane	Stolzenburg	
Ducker	Plante	Weber	

The Senate stood in recess at 4:07 p.m.

The Senate was called to order by the President at 6:00 p.m. A quorum present—46:

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

The Senate proceeded to the consideration of—

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

## VETOED BILLS 1970 REGULAR SESSION

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

June 10, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all members present on June 10, 1970, the Governor's objections to the contrary notwithstanding—

By the Committee on Appropriations—

**HB 5210 (1970 Regular Session)**—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.

The Governor's objections attached thereto.

—and requests the concurrence of the Senate therein.

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

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

June 9, 1970

*Dear Mr. Secretary:*

I herewith transmit to the Office of the Secretary of State my signed objections to House Bill 5210, which Act originated in the House of Representatives, Regular Session, 1970.

*Sincerely,*  
**CLAUDE KIRK**  
*Governor*

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

June 9, 1970

*Dear Mr. Speaker:*

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I hereby transmit to you with my objections House Bill No. 5210, enacted by the Legislature during the Regular Session commencing April 7, 1970, and 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."

It is the constitutional responsibility of the Legislature to provide a balanced budget for the state. I have personally advised each of you that I will accept nothing less. This responsibility has not been fulfilled and the task of the 1970 Legislature has not been completed.

The budget presented to me for my approval is fiscally unsound and mathematically dishonest. Despite the clear prohibition against deficit financing in the Constitution of Florida, this bill proposes a deficit budget for 1970-71.

Throughout most of the decade just ended, the Federal Government has followed a policy of deficit financing and this has resulted in economic crises on the national level and has created severe inflation. This cannot be allowed to happen in Florida.

The budget which has been proposed by a majority of the Legislature is the worst budget that has been offered. There is no doubt that the General Appropriations Act for 1970-71 is a deficit budget.

Even the most vigorous proponents of this bill agree that it appropriates almost \$38 million more than the total amount of funds that will be available. This deficit cannot be explained away nor can it be disregarded. Those who contend the deficit will be "only \$6.4 million" still are admitting there will be a deficit even though they will not admit the full extent of the financing problems that would be created.

In addition, I am advised that you have also passed a number of other bills which appropriate several millions more dollars which would increase the deficit. The cost of these bills should be considered along with the appropriations in the General Appropriations Act.

In contrast to the deficit proposed by the General Appropriations Act, I submitted to this Legislature in February a balanced budget which provided for the needs of the state, leaving a surplus of \$6.5 millions. No one could contend that this plan was not fiscally sound.

Not only is the legislative budget fiscally unsound, it makes an unconstitutional attempt to condition the appropriation of funds upon the acceptance of a separate piece of legislation. This is a deliberate attempt to destroy executive responsibility to veto any undesirable appropriation in the General Appropriations Bill. The wording was designed to force acceptance of the illegally attached bill, a revised version of House Bill 4358, which was rushed through the Legislature without proper consideration. This bill would cost \$48 millions in 1970-71. It would continue to pour millions upon millions into the same old, outmoded educational formula for the next three years without making any improvements in the educational system. For the Minimum Foundation formula alone, the cost would go up to \$102 millions in 1971-72, \$152 millions in 1972-73, and \$209 millions in 1973-74. The Legislature apparently has given no thought to the financial impact of this bill nor to the substantial tax increases that would be required next year—and following years—to pay the bill.

Not only did the backers of this bill attempt to force the Governor to accept it, they maneuvered this far reaching legislation into a position where the Legislature itself had to accept it in order to pass a General Appropriations Act. In this bill, the entire concept of educational funding was re-written by a few members of the Appropriations Conference Committee. This complex formula then was railroaded through the Legislature in one day. The educational committee members, who are supposed to be the Legislature's experts on education were not sure what they were approving when it came up for a final vote. In fact, the explanations given to the members of the House were challenged by the Chairman of the House Public Education Committee who criticized the way his committee had been bypassed in the rush to approve this bill.

On the opening day of the 1970 Legislature, I asked each of you to determine where we are and where we want to go before we chart our future path. I asked you to restructure education, to test the reading levels of the students and to provide for appointive superintendents. I told you of the need to devise a system for evaluating teachers and providing them with incentive pay. I also cautioned that until improvements are made, the people have had it with taxes. Instead, the majority listened to the lobbyists for the educational bureaucracy and discarded these suggestions. House Bill 4358 is not a new approach. It does nothing to assure a better education for the children. It is based upon the fallacy that more money means more education.

The amount which the state puts into the Minimum Foundation Program for aid of schools has increased from a total of \$233.5 million in 1967-68, to a proposed \$576 million in this bill. That means that the cost to the state is almost 2½ times as much as it was three years ago. I ask each of you to look at the public schools in your county. Are they twice as good as they were three years ago when the state was spending less than half as much? Are they any better than they were two years ago when we added a quarter of a billion dollars to educational spending?

Are the students learning as much? Has the dropout rate declined? Do the schools do a better job of preparing each child to go out into the world and earn a living?

It is time to start looking at the kind of education the children are getting instead of measuring the quality of education by the amount of money educators are able to spend.

The Appropriations Bill and the illegally attached House Bill 4358 do nothing for education in Florida except to give educators more money to spend on a bad system. The combined effect of these two bills would have a significant impact on the taxpayers of Florida, however. Although I have repeatedly said that new taxes are not needed this year, by passing these bills, the Legislature tried to get around this by effectively passing a tax for next year. This bill would require at least \$100 million in new taxes next year, and \$50 million more each year for the next two years.

This bill also would set aside \$6 million for the Commissioner of Education to spend for "Vocational Education Improvement." The plans for such an important program should at least be subject to review by the Board of Education in order to assure proper benefits from the funds. Instead, this bill would give the Commissioner unlimited authority to distribute the money as he wishes without proper controls.

In addition, this bill would create the so-called "Christian Equalization Plan," which is fiscal folly, whether it costs \$7 million or \$12.5 million. It is unfortunate that the Legislature would pass a new program with no better idea of how much it would cost and no limit on the amount that could be spent. Even those who praise the program admit it is misleading, that it promises funds which some counties may never receive, that no one can say exactly what the program is or what it does until assessment ratio surveys are completed this fall. There is no way to equalize the amount of money each county should have until the assessment level is equal in all counties. Giving additional money to some counties in the name of equalization only compounds the existing inequities.

This entire package of new money for schools is based upon the same misconception that total funds can be equalized by changes based upon millages without considering assessments.

Instead of adopting a logical plan that will be fair to all counties, large and small, the Legislature in this bill attempts to use massive amounts of additional money to patch the obvious holes in the same antiquated system. Many times, I have offered to work with the Legislature and the educational leaders of this state to build an educational funding system that will correct these inequities. But both millages and assessments must be considered. It would be unfair to impose the changes proposed in this bill until property assessment levels are equal in all counties.

Adequate funds to operate the present educational system were included in the budget which I recommended. If the Legislature finds these amounts unacceptable, I would have no objections to a reasonable increase similar to the educational package which was approved by the Senate. Although this is higher than the increase I recommended, it could be financed within a balanced budget.

The budget which I recommended to you in February faced the needs for new buildings for universities, for junior colleges, for vocational-technical centers, for other public schools and for state agencies and institutions. It included a total of \$60 millions for a pay-as-you-go construction program.

In order to spend this money for new programs, the framers of the legislative bill slashed funds from these necessary projects, leaving the needs to be faced next year. To meet the needs that could not be pushed aside, they proposed to finance \$12.6 millions in university construction with a bonding scheme which takes money from the retirement funds of teachers and state and county employees. This is morally wrong. If accepted, it also would establish a dangerous precedent for future legislatures to dip into these funds any time they were not willing to establish the priorities needed to bring a budget into balance. The provisions in this bill would cost the career employees an estimated \$3 million. This raid on their retirement funds cannot be allowed.

Additional inequities are built into this bill in the salaries that would be authorized. Despite the inflation of the current year, salary adjustments averaging 5 per cent for agency heads were refused. The requested 5 per cent for other state employees was included but the appropriation for the Legislature sought to give twice as much to its own employees. By law, the Legislature gave itself the right to request as much money as it felt it needed and this request was not subject to reduction by the Governor. Yet the appropriation for the Legislature in this bill is \$1.4 million higher than the full request.

The lawmakers also revised their estimates of how many staff aides they would need and increased that number to provide

109 new employees. If these employees were hired, there would be almost 3 aides for every member of the Legislature, not including the 249 employees of the Legislature's Auditor General.

A serious fault of this bill is the unjustified cut in the number of Highway Patrolmen included in my recommendations. These Troopers are desperately needed to save lives on the highways of every county of this state. Reluctantly, I reduced the necessary number of new troopers from 300 to 150—not because they were not needed or could not be financed, but because I was convinced that this was the maximum number that could be trained during the period. I said then that we could do no less. This bill arbitrarily cuts that to 50, ignoring the need to increase highway safety for Floridians and visitors alike.

This Legislature also was asked to restore the politically motivated cuts made earlier in the funds for the former Development Commission. The state's promotional force, now in the Department of Commerce, needs to be fully funded to help bring more tourists, more industries and more dollars to Florida. This need also was ignored. In fact, the amount appropriated for the development of this state is lower in this bill than it was seven years ago.

Despite the necessity to provide for the protection and proper control of our natural resources, this bill also chops \$1.4 million from the funds recommended under the Water Resources Development Act.

In some areas, the Legislature has accepted my "Fee for Service" recommendations which would allow the cost of regulation and special services to be paid by the direct beneficiaries instead of the average taxpayer. In other cases, fees for these special groups were not raised to meet the costs and these programs still would be subsidized by the tax funds paid by the general public. This is especially true of the fees recommended for the industries regulated by the Department of Agriculture.

There are some features of this bill which are good. But they do not begin to offset the many bad provisions.

The additional aid to counties for Public Defenders and State Attorneys, County Health Units and Child Welfare programs, for example, could have been financed by the \$6.5 million surplus I proposed.

In rejecting this bill, I am fully aware of the thinly veiled threats that already have been made and of the very real possibility of vindictive changes which could make this bill even worse than it is now. I will do everything in my power to prevent this from happening.

Before making your decision on funds for the next year, I urge each of you to consider the needs of the people of this state and to read again the message I gave you on the opening day of the 1970 Session. I said then, and I say again to you now, that we must have a balanced budget and that new taxes are not needed to provide for the needs of the state. Let me say it again: new taxes are not needed and I will not accept any bill that proposes new taxes. As I have told you before, I also will not accept any bill which tries to prevent the Governor from exercising his constitutional duty to reject each item that is not justified. I will veto any bill which tries to place unconstitutional conditions on the appropriations of funds as this bill attempts to do.

For these reasons, I am withholding my approval from House Bill 5210, Regular Session of the Legislature, commencing April 7, 1970, and do hereby veto the same.

Sincerely,  
CLAUDE KIRK  
Governor

Senator Chiles moved that HB 5210 pass, the Governor's objections to the contrary notwithstanding.

The President put the question: "Shall the bill pass the Governor's objections to the contrary notwithstanding?"

HB 5210 (1970 Regular Session) passed by the required Constitutional two-thirds vote of all members present and was certified to the House. The vote was:

Yeas—32

Mr. President	Barron	Beaufort	Boyd
Askew	Barrow	Bishop	Broxson

Chiles	Haverfield	Ott	Slade
Daniel	Hollahan	Pope	Stone
de la Parte	Horne	Poston	Thomas
Fincher	Knopke	Saunders	Trask
Friday	McClain	Scarborough	Weissenborn
Gunter	Myers	Shevin	Williams

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

June 9, 1970

*Dear Mr. Secretary:*

I herewith transmit to the Office of the Secretary of State my signed objections to Committee Substitute for House Bill 4358, which Act originated in the House of Representatives, Regular Session, 1970.

Sincerely,  
**CLAUDE R. KIRK**  
 Governor

Nays—14

Bafalis	Gong	Lane	Weber
Bell	Henderson	Plante	Wilson
Deeb	Johnson	Saylor	
Ducker	Karl	Stolzenburg	

#### EXPLANATION OF VOTE

Senator Young who could not be present, asked me to pair with him the vote on HB 5210. I explained if the vote were close I would not be able to do so but would indicate in the record what the pair would have been had the vote not been close. Had my vote not been one of the essential ones and had I paired with Senator Young, he would have, under the pair, voted nay and I would have voted yea.

DAVID H. McCLAIN, 24th District

*The Honorable John E. Mathews, Jr.* June 10, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all members present on June 10, 1970, the Governor's objections to the contrary notwithstanding—

By the Committee on Public School Education—

CS for HB 4358 (1970 Regular Session)—An act relating to education; repealing section 236.04(10), Florida Statutes, removing the requirement that instructional personnel be not less than ninety percent (90%) of instruction units; amending section 236.07(5)(a), Florida Statutes, providing additional funds for other current expense; amending section 236.07(5)(b), Florida Statutes, defining procedure for implementing the ratio study of assessment levels; amending section 236.07(8), Florida Statutes, providing for cost of living adjustment; amending section 236.07(9)(a), Florida Statutes, increasing the required local effort for participation in the minimum foundation program; repealing section 236.07(9)(b), Florida Statutes, requiring additional local effort for kindergartens under the minimum foundation program, effective July 1, 1971; amending chapter 236, Florida Statutes, by adding section 236.072 providing for district ad valorem tax equalization allocations; prescribing the procedures for determining eligibility for such allocations; providing for the distribution of such funds; authorizing the prorating of funds; amending section 236.074, Florida Statutes, deleting local matching by school districts for entitlement to district school additional capital outlay funds; expanding the purposes for which such funds may be used; amending section 236.251, Florida Statutes, to authorize additional voted millage for district operating funds; repealing section 236.251, Florida Statutes, providing limitation on tax levy, effective July 1, 1974; repealing section 230.761(2), Florida Statutes, requiring district support for junior college, effective July 1, 1971; amending section 230.764, Florida Statutes, authorizing recalculation for sales tax funds for junior college; amending section 230.767(4), Florida Statutes, providing additional funds for other current expense for junior college; repealing section 230.767(7), Florida Statutes, determining district financial effort for junior college, effective July 1, 1971; amending section 230.767(8), Florida Statutes, removing reference to district financial effort for junior college, effective July 1, 1971; amending section 230.769, Florida Statutes, deleting requirement for junior college budgets to be reviewed by budget review board; providing legislative intent regarding the operation of junior colleges by district boards of trustees; providing an effective date.

The Governor's objections attached thereto.

—and requests the concurrence of the Senate therein.

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

*Honorable Frederick H. Schultz*  
*Speaker of the House*  
*The Capitol*  
*Tallahassee, Florida*

June 9, 1970

*Dear Mr. Speaker:*

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8 of the Constitution of the State of Florida, I hereby transmit to you with my objections Committee Substitute for House Bill 4358, enacted by the Legislature during the regular session commencing April 7, 1970, and entitled:

"An act relating to education; repealing section 236.04(10), Florida Statutes, removing the requirement that instructional personnel be not less than ninety percent (90%) of instruction units; amending section 236.07(5)(a), Florida Statutes, providing additional funds for other current expense; amending section 236.07(5)(b), Florida Statutes, defining procedure for implementing the ratio study of assessment levels; amending section 236.07(8), Florida Statutes, providing for cost of living adjustment; amending section 236.07(9)(a), Florida Statutes, increasing the required local effort for participation in the minimum foundation program; repealing section 236.07(9)(b), Florida Statutes, requiring additional local effort for kindergartens under the minimum foundation program, effective July 1, 1971; amending chapter 236, Florida Statutes, by adding section 236.072 providing for district ad valorem tax equalization allocations; prescribing the procedures for determining eligibility for such allocations; providing for the distribution of such funds; authorizing the prorating of funds; amending section 236.074, Florida Statutes, deleting local matching by school districts for entitlement to district school additional capital outlay funds; expanding the purposes for which such funds may be used; amending section 236.251, Florida Statutes, to authorize additional voted millage for district operating funds; repealing section 236.251, Florida Statutes, providing limitation on tax levy, effective July 1, 1974; repealing section 230.761(2), Florida Statutes, requiring district support for junior college, effective July 1, 1971; amending section 230.764, Florida Statutes, authorizing recalculation for sales tax funds for junior college; amending section 230.767(4), Florida Statutes, providing additional funds for other current expense for junior college; repealing section 230.767(7), Florida Statutes, determining district financial effort for junior college, effective July 1, 1971; amending section 230.767(8), Florida Statutes, removing reference to district financial effort for junior college, effective July 1, 1971; amending section 230.769, Florida Statutes, deleting requirement for junior college budgets to be reviewed by budget review board; providing legislative intent regarding the operating of junior colleges by district boards of trustees; providing an effective date."

This bill would continue to pour millions upon millions into the same old, outmoded educational formula for the next three years without making any improvements in the educational system. It would cost \$48 million in 1970-71. The cost would go up to \$102 millions in 1971-72, \$152 millions in 1972-73, and \$209 millions in 1973-74. The Legislature apparently has given no thought to the financial impact of this bill nor to the substantial tax increases that would be required next year to pay the bill.

Not only did the backers of this bill try to force the Governor to accept it, they maneuvered this far-reaching legislation into a position where the Legislature itself had to accept it in order to pass a General Appropriations Act. In this bill, the entire concept of educational funding was rewritten by

a few members of the Appropriations Conference Committee. This complex formula then was railroaded through the Legislature in one day.

The educational committee members, who are supposed to be the Legislature's experts on educational financing, had no chance to consider this new concept and were not sure what they were approving when it came up for a final vote. In fact, the explanations given to the members of the House were challenged by the Chairman of the House Public Education Committee who criticized the way his committee had been bypassed in the rush to approve this bill.

On the opening day of the 1970 Legislature, I asked each of you to determine where we are and where we want to go before we chart our future path. I asked you to restructure education, to test the reading levels of the students and to provide for appointive superintendents. I told you of the need to devise a system for evaluating teachers and providing them with incentive pay. I also cautioned that until improvements are made, the people have had it with taxes. Instead, the majority listened to the lobbyists for the educational bureaucracy and discarded these suggestions. Committee Substitute for House Bill 4358 is not a new approach. It does nothing to assure a better education for the children. It is based upon the fallacy that more money means more education.

The amount which the State puts into the Minimum Foundation Program for aid of schools has increased from a total of \$233.5 million in 1967-68, to a proposed \$576 million in this bill. That means that the cost to the State is almost 2½ times as much as it was three years ago. I ask each of you to look at the public school in your county. Are they twice as good as they were three years ago when the State was spending less than half as much? Are they any better than they were two years ago when we added a quarter of a billion dollars to educational spending?

Are the students learning as much? Has the dropout rate declined? Do the schools do a better job of preparing each child to go out into the world and earn a living?

It is time to start looking at the kind of education the children are getting instead of measuring the quality of education by the amount of money it is able to spend.

The Appropriations Bill and the illegally attached Committee Substitute for House Bill 4358 do nothing for education in Florida except to give educators more money to spend on a bad system. The combined effect of these two bills would have a significant impact on the taxpayers of Florida, however. Although I have repeatedly said that new taxes are not needed this year, by passing these bills the Legislature tried to get around this by effectively passing a tax for next year. This bill would require at least 100 million dollars in new taxes next year, and 50 million more each year for the next two years after that.

For these reasons, I am withholding my approval from Committee Substitute for House Bill 4358, Regular Session of the Legislature, commencing April 7, 1970, and do hereby veto the same.

Sincerely,  
**CLAUDE KIRK**  
 Governor

Senator Chiles moved that CS for HB 4358 pass, the Governor's objections to the contrary notwithstanding.

The President put the question: "Shall the bill pass the Governor's objections to the contrary notwithstanding?"

CS for HB 4358 (1970 Regular Session) passed by the required Constitutional two-thirds vote of all members present and was certified to the House. The vote was:

Yeas—34

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

Nays—12

Bafalis	Ducker	Lane	Stolzenburg
Bell	Henderson	Plante	Weber
Deeb	Johnson	Sayler	Wilson

EXPLANATION OF VOTE

Senator Young, who could not be present, asked me to pair with him the vote CS for HB 4358. I explained if the vote were close I would not be able to do so but would indicate in the record what the pair would have been had the vote not been close. Had my vote not been one of the essential ones and had I paired with Senator Young, he would have, under the pair, voted nay and I would have voted yea.

DAVID H. McCLAIN, 24th District

By the required Constitutional two-thirds vote of the Senate the following resolutions were admitted for introduction and consideration:

*The Honorable John E. Mathews, Jr.* June 10, 1970  
*President of the Senate*

Sir:

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

By Representative Turlington—

**HJR 2-B**—A joint resolution establishing a new effective date for committee substitute for House Bill 4358, an act relating to the funding of the public school system, which bill was passed by both houses of the legislature during the 1970 regular session and thereafter vetoed by the governor.

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

Pursuant to Article III, Section 9 of the Florida Constitution, committee substitute for House Bill 4358 enacted during the 1970 regular session of the legislature shall take effect on July 1, 1970, the veto of the governor notwithstanding.

—and requests the concurrence of the Senate therein.

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

HJR 2-B, contained in the above message, was read the first time by title.

On motions by Senator Friday, the rules were waived and HJR 2-B was read the second time by title, the third time in full, passed and certified to the House. The vote was:

Yeas—39

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

Nays—6

Bafalis	Johnson	Sayler	Wilson
Deeb	Plante		

*The Honorable John E. Mathews, Jr.* June 10, 1970  
*President of the Senate*

Sir:

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

By Representative Turlington—

**HJR 1-B**—A joint resolution establishing a new effective date for House Bill 5210, an act relating to appropriations for the various agencies of state government for fiscal year 1970-1971, which bill was passed by both houses of the legislature during the 1970 regular session and thereafter vetoed by the governor.

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

Pursuant to Article III, Section 9 of the Florida Constitution, House Bill 5210 enacted during the 1970 regular session of the legislature shall take effect on July 1, 1970, the veto of the governor notwithstanding.

—and requests the concurrence of the Senate therein.

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

HJR 1-B, contained in the above message, was read the first time by title.

On motions by Senator Friday, the rules were waived and HJR 1-B was read the second time by title, the third time in full, passed and certified to the House. The vote was:

Yeas—35

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

Nays—7

Bafalis	Lane	Sayler	Wilson
Johnson	Plante	Stolzenburg	

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

#### INTRODUCTION

By Senator Friday—

**SCR 1-B**—A concurrent resolution providing for the sine die adjournment of the Special Session of the Florida Legislature convened June 10, 1970.

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

Section 1. This Special Session of the Florida Legislature convened on June 10, 1970, shall adjourn sine die at 9:00 p.m., June 10, 1970.

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

On motion by Senator Friday, the rules were waived and SCR 1-B was read the second time by title, adopted and certified to the House. The vote was:

Yeas—43

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

Nays—1

Stolzenburg

The Senate resumed consideration of—

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable John E. Mathews, Jr.* June 10, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has adopted SCR 1-B.

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

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

On motion by Senator Friday, the Senate stood in informal recess at 7:34 p.m. until the hour of 9:01 p.m. The hour of 9:00 p.m. having arrived, no Senators appeared in the Senate Chamber and the Special Session convened by Proclamation of His Excellency, Claude R. Kirk, Jr., on Wednesday, June 10, 1970, expired pursuant to SCR 1-B.