

SPECIAL SESSION

JOURNAL OF THE SENATE

At a special session of the Florida Legislature convened by proclamation of His Excellency, Reubin O'D. Askew, 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, January 27, 1971

In pursuance of the Proclamation of Honorable Reubin O'D. Askew, Governor of the State of Florida, the Senate met in special session at 10:00 a.m. and was called to order by Senator Jerry Thomas, President of the Senate; the Secretary of the Senate, Elmer O. Friday, the Sergeant at Arms of the Senate, LeRoy Adkison, being at their posts.

By direction of the President, the Secretary read the Proclamation of the Governor convening the Legislature in special session:

PROCLAMATION

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

WHEREAS, at a previously called special session of the Legislature, a one hundred twenty (120) day moratorium on increases of automobile insurance rates was enacted in order that the Legislature might review existing laws and regulations, and

WHEREAS, the said one hundred twenty (120) day moratorium will expire on February 8, 1971, and

WHEREAS, an interim solution to the automobile insurance problems of the State must be found before the moratorium expires, and

WHEREAS, a more lasting solution to the long-range problem could be proposed by a study commission, and

WHEREAS, I find that it is in the best interest of the people of the State that the Legislature be convened forthwith;

NOW, THEREFORE, I, Reubin O'D. Askew, Governor of the State of Florida, by virtue of the power and authority vested in me by Section 3, Article III of the Constitution, do hereby convene the Legislature in special session at the Capitol for three (3) days beginning at 10 a.m. on Wednesday, January 27, 1971, and ending at 5 p.m. on Friday, January 29, 1971.

This call is for the sole and exclusive purpose of considering the adoption of legislation to assure that adequate automobile insurance protection be available to the citizens of Florida at reasonable prices. More specifically, this call is for the purpose of seeking an interim solution to the problem, pending the development of a more permanent and broad program of automobile insurance reform.

The call is also for the purpose of considering the creation of a study commission to make recommendations to the Governor and the Legislature for a long-range automobile insurance program.

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 21 day of January, 1971.

REUBIN O'D. ASKEW
Governor



ATTEST:

RICHARD (DICK) STONE
Secretary of State

By direction of the President, the Secretary of the Senate read the following Proclamation of the Governor expanding the foregoing call:

PROCLAMATION

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

WHEREAS, on January 21, 1971, I issued an Executive Proclamation convening the Legislature in special session at the Capitol for three (3) days beginning at 10 a.m. on Wednesday, January 27, 1971, and ending at 5 p.m. on Friday, January 29, 1971, for the sole and exclusive purpose of considering the adoption of legislation to assure that adequate automobile insurance protection be available to the citizens of Florida at reasonable prices; and, more specifically, for the purpose of seeking an interim solution to the problem, pending the development of a more permanent and broad program of automobile insurance reform, and

WHEREAS, the Supreme Court of Florida has now advised me that a tax on corporate income cannot be enacted without an amendment to the Constitution, and

WHEREAS, the revenue from such a tax is direly needed to finance the operations of our government in the fiscal year, 1971-72, and

WHEREAS, these revenues will not be available unless an emergency is declared and an early referendum is authorized by the Legislature, and

WHEREAS, since the issuance of the above Proclamation, a question has arisen regarding the intent of the Legislature in the enactment of the Governmental Reorganization Act of 1969, Chapter 20, Florida Statutes, as it relates to terms of members of the Board of Business Regulation, which can be resolved by an appropriate amendment, and

WHEREAS, since the issuance of the above Proclamation, it has come to my attention that the Department of Health and Rehabilitative Services, Division of Family Services is in need of additional funding to properly finance the Medicaid Program for the fiscal period beginning July 1, 1970, and ending June 30, 1971, and

WHEREAS, this additional funding cannot be accomplished unless additional revenue is made available to the General Revenue Fund this year, and additional revenue can be made available by requiring the quarterly payment of premium taxes by insurance companies, and

WHEREAS, this can be accomplished without increasing taxes, but merely by changing the method of collection, and

WHEREAS, in order for the Legislature to consider these matters enumerated above, it is necessary to extend and expand the call of the Legislature, and

WHEREAS, I deem it in the best interest of the State of Florida to extend and expand the call of the Legislature;

NOW, THEREFORE, I, Reubin O'Donovan Askew, Governor of the State of Florida, by virtue of the power and authority vested in me by the Constitution and laws of the state do hereby extend the call of the Legislature to and including February 3, 1971, at 5 p.m.

The call is hereby expanded so that the Legislature will have the opportunity to consider an amendment to the Constitution allowing income taxes on corporation and other artificial entities as opposed to natural persons and an Act re-

quiring an emergency referendum on this amendment; requiring insurance companies to make quarterly payments of premium taxes; and additional funding for the Department of Health and Rehabilitative Services, Division of Family Services, to properly finance the Medicaid Program for the fiscal period beginning July 1, 1970, and ending June 30, 1971.



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 27 day of January, 1971.

REUBIN O'D. ASKEW
Governor

ATTEST:

RICHARD (DICK) STONE
Secretary of State

The following Senators were recorded present:

Mr. President	Daniel	Johnson (29th)	Poston
Arnold	Deeb	Johnson (34th)	Reuter
Barron	de la Parte	Karl	Saunders
Barrow	Ducker	Knopke	Sayler
Beaufort	Fincher	Lane	Scarborough
Bell	Gong	Lewis (33rd)	Stolzenburg
Bishop	Graham	Lewis (43rd)	Trask
Boyd	Gunter	McClain	Ware
Brannen	Haverfield	Myers	Weber
Brantley	Henderson	Ott	Weissenborn
Broxson	Hollahan	Plante	Williams
Childers	Horne	Pope	Wilson

48. A quorum present.

Prayer by Senator Broxson:

Almighty God, our heavenly father, with thankful hearts we bow in your magnificent presence today and give thanks for all the many things of life that you have bestowed upon each of us, life, help, strength and the privilege to live in this great country and in this great state. We pray now that your spirit of holiness, righteousness and godliness will rest upon us today as we deliberate on important things that affect our constituency. We pray that we shall be humble in thy sight and our own sight. Help us to accomplish thy holy will. Help us not because we deserve it, but because we need it. In thy name. Amen.

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

By direction of the President, the Secretary of the Senate read the following communication from the Governor:

Honorable Jerry Thomas
President of the Senate
The Capitol
Tallahassee, Florida

January 26, 1971

Dear Mr. President:

I hereby request an opportunity to address the joint session of the Legislature at 11:00 A.M., Wednesday, January 27.

The address will be to explain the actions I propose during the session.

Sincerely,
REUBIN O'D. ASKEW
Governor

On motion by Senator Haverfield that a committee be appointed to wait upon the Governor and inform his Excellency

that the Senate was convened pursuant to his Proclamations, the President appointed Senators Haverfield, Beaufort and Bishop.

Senator Hollahan announced that the Committee on Rules, Calendar, Privileged Business and Ethics would meet in Room 31 following noon recess.

INTRODUCTION

By Senator Deeb—

SB 1-B—A bill to be entitled An act relating to insurance; amending §§627.031, 627.041, and 627.111(1), Florida Statutes; adding §§627.319, 627.320, and 627.322, Florida Statutes; providing the purpose of part I of chapter 627; defining "pure premium"; providing for a hearing as to filing for workmen's compensation and employer's liability insurance; providing a procedure in other types of insurance for rate filings; providing for a rate examiner to investigate rate filings and make his report and findings public record; providing for review of report and findings by department of insurance; providing for public hearings; providing that the department may disapprove a filing or may give notice to insurer that there is no reason to disapprove the filing; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Commerce.

By Senator Deeb—

SB 2-B—A bill to be entitled An act relating to motor vehicle insurance; requiring no-fault reparation insurance and motor vehicle liability insurance and limiting tort liability; providing for the administration thereof; repealing chapter 324, Florida Statutes, which requires that proof of financial responsibility by an owner or operator of a motor vehicle involved in an accident be shown as a requisite to future ownership and operation of motor vehicles; repealing paragraph (t) of subsection (1) of §624.0324 and subsection (3) of §627.1012, Florida Statutes, and amending §627.0851(1), Florida Statutes, to conform to the repeal of chapter 324; providing penalties; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Commerce.

By the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction and consideration. The vote was: Yeas—41 Nays—None

Mr. President	Deeb	Johnson (34th)	Reuter
Arnold	Ducker	Karl	Saunders
Barron	Fincher	Knopke	Sayler
Beaufort	Gong	Lewis (33rd)	Scarborough
Bishop	Graham	Lewis (43rd)	Stolzenburg
Boyd	Gunter	McClain	Trask
Brannen	Haverfield	Myers	Williams
Brantley	Henderson	Ott	Wilson
Broxson	Hollahan	Plante	
Childers	Horne	Pope	
Daniel	Johnson (29th)	Poston	

By Senators Daniel, Poston, McClain and Williams—

SB 3-B—A bill to be entitled An act relating to insurance; adding a new subsection (3) to §627.062, Florida Statutes; providing that the burden of proof be on the insurer to prove that its private passenger automobile insurance rates are not excessive or unreasonable when contested; setting forth criteria for determining whether an increase in such rates is excessive; creating §627.073, Florida Statutes; providing that such rates adopted in concert through the use of a rating organization or otherwise be approved by the department of insurance prior to being put into effect; adding subsection (5) to §627.321, Florida Statutes; providing that the department of insurance

may at any time and for any purpose call public hearings, as provided by law, in regard to private passenger automobile insurance rates; amending §627.371, Florida Statutes; providing additional hearing procedures; providing for the posting of a bond to cover the refund of premiums; providing an effective date.

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

By the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction and consideration. The vote was: Yeas—41 Nays—None

Mr. President	Deeb	Johnson (34th)	Reuter
Arnold	Ducker	Karl	Saunders
Barron	Fincher	Knopke	Sayler
Beaufort	Gong	Lewis (33rd)	Scarborough
Bishop	Graham	Lewis (43rd)	Stolzenburg
Boyd	Gunter	McClain	Trask
Brannen	Haverfield	Myers	Williams
Brantley	Henderson	Ott	Wilson
Broxson	Hollahan	Plante	
Childers	Horne	Pope	
Daniel	Johnson (29th)	Poston	

By Senators Daniel, Poston, Lewis (43rd), McClain, Williams and Gunter—

SB 4-B—A bill to be entitled An act relating to insurance; amending §627.314(1)(a), Florida Statutes, to remove the authority of insurers to act in concert in the making of private passenger automobile insurance rates through the use of the services of ratemaking organizations; providing an effective date.

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

By the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction and consideration. The vote was: Yeas—41 Nays—None

Mr. President	Deeb	Johnson (34th)	Reuter
Arnold	Ducker	Karl	Saunders
Barron	Fincher	Knopke	Sayler
Beaufort	Gong	Lewis (33rd)	Scarborough
Bishop	Graham	Lewis (43rd)	Stolzenburg
Boyd	Gunter	McClain	Trask
Brannen	Haverfield	Myers	Williams
Brantley	Henderson	Ott	Wilson
Broxson	Hollahan	Plante	
Childers	Horne	Pope	
Daniel	Johnson (29th)	Poston	

By Senators Daniel, Poston, Lewis (43rd), McClain, Williams and Gong—

SB 5-B—A bill to be entitled An act relating to insurance; amending §627.0852(4), Florida Statutes, to provide guidelines for and proscription against the nonrenewal of automobile insurance policies; providing that no insurer may deny an applicant for automobile liability insurance solely on the grounds that renewal of similar coverage has been denied him by another insurer; providing an effective date.

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

By the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction and consideration. The vote was: Yeas—41 Nays—None

Mr. President	Deeb	Johnson (34th)	Reuter
Arnold	Ducker	Karl	Saunders
Barron	Fincher	Knopke	Sayler
Beaufort	Gong	Lewis (33rd)	Scarborough
Bishop	Graham	Lewis (43rd)	Stolzenburg
Boyd	Gunter	McClain	Trask
Brannen	Haverfield	Myers	Williams
Brantley	Henderson	Ott	Wilson
Broxson	Hollahan	Plante	
Childers	Horne	Pope	
Daniel	Johnson (29th)	Poston	

By Senators Daniel, Poston, Lewis (43rd), McClain, Williams, Fincher and Gong—

SB 6-B—A bill to be entitled An act relating to automobile liability insurance; amending §627.0852(3)(a) and (4)(a) Florida Statutes, to provide forty-five (45) days' notice to an insured's insurance agent of an insurer's intention to cancel or refuse to renew the insured's casualty insurance policy; requiring notice of cancellation or nonrenewal to state the reasons therefor; providing an effective date.

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

By the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction and consideration. The vote was: Yeas—41 Nays—None

Mr. President	Deeb	Johnson (34th)	Reuter
Arnold	Ducker	Karl	Saunders
Barron	Fincher	Knopke	Sayler
Beaufort	Gong	Lewis (33rd)	Scarborough
Bishop	Graham	Lewis (43rd)	Stolzenburg
Boyd	Gunter	McClain	Trask
Brannen	Haverfield	Myers	Williams
Brantley	Henderson	Ott	Wilson
Broxson	Hollahan	Plante	
Childers	Horne	Pope	
Daniel	Johnson (29th)	Poston	

By Senators Daniel, Poston, Lewis (43rd), McClain, Williams and Gong—

SB 7-B—A bill to be entitled An act relating to insurance agents; amending §626.0125(2), Florida Statutes, to provide that a licensed Florida insurance agent may broker business directly with an insurer for which he is not licensed when in the best interests of the insured; providing that this shall not apply to insurers' exclusive agents; amending §624.0224(1), Florida Statutes, to conform to this act; providing an effective date.

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

By the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction and consideration. The vote was: Yeas—41 Nays—None

Mr. President	Deeb	Johnson (34th)	Reuter
Arnold	Ducker	Karl	Saunders
Barron	Fincher	Knopke	Sayler
Beaufort	Gong	Lewis (33rd)	Scarborough
Bishop	Graham	Lewis (43rd)	Stolzenburg
Boyd	Gunter	McClain	Trask
Brannen	Haverfield	Myers	Williams
Brantley	Henderson	Ott	Wilson
Broxson	Hollahan	Plante	
Childers	Horne	Pope	
Daniel	Johnson (29th)	Poston	

By Senators Daniel, Poston, Lewis (43rd), McClain and Gong—

SR 8-B—A resolution relating to traffic safety and automobile insurance, requesting the President of the Senate to charge appropriate committees with the study of the possible reduction of automobile accidents and attendant insurance costs.

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

By Senators de la Parte and Trask—

SJR 9-B—A Joint Resolution proposing an amendment to Section 5 of Article VII of the Constitution of the State of Florida, limiting the prohibition against estate, inheritance and income taxes to natural persons only, and providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Ways and Means.

By Senators de la Parte and Trask—

SB 10-B—A bill to be entitled An act providing for a special election to be held for the approval or rejection by the electors

of Florida of House Joint Resolution No. 7-B relating to an amendment to Section 5 of Article VII of the State Constitution; providing for an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Ways and Means.

MOTIONS RELATING TO COMMITTEE REFERENCES

On motions by Senator Barrow, by two-thirds vote, Senate Bills 92 and 95 were withdrawn from the Committee on Judiciary—Criminal and referred to the Committee on Judiciary—Civil B.

On motions by Senator Deeb, by two-thirds vote, SB 2-B was withdrawn from the Committee on Commerce and from the Senate in special session and prefiled for the regular session.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas
President of the Senate

January 27, 1971

Sir:

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

By Representative Dubbin—

HCR 1-B ORG.—A concurrent resolution providing that the House of Representatives and the Senate convene in joint session.

WHEREAS, His Excellency, Governor Reubin O'D. Askew has expressed a desire to address the Legislature in joint session; NOW, THEREFORE,

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

That the House of Representatives and the Senate convene in joint session in the chamber of the House of Representatives at 11 o'clock this day, Wednesday, January 27, 1971, for the purpose of receiving the message from the Governor.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 1-B ORG., contained in the above message, was read the first time in full. On motion by Senator Hollahan, the rules were waived and HCR 1-B ORG. was read the second time by title, adopted and certified to the House. The vote was: Yeas—44 Nays—None

Mr. President	Deeb	Johnson (34th)	Reuter
Arnold	de la Parte	Karl	Saunders
Barron	Ducker	Knopke	Saylor
Barrow	Fincher	Lewis (33rd)	Scarborough
Beaufort	Gong	Lewis (43rd)	Stolzenburg
Boyd	Graham	McClain	Trask
Brannen	Gunter	Myers	Ware
Brantley	Henderson	Ott	Weber
Broxson	Hollahan	Plante	Weissenborn
Childers	Horne	Pope	Williams
Daniel	Johnson (29th)	Poston	Wilson

Senator Trask announced a meeting of the Subcommittee on Finance and Taxation to be held in Senate Hearing Room 31 at 3:00 p.m. for the consideration of SJR 9-B.

Senator Karl announced a meeting of the Committee on Commerce at 3:00 p.m. for the consideration of bills relating to insurance.

The committee appointed to wait upon the Governor appeared at the bar of the Senate and reported to the President that its duty had been performed. The committee was thanked for its service and discharged.

Senator Karl moved that the rules be waived and the Committee on Commerce be permitted to consider all bills referred to the committee at its meeting this date. The motion was adopted.

JOINT SESSION

Pursuant to HCR 1-ORG., the Senate formed in processional order and marched in a body to the chamber of the House of Representatives where they were received in due form. The joint session was called to order by the Honorable Richard A. Pettigrew, Speaker of the House of Representatives, at 11:00 a.m.

The Speaker invited the President of the Senate, Jerry Thomas, and the President Pro Tempore of the Senate, Wilbur H. Boyd, to the rostrum and requested the President to preside over the joint session.

The President in the chair.

The President declared a quorum of the joint session present.

Prayer was offered by Representative James L. Redman.

On motion by Representative Dubbin that a committee be appointed to notify the Governor that the joint session was assembled and ready to receive His Excellency's message, the President appointed Senators Broxson, Poston and Childers on the part of the Senate, and the Speaker appointed Representatives Shaw, Nichols and Reed on the part of the House of Representatives.

The committee withdrew and upon return, escorted His Excellency, Reubin O'D. Askew, Governor of Florida, to the rostrum where he was presented to the joint session by the President. The Governor addressed the joint session as follows:

I have called you into special session today to consider several matters which are so urgent they cannot wait until the regular session in April. Each of the problems is seemingly unrelated to the other, but all stem from the same beginning. Each of the matters within the call of this special session had its roots in a commitment which the Legislature made to this state and its people.

In October, the Legislature placed a moratorium on rate increases for automobile insurance. The moratorium will expire on February 8. The promise of the moratorium was that in 120 days, reforms would be enacted in Florida's insurance law—reforms which would protect the consumer from unreasonable rates and, at the same time, make certain that insurance would be available to the motorists of this state. As a member of the Legislature, I voted for the moratorium, as did many of you. I did so in good faith, believing that the public had lost confidence in the method by which automobile insurance was regulated. I did so believing that reform was not only possible but necessary. We promised the people of Florida we would act . . . all we needed was time. That time has run. Our failure to act now on the election eve promise we wrote into law would surely be received by those looking to us for help as a callous and cynical act of political opportunism.

I do not believe that we can accomplish total reform of Florida's insurance law at this special session. I do believe, however, that we can provide an interim solution which will not only stabilize the immediate problem during this interim period but will also create an atmosphere for genuine reform in the year ahead. Essential to this interim solution must be at least a temporary return to some form of prior approval of rate changes for automobile insurance. Nothing less will be satisfactory to the public. Nothing less will demonstrate that the adoption of the moratorium in October was truly done in good faith.

I also recommend that you place the burden upon the companies to justify any rate increases and that you clearly prohibit any rate making in concert.

In offering these recommendations, I recognize there is no one "right" solution in this very complex area of automobile insurance. I also recognize that this is not a problem peculiar

to Florida alone—it is a nationwide problem. Finding solutions that are in the public interest will be a continuing challenge both in this state and elsewhere.

I recommend to you the creation of an independent commission to begin seeking long-range answers for Florida and to make recommendations to the Legislature in its regular session next year.

Borrowing from the better aspects of the rating systems of other states and examining all other factors affecting the cost of insurance, the study group would be charged with molding a Florida insurance plan to meet the needs of our citizens within the abilities of the industry to fairly provide insurance protection.

I recognize that insurance companies should not be expected to do business in Florida and lose money. I recognize without doubt that the rising medical costs and the rising cost of repairing automobiles will surely result in higher insurance premiums. What becomes equally apparent, however, is that no one can say with any degree of certainty what the financial situations of the insurance companies are as they relate to automobile insurance. Are they actually losing money and, if so, how much are they losing? When all is said and done, the difficulty in answering that question is one of the more perplexing problems facing us today. We must do as much as we can within the confines of this special session to provide a more adequate method of determining when rates are reasonable and when they are unreasonable. And, in computing the profit or loss of a company, it is clear that additional consideration must be given to earnings from investments. Legislative, executive and judicial inquiries into the reasonableness of rates have too often been stymied by varying accounting systems which make it difficult to secure a clear determination of the facts. This is a long-range problem to which we must address ourselves.

I know there is concern in Florida that insurance companies, in response to any change in the law, will leave our state or simply stop writing new policies. That, of course, would create an availability problem and would force many drivers to pay a much higher rate by virtue of being assigned to an assigned risk pool.

We must take the availability of insurance into consideration in amending our insurance law but, in doing so, we must not abdicate our overall responsibility to the public. I am certain the insurance industry recognizes our responsibility, and I hope the industry will consider these recommendations made in good faith and will not attempt to either dry up the insurance market or unfairly restrict new business.

We must also be honest with ourselves and with the people we serve. In temporarily returning to prior approval, we must not attempt to fool the public into believing that insurance rates will be lowered. It is clear to me that the open competition, as envisioned upon adoption of our present insurance law, has not materialized to the benefit of the public. But it is also clear that insurance rates cannot stay at the same level while all other costs directly affecting the cost of insurance skyrocket. We must make it clear to the public that rates alone are not the problem—but a manifestation of broader problems to which we must address ourselves.

While we strive vigorously to ascertain the true measure of an insurance company's profit, we must in the months ahead pursue with equal vigor needed reforms in our traffic safety laws and improvements in our road systems. We must insist, as we did in enacting a nation-leading bumper law last

year, that the automobile industry produce vehicles which are not so easily and expensively damaged by minor accidents. We must be willing during the interim period to listen to all sides so that our ultimate program will have the confidence of both the consumer and the industry.

As you consider the alternatives before you in reforming Florida's insurance code, I sincerely hope that you do so with the full realization of the commitment which was made here to the people of Florida last October.

But the commitment to reform Florida's insurance code is but one of the commitments which confronts us as we attempt to meet the many challenges of a growing state. I want to remind you also of our commitments to:

Stabilize property taxes by providing additional state aid for local governments.

Strengthen the minimum foundation program by increasing the state's contribution to local schools by \$1,100 per unit each year for four years.

Build and operate new universities in Dade and Duval counties.

Provide adequate health care, through Medicaid, for those among us who are unable to pay.

Improve our highway safety programs and strengthen the campaign against crime on both the state and local level.

Provide proper housing and rehabilitation opportunities in our prison system.

Improve and expand our community mental health and drug abuse programs.

And—lest we forget—our commitment to provide adequate staffing and financing for a revitalized Legislature.

Many of these programs were begun with the promise that they would be fully funded next year or the year after. Within existing revenues, we not only cannot fulfill that promise but we will also be unable even to provide enough money for the growth of already operating programs in this year's budget.

The revenue estimate for next year projects that we will actually have less money coming in next year than was appropriated for this year. Our estimated deficit in fiscal 1971-72 is nearly 250 million dollars—just to keep existing and already committed programs going.

Furthermore, even after the most thorough review in legislative history and the use of a 63 million dollar surplus from the previous year, we find ourselves today with insufficient funds to meet this year's obligations. Upon my recommendation yesterday, the State Cabinet approved additional holdbacks which, added to the previous holdback, total 43 million dollars withheld from this year's spending programs. We are caught between the commendable vision of last year's Legislature and the hard realities of a fiscal crisis.

I have expanded the call of this special session to propose to you the first step in resolving that crisis—a proposed amendment to the State Constitution to permit a tax on corporate profits. I do not want to delude you into believing that this first step will solve all of our fiscal problems. But adoption of this amendment will set the stage for other meaningful tax reforms which will enable us to meet our most pressing revenue problems.

During the past few weeks and months, I have done the best that I know how to bring to your attention the hard realities which face us on this day. I have done this particularly for the benefit of the new members of the Legislature who are not yet familiar with the fact that Florida government has turned the last stone available to avoid raising additional revenues. I have explained as clearly and as often as I could the essential fairness of a tax on corporate profits. Adopting this tax will rectify one of the most serious inadequacies in our tax law.

As a result of the Supreme Court decision last week, there is now no doubt that the present Constitution prohibits such a tax and that the people will ultimately have to decide if a tax on corporate profits is to be permitted. I am asking you today to approve a proposed Constitutional Amendment and give the people the opportunity to decide whether Florida should join almost every other state in the union in permitting a tax on corporate profits.

Aside from the question of need, there is here a very basic question of equity. Our research indicates that Florida now taxes its large corporations at practically the lowest level in the United States, while taxing its consumers and small businessmen at one of the highest levels in the country. Consequently, this state has one of the most regressive and inelastic tax structures of all fifty states, and because our existing revenue sources cannot keep pace with the state's economic and population growth, we confront ourselves with fiscal turmoil every few years.

Time and again, we invariably turned to increases in the sales tax for the quick and easy answer to our financial dilemma, but by doing so, we continued to put a disproportionate share of the tax burden on middle and low income families.

I consider my election last November a personal mandate to vigorously and tirelessly pursue the course of tax reform that was laid out in my campaign. This I shall do. The time for tax reform is now. The need for a more productive tax base is now, and I urge you to give the people a chance to speak on this issue.

In addition to making a start on insurance and tax reform in this special session, I am asking you to give consideration to two other problems requiring your immediate attention.

One year ago, we launched Florida's first Medicaid program to insure health care for those unable to pay their own medical bills. But our original cost estimates could not be based on any actual experience and, today, we face the prospect of either providing an additional 6.4 million dollars for Medicaid or drastically curtailing the program for the remainder of this fiscal year. Clearly, we must provide the additional money. Of this 6.4 million dollars, \$2.5 million will be recovered from the counties, leaving a balance of \$3.9 million to be paid from state general revenue. To fund this appropriation, I am recommending that the insurance premium tax be collected from the insurance industry on a quarterly instead of an annual basis. This is not an increased tax on insurance premiums—but it will increase the cash flow into the State Treasury this year and in the years ahead.

I have also expanded the call of this special session to consider legislation clarifying the length of the terms of members of the Board of Business Regulation. When this board was created in 1969 as a part of executive reorganization, the Legislature protected board members from arbitrary removal by the governor who appointed them. The Legislature did so by requiring Senate approval of any suspensions. I believe, however, that since the members of this board are the actual

heads of this department, which is directly under the governor, the Legislature intended to have the term of office of those board members expire along with that of the governor. Some clarification is needed in this regard, and I hope that this Legislature will enact legislation to make clear that the terms do expire with the term of the governor who appointed them.

I recognize that, in making these recommendations to you today, I am imposing a difficult and challenging task on a new Legislature. And I assure you that I, as a new governor and a former legislator, can appreciate your feelings as together we embark on what could be a historic new course in Florida government. Each of us, I am confident, is equal to the task. And, as you meet your obligations in the days ahead, let me assure you that I will be standing by in Tallahassee to offer whatever assistance I may render. Thank you.

Following the address, the committee previously appointed escorted the Governor from the chamber.

On motion by Senator Hollahan, the Senate withdrew from the joint session.

The Senate was called to order by the President at 11:35 a.m. A quorum present—48:

Mr. President	Daniel	Johnson (29th)	Poston
Arnold	Deeb	Johnson (34th)	Reuter
Barron	de la Parte	Karl	Saunders
Barrow	Ducker	Knopke	Saylor
Beaufort	Fincher	Lane	Scarborough
Bell	Gong	Lewis (33rd)	Stolzenburg
Bishop	Graham	Lewis (43rd)	Trask
Boyd	Gunter	McClain	Ware
Brannen	Haverfield	Myers	Weber
Brantley	Henderson	Ott	Weissenborn
Broxson	Hollahan	Plante	Williams
Childers	Horne	Pope	Wilson

By direction of the President, the Secretary read the following:

AMENDMENT TO PROCLAMATION

WHEREAS, my Proclamation of January 27, 1971 expanding and extending my earlier call of the Legislature failed to include a provision in the resolving clause for consideration of the terms of members of the Board of Business Regulation;

NOW, THEREFORE, I, Reubin O'Donovan Askew, as Governor of the State of Florida, by virtue of the power and authority vested in me under the Constitution and laws of the State of Florida, do hereby amend my Proclamation of January 27, 1971 to include consideration by the Legislature of an amendment to the Governmental Reorganization Act of 1969, Chapter 20, Florida Statutes, which will provide that the terms of the members of the Board of Business Regulation shall expire with the term of the Governor who appointed them.

This Amendment shall in no other manner affect my earlier Proclamation of this date.



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 27 day of January, 1971.

REUBIN O'D. ASKEW
Governor

ATTEST:

RICHARD (DICK) STONE
Secretary of State

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

INTRODUCTION

By Senator Saylor—

SB 11-B—A bill to be entitled An act relating to motor vehicle insurance; amending §627.062(1), Florida Statutes, to provide that motor vehicle insurance companies must give three months' advance public notice of intent to raise rates; providing that the insurance commissioner shall determine whether such proposed rate increase is in violation of the law before such rate increase goes into effect; providing that the insurance commissioner may issue an order prohibiting such proposed rate increase if he finds it in violation of the law or allowing part of a rate increase if he finds it justifiable; providing that no rate increase in compliance with chapter 627, Florida Statutes, shall be prohibited; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Commerce.

By Senators Saylor and Deeb—

SB 12-B—A bill to be entitled An act relating to insurance; amending §20.16(2), Florida Statutes, as amended by chapter 70-107, Laws of Florida, and adding subsection (13) to said section, transferring the powers, duties, and functions of the department of insurance to the department of business regulation; directing the statutory revision service to make appropriate changes in terminology; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Commerce.

On motion by Senator Hollahan, the Senate recessed at 11:38 a.m. to reconvene at 2:00 p.m.

AFTERNOON SESSION

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

Mr. President	Daniel	Johnson (29th)	Poston
Arnold	Deeb	Johnson (34th)	Reuter
Barron	de la Parte	Karl	Saunders
Barrow	Ducker	Knopke	Saylor
Beaufort	Fincher	Lane	Scarborough
Bell	Gong	Lewis (33rd)	Stolzenburg
Bishop	Graham	Lewis (43rd)	Trask
Boyd	Gunter	McClain	Ware
Brannen	Haverfield	Myers	Weber
Brantley	Henderson	Ott	Weissenborn
Broxson	Hollahan	Plante	Williams
Childers	Horne	Pope	Wilson

On motion by Senator Hollahan, the Rules of the Senate adopted at the organizational session, November 17, 1970, were amended as follows:

Rule 2.1—following "RULES, CALENDAR, PRIVILEGED BUSINESS AND ETHICS", insert: Subcommittee on Management and Personnel.

Strike Rule 3.2 in its entirety and insert the following:

3.2—General form. All bills, resolutions and memorials shall, to be acceptable for introduction, be typewritten, duplicated, or printed, all in a type size of pica or larger and all of the color of black, without erasure or interlineation, on a sheet of paper of the common legal size. The lines shall be double spaced, the origi-

nal (or first copy) shall be on stout bond paper, and the remaining copies of typewritten matter shall be on paper of good grade. The copies must be exact duplicates of the original. The top and bottom margins of all pages shall be at least one and one-half (1½) inches, except the first page. The top margin of the first page shall be at least two (2) inches, and aligned on the page substantially according to the following form:

A bill to be entitled

An act

.....

.....

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

Section 1

.....

Section 2

.....

The original and five (5) copies of each measure must be backed with a yellow jacket of the type furnished by the Sergeant at Arms. On these jackets shall be inscribed the full name of the introducer and any co-introducers, and enough of the title for identification.

All general bills and joint resolutions shall be prepared on paper with 31 numbered lines beginning eight (8) spaces from the top of the page. The text shall be completely within vertical guide lines drawn six (6) inches apart, with the words "A bill to be entitled" appearing on the third numbered line.

Bills which propose to amend existing provisions of the Florida Statutes (as described in Section 11.242, F.S.) or the Laws of Florida shall contain the full text of the section, subsection or paragraph to be amended. Joint Resolutions which propose to amend the Florida Constitution shall contain the full text of the section to be amended.

As to general bills and joint resolutions which propose to amend existing provisions of the Florida Statutes or the Florida Constitution, new words shall be inserted in the text underlined, and words to be deleted shall be lined through with hyphens. Printed copies shall show the words to be added in italics, and the words to be deleted in struck through type.

In the event the change in language is so general that the use of these procedures would hinder, rather than assist, the understanding of the amendment, it shall not be necessary to use the coded indicators of words added or deleted, but, in lieu thereof, a notation similar to the following shall be inserted immediately preceding the affected section of the bill: "Substantial rewording of section. See Section . . ., F.S., for present

text." When such a notation is used it shall be underlined or in the case of the printed version of the bill, shown in italics.

The words to be deleted and the above-described indicators of such words and of new material are for information and guidance and shall not be considered to constitute a part of the bill under consideration.

Section catch lines shall not be typed with underlining, nor shall any other portion of a bill covered by this Rule other than new material.

On motion by Senator Horne, the following amendment to Rule 4.4 was adopted:

Following the first sentence, insert: The President may refer a bill or a joint resolution introduced by a standing committee to the calendar.

Senator Hollahan, Chairman of the Committee on Rules, Calendar, Privileged Business and Ethics, announced that waiver of notice pursuant to Rule 2.5 had been granted the Committees on Ways and Means, Commerce, and Governmental Efficiency for the duration of the session.

Senator Daniel presented the following report of the Select Committee on Insurance which, on motion by Senator de la Parte, was ordered spread upon the Journal on motion by Senator de la Parte:

REPORT OF THE SENATE SELECT COMMITTEE ON INSURANCE

This report and the attached proposed legislation are the work product of a series of hearings conducted by the Senate Select Committee on Insurance. In a series of hearings held in Tallahassee January 6-8 this committee specifically directed its investigative attention to;

- (1) the cost of private passenger automobile insurance, and;
- (2) availability of such private passenger automobile insurance.

Specifically with respect to cost, the committee heard testimony on the subject of no-fault automobile insurance. Testimony included a summary of some 23 types of no-fault plans. Representatives of the American Insurance Association presented their proposal for complete abolition of the fault system with respect to automobile accident claims. Additionally, experts from the National Association of Independent Insurers and the American Mutual Insurance Alliance presented their case for two different modified no-fault plans which do not entirely eliminate tort recovery. The committee was told of possible premium savings of from 15-30%. Other testimony was received by the committee indicating increased cost of automobile insurance under any no-fault plan.

Insurance Commissioner Tom O'Malley made a general presentation in which he strongly advocated some type of no-fault system. Additionally, Commissioner O'Malley specifically urged repeal of the so-called "California Plan" and return to prior approval rate regulation even though he said he did not know if present rates were excessive. Finally, the Commissioner pointed out that he had not been in office long enough to make specific legislative recommendations either in the area of no-fault or with regard to long range solutions in the area of insurance rate regulation.

Rebuttal testimony on no-fault was received from Professor David Sargent and from the Florida Academy of Trial Lawyers. Professor Sargent, in his testimony, pointed out that actuarial studies he had seen proved that no-fault automobile insurance would result in greater cost to the public. He referred specifically to a study by Mr. William Bailey, actuary for the Michigan insurance department.

Because the concept of no-fault is largely untried, and because there appears to be much divided opinion among experts on either side of the issue, this committee cannot recommend legislation in this area as an immediate means of reducing costs. It is therefore suggested that further consideration be referred to the Senate Commerce Committee. Each no-fault proposal submitted to the legislature in the future should be accompanied by specific data to support any claims of cost reductions because of the extent of controversy among experts on the subject.

During the proceedings of this committee much testimony was received concerning traffic safety and automobile design improvement as a direct means of reducing insurance costs. During the past 10 years accidents in Florida have increased 78.9%. Traffic fatalities have risen 71.4% and injuries are up 186.3%. During the same period licensed drivers are up 45.3% and vehicle registrations have increased 68.8%.

Much of the increase in accidents and concurrent deaths and injuries can be directly attributed to the drunk and to otherwise irresponsible driving attitudes.

During the course of committee hearings, a 20 minute film concerning protection of the crash victim was shown. The film vividly demonstrated by example that property damage and injury can be minimized by better design and construction of automobiles and highways. At least one major insurance company operating in Florida is offering substantial insurance premium reductions for automobiles with a bumper design that can withstand a 10 mph crash.

There can be little doubt that strong traffic safety legislation and requirements to improve automobile construction will result in reduced insurance costs. The legislature must direct its immediate attention to these two areas of concern. Recommendations for such legislative action accompany this report.

As to the cost of automobile insurance, consideration should be given to the inclusion of a deductible in the automobile liability policy (applicable only to property damage), and what, if any, could be the resulting decrease in insurance costs. An example of the application of a \$250 deductible to the property damage premiums of a risk located in Tallahassee, Florida was used. It was applied to a commercial risk since this kind of a deductible is applicable in certain states where permitted.

The example of basic limits of 10-20-5,000 developed a premium of \$59. The breakdown in premium allocation was bodily injury \$35 and property damage \$24 for a total of \$59.

Application of a \$250 deductible would reduce the property damage premium 50% or to \$12. This would result in an overall reduction of 20% — new total premium would be \$47. As a further indication of what might develop as an extension of this line of thinking, the following figures are presented:

1) Total property damage premium written in Florida, 1969	\$ 71,499,713
2) Total bodily injury premium written in Florida, 1969	208,999,335
3) Total combined	\$280,498,048
4) Application of a \$250 deductible to property damage premium (50% reduction)	\$ 35,749,856
5) New total combined after deducting 50% reduction	\$244,749,856
6) Percentage reduction overall	13%

To follow this rationale to its conclusion, the Financial Responsibility Law would have to be amended to allow the \$250 deductible. Recent studies show the average paid claim cost in Florida for property damage is \$226. Elimination of small claims and attendant expenses would contribute significantly to premium savings.

This philosophy of a deductible on automobile liability policies is consistent with policies issued for other coverages.

On this particular subject, one of the committee's recommendations was to provide for a feasibility study in this area. A Senate Concurrent Resolution has been drawn to accomplish this goal.

As to the present availability of insurance, it was reported to the committee the following conditions:

(1) At least four (4) major writers of automobile insurance have discontinued writing policies in Florida. These companies are renewing their existing policy holders.

(2) One major writer has discontinued the authority of its agents to bind coverage for new policy holders. The net effect of this is to drastically reduce the number of new policy holders.

(3) At least four (4) substandard writing companies have discontinued writing any new policy holders in Florida. These companies are renewing their existing policy holders.

(4) One (1) substandard company has withdrawn from writing any new or renewal business and is going out of business.

(5) The record reflects that twenty (20) companies have filed bonds to comply with the court order affecting the moratorium law. These 20 companies are thus permitted to charge rates in excess of those in effect July 1, 1970. (List attached)

(6) The general consensus is that many companies that have not officially notified the Florida Insurance Department have either discontinued writing new business or have severely restricted writings in Florida.

An indicator of this is the increase in the Florida Automobile Insurance Facility (formerly the Florida Automobile Assigned Risk Plan).

In June of 1970, the total applications processed were 8,078. In November of 1970, the total applications that were processed were 13,559.

At the conclusion of the three days of hearings, the chairman submitted 18 items for consideration by the committee as possible legislative proposals.

The committee generally agreed that these items should be pursued and possible legislation developed.

There has been considerable concern that automobile insurance companies making rates in concert with one another, although permitted to do so by law, have lessened competition in the market place. There was no testimony before this committee to establish this as a fact, nevertheless, this apparent concern is real on the part of the public. Legislation is herewith presented to prohibit rate-making in concert as it concerns private passenger automobile insurance. This legislation will also abolish so-called bureau rate making in any form as to automobile insurance. This should certainly alleviate any collusive action by insurance companies.

Although there has been no testimony presented to this committee that any rate being presently charged by any insurance company is excessive, legislation is presented that clearly requires that the burden of proof be upon the company to prove that the rates it is using are not unreasonable and excessive. In several instances, the question has been posed whether or not the insurance commissioner, under the present law, has the authority to call a rate hearing solely upon his own motion. Legislation is presented which answers that question and clearly provides that authority.

To provide additional protection to the public of this state, legislation is presented that will require every company, whose rates are contested by the insurance commissioner, to post a bond that will guarantee the return of any excess premium charged if the rate is determined to be unreasonable and excessive.

Severe penalties should be imposed against any companies determined by the insurance commissioner to have developed rates they are charging in concert with one another. Legislation is presented to impose prior approval of rates used by any companies that were determined to have been developed in concert with one another.

Testimony has been received by this committee concerning certain abusive practices as to non-renewal of automobile insurance policies, cancellation and non-renewal of policies other than automobile, and the inability in some instances of agents to provide the best market for his policy holders. Such abusive practices on the part of any company should be eliminated and legislation now presented will accomplish the following:

(1) Sets forth certain prohibitions against a company non-renewing its policy holders. In particular, it will prevent a company the right to deny anyone automobile insurance based solely on the fact that he or she has been cancelled or non-renewed by another company.

(2) Will require that companies provide forty-five days notice to the agent and policy holder of cancellation or non-renewal. This would give the agent sufficient time to place his policy holder with another company.

There was overwhelming testimony and evidence submitted to this committee that establishes the need for immediate study concerning the drunk driver and the crash resistance of automobiles, because of the fact that over 50% of the automobile fatalities involve a drunk driver, because of the fact of an apparent increase in the number of drunk drivers, because of the fact that a 5 mph crash can cause in excess of \$200 damage to an automobile, and because there is a serious problem with "habitual offenders" still on the highways of this state. It is strongly recommended that an immediate study be undertaken by the appropriate committee or committees to prepare legislation that will:

(1) Remove the drunk driver from the highways of this state by imposing mandatory penalties severe enough to be effective.

(2) Remove the "habitual offender" from the highways of this state by imposing severe penalties, such as but not limited to, mandatory loss of driving privileges.

(3) Adopt safety standards for automobiles sold in this state to increase the crash resistance, minimizing damage and reducing bodily injury.

The committee notes that in receiving this testimony, it has been established that the effective implementation of this kind of legislation would result in a meaningful reduction in the cost of automobile insurance. This is substantiated by the fact that several insurance companies have announced a 20% reduction in automobile insurance rates when an energy-absorption bumper is installed on the automobile as will be required on all new automobiles sold in Florida in 1973.

The Senate Select Committee on Insurance concluded its hearings with further suggested areas of study by the appropriate committees. These are as follows:

(1) Hearings to be held to receive testimony from automobile manufacturers as to plans for additional safety features on automobiles and progress in improving the crash resistance of automobiles.

(2) An invitation should be extended for the Secretary of the Department of Transportation to testify. (By Senator Lewis)

(3) An invitation be extended to Professor Jeffery O'Connell, co-author of the Keeton-O'Connell no fault plan, to testify. (By Senator Lewis)

(4) An invitation be extended to Dr. John Hall from Georgia State College to testify. (By Senator Lewis)

(5) Repeal the existing insurance rating law (no prior approval) and adopt a prior approval rating law. (By Senator Lewis)

(6) Compulsory arbitration of small liability claims (amount not stated). (By Senator McClain)

(7) Compulsory automobile liability insurance. (By Senator McClain)

(8) Application of a surcharge of various amounts if convicted of a moving traffic violation. Surcharges would be placed in a state fund to be distributed to lower loss ratios. (By Senator McClain)

(9) Examine the contingency fee system. (By Senator McClain)

(10) Review the accounting principles of insurance companies. (By Senator McClain)

(11) Burden of proof in court on insurance companies that a rate is not unreasonable. (By Senator McClain)

(12) Examine the feasibility of restructuring the office of Insurance Commissioner. (By Senator McClain)

(13) Establishment of procedures improving correctness of loss reserves as it concerns the development of rates and at the time of any rate increase. (By Senator Williams)

(14) No-fault insurance plans.

In summarization of the testimony and evidence presented to this committee and in conformity with the scope of the committee investigations, the following conclusions can be reached:

(1) As to the cost of automobile insurance:

a) Automobile insurance rates can be reduced if effective legislation is passed to get the drunk driver off the highways, the habitual offender off the highways, and improve the crash resistance of the automobile. This conclusion is vivid when you consider that the average property damage claim in this state is \$226, that 94% of all property damage claims are less than \$500, and further that approximately two-thirds of the premium dollar is used for the payment of property damage claims.

b) If the philosophy of a deductible on the property damage portion of the automobile liability policy is applied, there can be an immediate reduction in premiums to the policy holders of this state who purchase the deductible.

(2) As to the availability of automobile insurance:

a) Availability of automobile insurance in Florida is at the present severely restricted. There is very little market expansion.

b) All necessary steps should be taken to be sure that any company writing automobile insurance in this state can do so at an adequate rate and all necessary steps should be taken to be sure that any company writing automobile insurance in this state does not charge an excessive rate.

(3) Availability of automobile insurance will improve when the safety features of the automobile are improved and the people who cause most of the accidents are removed from behind the wheel of the automobile.

(4) A return to rigid rate regulation will cause an even greater availability problem.

Automobile insurance has become a necessity and way of life. Companies who write automobile insurance have a right to expect stability in this state, and at the same time the public of this state has a right to a stable insurance market, free of abusive practices of any kind.

The passage of the legislation herein presented and the fruitful consummation of certain other recommendations in this report should accomplish what is needed.

Respectfully Submitted,
C. Welborn Daniel
Chairman

The Senate resumed—

INTRODUCTION

By Senator Trask—

SB 13-B—A bill to be entitled An act amending subsection (1) of section 624.0307, Florida Statutes, and section 624.0309, Florida Statutes, providing for the payment of insurance premium taxes and the filing of tax returns thereon on a quarterly basis instead of an annual basis, providing a method of distribution, providing penalties; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Ways and Means.

By Senators Gunter, Myers and de la Parte—

SB 14-B—A bill to be entitled An act relating to the department of health and rehabilitative services, division of family services, making an appropriation; providing moneys for the remainder of the annual period beginning July 1, 1970 and ending June 30, 1971, to pay expenses for the medical care programs; providing that the funds herein appropriated shall be supplemental to any other appropriations made to the division of family services; and, providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Ways and Means.

By Senators Barron, Karl, Poston, Williams, Barrow and Gunter—

SB 15-B—A bill to be entitled An act relating to insurance; amending sections 627.031 and 627.062, Florida Statutes; adding new sections 627.080, 627.081, 627.082, 627.083, 627.084, Florida Statutes, to provide for suspension of the so-called California Plan as to motor vehicle insurance, and the reinstatement of prior approval of rates on motor vehicle insurance; adding new section 627.070, Florida Statutes, to define motor vehicle insurance; providing for implementation; providing for repeal of sections two through ten of this act on July 1, 1971; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Commerce.

The President announced that all bills not coming within the purview of the Governor's proclamation would be delivered to the Committee on Rules and Calendar for study and recommendation.

On motion by Senator Hollahan, the Senate adjourned at 3:10 p.m. to reconvene at 9:00 a.m., January 28, 1971.