

# JOURNAL OF THE FLORIDA SENATE

Wednesday, April 28, 1971

The Senate was called to order by the President at 8:30 a.m. for the purpose of conducting the order of business of Introduction and reference of Resolutions, Memorials, Bills and Joint Resolutions, pursuant to Rule 4.3.

## INTRODUCTION

By Senator Poston—

**SB 971**—A bill to be entitled An act relating to the Florida construction industry licensing board; amending §468.109(4), Florida Statutes; providing for a portion of certification and registration fees to be paid into the general revenue fund; providing an effective date.

Was read the first time by title and referred to the Committees on Commerce and Ways and Means.

By Senators Poston and Hollahan—

**SB 972**—A bill to be entitled An act relating to the Florida construction industry licensing board; amending §468.103(2)(b), Florida Statutes, to require all new appointments to the board to hold a certificate issued by the board; amending §468.113(5), Florida Statutes, to require registration or certification numbers to be on the permit card displayed at the job site and to be on any job identification signs at the job site; providing an effective date.

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

By Senators Poston and Hollahan—

**SB 973**—A bill to be entitled An act relating to the Florida construction industry licensing board; amending §468.102(1), Florida Statutes, to redefine "contractor"; amending §468.105(2)(b), Florida Statutes, to provide for the registration of any persons who have not previously registered by submitting certain information to the board, with a cutoff date; amending §468.106(1) and (3), Florida Statutes, to provide for the investigation of the financial responsibility, credit and business reputation of an applicant prior to the certification examination; amending §468.107(1), (2) and (3)(a), Florida Statutes, to provide that the certification or registration shall be issued to individuals only and that the individuals shall qualify business organizations, and to add that the certification or registration holder be legally qualified to act for such business organizations; amending §468.108(2), Florida Statutes, to provide that the board may require a certification examination if registration or certification is not renewed after the grace period; amending §468.112(1), Florida Statutes, to provide the state board with jurisdiction to hear complaints if a local board fails to take action within ninety (90) days; amending §468.113(10), Florida Statutes, to add that all sealed bids received by the state, counties, or municipalities shall have the contractor's registration or certification number affixed to the outside; amending §468.114(8), Florida Statutes, to exempt owners of property constructing or improving one or two-family residences thereon or constructing or making improvements on commercial buildings costing under ten thousand dollars (\$10,000) thereon; providing an effective date.

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

By Senator Hollahan—

**SB 974**—A bill to be entitled An act relating to prison sentences; amending §921.161(1), Florida Statutes, as amended by chapter 70-339, Laws of Florida, to provide that no sentence to imprisonment shall begin to run before it is imposed; providing for mandatory credit toward service of sentence for any days spent in custody in connection with the offense or acts for which sentence was imposed; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By Senator Hollahan—

**SB 975**—A bill to be entitled An act relating to escaped prisoners; amending §944.40, Florida Statutes, which provides a penalty for escape or attempted escape from confinement; specifying that escape from confinement for a felony is a felony, and escape from confinement for a misdemeanor is a misdemeanor; providing penalties; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By Senator Hollahan—

**SB 976**—A bill to be entitled An act relating to public defenders; amending §27.59, Florida Statutes, to provide the public defender access to prisoners in order to tender them advice and counsel upon affirmation of insolvency; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By Senator Hollahan—

**SB 977**—A bill to be entitled An act relating to public defenders; adding a new section to chapter 27, Florida Statutes, to delineate procedure when a case receives a change of venue; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By Senator Hollahan—

**SB 978**—A bill to be entitled An act relating to service of process; amending §48.021, Florida Statutes, to allow public defenders and their investigators to serve process under certain conditions; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By Senator Hollahan—

**SB 979**—A bill to be entitled An act relating to police officers generally as defined herein; specifically authorizing collective bargaining and collective bargaining agreements between police officers and their public employers; establishing the right to organize and bargain collectively; providing for the recognition of a bargaining agent; providing for arbitration of disputes by an arbitration board; providing for appointment of arbitrators and payment of same; providing decisions of board shall be binding; defining collective bargaining contract; limits items to be bargained for; prohibiting the right to strike; repealing conflicting laws; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil B.

By Senator Haverfield—

**SB 980**—A bill to be entitled An act relating to the board of regents; amending section 240.062, Florida Statutes; providing for appropriation of student registration and tuition fees; providing budgetary control and expenditures of monies received from registration and tuition fees; prohibiting any monies received from registration and tuition fees to be expended which would benefit any person who advocates the overthrow of the government of the United States or the state of Florida or state university; specifying those persons for whom expenditures of registration and tuition fees may be paid; providing an effective date.

Was read the first time by title and referred to the Committee on Universities and Community Colleges.

By Senator Horne—

**SB 981**—A bill to be entitled An act relating to elections; amending §97.041(1), Florida Statutes, providing that any person who wishes to register to vote must be a permanent,

legally domiciled resident of Florida and of the county where he wishes to register, in addition to existing qualifications; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil B.

By Senator Horne—

SB 982—A bill to be entitled An act relating to elections, registration; creating §98.085, Florida Statutes, making a resident student at an educational institution ineligible to register as an elector in the county in which the institution is located if different from the county in which he has already registered as an elector; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil B.

By Senator Horne—

SB 983—A bill to be entitled An act relating to workmen's compensation; creating a compensation appellate commission; providing organization, administration, jurisdiction, facilities, compensation, a clerk, personnel, and duties; providing appellate review of workmen's compensation cases; amending §440.27, Florida Statutes, and directing the statutory revision service to make certain changes to conform to the provisions of this act; repealing §440.27(1), Florida Statutes, relating to orders of the full commission entered pursuant to §440.25, Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil B.

By Senators Thomas and Henderson—

SB 984—A bill to be entitled An act establishing a joint legislative committee on population and environment; providing that said committee shall be advisory to the governor and the legislature; providing for membership, duties, expenses, and necessary personnel of the committee; prescribing a report; providing an effective date.

Was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senators Daniel and Saunders—

SB 985—A bill to be entitled An act amending section 167.005 (1), Florida statutes, relating to home rule powers for municipalities; providing effective date.

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

By Senator Daniel—

SB 986—A bill to be entitled An act relating to the commission on interstate cooperation; repealing sections 13.01, 13.02, 13.03, 13.04, 13.05, 13.06, 13.07, and 13.08, Florida Statutes; providing for the repeal of the commission on interstate cooperation; providing an effective date.

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

By Senator Knopke—

SB 987—A bill to be entitled An act relating to Crawfish Regulations; Section 370:14(4), Florida Statutes, amending 370:14(4) and adding 370:14(4)(a) thereto to provide for the importing of saltwater crawfish by special permit during the closed season; providing for storage and distribution of inventory stock; and for performance bond; providing an effective date.

Was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Trask—

SB 988—A bill to be entitled An act relating to professional engineers; amending section 471.21 relating to the qualifications for registration; requiring that the applicant be a graduate

from an approved course in engineering or engineering related sciences; providing an exception; removing the time limitation on an engineer-in-training certification and providing an effective date.

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

By Senator Johnson (29th)—

SB 989—A bill to be entitled An act relating to the administration of state grant-in-aid to areawide comprehensive health planning councils; providing for the administration of grants by the Florida Department of Health and Rehabilitative Services under regulations promulgated by the Florida Health Planning Council; providing for state appropriation; providing an effective date.

Was read the first time by title and referred to the Committees on Health, Welfare and Institutions and Ways and Means.

By Senator Johnson (29th)—

SB 990—A bill to be entitled An act relating to Brevard County; authorizing and empowering the Brevard County school board to provide for the cancellation and voiding of old outstanding school board checks, drafts and warrants, and to establish proper accounting methods and procedures relating thereto, including the return of said funds to school board accounts; validating past practices; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 990.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senator Johnson (29th)—

SB 991—A bill to be entitled An act relating to Brevard County; authorizing and empowering the Brevard County school board to repair and maintain school buildings, school property and school facilities within said county in its sole discretion as to amount and work to be done; validating past practices; repealing chapter 57-1167, Laws of Florida, which requires approval by the commissioner of education of such repair and maintenance costing more than fifteen thousand dollars (\$15,000); providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 991.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senator Johnson (29th)—

SB 992—A bill to be entitled An act relating to Brevard County; authorizing and empowering the Brevard County school board, the board of county commissioners, the Brevard mosquito control district, all municipalities now or hereafter existing in Brevard County, any and all tax districts now or hereafter existing in Brevard County, and the Brevard Community College board of trustees, to make purchases utilizing the price list and vendors determined by the Federal General Services Administration; providing that purchases so made shall be exempt from the competitive bid requirements otherwise applying; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 992.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senator Horne—

SB 993—A bill to be entitled An act relating to retirement; amending section 321.2205, Florida Statutes, adding paragraph (4) providing that surviving spouse be permitted to make contributions on service earned by a deceased member; providing an effective date.

Was read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

By Senator Horne—

**SB 994**—A bill to be entitled An act relating to retirement; amending section 238.08(6) Florida Statutes, adding paragraph (d) providing that surviving spouse be permitted to make contributions on service earned by a deceased member; providing an effective date.

Was read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

By Senator Horne—

**SB 995**—A bill to be entitled An act relating to retirement; amending section 123.07(7) Florida Statutes, adding paragraph (d) providing that surviving spouse be permitted to make contributions on service earned by a deceased member; providing an effective date.

Was read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

By Senator Horne—

**SB 996**—A bill to be entitled An act relating to retirement; amending section 122.08(9) Florida Statutes, adding paragraph (d) providing that surviving spouse be permitted to make contributions on service earned by a deceased member. Providing an effective date.

Was read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

By Senator Horne—

**SB 997**—A bill to be entitled An act relating to retirement; amending section 121.091 (7)(b) Florida Statutes, adding that surviving spouse be permitted to make contributions on service earned by a deceased member; providing an effective date.

Was read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

By Senator Johnson (34th)—

**SB 998**—A bill to be entitled An act relating to municipal annexation; creating §171.16, Florida Statutes; providing a procedure supplemental to all other laws for voluntary annexation of unincorporated area into a municipality upon petition of all owners of real property and adoption of annexation ordinance; providing an effective date.

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

By Senator Johnson (34th)—

**SB 999**—A bill to be entitled An act relating to public defenders; creating §27.532, Florida Statutes, to authorize public defenders and their assistants and investigators to carry firearms; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Criminal.

By Senator Ware—

**SB 1000**—A bill to be entitled An act relating to utility services; providing that no supplier of utility services may require as a condition precedent to the furnishing of a utility service the purchase of any unrelated additional utility service; providing an effective date.

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

By Senator Pope —

**SB 1001**—A bill to be entitled An act relating to insurance; amending section 627.351, Florida Statutes, by adding new subsection (8) to authorize the department of insurance after notice and public hearing to require all authorized property insurers to provide fire and extended coverage insurance in appropriate forms or share in apportionment plan adopted by department; providing an effective date.

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

By Senator Daniel —

**SB 1002**—A bill to be entitled An act relating to industry services training programs; transferring administration from department of education to department of commerce; amending and renumbering section 230.66, Florida Statutes; providing an effective date.

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

By Senators Daniel and Karl—

**SR 1003**—A resolution commending Lake County for its pollution control efforts.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

Senate Bills 1004 through 1020, by the Committee on Commerce, were introduced out of order April 27 and placed on the Calendar without reference.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Jerry Thomas*  
*President of the Senate*

April 26, 1971

Sir:

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

By the Committee on Criminal Justice and Representative Whitworth and others—

**CS for HB's 501 & 458**—A bill to be entitled An act relating to drug abuse; amending chapter 404, Florida Statutes, by including cannabis among substances controlled by the Florida drug abuse law; providing that the crime of possession of cannabis, on the first offense, shall constitute a misdemeanor; providing for arrest upon probable cause for such crime; amending subsection (5) of section 398.10, Florida Statutes, to delete reference to cannabis therein; repealing subsection (12) of section 398.02, Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate therein.

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

CS for HB's 501 and 458, contained in the above message, were read the first time by title and referred to the Committee on Health, Welfare and Institutions.

*The Honorable Jerry Thomas*  
*President of the Senate*

April 27, 1971

Sir:

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

By Representative Fulford and others—

**HB 602**—A bill to be entitled An act relating to saltwater fisheries; adding paragraph (e) to §370.11(3), Florida Statutes, to provide allowable periods for commercial shad fishing; providing definitions; prohibiting use of certain nets by sports fishermen; providing bag limit for noncommercial fishermen; providing penalties; providing an effective date.

—and requests the concurrence of the Senate therein.

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

HB 602, contained in the above message, was read the first time by title and referred to the Committee on Natural Resources and Conservation.

*The Honorable Jerry Thomas*  
*President of the Senate*

April 27, 1971

Sir:

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

By Representative J. R. Clark—

HB 648—A bill to be entitled An act relating to the election laws of the state; amending §§98.311 and 98.312, Florida Statutes; deleting requirement that county judge furnish the department of state with list of mentally incompetent persons and the clerk furnish the department of state with list of persons convicted of felonies; providing that clerks may omit names of felons presently serving a sentence; deleting requirement that department of state compile lists of names for monthly distribution to supervisor of elections; providing an effective date.

—and requests the concurrence of the Senate therein.

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

HB 648, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil B.

*The Honorable Jerry Thomas*  
*President of the Senate*

April 27, 1971

Sir:

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

By the Committee on Health & Rehabilitative Services—

HB 914—A bill to be entitled An act relating to minors; authorizing maternal health and birth control information and services to be provided to minors under certain conditions; providing an effective date.

—and requests the concurrence of the Senate therein.

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

HB 914, contained in the above message, was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

*The Honorable Jerry Thomas*  
*President of the Senate*

April 27, 1971

Sir:

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

By the Committee on Criminal Justice—

HB 994—A bill to be entitled An act relating to criminal procedure; amending chapter 910, Florida Statutes, by adding section 910.035, Florida Statutes; to provide for transfer of plea and sentence in criminal cases; amending section 910.03, Florida Statutes, in compliance with these provisions; providing an effective date.

By the Committee on Governmental Organization & Efficiency—

CS for HB 176—A bill to be entitled An act relating to the department of air and water pollution control; amending section 20.26, Florida Statutes, changing the names of the department of air and water pollution control and the air and water pollution control board to the department of pollution control and pollution control board, respectively; directing the statutory revision service to make the appropriate changes in

terminology in the Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate therein.

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

HB 994, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Criminal.

CS for HB 176, contained in the above message, was read the first time by title and referred to the Committee on Natural Resources and Conservation.

*The Honorable Jerry Thomas*  
*President of the Senate*

April 27, 1971

Sir:

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

By the Committee on Criminal Justice—

HB 997—A bill to be entitled An act relating to indictments for carrying concealed weapons and transmitting of indictments to certain courts for trial; repealing section 790.03, Florida Statutes, and 790.04, Florida Statutes; which provides for indictments for carrying concealed weapons and certifying courts to be tried in; providing an effective date.

By the Committee on Criminal Justice—

HB 995—A bill to be entitled An act relating to driver's licenses; amending section 322.16(1), Florida Statutes, by adding a new paragraph (c); authorizing the department to impose restrictions on the use of the license upon recommendation of a court or the Florida probation and parole commission; providing an effective date.

By the Committee on Criminal Justice and Representative Reed—

HB 993—A bill to be entitled An act relating to police standards council; amending Section 23.061, Florida Statutes, to provide for definition of part-time and auxiliary police officers; amending Section 23.067, Florida Statutes, permitting the council to adopt minimum standards, by classification, for part-time and auxiliary police officers; providing an effective date.

By the Committee on Elections and Representative Trombetta—

HB 951—A bill to be entitled An act relating to national elections; amending §97.031, Florida Statutes, prescribing procedures for the registration of electors to vote in national elections for president and vice-president of the United States under Public Law 91-285; providing an effective date.

—and requests the concurrence of the Senate therein.

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

House Bills 997, 995 and 993, contained in the above message, were read the first time by title and referred to the Committee on Judiciary—Criminal.

HB 951, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil B.

*The Honorable Jerry Thomas*  
*President of the Senate*

April 27, 1971

Sir:

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

By Representatives Stevens and Yancey—

**HB 60**—A bill to be entitled An act relating to opium dens; repealing sections 846.01, 846.02, 846.03, 846.04, 846.05, 846.06, and 846.07, Florida Statutes, relating to the maintenance thereof; providing an effective date.

By the Committee on Business Regulation and Representative Shaw—

**CS for HB 69**—A bill to be entitled An act relating to home solicitation sales; amending §501.021(1), Florida Statutes; and repealing §501.021(2), Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate therein.

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

**HB 60**, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Criminal.

**CS for HB 69**, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

*The Honorable Jerry Thomas*  
*President of the Senate*

April 27, 1971

*Sir:*

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

By Representatives Firestone and Featherstone—

**HB 131**—A bill to be entitled An act relating to obstructing justice; amending section 843.12, Florida Statutes; making it unlawful to aid in the escape of a person lawfully in the custody of a hospital, sanitarium, institution, or other such place of confinement or detention; providing a penalty therefor; providing an effective date.

—and requests the concurrence of the Senate therein.

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

*The Honorable Jerry Thomas*  
*President of the Senate*

April 26, 1971

*Sir:*

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

By the Committee on Criminal Justice—

**CS for HB 132**—A bill to be entitled An act relating to criminal procedure; amending chapter 901, Florida Statutes, by adding sections 901.27, 901.28, and 901.29, authorizing an arresting officer to issue a citation to appear in court in lieu of taking a person before a magistrate in misdemeanor cases or violation of an ordinance; amending sections 901.06 and 901.23, Florida Statutes, releasing officer from duty to take a person before a magistrate when a citation to appear is issued; providing an effective date.

—and requests the concurrence of the Senate therein.

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

**HB 131** and **CS for HB 132**, contained in the above messages, were read the first time by title and referred to the Committee on Judiciary—Criminal.

*The Honorable Jerry Thomas*  
*President of the Senate*

April 27, 1971

*Sir:*

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

By Representative Martinez—

**HB 893**—A bill to be entitled An act relating to elections; amending §98.051(2), Florida Statutes, authorizing acceptance of certain registrations when books are closed; providing an effective date.

By Representative Renick—

**HB 601**—A bill to be entitled An act relating to salt water fisheries and conservation; amending §370.111(3), Florida Statutes, to delete prohibition of possession by a person, firm, or corporation of more than two (2) days bag limit of snook; providing an effective date.

By Representative Firestone—

**HB 135**—A bill to be entitled An act relating to police training program; amending Section 23.069 (3), Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate therein.

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

**IIB 893**, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil B.

**HB 601**, contained in the above message, was read the first time by title and referred to the Committee on Natural Resources and Conservation.

**HB 135**, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Criminal.

*The Honorable Jerry Thomas*  
*President of the Senate*

April 27, 1971

*Sir:*

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

By the Committee on Health & Rehabilitative Services and Representative Sackett and others—

**CS for HB 157**—A bill to be entitled An act relating to the prevention of certain communicable diseases; requiring the division of health, department of health and rehabilitative services, to establish rules and regulations regarding compulsory vaccinations of children before entrance into the public school system or into a private school with certain exceptions, requiring immunizations or testing for certain diseases; creating §232.032, Florida Statutes, establishing immunization requirements for public or private school admittance; providing an effective date.

—and requests the concurrence of the Senate therein.

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

**CS for HB 157**, contained in the above message, was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

*The Honorable Jerry Thomas*  
*President of the Senate*

April 27, 1971

*Sir:*

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

By Representative Wilson—

HB 345—A bill to be entitled An act relating to the auditor general; amending §11.45(6)(d), Florida Statutes, to require an official who has had his office audited to submit to the auditor general within thirty (30) days a written statement of explanation or rebuttal concerning all of the auditor's findings; providing an effective date.

—and requests the concurrence of the Senate therein.

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

HB 345, contained in the above message, was read the first time by title and referred to the Committee on Governmental Efficiency.

The Senate recessed at 8:35 a.m.

The Senate was called to order by the President at 9:00 a.m. A quorum present—46:

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

Excused: Senators Brannen and Barrow.

Prayer by the Rev. William C. Harris, Episcopal Church of the Holy Comforter, Tallahassee:

God, our Father, we have named you Author and Creator of the whole, magnificent endlessness of our universe; and, again, we have called you One who marks the fall of even a single sparrow;

In this understanding of your love for creation both in its vastness and in its smallest detail, we pray this day for the Senate of this state—those whom you have called to offer themselves in public service and whom we have elected to make political decisions for us all. We have given over to them the power and authority to govern and change our lives; here to create, there to undo, on the one hand to build and on the other to destroy. By throwing a switch they exercise near god-like power.

Lord, that is a difficult and tempting place for mere man and woman to have to stand every day.

So, we ask for them the gift of a clear vision—to see the truth, “cost what it may, come whence it will”, and, seeing the truth as best they can, the courage to act wisely; clear vision to see beyond a system or a program or a bureau or budget to see that man, woman or child who is the object of all government—

Courage to rise above self to say “yes” to what is wise and helpful and to say “no” to what is foolish and harmful.

And, Lord, give them a right mind, to know the difference between the two. Amen.

The Journal of April 27 was corrected and approved as follows: Page 174, column 1, line 6, strike “Arnold” and insert: de la Parte and Bishop

Page 185, counting from the bottom of column 2, line 31, strike “Stolzenburg”

The Journal of April 22 was further corrected and approved as follows:

Page 153, counting from the bottom of column 2, between lines 16 and 17 insert: On motion by Senator Hollahan, SCR 334 was removed from the calendar and, by two-thirds vote, referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

The Journal of April 20 was further corrected and approved as follows:

Page 129, column 2, line 11, strike “SB 696”

Page 130, column 2, line 16, following “388” insert: , SB 696

By unanimous consent Senator Myers changed his vote from yea to nay on adoption of the motion by Senator Hollahan on April 20 that SB 241 be removed from the Calendar and referred to an appropriate committee.

#### REPORTS OF COMMITTEES

The Committee on Rules, Calendar, Privileged Business and Ethics respectfully submits the following Special Order Calendar for Wednesday, April 28, 1971:

|         |         |         |        |
|---------|---------|---------|--------|
| SB 1013 | SB 1019 | SB 1020 | SB 50  |
| SB 1008 | SB 1016 | SB 1005 | SB 280 |
| SB 1014 | SB 1012 | SB 624  | SB 343 |
| SB 1015 | SB 1010 | SB 439  | SB 345 |
| SB 1018 | SB 700  | SB 493  | SB 347 |
| SB 1006 | SB 1011 | SB 494  | SB 349 |
| SB 1017 | SB 1007 | SB 495  | SB 351 |
| SB 1009 | SB 1004 | SB 497  | SB 271 |

**George L. Hollahan, Jr.**  
Chairman, Committee on Rules,  
Calendar, Privileged Business  
and Ethics

The Committee on Personnel, Retirement and Claims recommends the following pass: SB 837

The Committee on Commerce recommends the following pass: SB 728 with 1 amendment, SB 623, CS for HB 668 with 2 amendments

The Committee on Ways and Means recommends the following pass: SB 467 with 1 amendment, SB 687, HB 738 with 1 amendment

The Committee on Commerce recommends the following pass: SB 489 with 2 amendments

The Committee on Judiciary—Civil B recommends the following pass: SB 774

The Committee on Judiciary—Criminal recommends the following pass:

|                          |                          |
|--------------------------|--------------------------|
| SB 158 with 5 amendments | SB 904 with 2 amendments |
| SB 221                   | HB 229                   |

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

The Committee on Commerce recommends the following pass: SB 830 with 1 amendment

The bill was referred on April 27 to the Committee on Ways and Means on motion by Senator de la Parte.

The Committee on Commerce recommends a Committee Substitute for the following: SB 811

The bill with Committee Substitute attached was placed on the Calendar.

The Committee on Commerce recommends the following not pass: SB 164, SB 813

The Committee on Governmental Efficiency recommends the following not pass: SB 283

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

**ENGROSSING REPORTS**

Your Engrossing Clerk to whom was referred SB 36 with 1 amendment reports that the Senate amendment has been incorporated and the bill is returned herewith.

**ELMER O. FRIDAY**  
Secretary of the Senate

The bill was placed on the Calendar of bills on third reading.

**BILLS REFERRED TO SUBCOMMITTEES**

**Appropriations B Subcommittee:** SB 611 withdrawn

**Appropriations A Subcommittee:** Senate Bills 669, 718, 719, 895, 906 and CS for SB 173 (6 days to report to the Committee on Ways and Means)

**Finance and Taxation:** Senate Bills 307, 937, 936, 934, 891 and 926 (6 days to report to the Committee on Ways and Means)

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motion by Senator Daniel, by two-thirds vote, SB 780 was withdrawn from the Committee on Governmental Efficiency and from further consideration of the Senate.

On motion by Senator Daniel, the Committee on Governmental Efficiency was granted an additional 15 days for the consideration of Senate Bills 492, 398, 731, 744, 759, 765, 771, 564, 587, 803, 804, 805, 806, 781, 782, 783, 784, 798, 662, 713, 816, 819, SJR 822 and House Bills 653 and 355.

On motions by Senator Fincher, the Committee on Judiciary—Criminal was granted an additional 10 days for the consideration of SB 498 and SJR 725, and 15 additional days for the consideration of SR 766.

On motion by Senator Lewis (43rd), by two-thirds vote, SB 382 was withdrawn from the Committee on Judiciary—Civil A and from further consideration of the Senate.

On motion by Senator Sayler, by two-thirds vote, SB 135 was withdrawn from the Committee on Health, Welfare and Institutions and from further consideration of the Senate.

A motion by Senator Hollahan was adopted that the recommendations of the Committee on Rules, Calendar, Privileged Business and Ethics setting a special order calendar for this day be confirmed by the Senate.

**RESOLUTIONS**

**SCR 892—A** concurrent resolution requesting the Commissioner of the United States Food and Drug Administration to provide federal definitions and standards for natural or artificial orange-flavored drinks and to require prominent labeling disclosing the percentage of orange juice contained in such products.

WHEREAS, the planting, growing, and fertilizing of citrus groves and the harvesting, hauling, processing, and canning of citrus crops is the major agricultural enterprise of Florida, and

WHEREAS, the sale and distribution of said crops affects the welfare and general economy of a vast number of citizens in the state who are either directly or indirectly dependent thereon for a livelihood, and is therefore of vast public interest, and

WHEREAS, many types of orange-flavored drinks are in direct competition with Florida's orange concentrates and other pure orange juice products, and

WHEREAS, these orange-flavored drinks purport to contain large concentrations of vitamin-enriched orange juice and are largely manufactured and processed in other states, and

WHEREAS, the various agencies of the federal government are best suited to control and regulate products in the free flow of interstate commerce, and

WHEREAS, the United States Food and Drug Administration promulgates rules and regulations concerning the contents and labeling of food products to eradicate false and misleading practices, NOW, THEREFORE,

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

That the Commissioner of the United States Food and Drug Administration is hereby urged to promulgate federal definitions and standards of identification for diluted orange drinks and for noncarbonated natural or artificial flavored orange drinks and to require labeling provisions prominently disclosing the percentage of orange juice contained in such products as set forth in such standards.

Was read the second time in full. On motion by Senator Bishop SCR 892 was adopted and certified to the House. The vote was: Yeas—36 Nays—None

|               |            |                |             |
|---------------|------------|----------------|-------------|
| Mr. President | Deeb       | Johnson (29th) | Plante      |
| Arnold        | Ducker     | Johnson (34th) | Poston      |
| Beaufort      | Fincher    | Karl           | Reuter      |
| Bell          | Graham     | Knopke         | Sayler      |
| Bishop        | Gunter     | Lane           | Stolzenburg |
| Boyd          | Haverfield | Lewis (33rd)   | Trask       |
| Brantley      | Henderson  | Lewis (43rd)   | Ware        |
| Childers      | Hollahan   | McClain        | Weber       |
| Daniel        | Horne      | Myers          | Wilson      |

By unanimous consent Senators Broxson and de la Parte were recorded as voting yea.

**HCR 59—A** concurrent resolution naming the new state bridge at Rocky Bayou in Okaloosa County the C. G. Meigs Bridge.

WHEREAS, the late C. G. Meigs was an industrious servant of Niceville and operated one of the two main industries of Niceville, providing employment and prosperity for many residents, and

WHEREAS, Mr. Meigs served Okaloosa County admirably as State Representative in Tallahassee for the period 1926-28, and

WHEREAS, Mr. Meigs served the City of Niceville unselfishly in the capacity of Mayor and City Councilman, and

WHEREAS, Mr. Meigs is credited with the development of three major subdivisions in Niceville in addition to the many homes built by him in surrounding communities, and

WHEREAS, two of the areas conceived and developed by Mr. Meigs, Seminole and Choctaw Beach, are served by the new Rocky Bayou bridge, NOW, THEREFORE,

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

That the new bridge on State Highway 20 at Rocky Bayou in Okaloosa County is hereby named the C. G. Meigs Bridge as a tribute to the late Mr. Meigs and in recognition of his contributions and achievements.

Was read the second time in full. On motion by Senator Horne, HCR 59 was adopted and certified to the House. The vote was: Yeas—34 Nays—None

|               |                |                |             |
|---------------|----------------|----------------|-------------|
| Mr. President | Ducker         | Johnson (34th) | Poston      |
| Arnold        | Fincher        | Karl           | Reuter      |
| Beaufort      | Graham         | Knopke         | Sayler      |
| Bell          | Gunter         | Lane           | Stolzenburg |
| Bishop        | Haverfield     | Lewis (33rd)   | Trask       |
| Brantley      | Henderson      | Lewis (43rd)   | Ware        |
| Childers      | Hollahan       | McClain        | Wilson      |
| Daniel        | Horne          | Myers          |             |
| Deeb          | Johnson (29th) | Plante         |             |

By unanimous consent Senators Broxson and de la Parte were recorded as voting yea.

On motion by Senator Karl, the rules were waived and Harry Landrum, Chief Legislative Analyst, was granted privileges of the floor during consideration of bills relating to insurance on the Special Order Calendar.

#### SPECIAL AND CONTINUING ORDER OF BUSINESS

Consideration of HB 1257 was deferred, the bill retaining its place on the Calendar.

SB 1013—A bill to be entitled An act relating to insurance; amending section 627.01091(1), Florida Statutes, to provide that policy forms must be filed with the department in Tallahassee by or on behalf of the insurer; providing an effective date.

Was read the second time by title.

Consideration thereof was deferred, the bill retaining its place on the Calendar.

#### STATEMENT PURSUANT TO RULE 1.35

In an abundance of candor, I am reporting my ownership of a one-half interest in an insurance agency. While I hold a corporate office in this agency, I do not engage in the operation thereof. Since I cannot detect adversity or favor to the industry from any of the bills constituting the package of insurance bills, I simply disclose this interest in keeping with the letter of our code.

**Philip D. Lewis, 33rd District**

SB 1008—A bill to be entitled An act relating to insurance; amending chapter 626, Florida Statutes, by repealing subsection (6) of section 626.331 to remove existing exemption for license requirements for writing disability insurance on persons over sixty-five; providing an effective date.

Was read the second time by title. On motion by Senator Karl, by two-thirds vote SB 1008 was read the third time by title, passed and certified to the House. The vote was:

Yeas—38

|               |                |              |             |
|---------------|----------------|--------------|-------------|
| Mr. President | Gong           | Knopke       | Sayler      |
| Arnold        | Graham         | Lane         | Scarborough |
| Beaufort      | Gunter         | Lewis (33rd) | Stolzenburg |
| Bell          | Haverfield     | Lewis (43rd) | Trask       |
| Bishop        | Henderson      | McClain      | Ware        |
| Brantley      | Hollahan       | Myers        | Weissenborn |
| Broxson       | Horne          | Ott          | Williams    |
| Childers      | Johnson (29th) | Plante       | Wilson      |
| Daniel        | Johnson (34th) | Poston       |             |
| Ducker        | Karl           | Saunders     |             |

Nays—3

|        |      |        |
|--------|------|--------|
| Barron | Deeb | Reuter |
|--------|------|--------|

By unanimous consent, Senators Boyd and de la Parte were recorded as voting yea; Senator Plante changed his vote from yea to nay, and Senators Reuter and Deeb changed their votes from nay to yea.

SB 1014 was taken up and on motion by Senator Karl—

HB 533—A bill to be entitled An act relating to the state treasurer; amending section 18.01, Florida Statutes, to remove the requirement that the bond of the state treasurer must be written by not less than four sureties; providing an effective date.

A companion measure was substituted therefor and read the second time by title. On motion by Senator Karl, by two-thirds vote, HB 533 was read the third time by title, passed and certified to the House. The vote was:

Yeas—39

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

Nays—1

Bell

By unanimous consent Senators Hollahan, Boyd and de la Parte were recorded as voting yea.

SB 1014 was laid on the table.

SB 1015—A bill to be entitled An act relating to the amendment of subsection (1) of section 255.05, Florida Statutes, to clearly distinguish between public work for the state and public work for a city, county, political subdivision or public authority and specifying affidavits in the case of state construction shall be filed with the director of the department of general services instead of with the state treasurer and specifying that such affidavits in the case of work for a city, county, political subdivision or public authority shall be filed with the treasurer or other official having charge of such work; providing an effective date.

Was read the second time by title. On motion by Senator Karl, by two-thirds vote SB 1015 was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

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

By unanimous consent Senator de la Parte was recorded as voting yea.

Consideration of Senate Bills 1018, 1006 and 1017 was deferred, the bills retaining their places on the Calendar.

SB 1009—A bill to be entitled An act relating to insurance; amending section 626.0119, Florida Statutes, by adding new subsections (3) and (4) to provide that agents or insurers furnishing supplies or forms to an unlicensed agent may be held civilly liable to insureds, with certain exceptions; providing an effective date.

Was read the second time by title. On motion by Senator Karl, by two-thirds vote SB 1009 was read the third time by title, passed and certified to the House. The vote was:

Yeas—37

|               |                |              |             |
|---------------|----------------|--------------|-------------|
| Mr. President | Ducker         | Knopke       | Saylor      |
| Arnold        | Gong           | Lewis (33rd) | Scarborough |
| Beaufort      | Graham         | Lewis (43rd) | Trask       |
| Bell          | Gunter         | Myers        | Ware        |
| Bishop        | Haverfield     | Ott          | Weber       |
| Boyd          | Hollahan       | Plante       | Williams    |
| Brantley      | Horne          | Pope         | Wilson      |
| Childers      | Johnson (29th) | Poston       |             |
| Daniel        | Johnson (34th) | Reuter       |             |
| Deeb          | Karl           | Saunders     |             |

Nays—1

Weissenborn

By unanimous consent, Senator McClain was recorded as voting yea and Senator Weissenborn changed his vote from nay to yea.

**SB 1019**—A bill to be entitled An act relating to chapter 324, Florida Statutes, (the financial responsibility law); amending subsection (1) of section 324.021, Florida Statutes, to provide that "motor vehicle" shall include only vehicles required to be licensed; amending paragraph (a) of subsection (2) of section 324.051, Florida Statutes, to raise financial responsibility involvement limits from fifty dollars to one hundred dollars and adding subparagraph 7. to said paragraph (a) of subsection (2) of said section to decrease suspension period from three years to one year under certain conditions; amending subsection (2) of section 324.061, Florida Statutes, by amending paragraph (e) and adding new paragraph (f) to provide that the department of insurance shall invest security deposits in excess of current needs in interest bearing accounts and providing that any interest earned shall be deposited in the insurance commissioner's regulatory trust fund and that any such deposits remaining unclaimed shall be transferred to the state school fund; and providing that any deposits unclaimed by anyone may be transferred to the state school fund; amending section 324.071, Florida Statutes, to incorporate reference to section 324.081 and section 324.121, Florida Statutes; amending section 324.111, Florida Statutes, to decrease judgment satisfaction period from sixty days; amending section 324.121, Florida Statutes, to provide that the word "judgment" as used in said section refers to section 324.111, Florida Statutes; amending paragraph (a) of subsection (1) of section 324.211, Florida Statutes, to provide for the furnishing by the department of application and affidavit forms upon request; providing an effective date.

Was read the second time by title. On motion by Senator Karl, by two-thirds vote SB 1019 was read the third time by title.

On motion by Senator Karl the Senate reconsidered the vote by which SB 1019 was placed on third reading. SB 1019 was placed back on second reading and consideration thereof temporarily deferred.

Consideration of Senate Bills 1016, 1012, 1010, 700, 1011, 1007, 1004, 1020, 1005 and 624 was deferred, the bills retaining their places on the Calendar.

Senator Barron presiding.

**SB 439**—A bill to be entitled An act relating to the public health; creating the Comprehensive Alcoholism Prevention, Control and Treatment Act; providing for a comprehensive state plan and program for the prevention, care, treatment and rehabilitation of alcoholics; setting forth legislative findings and declaration of purposes; establishing definitions; establishing duties and functions of the division of mental health, the bureau of alcoholic rehabilitation, and the department of health and rehabilitative services; setting forth a treatment and rehabilitation program for alcoholics; providing for the establishment of rules and regulations; providing treatment and services for intoxicated persons found in public places; providing for voluntary treatment; providing for emergency commitment of alcoholics; providing procedures for involuntary commitment of alcoholics; providing legal safeguards; providing for the confidentiality of records relating to alcoholics; providing for the adoption of regulations relating to visitation and com-

munication of patients; providing methods for payment for care; providing for criminal commitment; providing penalties for wrongfully causing hospitalization; amending chapter 856 by creating the offense of disorderly intoxication and providing a penalty therefor; providing for an advisory council; repealing section 856.01, Florida Statutes, and a portion of section 856.02, Florida Statutes; repealing county, municipal and other local laws, ordinances or resolutions making mere public intoxication an offense; repealing chapter 396, Florida Statutes; providing a severability clause; providing an effective date; providing for postponement of effective date of repeal of intoxication and public drinking offenses and involuntary commitment provisions.

Was read the second time by title.

The President presiding.

Senator Bishop moved that SB 439 be removed from the Calendar and referred to an appropriate committee and the motion failed.

On motion by Senator Wilson the following amendment was adopted:

In Section 17, line 5, page 30, strike "956.01" and insert: 856.01

Senator Bishop moved that further consideration of SB 439 be temporarily deferred and the motion failed.

Senators Saylor and Ware offered the following amendment which was adopted on motion by Senator Saylor:

In Section 17, line 15, page 30, strike: "vagrancy or"

On motion by Senator Wilson the following amendment was adopted:

In Section 7, line 8, page 12, strike: "intoximated" and insert intoxicated

Senator Wilson moved the adoption of the following amendment which failed:

In Section 21, line 18, page 31, strike: "and section 17, repeal of intoxication and public drinking offense, which sections shall become effective July 1, 1973" and insert which section shall become effective July 1, 1973.

Senator Pope moved the adoption of the following amendment which failed:

On page 12, line 1, section 6, strike Subsection (3)

Senator Weissenborn moved the adoption of the following amendment which failed:

On page 31, line 6, insert a new Section 20 to read as follows:

Section 20. Anything to the contrary notwithstanding in this act no person shall be deprived of his liberty by alleged reason of alcoholism or an alcoholic problem without being afforded his full constitutional, statutory, and common law rights to due process of law including but not limited to trial by jury and the right to confront one's accusers.

Renumber present sections 20 and 21

On motion by Senator Myers, by two-thirds vote, SB 439 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—36

|               |                |              |             |
|---------------|----------------|--------------|-------------|
| Mr. President | de la Parte    | Knopke       | Reuter      |
| Arnold        | Fincher        | Lane         | Sayler      |
| Barron        | Graham         | Lewis (33rd) | Scarborough |
| Beaufort      | Gunter         | Lewis (43rd) | Stolzenburg |
| Bell          | Haverfield     | McClain      | Trask       |
| Boyd          | Hollahan       | Myers        | Ware        |
| Brantley      | Johnson (29th) | Ott          | Weber       |
| Broxson       | Johnson (34th) | Pope         | Weissenborn |
| Childers      | Karl           | Poston       | Wilson      |

Nays—6

|        |        |          |
|--------|--------|----------|
| Bishop | Ducker | Plante   |
| Daniel | Horne  | Williams |

By unanimous consent Senators Deeb and Gong were recorded as voting yea.

On motion by Senator Hollahan, consideration of HB 1257, on Special and Continuing Order, was deferred until 2:00 p.m. this day.

Consideration of—

SB 1013—A bill to be entitled An act relating to insurance; amending section 627.01091(1), Florida Statutes, to provide that policy forms must be filed with the department in Tallahassee by or on behalf of the insurer; providing an effective date.

—was resumed.

On motion by Senator Karl the following amendment was adopted:

On page 2, line 11, section 1, strike "his" on line 11 and insert its on line 11

Pending further consideration of SB 1013 as amended, on motion by Senator Karl—

HB 519—A bill to be entitled An act relating to insurance; amending section 627.01091(1), Florida Statutes, to provide that policy forms must be filed with the department in Tallahassee by or on behalf of the insurer; providing an effective date.

—a companion measure to SB 1013 as amended, was substituted therefor and read the second time by title. On motion by Senator Karl, by two-thirds vote, HB 519 was read the third time by title, passed and certified to the House. The vote was: Yeas—40 Nays—None

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

SB 1013 was laid on the table.

By unanimous consent Senator Horne was recorded as voting yea.

SB 1018—A bill to be entitled An act relating to insurance; amending section 624.0103, Florida Statutes, to eliminate existing requirement that examiners may not be retained who are over the age of sixty-five; providing an effective date.

Was read the second time by title. On motion by Senator Karl, by two-thirds vote SB 1018 was read the third time by title, passed and certified to the House. The vote was:

Yeas—40

|               |          |             |                |
|---------------|----------|-------------|----------------|
| Mr. President | Boyd     | de la Parte | Hollahan       |
| Arnold        | Brantley | Ducker      | Johnson (29th) |
| Barron        | Broxson  | Fincher     | Johnson (34th) |
| Beaufort      | Childers | Gong        | Karl           |
| Bell          | Daniel   | Graham      | Knopke         |
| Bishop        | Deeb     | Haverfield  | Lane           |

|              |        |             |             |
|--------------|--------|-------------|-------------|
| Lewis (33rd) | Ott    | Reuter      | Stolzenburg |
| Lewis (43rd) | Plante | Saunders    | Trask       |
| McClain      | Pope   | Sayler      | Ware        |
| Myers        | Poston | Scarborough | Wilson      |

Nays—1

Williams

By unanimous consent Senator Horne was recorded as voting yea.

SB 1006—A bill to be entitled An act relating to insurance; amending section 627.01001, Florida Statutes, to provide that certain provisions of part I of chapter 627, Florida Statutes, shall be applicable to wet marine and transportation insurance as to breach of warranty and binders; amending section 627-01081, Florida Statutes, by adding subsection (4) to provide that no breach of warranty by an insured shall constitute a defense unless such breach of warranty contributed to the loss or damage to the property insured; providing an effective date.

Was read the second time by title. On motion by Senator Karl, by two-thirds vote SB 1006 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

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

By unanimous consent Senators Horne and Gunter were recorded as voting yea.

SB 1017—A bill to be entitled An act relating to insurance; amending section 624.0118, Florida Statutes, by adding new subsection (5) to provide that an affidavit shall be filed by domestic insurers which states that the directors and principal officers have read examination reports; amending section 624-0119, Florida Statutes, by amending subsection (1) to eliminate the requirement that examination expenses paid to the department shall be at rates adopted by the national association of insurance commissioners; by amending subsections (2) and (3) to provide that all moneys paid by insurers for examination shall be paid to the insurance commissioner's regulatory trust fund and permitting the department to pay to examiners such expenses out of said fund; adding subsection (7) to provide that the actual travel expenses, reasonable living expenses allowance and compensation of rate analysts and rate examiners in the discharge of their duties under section 627.321, Florida Statutes, shall be governed by the provisions of section 624-0119, Florida Statutes; providing an effective date.

Was read the second time by title.

Senator Graham moved the adoption of the following amendment which failed:

On pages 2 and 3, lines 2:25-29, 3:1-4, section 2, strike all after period (.) on line 25, page 2 and lines 1-4, page 3.

On motion by Senator Karl, by two-thirds vote, SB 1017 was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

|               |             |                |             |
|---------------|-------------|----------------|-------------|
| Mr. President | Daniel      | Hollahan       | Plante      |
| Arnold        | Deeb        | Horne          | Pope        |
| Barron        | de la Parte | Johnson (34th) | Poston      |
| Beaufort      | Ducker      | Karl           | Saunders    |
| Bell          | Fincher     | Lewis (33rd)   | Trask       |
| Boyd          | Gong        | Lewis (43rd)   | Weber       |
| Brantley      | Graham      | McClain        | Weissenborn |
| Broxson       | Gunter      | Myers          | Williams    |
| Childers      | Haverfield  | Ott            | Wilson      |

Nays—5

Johnson (29th) Reuter Ware  
Lane Scarborough

**SB 1019**—A bill to be entitled An act relating to chapter 324, Florida Statutes, (the financial responsibility law); amending subsection (1) of section 324.021, Florida Statutes, to provide that "motor vehicle" shall include only vehicles required to be licensed; amending paragraph (a) of subsection (2) of section 324.051, Florida Statutes, to raise financial responsibility involvement limits from fifty dollars to one hundred dollars and adding subparagraph 7. to said paragraph (a) of subsection (2) of said section to decrease suspension period from three years to one year under certain conditions; amending subsection (2) of section 324.061, Florida Statutes, by amending paragraph (e) and adding new paragraph (f) to provide that the department of insurance shall invest security deposits in excess of current needs in interest bearing accounts and providing that any interest earned shall be deposited in the insurance commissioner's regulatory trust fund and that any such deposits remaining unclaimed shall be transferred to the state school fund; and providing that any deposits unclaimed by anyone may be transferred to the state school fund; amending section 324.071, Florida Statutes, to incorporate reference to section 324.081 and section 324.121, Florida Statutes; amending section 324.111, Florida Statutes, to decrease judgment satisfaction period from sixty days; amending section 324.121, Florida Statutes, to provide that the word "judgment" as used in said section refers to section 324.111, Florida Statutes; amending paragraph (a) of subsection (1) of section 324.211, Florida Statutes, to provide for the furnishing by the department of application and affidavit forms upon request; providing an effective date.

Was read the second time by title.

Senator Weissenborn offered and moved the following amendment:

On page 3, line 6, section 1, strike "and required to be licensed"

Senator Hollahan moved that upon final action on SB 1019, the Senate recess to reconvene at 2:00 p.m. The motion was adopted.

Senator Karl moved that further consideration of SB 1019 be deferred until after the hour of reconvening.

Pending consideration of the motion by Senator Karl, a motion by Senator Daniel was adopted that the Senate do now adjourn.

The Senate adjourned at 12:03 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—45:

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

On motion by Senator de la Parte, consideration of HB 1257 was deferred, the bill retaining its place on the Calendar as Special and Continuing Order for April 29.

On motion by Senator Karl, the rules were waived and SB 226 was placed at the foot of the Special Order Calendar.

The Senate resumed—

**SPECIAL ORDER CALENDAR**

**SB 1019**—A bill to be entitled An act relating to chapter 324, Florida Statutes, (the financial responsibility law); amending subsection (1) of section 324.021, Florida Statutes, to provide that "motor vehicle" shall include only vehicles required to be licensed; amending paragraph (a) of subsection (2) of section 324.051, Florida Statutes, to raise financial responsibility involvement limits from fifty dollars to one hundred dollars and adding subparagraph 7. to said paragraph (a) of subsection (2) of said section to decrease suspension period from three years to one year under certain conditions; amending subsection (2) of section 324.061, Florida Statutes, by amending paragraph (e) and adding new paragraph (f) to provide that the department of insurance shall invest security deposits in excess of current needs in interest bearing accounts and providing that any interest earned shall be deposited in the insurance commissioner's regulatory trust fund and that any such deposits remaining unclaimed shall be transferred to the state school fund; and providing that any deposits unclaimed by anyone may be transferred to the state school fund; amending section 324.071, Florida Statutes, to incorporate reference to section 324.081 and section 324.121, Florida Statutes; amending section 324.111, Florida Statutes, to decrease judgment satisfaction period from sixty days; amending section 324.121, Florida Statutes, to provide that the word "judgment" as used in said section refers to section 324.111, Florida Statutes; amending paragraph (a) of subsection (1) of section 324.211, Florida Statutes, to provide for the furnishing by the department of application and affidavit forms upon request; providing an effective date.

Was taken up, together with the pending amendment by Senator Weissenborn, which was withdrawn.

On motion by Senator Karl, by two-thirds vote, SB 1019 was read the third time by title, passed and certified to the House. The vote was: Yeas—44 Nays—None

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

**SB 1016**—A bill to be entitled An act relating to insurance; amending subsection (1) of section 626.0500, Florida Statutes, to provide that no person shall, from offices or facilities in this state, represent an insurer which is not authorized in this state or in the state where the property or risk is located; amending paragraph (c) of subsection (2) of section 626.0515, Florida Statutes, by substituting the word "countries" for "counties;" amending paragraph (d) of subsection (2) of section 626.0515, Florida Statutes, to require as a minimum trust fund for alien insurers an amount not less than that required of authorized insurers; amending section 626.0520, Florida Statutes, to make time for filing copy of policy conform with sixty day requirement in section 626.0517, Florida Statutes; providing an effective date.

Was taken up and read the second time by title.

On motion by Senator Karl, the following amendment was adopted:

On page 2, line 19, section 1, strike "except as provided in" and insert: subject to the provisions of

Pending further consideration of SB 1016 as amended, on motion by Senator Karl—

**HB 528**—A bill to be entitled An act relating to insurance; amending subsection (1) of section 626.0500, Florida Statutes, to provide that no person shall, from offices or facilities in this state, represent an insurer which is not authorized in this state or in the state where the property or risk is located; amending paragraph (c) of subsection (2) of section 626.0515,

Florida Statutes, by substituting the word "countries" for "counties;" amending paragraph (d) of subsection (2) of section 626.0515, Florida Statutes, to require as a minimum trust fund for alien insurers an amount not less than that required of authorized insurers; amending section 626.0520, Florida Statutes, to make time for filing copy of policy conform with sixty day requirement in section 626.0517, Florida Statutes; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Karl, by two-thirds vote, HB 528 was read the third time by title, passed and certified to the House. The vote was: Yeas—44 Nays—None

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

SB 1016 was laid on the table.

SB 1012—A bill to be entitled An act relating to insurance and the regulation of insurance agents; amending section 626.022, Florida Statutes, to provide proper exceptions for application of part I of chapter 626, Florida Statutes; amending section 626.121, Florida Statutes, to require a permit for supervising or managing general agents; amending subsection (1) and adding new subsection (3) to section 626.151, Florida Statutes, to require supervising or managing general agents to comply with applicable provisions of the insurance code and requiring that the holder of or any applicant for a license or permit must not have had his eligibility for same revoked or suspended by the department; amending section 626.171, Florida Statutes, to require supervising or managing general agents to comply with applicable code provisions; amending subsection (1) of section 626.351, Florida Statutes, to include supervising or managing general agents in the law governing issuance of permits; amending subsections (2) and (3) of section 626.421, Florida Statutes, to include supervising or managing general agents in the law governing the continuance and expiration of permits; amending subsection (1) of section 626.491, Florida Statutes, to include supervising or managing general agents within the law governing termination of permit; amending subsection (1) of section 626.511, Florida Statutes, to include supervising or managing general agents in the law governing reasons for termination; amending subsection (1) of section 626.521, Florida Statutes, to require character and credit reports from supervising or managing general agents; amending subsection (1) of section 626.601, Florida Statutes, to authorize the department to inquire into improper conduct of supervising or managing general agents; amending the introductory paragraph of section 626.611, Florida Statutes, to include supervising or managing general agents within grounds for compulsory refusal, suspension, revocation of permit; authorizing the department to suspend or revoke the eligibility of an agent for any ground stated; and adding new subsection (14) to provide for revocation of agent's license for guilt in felony crimes involving moral turpitude; amending the introductory paragraph of section 626.621, Florida Statutes, to include supervising or managing general agents within grounds for discretionary refusal, suspension, revocation of permit; providing that the department may suspend or revoke eligibility of licensee for grounds stated; and adding new subsection (8) to permit department to suspend license of any agent during pendency of criminal charges involving moral turpitude; amending subsections (1) and (4) of section 626.631, Florida Statutes, to include supervising managing general agents in procedures for refusal, suspension or revocation of license; and providing for revocation if licensee is convicted of a felony; amending subsections (1), (2) and (3) of section 626.641, Florida Statutes, to provide that department orders shall also specify period of revocation or suspension of eligibility to hold agent's license and providing that if a license or the eligibility to hold same has been revoked, such person shall not apply for another license within two years and providing that there shall be no reinstatement of eligibility if the initial reasons for revocation still exist or will recur; amending section 626.651, Florida Statutes, to provide

that, upon suspension or revocation of an agent's eligibility, the department may suspend or revoke all other licenses held by a licensee; and, providing for suspension or revocation of eligibility of other agents associated with an agent who has had his eligibility revoked, if such associated agents participate in such wrongdoing; amending section 626.0101, Florida Statutes, to include supervising or managing general agents within the scope of part II of chapter 626, Florida Statutes; amending section 626.0107, Florida Statutes, to provide that all members of a corporation or partnership agency which are engaged in insurance business shall have a license of the same type and class; amending subsections (2) and (5) of section 626.0108, Florida Statutes, to eliminate requirement that applicants for license must be a resident of this state for six months; and providing that applicants for a solicitor's license must be employed by only one agent or agency; amending subsection (2) of section 626.0110, Florida Statutes, to provide that a solicitor may not be licensed under more than one agent or agency at one time; amending section 626.0111, Florida Statutes, to provide that the agency under which a solicitor is appointed shall be responsible for the acts of such solicitor; amending section 626.0117, Florida Statutes, to include supervising or managing general agents in specifications of contents of application; amending section 624.0300, Florida Statutes, to include supervising or managing general agents in provisions that require payment of appointment fee; amending subsection (2) of section 648.27, Florida Statutes, to provide that no license shall be issued to a bail licensee if eligibility to hold same has been revoked or if he is not otherwise qualified therefor; amending subsections (1) and (2) of section 648.45, Florida Statutes, to provide that the department may suspend or revoke the eligibility of a bail licensee to hold same for any violation on existing grounds for revocation or suspension of license; and providing that the eligibility of associated bail bondsmen may be suspended or revoked if such associates knowingly participate in wrongdoing with any bondsman who has been so revoked or suspended; amending subsections (1), (2), (3), (4) and (8) of section 648.46, Florida Statutes, to provide procedures for revocation or suspension of eligibility to hold bail license and providing for judicial review of department orders; amending subsections (1), (2) and (3) of section 648.49, Florida Statutes, to provide that the period of suspension of eligibility to hold a bail license shall not exceed one (1) year; providing that eligibility shall not be reinstated if original grounds for suspension still exist or will recur; providing that, if eligibility has been revoked, the department shall not issue another license until after expiration of two (2) years; amending subsections (1) and (2) of section 648.50, Florida Statutes, to provide that upon revocation or suspension of eligibility of a bail bondsman or runner, the department may suspend or revoke eligibility of said licensee to hold all other licenses held and providing for suspension or revocation of eligibility of other bail licensees which are associated with the wrongdoer, if such associates knowingly participated in the initial violations of law; amending section 648.54, Florida Statutes, to provide that upon denial, suspension, or revocation of eligibility to hold a bail license by the department, such person may appeal the order to the first district court of appeal; adding section to this bill which provides that the permit of a supervising or managing general agent shall be required after October 1, 1971; providing an effective date.

Was read the second time by title.

On motion by Senator Karl the following amendment was adopted:

On page 15, lines 5 and 6, section 14, strike "626.361" on line 5 and strike "626.361" on line 6 and insert 626.631 on line 5 and insert 626.631 on line 6.

On motion by Senator Karl, by two-thirds vote, SB 1012 as amended was read the third time by title, passed and ordered engrossed.

The vote was:

Yeas—39

|               |          |          |             |
|---------------|----------|----------|-------------|
| Mr. President | Bell     | Broxson  | de la Parte |
| Arnold        | Bishop   | Childers | Ducker      |
| Barron        | Boyd     | Daniel   | Fincher     |
| Beaufort      | Brantley | Deeb     | Graham      |

|                |              |             |             |
|----------------|--------------|-------------|-------------|
| Haverfield     | Lewis (33rd) | Pope        | Stolzenburg |
| Horne          | Lewis (43rd) | Poston      | Ware        |
| Johnson (29th) | McClain      | Reuter      | Weber       |
| Johnson (34th) | Myers        | Saunders    | Weissenborn |
| Karl           | Ott          | Sayler      | Williams    |
| Lane           | Plante       | Scarborough |             |

Nays—1

Wilson

SB 1010—A bill to be entitled An act relating to insurance; amending subsection (3) of section 624.0210, Florida Statutes, to provide that the department may require, for good cause shown, any insurer transacting life or disability insurance to make and maintain a deposit for the protection of policyholders; providing an effective date.

Was read the second time by title. On motion by Senator Karl, by two-thirds vote SB 1010 was read the third time by title, passed and certified to the House. The vote was: Yeas—37 Nays—None

|               |                |              |             |
|---------------|----------------|--------------|-------------|
| Mr. President | Daniel         | Lane         | Sayler      |
| Arnold        | Deeb           | Lewis (33rd) | Scarborough |
| Barron        | Ducker         | Lewis (43rd) | Stolzenburg |
| Beaufort      | Fincher        | McClain      | Trask       |
| Bell          | Graham         | Myers        | Ware        |
| Bishop        | Haverfield     | Ott          | Weber       |
| Boyd          | Horne          | Plante       | Wilson      |
| Brantley      | Johnson (29th) | Poston       |             |
| Broxson       | Johnson (34th) | Reuter       |             |
| Childers      | Karl           | Saunders     |             |

SB 700—A bill to be entitled An act relating to credit life and disability insurance; amending section 627.0703(2), Florida Statutes, to increase the total amount of credit life insurance which may be written on the life of any debtor with any one creditor; amending section 627.0704(2), Florida Statutes, to increase the total amount of credit disability insurance which may be written on the life of any debtor with respect to loans covered in one or more insurance policies; amending section 627.0705(1), Florida Statutes, to increase the maximum term of credit life insurance policies and credit disability insurance policies; and providing an effective date.

Was read the second time by title. On motion by Senator Brantley, by two-thirds vote SB 700 was read the third time by title.

Pursuant to Rules 1.35 and 1.36 of the Florida Senate, the undersigned recused from voting on SB 700.

Senator Thomas

SB 700 passed and was certified to the House. The vote was: Yeas—39 Nays—None

|          |                |              |             |
|----------|----------------|--------------|-------------|
| Arnold   | Deeb           | Lane         | Saunders    |
| Barron   | Ducker         | Lewis (33rd) | Sayler      |
| Beaufort | Fincher        | Lewis (43rd) | Scarborough |
| Bell     | Graham         | McClain      | Stolzenburg |
| Bishop   | Haverfield     | Myers        | Trask       |
| Boyd     | Hollahan       | Ott          | Ware        |
| Brantley | Horne          | Plante       | Weber       |
| Broxson  | Johnson (29th) | Pope         | Williams    |
| Childers | Johnson (34th) | Poston       | Wilson      |
| Daniel   | Karl           | Reuter       |             |

SB 1011—A bill to be entitled An act relating to insurance; amending section 626.471(1) and (2), Florida Statutes, relating to the termination of the appointment of agents, to provide that such agents be given advance notice, except life and disability agents, of the intention to so terminate; providing for the continuation of contracts transacted by general lines agents; providing an effective date.

Was read the second time by title.

On motion by Senator Lane the following amendment was adopted:

On page 1, line 23, section 1, strike "(.) Except" and insert: ; except

On motion by Senator Karl, by two-thirds vote, SB 1011 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—41 Nays—None

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

SB 1007—A bill to be entitled An act relating to insurance; amending subsection (2) of section 626.0125, Florida Statutes, providing that licensed agents may place business with an insurer for which he is not a licensed agent; providing an effective date.

Was read the second time by title.

On motion by Senator Broxson the following amendment was adopted:

On page 1, line 15, section 1(2), strike "AN" and insert: Pursuant to rules and regulations adopted by the Commissioner of Insurance, an

On motion by Senator Karl, by two-thirds vote, SB 1007 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—30

|               |                |              |             |
|---------------|----------------|--------------|-------------|
| Mr. President | Ducker         | Karl         | Reuter      |
| Barron        | Fincher        | Knopke       | Saunders    |
| Brantley      | Gong           | Lane         | Sayler      |
| Broxson       | Granam         | Lewis (43rd) | Scarborough |
| Childers      | Gunter         | McClain      | Ware        |
| Daniel        | Haverfield     | Myers        | Weissenborn |
| Deeb          | Johnson (29th) | Plante       |             |
| de la Parte   | Johnson (34th) | Poston       |             |

Nays—9

|          |              |             |
|----------|--------------|-------------|
| Arnold   | Bishop       | Pope        |
| Beaufort | Lewis (33rd) | Stolzenburg |
| Bell     | Ott          | Wilson      |

By unanimous consent Senator Lewis (33rd) changed his vote from nay to yea.

SB 1004—A bill to be entitled An act relating to financial responsibility; amending section 324.151(1)(a), Florida Statutes; providing that motor vehicle liability policies include a provision for a deductible relating to property damage coverage not to exceed five hundred dollars (\$500) unless specifically rejected by the insured; providing an effective date.

Was read the second time by title.

On motion by Senator Broxson the following amendment was adopted:

On page 2, line 5, section 1, between "contain" and "provision" strike "a" and insert: an optional

Senator Weissenborn moved the adoption of the following amendment which failed:

On page 2, lines 7—10, section 1, strike "; provided, however, that such deductible provision in a policy shall not be required where the owner named in the policy specifically rejects the provision." and insert: a period after "\$500" on line 7 of page 2

Senator McClain presiding.

Senator Daniel presiding.

On motion by Senator Barron, by two-thirds vote, SB 1004 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—25

|          |                |              |          |
|----------|----------------|--------------|----------|
| Arnold   | Gong           | Knopke       | Thomas   |
| Barron   | Graham         | Lewis (43rd) | Trask    |
| Beaufort | Gunter         | McClain      | Ware     |
| Brantley | Hollahan       | Myers        | Williams |
| Daniel   | Horne          | Plante       |          |
| Ducker   | Jonsson (29th) | Saylor       |          |
| Fincher  | Karl           | Scarborough  |          |

Nays—12

|             |              |        |             |
|-------------|--------------|--------|-------------|
| Bell        | Haverfield   | Pope   | Stolzenburg |
| Broxson     | Lane         | Poston | Weissenborn |
| de la Parte | Lewis (33rd) | Reuter | Wilson      |

By unanimous consent, Senators Childers and Henderson were recorded as voting yea.

#### EXPLANATION OF VOTE

I am for the concept of a deductible provision in private passenger auto liability insurance but am convinced that financial responsibility should be established up to the amount of the deductible.

John Broxson, 1st District

On motion by Senator Myers, the rules were waived, and Joe Rowan, Executive Director to the John Howard Association and special staff assistant to the Committee on Health, Welfare and Institutions, was granted privileges of the floor.

SB 1020—A bill to be entitled An act relating to motor vehicle insurance; amending part X of chapter 627, Florida Statutes, casualty insurance contracts, by adding section 627.0861, Florida Statutes, to require that automobile liability insurance policies issued subsequent to November 1, 1971, provide for the immediate payment of certain medical and disability benefits under such policies; providing for waiver of such benefits; amending chapter 627, Florida Statutes, by adding a new part XVI, with section 627.2001 through 627.2017, enacting the "Florida Private Passenger Motor Vehicle Insurance Rating Law"; providing definitions; defining competition as price competition; providing rate standards, and rate making factors; providing for service organizations as distinguished from rating organizations; prohibiting insurers from participating in the deliberations or decisions of service organizations with respect to rates subject to this part; requiring the filing of rates by individual insurers for public inspection; providing for joint underwriting and joint reinsurance; prohibiting acting in concert and other anti-competitive pricing practices in the development or use of rates; giving the insurance department authority to approve or disapprove rates prior to their use by insurers found to be engaged in anti-competitive pricing practices or where competition is lacking; providing for the maintenance of records, and rating examination by the insurance department; providing for public hearings; requiring insurers to show by a preponderance of the evidence that rates comply with this part; providing for the recording and reporting of loss and expense experience; prohibiting false or misleading information and providing penalties; providing tests for the existence of competition; providing penalties for non-compliance with this part; providing for appeals and the posting of a bond; providing an effective date.

Was read the second time by title.

On motion by Senator Karl the following amendment was adopted:

On page 3, line 15, section 1, after the " (period) add the following: Medical and hospital benefits shall be construed to include registered Christian Science practitioners, approved Christian Science Sanitoriums, Nursing Homes and other institutions approved by the Committee on Christian Science Nursing Homes of the Mother Church.

Senator Daniel offered and moved the following amendment:

On page 4, line 20, section 1, following subparagraph (d) on lines 19 and 20 add a new subparagraph as follows: (e) operating a motor vehicle in violation of 317.201 or 186.9978 Florida Statutes.

On motion by Senator Plante, further consideration of SB 1020 with pending amendment was deferred.

SB 1005—A bill to be entitled An act relating to financial responsibility; creating §§324.032, 324.105 and 324.225, and amending §§324.031, 324.051(1) and (2)(a), 324.061(1), 324.071, 324.072(3), 324.081(3), 324.121(2), 324.131, 324.181(1), 324.201 and 324.251, all Florida Statutes; providing that all owners or operators of motor vehicles in this state shall have proof of financial responsibility; requiring such proof before registration; eliminating the first accident requirement; eliminating certain exemptions from provisions concerning suspension of license and registration of persons having accidents without proof of financial responsibility and requiring said persons deposit security with the department; providing that reinstatement of license or registration be obtainable only after compliance with financial responsibility requirements and that said reinstatement be valid only for so long as such requirements are in effect; providing that any owner or operator who does not comply with the financial responsibility requirements shall have his license and registration revoked by the department; providing that nonresident motorists comply with certain provisions; providing for notice to other jurisdictions; providing a change in the short title for chapter 324, Florida Statutes; providing an effective date.

Was read the second time by title. On motion by Senator Karl, by two-thirds vote SB 1005 was read the third time by title.

Senator Barrow was recorded present.

A point of order was raised by Senator Boyd that SB 1005 would cost a considerable amount of money to administer and therefore should also be referred to the Committee on Ways and Means for consideration.

On motion by Senator Karl, the rules were waived and time of adjournment was extended until final ruling on the point of order.

The chair ruled the point not well taken as the bill carried no appropriation but directed a department of state government to perform some function even though the degree of that performance would depend on whether the department was fiscally capable of doing so.

The President presiding.

Senator Myers moved that all bills remaining on the special order calendar this day be made a special and continuing order of business April 29, 1971. The motion was adopted by a two-thirds vote.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 5:15 p.m. to reconvene at 8:30 a.m., April 29, 1971.