

JOURNAL OF THE FLORIDA SENATE

Thursday, April 29, 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 Boyd—

SB 1021—A bill to be entitled An act relating to the teachers' retirement system; providing that certain members who retired prior to April 15, 1971 and were re-employed for remainder of the 1970-71 school year, shall have such services credited to their accounts and their benefits recalculated to include such service; providing for contributions to said system for such re-employment and making membership in the system created by chapter 70-112, Laws of Florida, not required; providing an effective date.

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

By Senator Ott—

SB 1022—A bill to be entitled An act relating to the department of general services, amending section 272.13, Florida Statutes, to provide for a bureau of security within the division of building construction and maintenance; providing for powers and duties, including the authority to bear arms and make arrests; providing for personnel, providing for use of electronic surveillance equipment, its installation and use; providing an appropriation; providing an effective date.

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

By Senator Johnson (29th)—

SB 1023—A bill to be entitled An act relating to county judges; amending §44.12(1), Florida Statutes, as amended by chapter 70-454, Laws of Florida, to increase the compensation of the county judge of Martin County; providing an effective date.

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

By Senator Johnson (29th)—

SB 1024—A bill to be entitled An act relating to the city of Cocoa, Brevard County; amending subsection 7.2 of section 7 article XXV of chapter 59-1186, Laws of Florida, as amended by chapters 61-2019 and 67-1228, Laws of Florida; providing procedures for the annexation of certain lands to the city by referendum election of residents of the city and of the land to be annexed who are registered voters; providing procedures for such election; providing that the city shall not annex certain lands eastward of the Intracoastal Waterway in the Indian River; repealing subsection 7.3 of section 7 of article XXV of chapter 59-1186, Laws of Florida, as amended by chapters 61-2019 and 67-1228, Laws of Florida, relating to alternative procedures of referendum election for the annexation of certain lands to said city; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1024.

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

By Senator Deeb—

SB 1025—A bill to be entitled An act relating to state attorneys' investigators; amending section 1 of chapter 70-275, Laws of Florida, appearing as section 27.255, Florida Statutes, 1970 Supplement; providing that each such investigator shall be a peace officer with all of the powers and authority of a deputy sheriff throughout the judicial circuit served by the state attorney by whom he is employed; authorizing each such investigator to arrest without warrant in accordance with law; providing an effective date.

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

By Senators Daniel and Karl—

SB 1026—A bill to be entitled An act ratifying, confirming, validating and legalizing all assessments, assessment rolls, valuations or properties, levies of taxes and delinquent tax certificates, and annexations of territory to the city of Umatilla, Florida, under section 171.04, Florida Statutes, heretofore made by and as entered upon the rolls and records of the city of Umatilla, Florida, for the years 1969 and 1970, together with all acts and proceedings had, done or performed by the duly constituted governing authorities, officials of said city in connection therewith, making same valid, legal and binding liens upon lands and properties upon which same are made, assessed and levied, and authorizing the collection of said taxes, assessments and delinquent tax certificates. Providing for the effective date of such law and for the repeal of all laws in conflict therewith.

Evidence of notice and publication was established by the Senate as to SB 1026.

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

By Senators Daniel and Karl—

SB 1027—A bill to be entitled An act amending Chapter 59-1925, Special Acts of Florida 1959 pertaining to the boundaries of the City of Tavares by adding to the area included in the municipal boundaries of the City of Tavares certain areas adjoining the present boundaries of the city.

Evidence of notice and publication was established by the Senate as to SB 1027.

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

By Senators Daniel and Karl—

SB 1028—A bill to be entitled An act ratifying, confirming, validating and legalizing all assessments, assessment rolls, valuations of properties, and annexations of territory to the city of Eustis, Florida, under section 171.04, Florida Statutes, heretofore made by and as entered upon the rolls and records of the city of Eustis, Florida, for the years 1969 and 1970, together with all acts and proceedings had, done or performed by the duly constituted governing authorities, officials of said city in connection therewith, making same valid, legal and binding liens upon lands and properties upon which same are made, assessed and levied, and authorizing the collection of said taxes, assessments and delinquent tax certificates. Providing for the effective date of such law and for the repeal of all laws in conflict therewith.

Evidence of notice and publication was established by the Senate as to SB 1028.

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

By Senators Daniel and Karl—

SB 1029—A bill to be entitled An act to amend chapter 63-2008, special acts of 1963, being the charter of the city of Umatilla, Florida, and all the acts amendatory and supplemental thereto, by repealing section 6 of article VI as it is repetitious of section 3 of article VI and not for the purpose of repealing the terms of powers created by the charter, and providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1029.

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

By Senators Poston and Hollahan—

SB 1030—A bill to be entitled An act relating to shipment of motor vehicles; amending section 814.07, Florida Statutes, On motion by Dr. Hodes, the rules were waived and the bill

as enacted by chapter 70-289, Laws of Florida; prohibiting any person, vessel or aircraft from accepting at ports or airports in this state any motor vehicle for shipment to a point outside the United States without requiring the presentation of a certificate of possession; providing for application for such certificate; prescribing the requirements for and providing for the issuance of certificates of possession by the department of highway safety and motor vehicles; prohibiting certain acts relative to the falsification of such certificates; prescribing penalties; providing an effective date.

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

By Senators Boyd, Karl and Hollahan—

SB 1031—A bill to be entitled An act relating to credit unions; amending §§657.08, 657.161, 657.17, and 657.18, Florida Statutes, authorizing credit union board of directors to appoint the credit committee; authorizing credit unions to pay seven and one-half percent (7½%) per annum dividend; authorizing credit unions to invest surplus funds in certificates of deposits of other credit unions and state and national banks; authorizing state chartered credit unions which purchase share insurance to elect to use the reserve requirements set forth in the federal laws; providing an effective date.

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

By Senator Saunders—

SB 1032—A bill to be entitled An act relating to higher education; expressing legislative intent that community colleges and state universities complement rather than duplicate their assigned roles; providing for policies on admissions; authorizing the Board of Regents to establish policies and regulations; providing limitations on remedial and compensatory programs; providing an effective date.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas
President of the Senate

April 29, 1971

Sir:

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

By Representatives Gillespie and Hazelton—

HB 306—A bill to be entitled An act relating to anatomical gifts; providing that prisoners in the correctional system may donate tissue or vital organs for medical purposes under certain conditions; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 306, 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 Reeves and others—

HB 416—A bill to be entitled An act relating to government organization; amending section 20.21, Florida Statutes, by adding new subsection (8) which transfers the duties of the department of highway safety and motor vehicles relative to the col-

lecting of motor vehicle license fees under chapter 320, Florida Statutes, to department of revenue; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 416, contained in the above message, was read the first time by title and referred to the Committee on Governmental Efficiency.

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 Governmental Organization & Efficiency—

CS for HB 794—A bill to be entitled An act relating to governmental reorganization of the department of business regulation; amending subsections (1), (3), (5) and (7) of section 20.16, Florida Statutes, as amended by chapter 71-2(B), Laws of Florida; providing that the appointment of and removal of members of the board of business regulation shall be subject to confirmation by the senate; requiring the department of business regulation to provide opportunities for businesses regulated and the public to be heard in regard to matters relating to pari-mutuel wagering or land sales; providing for a type three transfer of the state racing commission to the department of business regulation instead of a type one transfer; providing that the functions of the state racing commission are to be assigned to the division of pari-mutuel wagering of the department of business regulation and the board previously heading the state racing commission is abolished; providing for a type three transfer of the land sales board to the department of business regulation instead of a type one transfer; providing that the functions of the land sales board are to be assigned to the division of Florida land sales of the department of business regulation and the board previously heading the land sales board is abolished; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 794, contained in the above message, was read the first time by title and referred to the Committee on Governmental Efficiency.

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 the Committee on Elections and Representative Kershaw and others—

HB 952—A bill to be entitled An act relating to elections; amending §99.161(2)(a), Florida Statutes, relating to maximum contributions of persons by adding group, committee, organization, corporation, or association to those allowed to contribute to candidates; amending subsection (15) of §99.161, Florida Statutes, relating to contributions and expenditures not otherwise covered, by requiring persons, groups, committees, organizations, corporations, or associations who spend any moneys or things of value for opposition to or support of any issues involved in a state or local election to designate a campaign depository; providing procedures whereby such persons, groups, committees, organizations, corporations, or associations may receive contributions and make expenditures; providing procedures for the establishment of campaign treasurers and campaign accounts; providing additional procedures relating to ex-

penditures and expenses incurred; providing for filing procedures; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 952, 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 Representative Tucker—

HB 1337—A bill to be entitled An act relating to Wakulla County, district school board; amending §1 of chapter 70-975, Laws of Florida, which relates to the issuance of certificates of indebtedness payable from racetrack funds accruing annually to Wakulla County; to change the date of authorization therein; providing a retroactive effective date.

Proof of Publication attached.

By Representative Stevens and others—

HB 1341—A bill to be entitled An act to provide for issuance of a special vendor's license to Saint Leo College Incorporated, a corporation not for profit, located in Saint Leo, Pasco County, Florida, for the sale of alcoholic beverages, other laws to the contrary notwithstanding; providing for certain limitations affecting transfer and service; providing for an annual license tax; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to House Bills 1337 and 1341.

House Bills 1337 and 1341, contained in the above message, were read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

The Honorable Jerry Thomas
President of the Senate

April 29, 1971

Sir:

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

By the Committee on Governmental Organization & Efficiency—

CS for HB 128—A bill to be entitled An act relating to the reporting of consulting services utilized by state agencies; providing definitions; providing that consultants submit copies of all reports; providing that each agency shall file reports pertaining to consulting services utilized quarterly; providing that the department of administration shall compile the agency reports into an overall quarterly report; authorizing the division of personnel and retirement of the department of administration to review personal service budgets; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 128, 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	Deeb	Johnson (34th)	Reuter
Arnold	de la Parte	Karl	Saunders
Barron	Ducker	Knopke	Sayler
Barrow	Fincher	Lane	Scarborough
Beaufort	Gong	Lewis (33rd)	Stolzenburg
Bell	Graham	Lewis (43rd)	Trask
Bishop	Gunter	McClain	Ware
Boyd	Haverfield	Myers	Weissenborn
Brantley	Henderson	Ott	Williams
Broxson	Hollahan	Plante	Wilson
Childers	Horne	Pope	
Daniel	Johnson (29th)	Poston	

Excused: Senator Weber for the purpose of making a report on housing legislation to the Florida Association of Realtors meeting in Tallahassee, and Senator Brannen.

Prayer by Senator Sayler:

Let us pause briefly in prayer. Our Father who art in heaven our shoulders and our hearts are heavy laden with problems of state. Once again these problems are of money, our schools, those who break the law, the poor, the addicted, the sick, the young and the old. These problems seem to many of us to never go away but get worse as the years rapidly go by. More than ever we need thy divine guidance, wisdom, help and counsel. We humbly ask our God to give us patience, give us perseverance, give us determination, give us courage, give us all the qualities we need in order to know and to do thy will and to best serve all the people of the great State of Florida. Amen.

The Journal of April 28 was corrected and approved.

The following statement was filed with the Secretary:

The hour for convening on Monday, May 3, 1971, is changed from 9 a.m. to 10 a.m., and the noon recess on Wednesday from 1:00 p.m. to 12:00 noon.

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

Jerry Thomas
President

REPORTS OF COMMITTEES

The Committee on Rules, Calendar, Privileged Business and Ethics respectfully submits the following Special Order Calendar for Thursday, April 29, 1971:

HB 1257	SB 494	SB 280	SB 349
SB 1005	SB 495	SB 343	SB 351
SB 624	SB 497	SB 345	SB 271
SB 493	SB 50	SB 347	SB 226

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

The Committee on Judiciary—Civil A recommends the following pass:

HB 175	SB 840
SB 860	SJR 824 with 1 amendment

The Committee on Transportation recommends the following pass:

SR 902 with 1 amendment	HB 1015 with 3 amendments
HB 1010	HB 1016
HB 1012	HB 1018 with 2 amendments
HB 1013	HB 1020
HB 1014	

The Committee on Public Schools recommends the following pass:

SB 408 with 2 amendments	SB 917 with 1 amendment
SB 911	SB 918
SB 912	SB 919 with 2 amendments
SB 913	SB 893
SB 914	

The Committee on Natural Resources and Conservation recommends the following pass: HB 170

The Committee on Commerce recommends the following pass:

SB 844	HB 521
CS for HB 527 and HB 524	HB 532 with 3 amendments

The Committee on Judiciary—Civil B recommends the following pass: SB 381 with 2 amendments, SB 774

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

The Committee on Natural Resources and Conservation recommends the following pass: SB 925

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

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

HB 364 with 1 amendment	SB 473 with 5 amendments
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The bills were referred to the Committee on Judiciary—Criminal under the original reference.

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 614

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 250

The Committee on Judiciary—Civil B recommends a Committee substitute for the following: SB 555

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

The Committee on Transportation recommends the following not pass: SB 735

The Committee on Judiciary—Civil B recommends the following not pass: SB 24, SB 85

The Committee on Public Schools recommends the following not pass: SB 909

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

SB 615 together with CS for 615 which was adopted in lieu of SB 615
SB 616 together with CS for 616 which was adopted in lieu of SB 616
SB 617 together with CS for 617 which was adopted in lieu of SB 617

The Committee on Judiciary—Civil A recommends the following not pass: SB 779

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

ENGROSSING REPORT

Your Engrossing Clerk to whom was referred SB 439 with 3 amendments reports that the Senate amendments have been incorporated and the bill is returned herewith.

ELMER O. FRIDAY
Secretary of the Senate

The bill was certified to the House.

Your Engrossing Clerk to whom was referred—

SB 1004 with 1 amendment	SB 1011 with 1 amendment
SB 1007 with 1 amendment	SB 1012 with 1 amendment

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

ELMER O. FRIDAY
Secretary of the Senate

The bills were certified to the House.

ENROLLING REPORT

Your Enrolling Clerk to whom was referred—

SB 186	SB 518
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—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on April 29, 1971.

ELMER O. FRIDAY
Secretary of the Senate

BILLS REFERRED TO SUBCOMMITTEES

Privileged Business Subcommittee: Senate Bills 835, 945, 460, 848 and 957.

SB 817 referred to a Select Committee of the Committee on Public Schools.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Horne, by two-thirds vote, House Bills 815 and 799 were withdrawn from the Committee on Judiciary—Civil B and placed on the Calendar.

On motion by Senator Haverfield, the Committee on Universities and Community Colleges was granted an additional 10 days for the consideration of Senate Bills 626, 727, 831 and HCR 510.

On motion by Senator Broxson, by two-thirds vote, SB 970 was withdrawn from the Committee on Governmental Efficiency and referred to the Committee on Public Schools.

Senator Barrow moved that SB 141 be removed from the Calendar and referred to an appropriate committee. The motion was adopted and SB 141 was recommitted to the Committee on Judiciary—Criminal.

On motion by Senator Bishop, by two-thirds vote, SB 69 was withdrawn from the Committee on Agriculture and from further consideration of the Senate.

On motion by Senator Bishop, the Committee on Agriculture was granted an additional 14 days for the consideration of SB 641 and HB 798.

On motion by Senator Poston, the Committee on Transportation was granted an additional 10 days for the consideration of Senate Bills 699, 739 and 755.

Senator Poston requested and was granted the rostrum for a special presentation. Permission was granted to bring to the rostrum the First Lady of the Senate, Mrs. Jeannie Thomas, and Mrs. Aileen Rush.

In honor of the birthday of President Jerry Thomas on April 30, 1971, Senator Poston, in behalf of the Senators, presented to him a beautiful oil painting of a Florida Everglades scene by Mrs. Rush. (Mrs. Rush is Vice President of American Artists Professional League, and a member of the Miami Art League.) The President expressed his admiration and gratitude and Mrs. Rush expressed her appreciation to the Senators for having been a part of the ceremony, for the opportunity to have brought to them this bit of the Everglades scene and expressed her hopes that there would be such for all of them and their descendants to enjoy.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Jerry Thomas
President of the Senate*

April 22, 1971

Sir:

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

By Senator Ott—

SB 195—A bill to be entitled An act relating to larceny; amending §811.021(1), Florida Statutes, including shoplifting within the enumerated larcenies; amending §811.021(3), Florida Statutes, to include penalties for third conviction of the offense of petit larceny; repealing §811.022(1), Florida Statutes, as created by chapter 70-280, Laws of Florida, and renumbering present subsections (2), (3), and (4) as subsections (1), (2), and (3); providing an effective date.

Amendment 1—

On page 3, after line 29, insert the following:

Section 2A. Subsection (3) of section 811.021, Florida Statutes, is amended to read:

811.021 Larceny defined; penalties, sufficiency of indictment, information or warrant.—

(3) If the value of the property stolen as mentioned in the preceding section subsection is less than one hundred dollars the offender shall be deemed guilty of petit larceny and upon conviction, shall be punished by imprisonment in the county jail for a period not exceeding six months or by fine not exceeding three hundred dollars. *Upon third conviction of the offense of petit larceny under the provisions of paragraph (d) of subsection (1) of this section the offender shall be guilty of a felony of the third degree, punishable as provided in sections 775.082, 775.083 and 775.084.*

Section 2B. In the event HB 935, introduced in the 1971 regular session of the legislature, is enacted into law, section 2 of this act will stand repealed and be omitted from the Florida Statutes. In the event HB 935 is not enacted into law, section 1A of this act will stand repealed and be omitted from the Florida Statutes.

Amendment 2—

On page 3, lines 24 & 25, strike "under the provisions of paragraph (d) of subsection (1) of this section"

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

Senator Ott offered the following amendment to House amendment 1 to SB 195 which was adopted:

In Section 2B, line 4, page 1, strike: "1A" and insert: 2A

On motion by Senator Ott, the Senate concurred in House amendment 1 as amended.

On motion by Senator Ott, the Senate concurred in House amendment 2 to SB 195.

SB 195 passed as further amended, and the action of the Senate was certified to the House. The vote was: Yeas—41 Nays—None

Mr. President	Gong	Lane	Saylor
Arnold	Granam	Lewis (33rd)	Scarborough
Beaurort	Gunter	Lewis (43rd)	Stolzenburg
Bell	Haverfield	McClain	Trask
Bishop	Henderson	Myers	Ware
Boyd	Homanan	Ott	Weissenborn
Broxson	Horne	Piante	Williams
Childers	Johnson (29th)	Pope	Wilson
Deeb	Johnson (34th)	Poston	
de la Parte	Karl	Reuter	
Ducker	Knopke	Saunders	

UNFINISHED BUSINESS

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 taken up, together with the following pending amendment which was adopted:

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

On motion by Senator Lane, the Senate reconsidered the vote by which the following amendment was adopted April 28:

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.

The question recurred on the amendment and the amendment failed.

On motion by Senator Karl, by two-thirds vote, SB 1020 as amended was read the third time by title.

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

In Section 1, line 15, page 6, at the end of "(8)", which commences on line 8 of page 6 and which runs through line 14 on page 6 insert the following: The savings realized by insurers in this state by reason of the right of subrogation provided for in this section shall be computed into the rate of premium charged by insurers so as to effect a reduction in the cost of the premium charged commensurate with the amount of the said savings.

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

On page 3, line 7, section 1, after "thereto," and before "for benefits" insert the following: , when such coverage is specifically requested in writing by the person purchasing the individual liability insurance policy,

Senator Deeb offered and moved the following amendment:

Line 25, page 1, strike: everything after enacting clause and insert the following: Section 11 Chapter 71-3(B) is hereby repealed

Senator Graham moved the adoption of the following substitute amendment:

Strike Section 2 and insert the following: Section 2. Section 11, Chapter 71-3(B) is hereby repealed.

Renumber remaining section

The amendment failed by the following vote:

Yeas—20

Arnold	Gong	Johnson (29th)	Scarborough
Barron	Graham	Lewis (43rd)	Stolzenburg
Bell	Haverfield	Pope	Ware
Deeb	Henderson	Reuter	Weissenborn
Ducker	Hollahan	Saunders	Wilson

Nays—21

Mr. President	Childers	Knopke	Poston
Barrow	Daniel	Lane	Trask
Beaufort	de la Parte	Lewis (33rd)	Williams
Boyd	Fincher	McClain	
Brantley	Johnson (34th)	Ott	
Broxson	Karl	Plante	

By unanimous consent Senator Myers was recorded as voting yea.

Senator Deeb withdrew the original amendment.

SB 1020 as amended passed and was ordered engrossed. The vote was:

Yeas—37

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

Nays—6

Arnold	Deeb	Pope
Childers	Graham	Weissenborn

By unanimous consent Senator Gunter was recorded as voting yea.

SPECIAL AND CONTINUING ORDER

HB 1257—A bill to be entitled An act relating to a special election to be held on July 6, 1971, pursuant to Section 5 of Article XI of the State Constitution for the approval or rejection by the electors of Florida of a joint resolution limiting the prohibition against estate, inheritance and income taxes to natural persons only; providing for publication of notice and procedures; providing an effective date.

Was read the second time by title.

On motion by Senator Hollahan, the rules were waived and time of adjournment was extended until final action on HB 1257 and consideration and final action on SB 687 and House Bills 693 and 932.

Senator Horne offered and moved the following amendment:

In Section 1, line 17, page 1, strike: "July 6, 1971" and insert: July 13, 1971

Senator Ott moved the adoption of the following substitute amendment which failed:

In Section 1, line 17, page 1, strike: "July 6, 1971" and insert: March 7, 1972

The question recurred on the amendment by Senator Horne which was adopted.

On motion by Senator Horne the following amendment was adopted:

On page 1, line 5, in title, strike "July 6, 1971" and insert: July 13, 1971

Senator Saunders presiding.

The President presiding.

On motion by Senator de la Parte, by two-thirds vote, HB 1257 as amended was read the third time by title and failed to receive the required three-fourths vote of the membership and therefore failed to pass. The vote was:

Yeas—28

Mr. President	Childers	Hollahan	Pope
Arnold	de la Parte	Horne	Poston
Beaufort	Fincher	Karl	Saunders
Bishop	Gong	Knopke	Scarborough
Boyd	Graham	Lewis (33rd)	Trask
Brantley	Gunter	Lewis (43rd)	Weissenborn
Broxson	Haverfield	Myers	Williams

Nays—18

Barron	Ducker	McClain	Stolzenburg
Barrow	Henderson	Ott	Ware
Bell	Johnson (29th)	Plante	Wilson
Daniel	Johnson (34th)	Reuter	
Deeb	Lane	Sayler	

EXPLANATIONS OF VOTES ON HB 1257

I favor a September 1971 election on the Business Income Tax Resolution rather than a July 1971 date because a July election would come at a time when many Florida citizens are

on vacation and out of the State. In my opinion, this would inadvertently disfranchise many people who would want to vote on this important issue. I further believe that a September 1971 election will require the Legislature to come forth with a balanced budget within anticipated revenues for the 1971-72 fiscal year.

David H. McClain, 24th District

I believe the people have the fundamental right to decide by their vote as to how their government shall be financed. I am perfectly willing to allow an early vote by the people on this constitutional question since it is obviously an issue of significant public interest.

Bill Gunter, 18th District

STATEMENT

Had I been present at the time of the vote on HB 1257 I would have voted nay on the bill, as amended.

Charles H. Weber, 37th District

Senator de la Parte moved that the Senate reconsider the vote by which HB 1257 failed to pass this day. The motion went over under the rule.

Senator Karl moved that all bills remaining on the special and continuing order calendar this day be made a special and continuing order of business May 3, 1971. The motion was adopted by two-thirds vote.

On motion by Senator Trask, unanimous consent was obtained to take up out of order—

SB 687—A bill to be entitled An act relating to the department of health and rehabilitative services, division of corrections; authorizing the department to purchase surplus real property located in Polk County through the appropriate federal agencies for use by the division of corrections for operation of the Avon Park Correctional Institution; making an appropriation; authorizing the board of trustees of the internal improvement trust fund to accept title to said property; and providing an effective date.

—which was read the second time by title.

Pending further consideration of SB 687, on motion by Senator Trask, by two-thirds vote, HB 936 was withdrawn from the Committees on Health, Welfare and Institutions and Ways and Means and placed on the Calendar. On motion by Senator Trask—

HB 936—A bill to be entitled An act relating to the department of health and rehabilitative services, division of corrections; authorizing the department to purchase surplus real property located in Polk County through the appropriate federal agencies for use by the division of corrections for operation of the Avon Park Correctional Institution; making an appropriation; authorizing the board of trustees of the internal improvement trust fund to accept title to said property; and providing an effective date.

—a companion measure to SB 687 was substituted therefor and read the second time by title. On motion by Senator Trask, by two-thirds vote, HB 936 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Ducker	Knopke	Saunders
Arnold	Fincher	Lane	Sayler
Beaufort	Graham	Lewis (33rd)	Scarborough
Boyd	Gunter	Lewis (43rd)	Trask
Brantley	Haverfield	McClain	Weissenborn
Broxson	Henderson	Myers	Williams
Childers	Hollahan	Plante	Wilson
Daniel	Johnson (29th)	Pope	
de la Parte	Johnson (34th)	Poston	

Nays—3

Bell	Deeb	Stolzenburg
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By unanimous consent Senator Reuter was recorded as voting yea.

SB 687 was laid on the table.

On motion by Senator Daniel, unanimous consent was obtained to take up out of order—

HB 693—A bill to be entitled An act relating to county government; providing for the powers of boards of county commissioners; repealing enumerated sections of the Florida statutes relating to the powers of county governments; amending sections 129.08 and 129.09, Florida statutes; providing severability; providing an effective date.

—which was read the second time by title.

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

In Section 1, line 4, page 2, strike: "and enforce"

On motion by Senator Daniel, by two-thirds vote, HB 693 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Daniel	Knopke	Sayler
Arnold	Deeb	Lane	Scarborough
Beaufort	Ducker	Lewis (33rd)	Stolzenburg
Bell	Gong	Lewis (43rd)	Trask
Bishop	Graham	McClain	Weber
Boyd	Gunter	Myers	Williams
Brantley	Haverfield	Poston	Wilson
Broxson	Hollahan	Reuter	
Childers	Johnson (29th)	Saunders	

Nays—1

Ware

By unanimous consent Senators Plante and Weissenborn were recorded as voting yea.

On motion by Senator Hollahan, by two-thirds vote, HB 932 was made a special and continuing order of business for May 3, 1971.

Senator Hollahan moved that the Senate do now adjourn. The motion was adopted and the Senate adjourned at 1:48 p.m. to reconvene at 8:30 a.m., April 30, 1971.