

SPECIAL SESSION

JOURNAL OF THE FLORIDA SENATE

At a Special Session of the Florida Legislature convened under Article III, Section 3(c) of the Constitution of the State, as revised in 1968, begun and held at the Capitol, in the City of Tallahassee, in the State of Florida.

Tuesday, January 29, 1974

In pursuance of the Proclamation of Honorable Reubin O'D. Askew, Governor of the State of Florida, the Senate met in special session at 11:00 a.m. and was called to order by Senator Mallory E. Horne, President of the Senate; the Secretary of the Senate, Elmer O. Friday, the Sergeant at Arms of the Senate, John D. Melton, being at their posts.

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

STATE OF FLORIDA EXECUTIVE DEPARTMENT PROCLAMATION OF THE GOVERNOR

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

WHEREAS, the Congress of the United States enacted, and the President signed into law on the 15th day of December, 1973, Public Law 93-182 providing that Daylight Saving Time go into effect on January 6, 1974 throughout all states of the Union for the purpose of conserving energy during the present national fuel shortage, and

WHEREAS §3(a) of Public Law 93-182 provides that individual states with parts thereof in more than one time zone may by law exempt the area of the state lying in the easternmost time zone from Daylight Saving Time, and

WHEREAS, the effect of Daylight Saving Time in Florida during recent winter weeks has been to require many school children to walk to school and cross heavily traveled thoroughfares in the dark with the result that some pedestrian-vehicle accidents have occurred to the injury and even death of some school children, and

WHEREAS, although the exemption of this State will admittedly not solve all of the safety problems of its school children, it is clear the additional hour of daylight in the morning would promote the safety and welfare of those enroute to school and work to the best interest of the State such that the Legislature should be convened in Special Session to consider the enactment of legislation to exempt from Daylight Saving Time all of the State of Florida lying in the easternmost time zone;

NOW, THEREFORE, I, REUBIN O'D. ASKEW, Governor of Florida, in obedience to my constitutional duty and by virtue of the power and authority vested in me by Section 3, Article III, Florida Constitution, do hereby proclaim as follows:

1. That the Legislature in the State of Florida is convened in Special Session pursuant to Section 3(c), Article III, Florida Constitution, at the Capitol, Tallahassee, Florida at 11:00 o'clock a.m. on Tuesday, the 29th day of January, 1974, for a period of one (1) day.

2. That the Legislature is convened for the sole purpose of considering legislation to exempt that part of the State of Florida lying in the Eastern Time Zone from the federal requirements of Daylight Saving Time under Public Law 93-182, Congress of the United States.

By direction of the President, the Secretary read an amendment to the foregoing Proclamation:

STATE OF FLORIDA EXECUTIVE DEPARTMENT PROCLAMATION OF THE GOVERNOR

Amendment to Proclamation dated January 28, 1974

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

WHEREAS, on the 28th day of January, 1974, a Proclamation was issued convening a special session of the Florida Legislature commencing on the 29th day of January, 1974, and

WHEREAS, it is necessary and in the best interest of the State to amend the Proclamation dated January 28, 1974, to clarify the period of the call of the special session and permit the Legislature to take up, consider, and enact other legislative business;

NOW, THEREFORE, I, REUBIN O'D. ASKEW, Governor of the State of Florida, in obedience to my constitutional duty and by virtue of the power and authority vested in me by Section 3, Article III, Constitution of Florida (1968), do hereby proclaim as follows:

1. That Paragraph 1 of the Proclamation of the Governor dated January 28, 1974, is amended to read:

"1. That the Legislature in the State of Florida is convened in Special Session pursuant to Section 3(c), Article III, Florida Constitution, at the Capitol, Tallahassee, Florida, commencing at approximately 11:00 o'clock a.m. on Tuesday, the 29th day of January, 1974, and ending at 12 o'clock midnight on Wednesday, the 30th day of January, 1974."

2. That Paragraph 2 of the Proclamation of the Governor dated January 28, 1974, is amended to read as follows:

"1. That the Legislature is convened for the sole purpose of considering legislation:

(a) Exempting that part of the State of Florida lying in the Eastern Time Zone from the federal requirements of Daylight Saving Time under Public Law 93-182, Congress of the United States:

(b) Establishing the opening and closing hours of schools and authorizing the Commissioner of Education to establish and adjust the opening and closing hours of schools.

3. Except as amended by this Proclamation, the Proclamation of the Governor dated January 28, 1974, is ratified and confirmed.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 28th day of January, 1974.

REUBIN O'D. ASKEW Governor

Attest: RICHARD (DICK) STONE Secretary of State



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 29th day of January, 1974.

REUBIN O'D. ASKEW Governor

Attest: RICHARD (DICK) STONE Secretary of State

The following Senators were recorded present:

Mr. President	Gordon	Myers	Sykes
Barron	Graham	Peterson	Trask
Brantley	Gruber	Pettigrew	Vogt
Childers	Henderson	Plante	Ware
Deeb	Johnson	Poston	Weber
de la Parte	Johnston	Saunders	Williams
Firestone	Lane (31st)	Saylor	Wilson
Gallen	Lane (23rd)	Scarborough	Winn
Gillespie	Lewis	Smathers	Zinkil
Glisson	McClain	Stolzenburg	

39. A quorum present.

Excused: Senator Sims because of illness.

Prayer by Reverend Darrell Grice, Associate Pastor, First Baptist Church, Tallahassee:

Eternal God, Heavenly Father, we pause to invoke thy blessing and seek thy guidance as we begin this special session.

Grant to these, thy servants, wisdom from above as they make decisions this day that will affect countless lives.

Wilt thou comfort and sustain the parents and loved ones of the children who have been killed and maimed in our state during this time of crises.

We ask, O God, that the fruit of thy spirit, "love, joy, peace, patience, kindness, goodness, faithfulness, gentleness, and self-control," be in evidence this day in our lives. (Galatians 5:22, Living Bible Translation).

Hear us our Father, not because of any merit on our part but because of our need of and dependence upon thee, our strength and our redeemer. For the sake of Christ our Lord and in his name we pray. Amen.

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

INTRODUCTION

By Senator Horne—

SB 1-B—A bill to be entitled An act relating to daylight saving time; exempting the portion of the state in the eastern standard time zone from the provisions of the federal Emergency Daylight Saving Time Energy Conservation Act of 1973; providing an effective date.

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

By Senator Deeb—

SB 2-B—A bill to be entitled An act relating to district school systems; amending §230.23(8), Florida Statutes; requiring that

school hours and bus schedules be arranged so that no pupil will have to ride or wait for any school bus before sunrise; providing an effective date.

—was delivered to the Committee on Rules and Calendar for consideration and advice as to whether same is within the purview of the call of the Governor.

By Senator Barron—

SCR 3-B—A Concurrent Resolution extending the present Special Session of the Legislature as provided in Article III, Section 3(d) of the State Constitution.

—was read the first time and placed on the calendar.

On motion by Senator Barron, SCR 3-B was removed from the calendar by two-thirds vote and from further consideration of the Senate.

By Senator Glisson—

SB 4-B—A bill to be entitled An act relating to unemployment compensation; amending §443.04(2)(a) and (c), Florida Statutes, 1972 Supplement; providing a formula for relating maximum weekly benefit amount to a state average weekly wage; providing an effective date.

—was delivered to the Committee on Rules and Calendar for consideration and advice as to whether same is within the purview of the call of the Governor.

On motion by Senator Brantley, the rules were waived and the Committee on Commerce was granted permission to meet at 12:30 p.m. this day.

On motion by Senator Barron, the rules were waived and the Committee on Rules and Calendar was granted permission to meet immediately upon adjournment this day.

On motion by Senator Graham, the rules were waived and the Committee on Education was granted permission to meet at 2:00 p.m. this day.

On motion by Senator Poston, the rules were waived and the Committee on Transportation was granted permission to meet at 9:00 a.m. on January 31 instead of January 30 as previously scheduled.

Senator Childers announced that the Committee on Natural Resources and Conservation would meet at 9:00 a.m. on January 31 and consider all matters previously agendaed for the meeting on January 30, which had been cancelled.

Senator Scarborough announced that the Committee on Judiciary would meet at 1:30 p.m. on January 30 as scheduled or immediately upon adjournment.

On motion by Senator Barron, the Senate adjourned at 11:31 a.m. to convene at 8:30 a.m., January 30, 1974, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:30 a.m.