

# JOURNAL OF THE SENATE

Friday, May 19, 1961

The Senate convened at 9:30 o'clock A.M., pursuant to adjournment on Thursday, May 18, 1961.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	David	Johns	Ripley
Barron	Davis	Johnson	Roberts
Beall	Edwards	Kelly	Stratton
Blank	Fraser	Kicliter	Sutton
Boyd	Galloway	Melton	Tucker
Bronson	Gautier	Parrish	Williams
Carraway	Getzen	Pearce	Young
Clarke	Gibbons	Pope	
Connor	Gresham	Price	
Cross	Herrell	Rawls	

—37.

A quorum present.

Senator Mapoles was excused from attendance upon the Session.

The following Prayer was offered by the Senate Chaplain, Reverend James H. Paddock:

"We thank Thee, Lord, for the place of prayer in our daily preparation for living a good and profitable life. Help us, Thy servants, to walk circumspectly because the days are evil, and forgive our trespasses. Give all of us safety who travel during the weekend. May we have no accidents and no sickness. If we engage in recreation may it be clean and wholesome; if we work may it be necessary; otherwise may we rest, worship and be refreshed in spirit, mind and body. Then may we return in the proper frame of mind for another week's work. Amen."

The reading of the Journal was dispensed with.

The Senate daily Journal of Thursday, May 11, 1961, was further corrected as follows:

Page 1103, column 2, strike out lines 8 to 15, both inclusive, and insert in lieu thereof the following:

Senator Blank moved that the rules be waived and the Senate immediately reconsider the vote by which House Bill No. 447, contained in the above message, passed the Senate on April 17, 1961.

The President put the question: "Will the Senate reconsider the vote by which House Bill No. 447 passed the Senate on April 17, 1961?"

Which was agreed to by a two-thirds vote.

So the Senate reconsidered the vote by which House Bill No. 447 passed the Senate on April 17, 1961.

The question recurred on the passage of House Bill No. 447.

Pending roll call on the passage of House Bill No. 447, Senator Blank moved that House Bill No. 447 be placed on the Calendar of Local Bills.

Which was agreed to and House Bill No. 447 was placed on the Calendar of Local Bills, pending roll call.

Also—

Page 1103, column 8, strike out lines 5 to 12, both inclusive, counting from the bottom of the column, and insert in lieu thereof the following:

Senator Fraser moved that the rules be waived and the Senate immediately reconsider the vote by which House Bill No. 2105, contained in the above message, passed the Senate on May 8, 1961.

The President put the question: "Will the Senate reconsider the vote by which House Bill No. 2105 passed the Senate on May 8, 1961?"

Which was agreed to by a two-thirds vote.

So the Senate reconsidered the vote by which House Bill No. 2105 passed the Senate on May 8, 1961.

The question recurred on the passage of House Bill No. 2105.

Pending roll call on the passage of House Bill No. 2105, Senator Fraser moved that House Bill No. 2105 be placed on the Calendar of Local Bills.

Which was agreed to and House Bill No. 2105 was placed on the Calendar of Local Bills, pending roll call.

And as further corrected was approved.

The Senate daily Journal of Tuesday, May 16, 1961, was further corrected as follows:

Page 1233, column 2, line 7, counting from the bottom of the column, strike out the figures "691" and insert in lieu thereof the figures "961"

Also—

Page 1234, column 1, line 9, strike out the figures "692" and insert in lieu thereof the figures "962"

Also—

Page 1251, column 2, line 18, counting from the bottom of the column, strike out the figures "27902," and insert in lieu thereof the figures "27092,"

Also—

Page 1251, column 2, between lines 22 and 23, counting from the bottom of the column, insert the following:

"chapter 24062, 1947, chapter 25164, 1949, chapter 22638,"

Also—

Page 1257, column 2, line 31, strike out the words "conclusion of the introduction of guests" and insert in lieu thereof the words "filing of Reports of Committees"

Also—

Page 1258, column 1, at the beginning of line 10, counting from the bottom of the column, insert the following: "In the Title"

Also—

Page 1264, column 1, between lines 8 and 9, insert the following:

"Senator Herrell also offered the following amendment to House Bill No. 384:

"In Section 1, line 2, page 1, strike out the words: "a new subsection (7) to read:" and insert in lieu thereof the following:

"new subsections (7) and (8) to read:"

"Senator Herrell moved the adoption of the amendment.

"Which was agreed to and the amendment was adopted."

Also—

Page 1268, column 1, line 7, counting from the bottom of the column, strike out the word "in" and insert in lieu thereof the word "on"

And as further corrected was approved.

The Senate daily Journal of Thursday, May 18, 1961, was corrected and as corrected was approved.

#### REPORTS OF COMMITTEES

Senator Gautier, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bill:

**S. B. No. 750—** A Bill to be entitled An Act to amend chapter 53, Florida Statutes relating to change of venue and transfer of causes, by adding thereto a new sub-section to be numbered section 53.18; to provide additional grounds for transferring civil actions from the circuit court of one county to the circuit court of another county, and providing for an effective date.

—and recommends that the same not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Fraser, Chairman of the Committee on Temperance, reported that the Committee had carefully considered the following Bill:

**S. B. No. 1009—** A Bill to be entitled An Act amending section 1 of chapter 30723, Laws of Florida, Acts of 1955, entitled "An Act limiting the number of licenses which may be granted for the sale of intoxicating beverages within the territory of Duval county, lying outside of any incorporated city or town, by vendors operating places of business where beverages containing alcohol of more than fourteen per cent (14%) by weight are sold, providing this act shall be inapplicable to any incorporated city or town within Duval county, and excepting from the operation hereof all operators of railroads, sleeping cars, steamships, buses and airplanes obtaining licenses good throughout the state of Florida, and incorporated clubs, including social clubs, and caterers at horse or dog racing plants as defined in the beverage law of the state of Florida and owners of hotels of not less than one hundred (100) guest rooms, providing that any such licenses issued to any said hotel owner shall only license such sale in any such hotel and shall not be transferable except to a bona fide purchaser of said hotel, and providing that the act shall not prevent or prohibit renewal of any licenses heretofore issued", so as to prescribe the effect that the inclusion of any unincorporated territory of said county within any municipality therein shall have upon the number of such licenses which shall be permitted in the remaining unincorporated territory of said county.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Getzen, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bills:

**S. B. No. 877—** A Bill to be entitled An Act relating to causes for the refusal, revocation, or suspension of osteopathic medical licenses; amending section 459.14, Florida Statutes, by adding additional causes: providing an effective date.

**S. B. No. 897—** A Bill to be entitled An Act relating to the hotel and restaurant commission: amending paragraph (a) of sub-section (2) of section 509.201, Florida Statutes; requiring owner or keeper of public lodging establishment to procure permit from hotel and restaurant commission prior to the posting or maintaining of any outdoor sign displaying room rates; providing for definitions; providing an effective date.

**S. B. No. 888—** A Bill to be entitled An Act designating the standards of professional education for osteopathic physicians and surgeons; amending section 459.07 Florida Statutes by changing the standards of professional education for osteopathic physicians and surgeons; providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Getzen, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bill:

**S. B. No. 895—** A Bill to be entitled An Act relating to the practice of dentistry and dental hygiene and the operation of dental laboratories; amending sections 466.03, 466.04, 466.06, 466.08, 466.09, 466.11, 466.13-466.20, 466.24, amending and renumbering sections 466.26 as 466.25, 466.25 as 466.27 and 466.27 as 466.26, amending sections 466.28, 466.32, 466.34, 466.35, 466.37-466.41, 466.44, 466.45, 466.47, 466.48, 466.50-466.52, 466.54-466.56, 466.58 and creating section 466.521, all Florida Statutes; providing for the licensing of dentists and dental hygienists and the registration of dental laboratories and prescribing the fees therefor; regulating the practice of dentistry and dental hygiene and the operation of dental laboratories; providing penalty; providing effective date.

—and recommends that the same pass with committee amendments as attached thereto.

And the Bill contained in the preceding report, together with the committee amendments attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Getzen, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bill:

**S. B. No. 904—** A Bill to be entitled An Act relating to mental health; amending section 394.27, Florida Statutes; setting forth residence requirements for persons to be admitted to state hospitals; providing non-residents can be admitted pending transfer to state of their domicile; granting director of mental health discretion of keeping nonresident if no transfer can be made; repealing chapter 59-108 and providing an effective date.

—and the Committee reports same without recommendation.

And the Bill contained in the preceding report was referred to the Committee on Appropriations, under the original joint reference.

Senator Getzen, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bill:

**S. B. No. 927—** A Bill to be entitled An Act relating to the practice of hypnosis for therapeutic purposes; declaring legislative intent; providing a short ti-

tle; providing definitions; prohibiting the practice thereof, except by, or under the supervision of, a person licensed to practice certain branches of the healing arts; providing penalties; providing an effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Getzen, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bill:

**S. B. No. 734—** A Bill to be entitled An Act relating to milk and bread; requiring distributors of milk and bread to mark the day and date of delivery of said products to retail stores; making noncompliance a misdemeanor.

—and recommends that the same not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Getzen, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bills:

**H. B. No. 598—** A bill to be entitled An Act relating to county hospitals; amending section 155.12, Florida Statutes; permitting county hospitals to file reports either the first week of the calendar year or the first week of the hospital's fiscal year.

**H. B. No. 844—** A bill to be entitled An Act amending subsection (2) of section 465.091, Florida Statutes, relating to the practice of the profession of pharmacy.

**H. B. No. 847—** A bill to be entitled An Act amending section 465.061, Florida Statutes, relating to the practice of the profession of pharmacy.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Getzen, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bills:

**H. B. No. 843—** A bill to be entitled An Act relating to the uniform narcotic drug law; amending subsection (1) of section 398.09, and paragraph (a) of subsection (3) of section 398.09, and subsection (1) of section 398.10, Florida Statutes, to conform with provisions of federal law; providing an effective date.

**H. B. No. 806—** A bill to be entitled An Act relating to the state welfare board; authorizing the use of a formulary for the prescribed medicines program; directing the medical school at the university of Florida to assist the board; and providing an effective date.

**H. B. No. 381—** A bill to be entitled An Act relating to the Florida milk commission; amending sections 501.04 and 501.20, Florida Statutes, by providing that the commission shall not supervise or regulate in any market in which it does not now supervise and regulate unless a majority of the producers and producer-distributors therein vote in favor thereof at a secret ballot election called upon receipt by the commission of a petition requesting it to exercise its powers in such market signed by not less than ten per cent (10%) in number of the producers and producer-distributors therein; providing that the commission shall withdraw from any market when a majority of the producers and producer-distributors in such market vote in favor of such withdrawal at a secret ballot election called by the commission upon receipt by it of a petition requesting such withdrawal signed by a group of

representative producers and producer-distributors in such market; authorizing the commission to prescribe the procedure for calling, holding, conducting and ascertaining the results of such secret ballot election; requiring the commission to appoint a person not connected with the dairy industry or with the commission to conduct such election; providing how the number of eligible producers and producer-distributors in such market shall be determined; providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Getzen, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bills:

**H. B. No. 853—** A bill to be entitled An Act relating to physicians and the practice of medicine; creating sections 458.001, 458.002 and 458.17; amending sections 458.04, 458.041, 458.05, 458.06, 458.09, 458.10, 458.12, 458.121, 458.13 and 458.15, all Florida Statutes; relating to the board of medical examiners, its constitution, qualifications of members and organization; licensing of applicants; license fees; revocation and suspension of licenses and attendant procedures; violations and penalties; providing certain transitory provisions; providing for the transfer and renumbering of sections 458.081 through 458.086, and repealing section 458.07, Florida Statutes; providing an effective date.

**H. B. No. 846—** A bill to be entitled An Act relating to the practice of the profession of pharmacy; providing for the registration of retail drug establishments with the state board of pharmacy; providing for the issuance of permits by the state board of pharmacy; establishing fees to be paid to the state board of pharmacy; providing for the revocation of permits to fill, compound, or dispense any prescription and to dispense any medicinal drug; and providing an effective date.

**H. B. No. 840—** A bill to be entitled An Act amending chapter 465, Florida Statutes, relating to the practice of the profession of pharmacy by adding thereto a new section to be designated section 465.072; making it unlawful for persons other than registered pharmacists or owners of registered retail drug establishments to use the name pharmacy or similar names; prohibiting misleading advertising; prohibiting the dispensing of medicinal drugs by unauthorized persons; and providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Getzen, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bills:

**H. B. No. 841—** A bill to be entitled An Act amending subsection (5) of section 465.18, Florida Statutes, relating to the practice of the profession of pharmacy.

**H. B. No. 839—** A bill to be entitled An Act amending section 465.031, Florida Statutes, relating to the practice of the profession of pharmacy, by adding additional definitions of terms.

**H. B. No. 845—** A bill to be entitled An Act amending section 465.14, Florida Statutes, relating to the practice of the profession of pharmacy; authorizing the Florida board of pharmacy to make rules and regulations and prescribe requirements for licensure as a pharmacist; and providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Getzen, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bills:

**H. B. No. 1370—** A bill to be entitled An Act relating to the management of county hospitals, amending section 155.18, Florida Statutes, to provide for rules and regulations relating to granting and revoking of privileges to treat patients; providing an effective date.

**H. B. No. 1580—** A bill to be entitled An Act relating to hospital service for the indigent; amending section 401.012, Florida Statutes, authorizing the state board of health and its affiliated county health units to render visiting nurse care; amending subsection (6) of section 401.02, Florida Statutes, defining the words "medically indigent person"; amending section 401.02, Florida Statutes, adding subsection (10), defining the words "acutely ill or injured person"; amending section 401.04, Florida Statutes, providing for an increase in the number of members of the advisory committee to the state board of health; providing for a change in the membership of the advisory committee to the state board of health; providing an effective date.

**H. B. No. 1041—** A bill to be entitled An Act relating to nursing homes; amending section 400.01, Florida Statutes, providing three categories of licenses and defining each, defining nursing service and custodial service; amending section 400.13, Florida Statutes, providing enforcement; re-enacting and amending section 400.08, Florida Statutes, 1957, providing for the renewal of licenses and adding section 400.16, Florida Statutes, making it unlawful to advertise nursing home care if not licensed to provide nursing care under provisions of this chapter; providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Getzen, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bill:

**H. B. No. 842—** A bill to be entitled An Act amending subsection (2) of and adding a new subsection (3) to section 465.021, Florida Statutes, relating to the practice of the profession of pharmacy.

—and recommends that the same not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Gresham, Chairman of the Committee on Miscellaneous Legislation, reported that the Committee had carefully considered the following Bill:

**S. B. No. 980—** A Bill to be entitled An Act permitting greyhound race tracks to conduct their racing meetings as authorized by law at any time during the calendar year, Sundays excepted, providing an effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Johns, Chairman of the Committee on Insurance, reported that the Committee had carefully considered the following Bill:

**H. B. No. 1478—** A bill to be entitled An Act relating to bail, bonds, bondsmen and runners; adding a new section 903.10 to chapter 903, Florida Statutes, permitting sureties and licensed persons equal access; amend-

ing sections 903.26, 903.27, 903.28, 903.29 and 903.30, Florida Statutes, relating to forfeiture of the undertaking, when and how directed, discharge, enforcement and remission of forfeiture; amending subsection (1) of section 903.38; amending sections 903.39, 903.44, 903.45, 903.51 and 903.54; amending sub-section (1) and paragraphs (c) and (d) of subsection (2) of section 903.43, subsection (1) of section 903.46, paragraph (e) of subsection (1) of section 903.53; adding sections 903.441, 903.541, 903.542, 903.543, 903.544, 903.545, 903.546 and 903.547, Florida Statutes, relating to qualifications, examination, licensing and regulation of bail bondsmen and runners; defining duties and powers of the insurance commissioner; issuance and refusal of license; bail bondsmen's records and forms; procedure for denial, revocation, suspension or refusal to renew license; hearings; witnesses and evidence; providing for administrative fine in lieu of suspension or revocation of license; providing for probation; repealing section 903.281, Florida Statutes; and providing an effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Kelly, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bill:

**S. B. No. 875—** A Bill to be entitled An Act relating to the state road department, authorizing the state road department to purchase real property for the construction of the federal interstate highway system and the primary road system; providing for the contracting between the State Road Department and the investment board for the state and county retirement system fund and with the board of trustees of the retirement system fund for school teachers, allowing the use of portions of said funds under said agreements by the state road department for the acquisition of real property; providing for the power of eminent domain in such acquisition; placing a maximum on the total assets of each fund which may be subject to said agreements; providing for payment of delinquent installments; providing for the taking of title to such real property in the name of the investment board or the board of trustees; providing for the purchase of said property by the state road department from said investment board or board of trustees and providing for the payment of such purchase price; providing for the use and management of said property during the time the title is held by the investment board or the board of trustees; providing for the creation of a highway rights of way acquisition and management fund; placing expiration date on all agreements; providing for review and approval by state board of administration; providing for the payment of insurance premiums and costs of maintenance of such property and exempting said property from taxation by city, state or county governments; providing that deeds of conveyance of such property from private individuals to the respective fund and from the respective fund to the state road department shall be exempt from documentary tax stamps; providing for the department to indemnify the respective investment board from any loss or liability in connection with the management of such property; and providing an effective date; and a termination date.

—and recommends that the same pass with committee amendment as attached thereto.

And the Bill contained in the preceding report, together with the committee amendment attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Kelly, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bills:

**S. B. No. 622—** A Bill to be entitled An Act relating to highways and roads, defining the powers and duties of the state road board, and of the state road department.

**S. B. No. 621—** A Bill to be entitled An Act relating to highways and roads, abolishing the position of executive director of the state road department and establishing the position of state highway commissioner, and defining certain matters relating to the state road board.

**S. B. No. 620—** A Bill to be entitled An Act relating to the highway code, amending section 339.08, F. S., providing for the counties to deal directly with the state highway commissioner in the expenditure of secondary road funds, and removing such secondary roads funds from the control of the state road board; and providing an effective date.

—and recommends that the same not pass.

And the Bills contained in the preceding report were laid on the table.

Senator Kelly, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bills:

**H. B. No. 1869—** A bill to be entitled An Act relating to the Florida highway code; amending section 337.11, Florida Statutes, by adding subsection (5); requiring state road department to preserve records reflecting certain purchases made by said department for period of three (3) years; providing an effective date.

**H. B. No. 1868—** A bill to be entitled An Act relating to the state road board; amending section 337.11 (2), Florida Statutes, providing that all rights of way must be acquired and all railroad and utility agreements executed before advertising for bids on construction contracts; and providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Kelly, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bills:

**H. B. No. 1866—** A bill to be entitled An Act relating to the state Road Board; amending section 334.14, Florida Statutes, requiring the employment of an assistant state highway engineer of testing, providing his duties; and providing an effective date.

**H. B. No. 1867—** A bill to be entitled An Act relating to the Florida highway code; amending section 334.12, Florida Statutes, by adding subsection (3), providing for the preparation, publication and distribution of proposed primary road construction program by state road board; providing date and contents of such publication; providing for annual revision of such program based on certain criteria; providing an effective date.

—and recommends that the same not pass.

And the Bills contained in the preceding report were laid on the table.

Senator Kelly, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bill:

**S. B. No. 930—** A Bill to be entitled An Act to amend Florida highway code, section 334.21, Florida Statutes, by deleting parts of subsection (9) bearing the sub-title "amendment of the budget".

—and the Committee recommends that the committee substitute therefor, as reported herewith, pass.

And the Bill contained in the preceding report, with the recommended committee substitute attached thereto was placed on the Calendar of Bills on Second Reading.

Senator Kelly, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bill:

**H. B. No. 1864—** A bill to be entitled An Act relating to the state road board; amending section 337.25, Florida Statutes, authorizing the acquisition, lease or disposal of real and personal property, and providing an effective date.

—and recommends that the same pass with committee amendment as attached thereto.

And the Bill contained in the preceding report, together with the committee amendment attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Kelly, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bill:

**H. B. No. 1865—** A bill to be entitled An Act relating to highways and roads, amending section 334.171, Florida Statutes, to provide legal assistance to counties and municipalities and providing for the enforcement of agreements relating to state roads.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

#### ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred, with House amendment, for engrossing—

**S. B. No. 140—** A Bill to be entitled An Act relating to future advances of mortgages; amending section 697.04, Florida Statutes, extending the time during which future advances may be secured from ten (10) years to twenty (20) years and providing an effective date.

—begs leave to report that the amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate

And Senate Bill No. 140, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with Senate amendments, for engrossing—

**S. B. No. 147—** A Bill to be entitled An Act relating to education; authorizing establishment of junior colleges in Lake County.

—begs leave to report that the amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate

And Senate Bill No. 147, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with Senate amendments, for engrossing—

**S. B. No. 160—** A Bill to be entitled An Act relating to education; authorizing establishment of junior colleges in Columbia County.

—begs leave to report that the amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate

And Senate Bill No. 160, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with Senate amendments, for engrossing—

**S. B. No. 162—** A Bill to be entitled An Act relating to education; authorizing establishment of junior colleges in Lee County.

—begs leave to report that the amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate

And Senate Bill No. 162, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with Senate amendments, for engrossing—

**S. B. No. 257—** A Bill to be entitled An Act relating to education; authorizing establishment of junior colleges in Orange county.

—begs leave to report that the amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate

And Senate Bill No. 257, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with House amendments, for engrossing—

**S. B. No. 297—** A Bill to be entitled An Act relating to workmen's compensation; amending section 440.45, Florida Statutes, by providing that deputy commissioners of the Florida industrial commission shall be appointed for terms of four years and shall serve on full-time basis; fixing the qualifications and salaries of deputy commissioners; authorizing designation of commission attorneys to serve as deputy commissioners pro hac vice, without additional compensation; clarifying the delegation of authority; and providing an effective date.

—begs leave to report that the amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate

And Senate Bill No. 297, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with Senate amendments, for engrossing—

**S. B. No. 519—** A Bill to be entitled An Act relating to administrative procedures for and service of process on state agencies; creating sections 120.011 through 120.31, Florida Statutes, providing for the adoption, filing and publication of administrative rules, and filing of inter-governmental agreements; providing procedures for administrative adjudication proceedings; providing for judicial review; repealing sections 120.07 and 120.10 through 120.17, Florida Statutes; and providing an effective date.

—begs leave to report that the amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate

And Senate Bill No. 519, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with Senate amendments, for engrossing—

**S. B. No. 710—** A Bill to be entitled An Act to create the legal department of Pinellas county for the use of all boards, commissions, councils, agencies, elected and appointed public officials, and employees of said county; providing for the employment of a county attorney and assistant county attorneys; providing for the employment of special assistant county attorneys on a temporary basis; providing funds for attorneys for legislative delegation; providing for the employment of such other employees as may be necessary; for their expenses and the expenses of said department; designating the fund out of which the same shall be paid; providing for ratification of prior acts of board of county commissioners of Pinellas county, Florida, relating to such matters; providing for an effective date.

—begs leave to report that the amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate

And Senate Bill No. 710, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with Senate amendment, for engrossing—

**S. B. No. 773—** A Bill to be entitled An Act amending section 526.111, Florida Statutes, regulating the method of displaying the retail price of gasoline and diesel fuel, and providing penalties, so as to extend the regulation to limitations as to the person to whom gasoline and diesel fuel will be sold at the posted price, and providing presumption to be drawn from such displays.

—begs leave to report that the amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate

And Senate Bill No. 773, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with Senate amendment, for engrossing—

**S. B. No. 878—** A Bill to be entitled An Act relating to ambulance service contracts; providing for

the imposition of fees, deposits, taxes and certificate of authority; providing for an agency fund; providing for disposition of the fund for the purpose of administration and defraying the cost of said program; providing for the supervision and regulation of the ambulance service contract business within or relating to this state; providing for service of process and appointment of the insurance commissioner as process agent; providing penalties for the violation of this act; providing for adoption, promulgation and enforcement of rules and regulations; and providing an effective date.

—begs leave to report that the amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate

And Senate Bill No. 878, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with Senate amendment, for engrossing—

**S. B. No. 890—** A Bill to be entitled An Act relating to auto transportation brokers; amending sections 323.31 (3) (a) 4 and 323.31 (7), Florida Statutes, to delete the provision allowing applicants for licenses the choice of filing either a financial statement or a bond; and to require the filing of a bond in an amount to be determined by the railroad and public utilities commission.

—begs leave to report that the amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate

And Senate Bill No. 890, contained in the above report was ordered certified to the House of Representatives.

Senator Herrell requested unanimous consent of the Senate to be included as a co-introducer of Senate Bill No. 995.

Unanimous consent was granted.

Senator Rawls moved that Committee Substitute for House Bill No. 2309 be made a Special and Continuing Order of Business for consideration by the Senate commencing when the Order of the Day is reached on Tuesday, May 23, 1961.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Davis moved that the rules be waived and when the Senate adjourns this day, it adjourn to reconvene at 4:00 o'clock P. M., Monday, May 22, 1961.

Which was agreed to by a two-thirds vote.

Senator Davis moved that upon completion of the final roll call on Senate Bill No. 996, this day, the Senate adjourn.

Which was agreed to.

Senator Connor moved that House Bill No. 1126 be made a Special and Continuing Order of Business for consideration by the Senate immediately following consideration of Committee Substitute for House Bill No. 2309 on Tuesday, May 23, 1961.

Which was agreed to by a two-thirds vote and it was so ordered.

ORDER OF THE DAY

SPECIAL AND CONTINUING ORDER

Pursuant to the motion made by Senator Davis on May 16, 1961, and the hour having arrived, the Senate took up for consideration Senate Bill No. 996 as a Special and Continuing Order of Business.

**S. B. No. 996—** A Bill to be entitled An Act making appropriations; providing moneys for the annual periods beginning July 1, 1961, and July 1, 1962, to pay salaries and other expenses, capital outlay—buildings and improvements, and for other specified purposes of the various agencies of state government; and providing an effective date.

Was taken up.

Senator Carraway moved that the rules be waived and Senate Bill No. 996 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 996 was read the second time by title only.

Senator Ripley offered the following amendment to Senate Bill No. 996:

In Section 2, item 84, page 12, strike out the figures \$2,454,000 and insert in lieu thereof the following: \$1,454,000

Senator Ripley moved the adoption of the amendment.

Which was not agreed to so the amendment failed of adoption.

Senator Ripley also offered the following amendment to Senate Bill No. 996:

In Section 2, item 146, page 16, strike out the words: "units in kindergarten in excess of 146 units or in"

Senator Ripley moved the adoption of the amendment.

Which was not agreed to so the amendment failed of adoption.

Senator Kelly offered the following amendment to Senate Bill No. 996:

In Section 2, line 15, page 16, following the words: Minimum Foundation Program, strike out: the entire item 146 and insert in lieu thereof the following:

146. Grades K-12 (See Secs. 236.07 and 236.071, F. S.); provided that the minimum financial effort for the counties combined for grades 1-12 shall not be increased more than ten per cent for 1962-63 over such effort in 1961-62, computed in accordance with Sec. 236.07(8), F. S.

\$138,158,202	\$145,580,332
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Senator Kelly moved the adoption of the amendment.

Which was not agreed to so the amendment failed of adoption.

Senator Kelly also offered the following amendment to Senate Bill No. 996:

In Section 2, line 25, page 16, strike out the words: "exceptional children" and in Section 2, line 24, page 17, following the words: "section 236.07(8) F. S." strike out: \$137,326,600 \$143,357,200 and insert in lieu thereof the following: \$137,326,600 \$143,949,400

Senator Kelly moved the adoption of the amendment.

Which was not agreed to so the amendment failed of adoption.

Senator Young offered the following amendment to Senate Bill No. 996:

In Section 6, item 19, page 35, strike out the words: ("Located in St. Petersburg")

Senator Young moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

**Senator Davis presiding.**

Senators Gresham and Williams offered the following amendment to Senate Bill No. 996:

In Section 7, page 43, following item 127, add another item to be numbered to read 128. Junior college in Lee County 359,750.

Senator Gresham moved the adoption of the amendment.

A roll call was demanded.

Upon call of the roll on the motion made by Senator Gresham, the vote was:

Yeas—15.

Davis	Gresham	Rawls	Tucker
Galloway	Johns	Ripley	Williams
Gautier	Johnson	Roberts	Young
Gibbons	Price	Stratton	

Nays—21.

Barron	Clarke	Getzen	Pearce
Beall	Connor	Herrell	Pope
Blank	Cross	Kelly	Sutton
Boyd	David	Kicliter	
Bronson	Edwards	Melton	
Carraway	Fraser	Parrish	

So the amendment failed of adoption.

Senator Kicliter moved that a committee be appointed to escort Honorable Evans Crary, a former member of the Senate from the 12th Senatorial District, and his guests, Mr. and Mrs. Ralph Evinrude, the latter being known professionally as Miss Frances Langford, and Mr. Zack Moseley, creator of the comic strip Smilin' Jack, to seats on the rostrum.

Which was agreed to.

The Presiding Officer appointed Senators Kicliter, Rawls and Beall as the committee which escorted Senator Crary and his guests to the rostrum.

**Senator Rawls, President Pro Tempore, presiding.**

Senator Davis offered the following amendment to Senate Bill No. 996:

At the end of Section 9, page 74, add a new section as follows:

"Section 10. No moneys appropriated in this act may be expended for the purchase of airplanes." and renumber the remaining sections accordingly.

Senator Davis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

**The President presiding.**

Senator Carraway moved that the rules be further waived and Senate Bill No. 996, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 996, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 996, as amended, the roll was called and the vote was:

Yeas—37.

Mr. President	David	Johns	Ripley
Barron	Davis	Johnson	Roberts
Beall	Edwards	Kelly	Stratton
Blank	Fraser	Kicliter	Sutton
Boyd	Galloway	Melton	Tucker
Bronson	Gautier	Parrish	Williams
Carraway	Getzen	Pearce	Young
Clarke	Gibbons	Pope	
Connor	Gresham	Price	
Cross	Herrell	Rawls	

Nays—None.

So Senate Bill No. 996 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Parrish moved that the Senate give Senator Carraway a rising vote of thanks for his untiring efforts in steering the preparation of the General Appropriations Bill, as Chairman of the Committee on Appropriations.

Which was agreed to and the Senate stood as an expression of gratitude.

Senator Carraway expressed his appreciation to the members of the Committee and to the aide to the Committee, Mr. L.K. Ireland, Jr., for the faithful services they rendered in the work.

Senator Beall moved that the rules be waived and Senate Bill No. 305 be withdrawn from the Committee on Appropriations and placed on the Calendar of Bills on Second Reading.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Beall requested unanimous consent of the Senate to take up and consider Senate Bill No. 305, out of its order.

Unanimous consent was granted, and—

**S. B. No. 305—** A Bill to be entitled An Act providing for the establishment of a four-year degree granting college in Escambia County, to be known as West Florida State College; providing for the transfer of title to the land upon which Pensacola junior college is located, all improvements thereon, and all other real property used in connection with the operation and maintenance of such junior college, to the state board of education, and the transfer of the title to all personal property used in connection with such junior college to the state board of control; providing that insofar as the thirteenth and fourteenth grades (junior college) of West Florida State College are concerned, the said state board of control shall perform all of the duties of and shall have all of the authority now or hereafter vested in the county board of public instruction and the county superintendent of public instruction relating to junior colleges, except that the said county board of public instruction shall continue to perform the duties specified in Chapter 230.48(2), Laws of Florida, 1959, relating to county support of junior colleges; providing that the state board of control shall be entitled to receive and expend, as provided by law, all funds now or hereafter available which except for this law would have been payable to and received by the county board of public instruction for the construction of facilities and for the support, maintenance and operation of a junior college, and to receive and expend as provided by law all funds appropriated by the legislature or authorized to be received by the state board of control for the construction of facilities or the maintenance and operation of such college; providing that the powers and duties vested in the advisory committee for junior colleges, insofar as this college is concerned, shall be vested in the state board of control; providing that the administrative and educational staff of the Pensacola junior college shall be transferred to the supervision and control of the state board of control, and that such staff members shall retain all privi-

leges now enjoyed by them under the law, including, without limitation, retirement benefits and accumulative tenure; providing that the budgeted expenses for the thirteenth and fourteenth grades shall be subject to the approval of the state superintendent of public instruction; that the state board of control, with respect to said college, may issue revenue certificates in the manner and to the same extent as is authorized under the provisions of Chapter 243.01 to 243.12, inclusive, Laws of Florida, 1959, and to accept federal aid as is provided by Chapter 243.131, Laws of Florida, 1959; providing for appropriations for the construction of facilities and the maintenance and operation of such college; repealing conflicting legislation and providing an effective date.

Was taken up.

Senator Beall moved that the rules be waived and Senate Bill No. 305 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 305 was read the second time by title only.

Senator Beall moved that the further consideration of Senate Bill No. 305 be informally passed, the Bill retaining its place on the Calendar of Bills on Second Reading.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Herrell requested unanimous consent of the Senate to take up and consider Senate Bill No. 854, out of its order.

Unanimous consent was granted, and—

**S. B. No. 854—** A Bill to be entitled An Act relating to the civil court of record in any county in the state having a population of more than nine hundred thousand (900,000) according to the latest official decennial census; providing for the appointment of an additional judge of the court of civil record in any such county; providing for the term of office and other matters related thereto; providing for the salary of said judge; providing an effective date.

Was taken up.

Senator Herrell moved that the rules be waived and Senate Bill No. 854 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 854 was read the second time by title only.

Senator Herrell moved that the rules be further waived and Senate Bill No. 854 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 854 was read the third time in full.

Upon the passage of Senate Bill No. 854 the roll was called and the vote was:

Yeas—37.

Mr. President	David	Johns	Ripley
Barron	Davis	Johnson	Roberts
Beall	Edwards	Kelly	Stratton
Blank	Fraser	Kicliter	Sutton
Boyd	Galloway	Melton	Tucker
Bronson	Gautier	Parrish	Williams
Carraway	Getzen	Pearce	Young
Clarke	Gibbons	Pope	
Connor	Gresham	Price	
Cross	Herrell	Rawls	

Nays—None.

So Senate Bill No. 854 passed, title as stated, and the

action of the Senate was ordered certified to the House of Representatives.

Senator Price moved that House Bills Nos. 2074 and 2503 be referred to an appropriate committee.

Which was agreed to.

And House Bills Nos. 2074 and 2503 were referred to the Committee on Transportation and Highway Safety and the Committee on Motor Vehicles.

Senator Stratton moved that the further consideration of House Bills Nos. 456, 457, 343 and 341 be indefinitely postponed.

Which was agreed to and the further consideration of House Bills Nos. 456, 457, 343 and 341 was indefinitely postponed, and the action of the Senate was ordered certified to the House of Representatives.

Senator Ripley requested unanimous consent of the Senate to take up and consider Senate Bill No. 1009, out of its order.

Unanimous consent was granted, and—

**S. B. No. 1009—** A Bill to be entitled An Act amending section 1 of chapter 30723, Laws of Florida, Acts of 1955, entitled "An Act limiting the number of licenses which may be granted for the sale of intoxicating beverages within the territory of Duval county, lying outside of any incorporated city or town, by vendors operating places of business where beverages containing alcohol of more than fourteen per cent (14%) by weight are sold, providing this act shall be inapplicable to any incorporated city or town within Duval county, and excepting from the operation hereof all operators of railroads, sleeping cars, steamships, buses and airplanes obtaining licenses good throughout the state of Florida, and incorporated clubs, including social clubs, and caterers at horse or dog racing plants as defined in the beverage law of the state of Florida and owners of hotels of not less than one hundred (100) guest rooms, providing that any such licenses issued to any said hotel owner shall only license such sale in any such hotel and shall not be transferable except to a bona fide purchaser of said hotel, and providing that the act shall not prevent or prohibit renewal of any licenses heretofore issued", so as to prescribe the effect that the inclusion of any unincorporated territory of said county within any municipality therein shall have upon the number of such licenses which shall be permitted in the remaining unincorporated territory of said county.

Was taken up.

Senator Ripley moved that the rules be waived and Senate Bill No. 1009 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1009 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 1009 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1009 was read the third time in full.

Upon the passage of Senate Bill No. 1009 the roll was called and the vote was:

Yeas—37.

Mr. President	David	Johns	Ripley
Barron	Davis	Johnson	Roberts
Beall	Edwards	Kelly	Stratton
Blank	Fraser	Kicliter	Sutton
Boyd	Galloway	Melton	Tucker
Bronson	Gautier	Parrish	Williams
Carraway	Getzen	Pearce	Young
Clarke	Gibbons	Pope	
Connor	Gresham	Price	
Cross	Herrell	Rawls	

Nays—None.

So Senate Bill No. 1009 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Fraser requested unanimous consent of the Senate to take up and consider House Bill No. 1546, out of its order.

Unanimous consent was granted, and—

**H. B. No. 1546—** A bill to be entitled An Act to abolish the present municipal government of the town of Keystone Heights, Clay County, and to establish, organize and constitute a new municipality to be known and designated as the city of Keystone Heights in the county of Clay and state of Florida, and to define its territorial boundaries and provide for its jurisdiction, powers and privileges; and providing for a referendum election.

Was taken up.

Senator Fraser moved that the rules be waived and House Bill No. 1546 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1546 was read the second time by title only.

Senator Fraser offered the following amendment to House Bill No. 1546:

#### Article IV

In Section 31, line 7, page 13, strike out the words: Provided, the sale, lease for a term of longer than two

years, or disposal in any manner of lands shall be first approved at a city election. Said city may have a common seal, and may change it at the pleasure of the council of said city. And insert in lieu thereof the following: Provided, the sale in any manner of lands may have a common seal, and may change it at the pleasure of the council of said city.

Senator Fraser moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Fraser moved that the rules be further waived and House Bill No. 1546, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1546, as amended, was read the third time in full.

Upon the passage of House Bill No. 1546, as amended, the roll was called and the vote was:

Yeas—37.

Mr. President	David	Johns	Ripley
Barron	Davis	Johnson	Roberts
Beall	Edwards	Kelly	Stratton
Blank	Fraser	Kicliter	Sutton
Boyd	Galloway	Melton	Tucker
Bronson	Gautier	Parrish	Williams
Carraway	Getzen	Pearce	Young
Clarke	Gibbons	Pope	
Connor	Gresham	Price	
Cross	Herrell	Rawls	

Nays—None.

So House Bill No. 1546 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Davis moved that the Senate adjourn.

Which was agreed to and the Senate stood adjourned at 11:55 o'clock A. M., until 4:00 o'clock P. M., Monday, May 22, 1961, pursuant to the motion made by Senator Davis, Chairman of the Committee on Rules and Calendar, this day.