

# JOURNAL OF THE SENATE

Tuesday, April 9, 1963

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, April 8, 1963.

The President in the Chair.

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

Mr. President	Cross	Johnson (19th)	Ryan
Askew	Davis	Johnson (6th)	Spottswood
Barber	Edwards	Kelly	Stratton
Barron	Fraser	McCarty	Tucker
Blank	Friday	Mapoles	Usher
Boyd	Galloway	Mathews	Whitaker
Bronson	Gautier	Melton	Williams (27th)
Campbell	Gibson	Parrish	Williams (4th)
Clarke	Henderson	Pearce	Young
Cleveland	Herrell	Pope	
Connor	Hollahan	Price	
Covington	Johns	Roberts	

—45.

A quorum present.

The following Prayer was offered by the Senate Chaplin, The Reverend George C. Bedell:

O God, our heavenly Father, who hast given us this good land for our heritage, grant that we may always be faithful stewards of thy bounty and grateful servants of the people; that we may use all thy gifts, both temporal and spiritual, responsibly and to thy honor and glory. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Wednesday, April 3, 1963, was further corrected as follows:

Page 26, column 2, between lines 10 and 11, counting from the bottom of the column, insert the following:

Senator Cross moved that the Report be filed.

Which was agreed to and it was so ordered.

And as further corrected was approved.

The Senate daily Journal of Monday, April 8, 1963, was corrected and as corrected was approved.

## REPORT OF COMMITTEE

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

S. B. NO. 6

—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.

## ENROLLING REPORTS

Your Enrolling Clerk, to whom was referred—

S. C. R. NO. 41

—reports same has been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on April 8, 1963.

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

Your Enrolling Clerk, to whom was referred—

S. B. NO. 42

—reports same has been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on April 8, 1963.

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

Your Enrolling Clerk to whom was referred—

H. B. NO. 124

—reports same has been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on April 8, 1963.

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

Senator Kelly requested permission of the Senate to be shown as a co-introducer of Senate Bill No. 95.

Permission was granted.

Senators Young and Askew requested permission of the Senate to be shown as co-introducers of Senate Bill No. 103.

Permission was granted.

Senator Connor requested permission of the Senate to be shown as a co-introducer of Senate Bill No. 138.

Permission was granted.

## INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Whitaker—

S. B. NO. 162—A BILL TO BE ENTITLED AN ACT RELATING TO A FEASIBILITY STUDY FOR THE LOCATION OF A SCHOOL OF MEDICINE IN THE TAMPA BAY AREA; AUTHORIZING AND DIRECTING THE STATE BOARD OF CONTROL TO CONDUCT SUCH STUDY; AUTHORIZING AND DIRECTING THE STATE BOARD OF EDUCATION, IN THE EVENT SUCH STUDY IS FAVORABLE, TO ESTABLISH SUCH SCHOOL OF MEDICINE AT THE UNIVERSITY OF SOUTH FLORIDA; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Education—Higher Learning and the Committee on Appropriations.

By Senators Price, Hollahan, Kelly, Connor, Parrish, Boyd, Roberts, Pope, Tucker, Herrell, Ryan, Gibson, Spottswood, Usher, Williams (27th), Johnson (6th), Melton, Whitaker, Fraser, Williams (4th), Cleveland, Blank, Young, Campbell, Edwards, Johns, Johnson (19th), Henderson, Covington and Friday—

SENATE MEMORIAL NO. 163—

A MEMORIAL TO THE CONGRESS OF THE UNITED STATES TO AUTHORIZE THE EXTENSION OF INTERSTATE HIGHWAY 75 FROM TAMPA VIA BRANDENTON, SARASOTA, VENICE, PUNTA GORDA, FORT MYERS, AND NAPLES TO MIAMI, FLORIDA.

WHEREAS, the Congress of the United States has authorized the National System of Interstate and Defense Highways, and

WHEREAS, no provisions were made to link Tampa, Florida, with Miami, Florida, the two most populous and fastest growing areas in our state, and

WHEREAS, Cuba is now a vast fortress under communist domination, and Russian troops are now located only ninety miles from our shore, and

WHEREAS, critical unrest exists in many areas of Latin America, and a limited-access highway in Southwest Florida is essential for the movement of troops and equipment, and

WHEREAS, the communist threat further emphasizes the need for such a road for the evacuation of hundreds of thousands of our citizens in case of atomic attack, and

WHEREAS, authorization of the "missing link" between Tampa and Miami in the National System of Interstate and Defense Highways will relieve the dangerous bumper-to-bumper congestion on existing roads and is important to our economy, agriculture, industry and tourism, NOW, THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the Congress of the United States be and it is hereby requested to authorize the extension of Interstate Highway 75 from Tampa, Florida, via Bradenton, Sarasota, Venice, Punta Gorda, Fort Myers, and Naples to Miami, Florida.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States; to the President of the United States Senate; and to the Secretary of Commerce.

Which was read the first time in full and referred to the Committee on Public Roads and Highways.

By Senator Price—

**S. B. NO. 164—A BILL TO BE ENTITLED AN ACT RELATING TO SALES TAX; AMENDING SECTION 212.05(1), FLORIDA STATUTES, BY PROVIDING THAT SALES TAX ON ALCOHOLIC BEVERAGES SOLD FOR CONSUMPTION OFF THE PREMISES WHERE PURCHASED SHALL BE AT A RATE OF TEN PER CENT (10%); PROVIDING EFFECTIVE DATE.**

Which was read the first time by title only and referred to the Committee on Temperance and the Committee on Finance and Taxation.

By Senators Hollahan and Herrell—

**SENATE JOINT RESOLUTION NO. 165—**

**A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE 111, SECTION 2 OF THE STATE CONSTITUTION, RELATING TO REGULAR AND EXTRA SESSIONS OF THE LEGISLATURE; PROVIDING FOR REGULAR ANNUAL SESSIONS OF THE LEGISLATURE.**

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following amendment of Article 111, Section 2 of the Florida Constitution is agreed to and shall be submitted to the electors of the state for ratification or rejection at the next general election held in November, 1964:

**SECTION 2. Regular and extra sessions.**—The regular sessions of the legislature shall be held annually. The regular session in an odd-numbered year shall commence on the first Tuesday after the first Monday in April.

The regular session in an even-numbered year shall commence on the first Tuesday after the first Monday in January and shall be known as the budget session, shall be limited to thirty (30) calendar days unless extended as hereinafter provided, and shall consider no proposed legislation other than bills raising revenue, bills making appropriations for the succeeding fiscal years, bills concerning the power, authority, and charters of counties and cities, and bills necessary to provide for the expenses of the legislature, unless consent to the introduction of additional proposed legislation is first obtained by a two-thirds (2/3) vote of the members of the house into which it is sought to be introduced. The regular session in an odd-numbered year shall be known as a general session, shall be limited to sixty (60) calendar days unless extended as hereinafter provided, and shall not consider proposed legislation relating to the budgetary, revenue or financial affairs of the state government unless consent to the introduction of such proposed legislation is first obtained by a two-thirds (2/3) vote of the members of the house into which it is sought to be introduced. The regular annual sessions of the legislature may, by a three-fifths (3/5) vote of the membership of both houses, be extended not exceeding a total of thirty (30) days which need not be consecutive. Recesses in such extended session shall be taken only by joint action of both houses. No extended session may last beyond September 1 following the regular annual session. During such extended session, no additional proposed legislation shall be introduced unless consent is first obtained by a two-thirds (2/3) vote of the members of the house into which it is sought to be introduced.

The governor may convene the legislature in extra session by his proclamation, but any proclamation to call a special session of the legislature within thirty (30) days prior to the convening of the budget session or within thirty (30) days after its adjournment sine die shall require the consent of three-fifths (3/5) of the elected members of each house. No special session convened by the governor shall exceed twenty (20) days. At any session, regular or special, the legislature may consider executive vetoes returned after adjournment of the previous legislative session.

Provided, that the legislature may also be convened in extra session in the following manner: When twenty per cent (20%) of the members of the legislature shall execute in writing and file with the secretary of state, their certificates that conditions warrant the convening of the legislature into extra session, the secretary of state shall, within seven (7) days after receiving the requisite number of such certificates, poll the members of the legislature, and upon the affirmative vote of three-fifths (3/5) of the members of both houses, shall forthwith fix the day and hour for convening of such extra session. Notice thereof shall be given each member by registered mail within seven (7) days after receiving the requisite number of said certificates. The time for convening of said session shall not be less than fourteen (14) days nor more than twenty-one (21) days from the date of mailing said notices. In pursuance of said certificates, affirmative vote of the membership and notice, the legislature shall convene in extra session for all purposes as if convened in regular session; provided, however, that any such extra session shall be limited to a period of thirty (30) days. Should the secretary of state fail to receive the requisite number of said certificates requesting the convening of an extra session of the legislature within a period of sixty (60) days after receipt of the first of said certificates, all certificates previously filed shall be rendered null and void and no extra session shall be called and said certificates shall not be used at any future time for the convening of the legislature.

Which was read the first time in full and referred to the Committee on Governmental Reorganization and the Committee on Constitutional Amendments.

By Senators Herrell, Hollahan, Fraser and Kelly—

**S. B. NO. 166—A BILL TO BE ENTITLED AN ACT RELATING TO SUNLAND TRAINING CENTERS; AUTHORIZING AN APPROPRIATION FOR THE CONSTRUCTION OF A SUNLAND TRAINING CENTER IN DADE COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE.**

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senators Herrell and Hollahan—

**SENATE JOINT RESOLUTION NO. 167—**

**A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE IV OF THE CONSTITUTION OF FLORIDA: AMENDING SECTION 3 TO INCLUDE WITHIN ITS PROVISIONS A LIEUTENANT GOVERNOR; AMENDING SECTION 19 TO PROVIDE THAT THE LIEUTENANT GOVERNOR WILL FIRST SUCCEED GOVERNOR IN EVENT OF DEATH, RESIGNATION OR INABILITY OF GOVERNOR TO ACT; AMENDING SECTION 20 TO INCLUDE IN THE GOVERNOR'S CABINET A LIEUTENANT GOVERNOR AND PROVIDING FOR THE TERM OF HIS OFFICE; ADDING A NEW SECTION TO BE DESIGNATED AS SECTION 20A, PROVIDING FOR THE DUTIES OF THE LIEUTENANT GOVERNOR; AMENDING SECTION 29 RELATING TO PROVISIONS FOR SALARIES OF CABINET OFFICERS; ADDING A NEW SECTION TO BE DESIGNATED AS SECTION 29A PROVIDING FOR COMPENSATION TO ACTING GOVERNOR.**

**BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:**

That the following amendments to Article IV of the Constitution of Florida are agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the general election to be held in November, 1964:

**Section 3. Eligibility of governor.**—No person shall be eligible to the office of Governor who is not a qualified elector, and who has not been ten years a citizen of the United States, and five years a citizen and resident of the State of Florida, next preceding the time of his election; Provided, that these limitations of time shall not apply to the Lieutenant Governor, President of the Senate or Speaker of the House of Representatives when, under this Constitution, the powers and duties of Governor shall devolve upon them.

**Section 19. Impeachment, death, resignation, etc., of governor: who to act.**—In case of the impeachment of the Governor, his removal from office, death, resignation or inability to discharge his official duties, the powers and duties of Governor shall devolve upon the Lieutenant Governor for the residue of the term, or until the disability shall cease; and in case of the impeachment, removal from office, death, resignation or inability of the Lieutenant Governor, the powers and duties of the office shall devolve upon the President of the Senate; and in case of the impeachment, removal from office, death, resignation or inability of the President of the Senate, the powers and duties of the office shall devolve upon the Speaker of the House of Representatives. But should there be a general election for members of the Legislature during such vacancy, an election for Governor to fill the same shall be had at the same time.

**Section 20. Governor's cabinet.**—The Governor shall be assisted by administrative officers as follows: Lieutenant Governor, a Secretary of State, Attorney-General, Comptroller, Treasurer, Superintendent of Public Instruction, and Commissioner of Agriculture, who shall be elected at the same time as the Governor, and shall hold

their offices for the same term. The Lieutenant Governor shall not be eligible for re-election to said office the next succeeding term.

**Section 20A. Duties of the lieutenant governor.**—The Lieutenant Governor, while not serving as Governor in accordance with the succession provisions of Section 19, above, shall have such powers and duties as may be prescribed by law.

**Section 29. Salaries of cabinet officers.**—The Governor and other cabinet officers shall receive for their services such compensation as shall be fixed by the Legislature, which shall neither be increased nor diminished during the term for which they shall have been elected. No administrative officer of the Executive Department shall receive any additional compensation beyond his salary for any service or services rendered the State in connection with the Internal Improvement Fund or other interests belonging to the State of Florida.

**Section 29A. Compensation to acting governor.**—In case of the impeachment, removal from office, death, resignation, or inability of the Governor to discharge his duties, the person acting as Governor under the provisions of Section 19 shall receive the same compensation as provided for the Governor.

Which was read the first time in full and referred to the Committee on Constitutional Amendments and the Committee on Governmental Reorganization.

By Senators Friday and Hollahan—

**S. B. NO. 168—A BILL TO BE ENTITLED AN ACT RELATING TO THE UNIFORM SALE OF SECURITIES LAWS; AMENDING SECTION 517.06(11), FLORIDA STATUTES; PROVIDING FOR AN INCREASE IN CAPITALIZATION OF EXEMPT SMALL CORPORATIONS.**

Which was read the first time by title only and referred to the Committee on Corporations.

By Senators Friday and Johnson (19th)—

**S. B. NO. 169—A BILL TO BE ENTITLED AN ACT RELATING TO THE ESTABLISHMENT OF A CHILD PSYCHIATRIC INPATIENT UNIT AT THE UNIVERSITY OF FLORIDA; PROVIDING FOR THE ESTABLISHMENT OF AN ADVISORY BOARD; PROVIDING FOR THE UTILIZATION OF FEDERAL FUNDS; PROVIDING AN EFFECTIVE DATE.**

Which was read the first time by title only and referred to the Committee on Education-Higher Learning and the Committee on Appropriations.

By Senators Friday and Johnson (19th)—

**S. B. NO. 170—A BILL TO BE ENTITLED AN ACT RELATING TO DIRECTORS OF STATE INSTITUTIONS; AMENDING SECTION 965.03, FLORIDA STATUTES, TO PROVIDE THAT DIRECTORS SHALL NOT SERVE AS SUPERINTENDENTS OF INSTITUTIONS OR OF MULTIPLE DIVISIONS; PROVIDING AN EFFECTIVE DATE.**

Which was read the first time by title only and referred to the Committee on State Institutions and the Committee on Appropriations.

By Senators Friday, Askew, Barber, Barron, Blank, Boyd, Bronson, Campbell, Carraway, Clarke, Cleveland, Connor, Covington, Cross, Davis, Edwards, Fraser, Galloway, Gautier, Gibson, Henderson, Herrell, Hollahan, Johns, Johnson (19th), Johnson (6th), Kelly, McCarty, Mapoles, Mathews, Melton, Parrish, Pearce, Pope, Price, Roberts, Ryan, Spottswood, Stratton, Tucker, Usher, Whitaker, Williams (27th), Williams (4th) and Young—

**S. B. NO. 171—A BILL TO BE ENTITLED AN ACT RELATING TO CHILD TRAINING SCHOOLS; PRO-**

VIDING FOR AN AFTER-CARE PROGRAM, AN ADVISORY COMMITTEE TO DEVELOP POLICY AND PROGRAM, AND ADMINISTRATIVE ASSISTANT TO THE DIRECTOR OF CHILD TRAINING SCHOOLS, AFTER-CARE COUNSELORS TO PROVIDE SUPERVISION SO THAT TIME IN TRAINING SCHOOLS MAY BE REDUCED; PROVIDING FOR FURLOUGHS; PROVIDING EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on State Institutions and the Committee on Appropriations.

By Senator Friday—

**S. B. NO. 172**—A BILL TO BE ENTITLED AN ACT MAKING AN APPROPRIATION FOR THE FIRE CONTROL UNIT IN COLLIER COUNTY; PROVIDING FOR CONTINGENCIES UPON WHICH THIS ACT SHALL TAKE EFFECT.

Which was read the first time by title only and referred to the Committee on Forestry and Parks and the Committee on Appropriations.

By Senator Kelly—

**S. B. NO. 173**—A BILL TO BE ENTITLED AN ACT MAKING AN APPROPRIATION FOR THE FIRE CONTROL UNIT IN POLK COUNTY; PROVIDING FOR CONTINGENCIES UPON WHICH THIS ACT SHALL TAKE EFFECT; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Forestry and Parks and the Committee on Appropriations.

By Senators Barron, Tucker, Galloway, Askew, Campbell and Usher—

**S. B. NO. 174**—A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE BOARD OF HEALTH TO ESTABLISH AND OPERATE A LABORATORY ON THE GULF COAST WEST OF ST. MARKS RIVER FOR MAKING A STUDY AND DEVELOPING INSECTICIDES TO BE USED IN CONTROL OF CERTAIN ARTHROPODS, INCLUDING DOG FLIES AND YELLOW FLIES; PROVIDING FOR AN APPROPRIATION; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Public Health "A" and the Committee on Appropriations.

By Senators Cross and Parrish—

**SENATE CONCURRENT RESOLUTION NO. 175—**

A CONCURRENT RESOLUTION CALLING A JOINT SESSION OF THE LEGISLATURE TO BE HELD ON APRIL 17, 1963, AND INVITING SENATOR SPES-SARD L. HOLLAND, SENATOR GEORGE A. SMATHERS, MAJOR GENERAL LEIGHTON I. DAVIS, AND DR. CURT DEBUS TO ADDRESS THE JOINT SESSION.

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the Senate and the House of Representatives shall meet in joint session on April 17, 1963, at 12:00 noon, and that Senator Spessard L. Holland, Senator George A. Smathers, Major General Leighton I. Davis, Commander of the Atlantic Missile Range, and Dr. Curt Debus, director of Launch Operations, National Aeronautical and Space Administration, be invited to address the joint session.

BE IT FURTHER RESOLVED that the President of the Senate and the Speaker of the House of Representatives send a joint wire to the above named persons ex-

tending the invitation on behalf of the legislature of the state of Florida.

Which was read the first time in full.

Senator Cross moved that the rules be waived and Senate Concurrent Resolution No. 175 be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote and Senate Concurrent Resolution No. 175 was read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

And Senate Concurrent Resolution No. 175 was adopted, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Tucker, Johns, Carraway, Gibson, Cross, Connor, Galloway and Kelly—

**S. B. NO. 176**—A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY SCHOOL SYSTEM; AMENDING CHAPTER 230, FLORIDA STATUTES, BY ADDING SECTIONS 230.60, 230.61, AND 230.62, RELATING TO THE ESTABLISHMENT OF VOCATIONAL-TECHNICAL CENTERS IN COUNTIES IN WHICH A STATE-SUPPORTED UNIVERSITY IS LOCATED; PROVIDING FOR AN APPROPRIATION; PROVIDING EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Education—Public Schools and Junior Colleges and the Committee on Appropriations.

By Senators Pearce and Kelly—

**S. B. NO. 177**—A BILL TO BE ENTITLED AN ACT RELATING TO THE MUNICIPAL POLICE OFFICERS' RETIREMENT TRUST FUND, CHAPTER 185, FLORIDA STATUTES; AMENDING SECTION 185.08, RELATING TO ONE PER CENT EXCISE TAX ON CASUALTY INSURANCE PREMIUMS; AMENDING SUBSECTION (4) OF SECTION 185.16, RELATING TO TEN YEARS CONTRIBUTING SERVICE FOR EARLY RETIREMENT; AMENDING PARAGRAPH (i) OF SUBSECTION (1) OF SECTION 185.35, RELATING TO ACTUARIAL SOCIETIES FROM WHICH ACTUARY MAY BE SELECTED; AMENDING PARAGRAPHS (c) and (d) OF SUBSECTION (3) OF SECTION 185.37, RELATING TO TERMINATION OF PLAN AND DISTRIBUTION OF FUND; AND PROVIDING FOR AN EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Insurance and the Committee on Finance and Taxation.

By Senator Gibson—

**S. B. NO. 178**—A BILL TO BE ENTITLED AN ACT RELATING TO SMALL CLAIMS COURT OF TAYLOR COUNTY; AMENDING SECTION 1 OF CHAPTER 26597, LAWS OF FLORIDA, 1951, PROVIDING CIVIL JURISDICTION OF SAID COURT; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 178 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Gibson moved that the rules be waived and Senate Bill No. 178 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 178 was read the second time by title only.

Senator Gibson moved that the rules be further waived and Senate Bill No. 178 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. 178 was read the third time in full.

Upon the passage of Senate Bill No. 178 the roll was called and the vote was:

Yeas—45.

Mr. President	Cross	Johnson (19th)	Ryan
Askew	Davis	Johnson (6th)	Spottswood
Barber	Edwards	Kelly	Stratton
Barron	Fraser	McCarty	Tucker
Blank	Friday	Mapoles	Usher
Boyd	Galloway	Mathews	Whitaker
Bronson	Gautier	Melton	Williams (27th)
Campbell	Gibson	Parrish	Williams (4th)
Clarke	Henderson	Pearce	Young
Cleveland	Herrell	Pope	
Connor	Hollahan	Price	
Covington	Johns	Roberts	

Nays—None.

So Senate Bill No. 178 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Pope—

**S. B. NO. 179**—A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE RELIEF OF THOMAS FELTON BECK OF ST. JOHNS COUNTY; AMENDING SECTION 1 OF CHAPTER 57-931, LAWS OF FLORIDA; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Pensions and Retirement and the Committee on Appropriations.

By Senators Kelly, Pearce, Cleveland, Hollahan, Ryan, Barber and Johnson (19th)—

**S. B. NO. 180**—A BILL TO BE ENTITLED AN ACT RELATING TO THE MUNICIPAL FIREMEN'S PENSION TRUST FUND; PROVIDING A COMPREHENSIVE REVISION AND CONSOLIDATION OF CHAPTER 175, FLORIDA STATUTES. PROVIDING FOR THE IMPOSITION OF LICENSE FEES AND TAXES, AND FOR THE DISPOSITION THEREOF; PROVIDING FOR THE SUPERVISION AND REGULATION OF THE MUNICIPAL FIREMEN'S PENSION TRUST FUND; PROVIDING FOR RETIREMENT BENEFITS TO FIREMEN; PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ACT; REPEALING SECTIONS 175.01 THROUGH 175.27, FLORIDA STATUTES, 1961; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Insurance and the Committee on Finance and Taxation.

By Senator Melton—

**S. B. NO. 181**—A BILL TO BE ENTITLED AN ACT RELATING TO LIABILITY OF OWNERS, LICENSEES, LESSEES, AND OCCUPANTS OF RURAL LANDS TO THIRD PERSONS; DEFINING RURAL LAND; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senators Usher, Gibson, Price, Tucker, Ryan, Whitaker, Galloway, Barber, Williams (4th), Connor, Melton and Kelly—

**S. B. NO. 182**—A BILL TO BE ENTITLED AN ACT RELATING TO REGULATION OF TRAFFIC ON HIGHWAYS; AMENDING SECTION 317.77(3), FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senators Price and Henderson—

**S. B. NO. 183**—A BILL TO BE ENTITLED AN ACT RELATING TO TRUSTEES OF RINGLING MUSEUM OF ART; AMENDING SECTION 272.19(6), FLORIDA STATUTES; PROVIDING FOR THE EXPENDITURE OF CERTAIN FUNDS FOR PUBLIC RELATIONS; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Education—Higher Learning.

By Senator Pearce—(By Request)—

**S. B. NO. 184**—A BILL TO BE ENTITLED AN ACT RELATING TO INTANGIBLE PERSONAL PROPERTY TAXATION; AMENDING CHAPTER 199, FLORIDA STATUTES, BY ADDING SECTION 199.021; PROVIDING FOR TAXATION OF INTANGIBLE PERSONALTY WHEREVER LOCATED ARISING FROM BUSINESS TRANSACTED IN THIS STATE; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Pearce—(By Request)—

**S. B. NO. 185**—A BILL TO BE ENTITLED AN ACT RELATING TO TAXES ON GASOLINE AND LIKE PRODUCTS; PROVIDING FOR REFUNDS OF TAX ON MOTOR FUEL USED FOR AGRICULTURE OR COMMERCIAL FISHING PURPOSES BY AMENDING SECTIONS 208.48, 208.50, 208.51, 208.52, 208.57, 208.59, FLORIDA STATUTES; PROVIDING FOR PROCEDURE; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Pearce—(By Request)—

**S. B. NO. 186**—A BILL TO BE ENTITLED AN ACT RELATING TO RETAIL STORE LICENSE TAXES; AMENDING SECTION 204.09(2), FLORIDA STATUTES; PROVIDING FOR A CHANGE IN PENALTY; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Pearce—(By Request)—

**S. B. NO. 187**—A BILL TO BE ENTITLED AN ACT RELATING TO DISTRIBUTORS OF MOTOR FUELS; AMENDING SECTION 207.06, FLORIDA STATUTES; PROVIDING FOR AN INCREASE IN THE MAXIMUM BOND OF A DISTRIBUTOR; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Pearce—(By Request)—

**S. B. NO. 188**—A BILL TO BE ENTITLED AN ACT RELATING TO TAX ON MOTOR FUELS OTHER THAN GASOLINE; AMENDING SECTION 209.10(1), FLORIDA STATUTES; PROVIDING FOR A WAIVER OF PENALTY; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Pearce—(By Request)—

**S. B. NO. 189**—A BILL TO BE ENTITLED AN ACT RELATING TO TAXES ON GASOLINE AND LIKE PRODUCTS; AMENDING SECTIONS 208.07, 208.25 AND 208.44(2), FLORIDA STATUTES; PROVIDING FOR A

**WAIVER OF PENALTIES; PROVIDING AN EFFECTIVE DATE.**

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Fraser—

**S. B. NO. 190—A BILL TO BE ENTITLED AN ACT AMENDING 561.11 FLORIDA STATUTES FIXING THE POWER AND AUTHORITY OF THE DIRECTOR OF THE STATE BEVERAGE DEPARTMENT, AUTHORIZING THE DIRECTOR TO MAKE AND AMEND OR REPEAL RULES AND REGULATIONS AND PROVIDING FOR PUBLIC NOTICE BEFORE ADOPTION OF RULES AND REGULATIONS; PROVIDING EFFECTIVE DATE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT.**

Which was read the first time by title only and referred to the Committee on Temperance and the Committee on Judiciary "A".

By Senator Fraser—

**S. B. NO. 191—A BILL TO BE ENTITLED AN ACT AMENDING 561.01 (13) FLORIDA STATUTES DEFINING DISCOUNT IN THE USUAL COURSE OF BUSINESS, FIXING LIMITATIONS AS TO METHODS OF DISCOUNTS AND DEFINING VIOLATION; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR REPEAL OF ALL LAWS IN CONFLICT.**

Which was read the first time by title only and referred to the Committee on Temperance and the Committee on General Legislation.

By Senators Cross and Williams (4th)—

**SENATE CONCURRENT RESOLUTION NO. 192—**

**A CONCURRENT RESOLUTION OF THE FLORIDA LEGISLATURE COMMENDING DR. WILLIAM A. CARVER, AGRONOMIST AND MEMBER OF THE UNIVERSITY OF FLORIDA AGRICULTURAL EXPERIMENT STATION STAFF.**

WHEREAS, Dr. William A. Carver has been a member of the University of Florida Agricultural Experiment Station staff since 1925, and

WHEREAS, all Floridians may justly take great pride in the exceptional accomplishments of Dr. William A. Carver, who has profoundly influenced the peanut industry through his outstanding achievements in peanut research, and

WHEREAS, this veteran researcher is responsible for the breeding and development of the Dixie Runner, Early Runner and Florigiant peanut varieties which have enabled the Southeast to enter the edible peanut market in strong competition with other areas, and

WHEREAS, the peanut industry has recognized Dr. Carver's accomplishments in the development of a superior, edible peanut by selecting him the winner of the 1963 Golden Peanut Award, the peanut industry's highest honor, NOW, THEREFORE,

**BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:**

Section 1. That the legislature of Florida salutes and warmly commends Dr. William A. Carver for his distinguished contributions to the field of agronomy and to the life and progress of our State.

**BE IT FURTHER RESOLVED** that a copy of this resolution, signed by the president of the senate and the speaker of the house with the great seal of the state of Florida attached thereto, and appropriate for framing be presented to Dr. William A. Carver as a tangible token

of the sentiments expressed herein and a lasting symbol of the appreciation and gratitude of his fellow Floridians.

Which was read the first time in full.

Senator Cross moved that the rules be waived and Senate Concurrent Resolution No. 192 be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote and Senate Concurrent Resolution No. 192 was read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

And Senate Concurrent Resolution No. 192 was adopted, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gibson—

**S. B. NO. 193—A BILL TO BE ENTITLED AN ACT RELATING TO TAYLOR COUNTY; AMENDING SECTION 11 OF CHAPTER 59-1927 AS AMENDED BY CHAPTER 61-2937, BOTH LAWS OF FLORIDA, RELATING TO THE COUNTY DEVELOPMENT AUTHORITY, BY PROVIDING THAT THE STATE AUDITOR SHALL BE THE AUDITOR FOR SAID AUTHORITY; PROVIDING EFFECTIVE DATE.**

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 193 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Gibson moved that the rules be waived and Senate Bill No. 193 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 193 was read the second time by title only.

Senator Gibson moved that the rules be further waived and Senate Bill No. 193 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. 193 was read the third time in full.

Upon the passage of Senate Bill No. 193 the roll was called and the vote was:

Yeas—45.

Mr. President	Cross	Johnson (19th)	Ryan
Askew	Davis	Johnson (6th)	Spottswood
Barber	Edwards	Kelly	Stratton
Barron	Fraser	McCarty	Tucker
Blank	Friday	Mapoles	Usher
Boyd	Galloway	Mathews	Whitaker
Bronson	Gautier	Melton	Williams (27th)
Campbell	Gibson	Parrish	Williams (4th)
Clarke	Henderson	Pearce	Young
Cleveland	Herrell	Pope	
Connor	Hollahan	Price	
Covington	Johns	Roberts	

Nays—None.

So Senate Bill No. 193 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gibson—

**S. B. NO. 194—A BILL TO BE ENTITLED AN ACT RELATING TO TAYLOR COUNTY; PROVIDING FOR THE ABOLISHING OF JUSTICE OF THE PEACE DISTRICT NO. 1, AND JUSTICE OF THE PEACE DISTRICT NO. 3, OF SAID COUNTY; PROVIDING FOR A REFERENDUM.**

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 194 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Gibson moved that the rules be waived and Senate Bill No. 194 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 194 was read the second time by title only.

Senator Gibson moved that the rules be further waived and Senate Bill No. 194 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. 194 was read the third time in full.

Upon the passage of Senate Bill No. 194 the roll was called and the vote was:

Yeas—45.

Mr. President	Cross	Johnson (19th)	Ryan
Askew	Davis	Johnson (6th)	Spottswood
Barber	Edwards	Kelly	Stratton
Barron	Fraser	McCarty	Tucker
Blank	Friday	Mapoles	Usher
Boyd	Galloway	Mathews	Whitaker
Bronson	Gautier	Melton	Williams (27th)
Campbell	Gibson	Parrish	Williams (4th)
Clarke	Henderson	Pearce	Young
Cleveland	Herrell	Pope	
Connor	Hollahan	Price	
Covington	Johns	Roberts	

Nays—None.

So Senate Bill No. 194 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Friday—

**S. B. NO. 195—A BILL TO BE ENTITLED AN ACT RELATING TO THE ANNUAL COMPENSATION OF THE SHERIFF OF ANY COUNTY OF THE STATE HAVING A POPULATION OF NOT LESS THAN FIFTY-TWO THOUSAND (52,000) AND NOT MORE THAN FIFTY-FOUR THOUSAND EIGHT HUNDRED (54,800), ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS; AMENDING SECTION 1, CHAPTER 61-1555, LAWS OF FLORIDA; PROVIDING FOR THE ANNUAL SALARY OF ANY SUCH SHERIFF; PROVIDING AN EFFECTIVE DATE.**

Which was read the first time by title only.

Senator Friday moved that the rules be waived and Senate Bill No. 195 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 195 was read the second time by title only.

Senator Friday moved that the rules be further waived and Senate Bill No. 195 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. 195 was read the third time in full.

Upon the passage of Senate Bill No. 195 the roll was called and the vote was:

Yeas—45.

Mr. President	Clarke	Friday	Johnson (19th)
Askew	Cleveland	Galloway	Johnson (6th)
Barber	Connor	Gautier	Kelly
Barron	Covington	Gibson	McCarty
Blank	Cross	Henderson	Mapoles
Boyd	Davis	Herrell	Mathews
Bronson	Edwards	Hollahan	Melton
Campbell	Fraser	Johns	Parrish

Pearce	Ryan	Usher	Young
Pope	Spottswood	Whitaker	
Price	Stratton	Williams (27th)	
Roberts	Tucker	Williams (4th)	

Nays—None.

So Senate Bill No. 195 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Ryan, Askew, Barber, Barron, Blank, Boyd, Bronson, Campbell, Carraway, Clarke, Cleveland, Connor, Covington, Cross, Davis, Edwards, Fraser, Friday, Galloway, Gautier, Gibson, Henderson, Herrell, Hollahan, Johns, Johnson (19th), Johnson (6th), Kelly, McCarty, Mapoles, Mathews, Melton, Parrish, Pearce, Pope, Price, Roberts, Spottswood, Stratton, Tucker, Usher, Whitaker, Williams (27th), Williams (4th) and Young—

**SENATE MEMORIAL NO. 196—**

**A MEMORIAL TO THE CONGRESS OF THE UNITED STATES URGING THE RELINQUISHMENT TO EACH STATE A PORTION OF INCOME TAXES COLLECTED FOR STATE'S USE IN EDUCATION.**

WHEREAS, the problem of financing education at the elementary, secondary and higher levels is a problem which faces each of the nation's fifty states; and

WHEREAS, the problem of federal aid to education has been debated for a number of years without noticeable progress towards resolution of the divisions which prevent its adoption; and

WHEREAS, the future growth and progress of this country is dependent upon our youth receiving the education which they rightfully deserve; and

WHEREAS, education being our paramount consideration assistance could and should be made available in spite of any objection that might exist, NOW, THEREFORE,

**BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:**

That the President of the United States and the members of the House and Senate of the United States Congress take appropriate steps to relinquish to each state, in addition to present grants, an amount equivalent to five per cent (5%) of the individual income tax collected within the state, for the purpose of education and other programs which are subjects of federal educational contributions; and

**BE IT FURTHER RESOLVED** that copies of this memorial be dispatched to the President of the United States; to the President of the United States Senate; to the Speaker of the United States House of Representatives; to the ablest congressional delegation in the United States Congress, the Florida Delegation; and to the Governor of the great State of Florida.

Which was read the first time in full and referred to the Committee on Education—Higher Learning.

By Senator Mathews—

**S. B. NO. 197—A BILL TO BE ENTITLED AN ACT RELATING TO LEWD, LASCIVIOUS OR INDECENT LANGUAGE OVER THE TELEPHONE; PROVIDING AN EFFECTIVE DATE.**

Which was read the first time by title only and referred to the Committee on Judiciary "B".

By Senators Mathews, Hollahan and Cross—

**S. B. NO. 198—A BILL TO BE ENTITLED AN ACT RELATING TO THE NOTARIES PUBLIC; AMENDING SECTION 117.01, FLORIDA STATUTES, RELATING TO THE APPOINTMENT, TERM OF OFFICE, POWERS,**

BOND AND OATH; AMENDING SECTION 117.02 RELATING TO WOMEN ELIGIBLE AND ADDING A NEW SUBSECTION (2) CONCERNING A CHANGE OF NAME; AMENDING 117.07, RELATING TO EXPIRATION OF COMMISSION AND AFFIXING SEAL; ADDING SECTION 117.09, TO PROVIDE PENALTIES FOR THE VIOLATION OF ANY PROVISION OF THIS CHAPTER; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Mathews—

**S. B. NO. 199**—A BILL TO BE ENTITLED AN ACT RELATING TO OFFENSES CONCERNING MOTOR VEHICLES; AMENDING CHAPTER 860, FLORIDA STATUTES, BY ADDING SECTION 860.15; PROVIDING THAT IT SHALL BE A MISDEMEANOR TO KNOWINGLY OVERCHARGE FOR SERVICES IN REPAIRING AN AUTOMOBILE, OR TO CHARGE FOR SERVICES NOT PERFORMED, OR TO FALSELY CHARGE FOR PARTS AND ACCESSORIES NOT FURNISHED; OR TO KNOWINGLY GIVE MISINFORMATION TO A CUSTOMER CONCERNING WHAT IS WRONG WITH HIS AUTOMOBILE; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senators Johnson (19th), Davis, Cross, Pearce, Edwards, Connor, Galloway, Hollahan, Fraser, Williams (27th), Price, Melton, McCarty, Stratton, Barber, Spottswood, Kelly, Askew and Parrish—

**S. B. NO. 200**—A BILL TO BE ENTITLED AN ACT RELATING TO THE FLORIDA HIGHWAY PATROL; AMENDING SECTION 321.04, FLORIDA STATUTES, BY AUTHORIZING ADDITIONAL RANK CLASSIFICATIONS OF MEMBERS OF THE HIGHWAY PATROL; LIMITING THE TOTAL NUMBER OF PATROL PERSONNEL; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Connor—

**S. B. NO. 201**—A BILL TO BE ENTITLED AN ACT RELATING TO PERSONNEL OF SCHOOL SYSTEM; AMENDING SECTION 231.50, FLORIDA STATUTES, BY RENUMBERING THE PRESENT SECTION AS SUBSECTION (1) AND ADDING SUBSECTIONS (2) AND (3); PROVIDING A TWENTY-FIVE DOLLAR (\$25.00) MONTHLY INCREASE FOR PERSONS PRESENTLY INCAPACITATED WHO HAVE TAUGHT FOR THIRTY-FIVE (35) YEARS OR LONGER IN THE PUBLIC SCHOOLS OF FLORIDA; PROVIDING FOR AN APPROPRIATION; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Appropriations.

#### MESSAGE FROM THE GOVERNOR

The following message from the Governor was received:

STATE OF FLORIDA  
OFFICE OF THE GOVERNOR  
TALLAHASSEE

April 9, 1963

*The Honorable Wilson Carraway  
President of the Senate  
The Capitol  
Tallahassee, Florida*

Dear Sir:

I am today transmitting to the office of the Secretary of State, Senate Bill No. 42, Regular Session, 1963, relating

to the Civil Court of Record of Duval County, which I have approved.

Sincerely,  
FARRIS BRYANT  
Governor

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages from the House of Representatives were received and read:

Tallahassee, Florida  
April 9, 1963

*The Honorable Wilson Carraway  
President of the Senate*

Sir:

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

By Representative Thomas of Palm Beach—

**H. B. NO. 108**—A BILL TO BE ENTITLED AN ACT RELATING TO DECLARATIONS OF TRUST; AMENDING CHAPTER 609, FLORIDA STATUTES, BY ADDING SECTION 609.07; PROVIDING THAT DECLARATIONS OF TRUST MAY PROVIDE FOR THE ISSUANCE OF CERTAIN UNITS, SHARES OR OTHER SECURITIES.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

And House Bill No. 108, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "A".

Tallahassee, Florida  
April 9, 1963

*The Honorable Wilson Carraway  
President of the Senate*

Sir:

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

By Representative Thomas of Palm Beach—

**H. B. NO. 111**—A BILL TO BE ENTITLED AN ACT RELATING TO THE SALE OF SECURITIES; AMENDING CHAPTER 517, FLORIDA STATUTES, BY ADDING SECTION 517.311, PROVIDING THAT IT SHALL BE UNLAWFUL FOR CERTAIN PERSONS TO REPRESENT THAT CERTAIN SECURITIES OR SUCH PERSONS ARE APPROVED BY THE STATE OF FLORIDA, OR ANY AGENCY OR OFFICER THEREOF, THE UNITED STATES, OR ANY AGENCY OR OFFICER THEREOF; PROVIDING AN EXCEPTION; PROVIDING THAT IT SHALL BE UNLAWFUL FOR CERTAIN PERSONS TO ADOPT DECEPTIVE OR MISLEADING WORDS DECLARED AS SUCH BY SECURITIES COMMISSION; AUTHORIZING SAID COMMISSION TO ENJOIN VIOLATIONS OF THIS ACT; PROVIDING AN EFFECTIVE DATE.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

And House Bill No. 111, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "A".

Tallahassee, Florida  
April 9, 1963

*The Honorable Wilson Carraway  
President of the Senate*

Sir:

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

By Senators Tucker, Usher, Hollahan and others—

S. B. NO. 8

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

And Senate Bill No. 8, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

**ORDER OF THE DAY**

**MOTION TO RECONSIDER**

The motion made by Senator Parrish on April 8, 1963, that the Senate reconsider the vote by which House Bill No. 167, still in the possession of the Senate, passed the Senate on April 5, 1963, was taken up.

**H. B. NO. 167**—A BILL TO BE ENTITLED AN ACT TO ABOLISH THE PRESENT MUNICIPALITY OF THE CITY OF CAPE CANAVERAL IN BREVARD COUNTY, FLORIDA, AND TO CREATE, ESTABLISH AND ORGANIZE A MUNICIPALITY TO BE KNOWN AND DESIGNATED AS THE CITY OF CAPE CANAVERAL, TO BE LOCATED IN BREVARD COUNTY, FLORIDA; TO DEFINE ITS BOUNDARIES; TO PROVIDE FOR AND PRESCRIBE ITS GOVERNMENT, JURISDICTION, POWERS, DUTIES, FRANCHISES AND PRIVILEGES; TO AUTHORIZE THE IMPOSITION OF PENALTIES FOR THE VIOLATION OF ITS ORDINANCES; TO RATIFY, VALIDATE AND CONFIRM THE LEVIES OF TAXES MADE BY THE CITY OF CAPE CANAVERAL AND TO PROVIDE FOR THE COLLECTION, LIEN AND ENFORCEMENT OF THE SAME; AND TO PROVIDE THAT THE TITLES, RIGHTS AND OWNERSHIPS OF PROPERTY, UNCOLLECTED TAXES, DUES, CLAIMS, JUDGMENTS, DECREES, CHOSSES IN ACTION, AND OTHER PROPERTIES AND ALL POWERS HELD OR OWNED BY THE CITY OF CAPE CANAVERAL SHALL BE VESTED IN THE CITY OF CAPE CANAVERAL HEREBY CREATED.

The President put the question: "Will the Senate reconsider the vote by which House Bill No. 167 passed the Senate on April 5, 1963?"

Which was agreed to and the Senate reconsidered the vote by which House Bill No. 167 passed the Senate on April 5, 1963.

The question recurred on the passage of House Bill No. 167.

Pending consideration thereof, Senator Parrish moved that House Bill No. 167 be placed on the Calendar of Local Bills.

Which was agreed to and House Bill No. 167 was placed on the Calendar of Local Bills, pending roll call.

**CONSIDERATION OF BILLS AND JOINT RESOLUTIONS ON SECOND READING**

**S. B. NO. 6**—A BILL TO BE ENTITLED AN ACT RELATING TO JUSTICES OF THE SUPREME COURT OF FLORIDA; PROVIDING FOR THE RETIREMENT OF CERTAIN SUPREME COURT JUSTICES FOR THE PURPOSE OF BEING ASSIGNED TO JUDICIAL SERV-

ICE; FIXING LIMITATIONS ON SUCH RETIREMENT; PROVIDING EFFECTIVE DATE.

Was taken up in its order.

Senator McCarty moved that the rules be waived and Senate Bill No. 6 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 6 was read the second time by title only.

The Committee on Judiciary "A" offered the following amendment to Senate Bill No. 6:

In Section 1, lines 2 and 3, page 1, insert the following: , and/or as judge of a district court of appeals of the state, which time of service, in either or both such court(s), when added to the time of service as justice of the supreme court shall aggregate ten (10) years or more

Senator McCarty moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator McCarty moved that the rules be further waived and Senate Bill No. 6, 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. 6, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 6, as amended, the roll was called and the vote was:

Yeas—45.

Mr. President	Cross	Johnson (19th)	Ryan
Askew	Davis	Johnson (6th)	Spottswood
Barber	Edwards	Kelly	Stratton
Barron	Fraser	McCarty	Tucker
Blank	Friday	Mapoles	Usher
Boyd	Galloway	Mathews	Whitaker
Bronson	Gautier	Melton	Williams (27th)
Campbell	Gibson	Parrish	Williams (4th)
Clarke	Henderson	Pearce	Young
Cleveland	Herrell	Pope	
Connor	Hollahan	Price	
Covington	Johns	Roberts	

Nays—None.

So Senate Bill No. 6 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engraving Clerk, for engraving.

Senator Campbell requested unanimous consent of the Senate to take up and consider House Bill No. 228, out of its order.

Unanimous consent was granted, and—

**H. B. NO. 228**—A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF FORT WALTON BEACH, FLORIDA, AMENDING SECTION 4 OF CHAPTER 29092, SPECIAL ACTS OF 1953 OF THE LEGISLATURE OF THE STATE OF FLORIDA, RELATING TO CREATION AND COMPOSITION OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, A MUNICIPAL CORPORATION BY PROVIDING FOR A COUNCIL OF SEVEN MEMBERS, ONE FROM EACH OF THE FOUR WARDS INTO WHICH THE CITY IS DIVIDED BY THIS ACT, AND ELECTED BY THE QUALIFIED VOTERS OF THE CITY AT LARGE, AND THREE AT LARGE ELECTED BY THE QUALIFIED VOTERS OF THE CITY AT LARGE; PROVIDING THAT THE SAID ACT SHALL NOT BECOME EFFECTIVE UNTIL RATIFIED OR APPROVED AT A REFERENDUM ELECTION TO BE CALLED AND HELD IN ACCORDANCE WITH THE LAW.

Was taken up.

Senator Campbell moved that the rules be waived and House Bill No. 228 be read the second time by title only.

Which was agreed to by a two-thirds vote and House Bill No. 228 was read the second time by title only.

Senator Campbell moved that the rules be further waived and House Bill No. 228 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. 228 was read the third time in full.

Upon the passage of House Bill No. 228 the roll was called and the vote was:

Yeas—45.

Mr. President	Connor	Henderson	Melton
Askew	Covington	Herrell	Parrish
Barber	Cross	Hollahan	Pearce
Barron	Davis	Johns	Pope
Blank	Edwards	Johnson (19th)	Price
Boyd	Fraser	Johnson (6th)	Roberts
Bronson	Friday	Kelly	Ryan
Campbell	Galloway	McCarty	Spottswood
Clarke	Gautier	Mapoles	Stratton
Cleveland	Gibson	Mathews	Tucker

Usher Williams (27th) Williams (4th) Young  
Whitaker

Nays—None.

So House Bill No. 228 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Boyd, Chairman of the Committee on Welfare, moved that the Committee on Welfare be allowed an additional ten days to report on all Bills now before the Committee.

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

Senator Cross moved that the Senate adjourn.

Which was agreed to and the Senate stood adjourned at 11:45 o'clock A. M., until 11:00 o'clock A. M., Wednesday, April 10, 1963.