JOURNAL OF THE SENATE

Friday, April 12, 1963

The Senate convened at 10:00 o'clock A. M., pursuant to adjournment on Wednesday, April 10, 1963.

The President in the Chair.

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

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

—43.

A quorum present.

Senators Williams (27th) and Bronson were excused from attendance upon the Session.

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

O God, in whose service we find perfect freedom, give us grace to live responsibly toward all men, to fight for the next man's rights and privileges as though they were our own, to be unhappy with half-measures and foolish compromises . . . for we know that one day we must answer to thee, before whom the secrets of all hearts shall be disclosed. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Wednesday, April 10, 1963, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Senator Mathews, Chairman of the Committee on Constitutional Amendments, reported that the Committee had carefully considered the following Concurrent Resolution:

S. C. R. NO. 48

—and recommends that the same be adopted.

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

Senator Barron, Chairman of the Committee on Judiciary "B", reported that the Committee had carefully considered the following Bills:

S. B. NO. 16

S. B. NO. 74

—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 Usher, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following Bill:

S. B. NO. 68

—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 Pope, Chairman of the Committee on State Institutions, reported that the Committee had carefully considered the following Bill:

S. B. NO. 75

—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 Tucker, Chairman of the Committee on Salt Water Conservation, reported that the Committee had carefully considered the following Bills:

S. B. NO. 76

S. B. NO. 77

S. B. NO. 143

—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 Melton, Chairman of the Committee on Education—Public Schools and Junior Colleges, reported that the Committee had carefully considered the following Bill:

S. B. NO. 88

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

S. B. NO. 104

S. B. NO. 47

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

S. B. NO. 130

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

S. B. NO. 190

—and recommends that the same pass.

And the Bill contained in the preceding report was referred to the Committee on Judiciary "A" under the original multiple reference.

Senator Price, Chairman of the Committee on Education—Higher Learning, reported that the Committee had carefully considered the following Bills:

S. B. NO. 122

S. B. NO. 183

—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 Pope, Chairman of the Committee on State Institutions, reported that the Committee had carefully considered the following Bill:

S. B. NO. 158

—and recommends that the same pass.

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

Senator Pope, Chairman of the Committee on State Institutions, reported that the Committee had carefully considered the following Bill:

S. B. NO. 95

—and recommends that the same pass.

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

Senator Blank, Chairman of the Committee on Privileges and Elections, reported that the Committee had carefully considered the following Bill:

S. B. NO. 157

—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 Bills:

S. B. NO. 153

S. B. NO. 154

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

S. B. NO. 151

—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 Bills:

S. B. NO. 147

S. B. NO. 148

S. B. NO. 149

—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 Barron, Chairman of the Committee on Judiciary "B", reported that the Committee had carefully considered the following Bill:

S. B. NO. 140

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

S. B. NO. 145

—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 Barron, Chairman of the Committee on Judiciary "B", reported that the Committee had carefully considered the following Bill:

S. B. NO. 94

—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 referred to the Committee on Appropriations under the original multiple reference.

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

S. B. NO. 198

—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 Tucker, Chairman of the Committee on Salt Water Conservation, reported that the Committee had carefully considered the following Bill:

S. B. NO. 78

—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 Blank, Chairman of the Committee on Privileges and Elections, reported that the Committee had carefully considered the following Bill:

S. B. NO. 97

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

S. B. NO. 111

—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 Gautier, Chairman of the Committee on Ju-

diciary "A", reported that the Committee had carefully considered the following Bill:

S. B. NO. 46

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

S. B. NO. 120

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

S. B. NO. 49

—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 Pope, Chairman of the Committee on State Institutions, reported that the Committee had carefully considered the following Bill:

S. B. NO. 171

—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 referred to the Committee on Appropriations under the original multiple reference.

Senator Pope, Chairman of the Committee on State Institutions, reported that the Committee had carefully considered the following Bill:

S. B. NO. 170

—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 referred to the Committee on Appropriations under the original multiple reference.

Senator Blank, Chairman of the Committee on Privileges and Elections, reported that the Committee had carefully considered the following Bill:

S. B. NO. 81

—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 Blank, Chairman of the Committee on Privileges and Elections, reported that the Committee had carefully considered the following Bill:

S. B. NO. 31

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

S. B. NO. 63

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

S. B. NO. 150

—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 Price, Chairman of the Committee on Education—Higher Learning, reported that the Committee had carefully considered the following Memorial:

S. M. NO. 196

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

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

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

S. B. NO. 11

—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 Barron, Chairman of the Committee on Judiciary "B", reported that the Committee had carefully considered the following Bill:

S. B. NO. 9

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

S. B. NO. 45

S. B. NO. 107

—and recommends that the same not pass.

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

Senator Blank, Chairman of the Committee on Privileges and Elections, reported that the Committee had carefully considered the following Bill:

S. B. NO. 134

—and recommends that the same not pass.

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

ENGROSSING REPORT

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

S. B. NO. 12—A BILL TO BE ENTITLED AN ACT RELATING TO THE ESTABLISHMENT OF UNIFORM FEES FOR SERVICE OF SUMMONS AND SUBPOENAS; 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. 12, contained in the above report, was certified to the House of Representatives immediately.

ENROLLING REPORTS

Your Enrolling Clerk, to whom was referred—

S. B. NO. 98

—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 10, 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. 55

H. B. NO. 63

H. B. NO. 64

H. B. NO. 66

H. B. NO. 67

H. B. NO. 69

H. B. NO. 125

H. B. NO. 126

—reports same have 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 10, 1963.

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

Your Enrolling Clerk to whom was referred—

H. C. R. NO. 168

—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 10, 1963.

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

Senator Barber requested permission of the Senate to be shown as a co-introducer of Senate Bill No. 99.

Permission was granted.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senators Herrell and Hollahan—

S. B. NO. 234—A BILL TO BE ENTITLED AN ACT RELATING TO THE INTER-AMERICAN CENTER AUTHORITY; AMENDING SECTION 554.07(6), FLORIDA STATUTES, BY PROVIDING THAT THE AUTHORITY SHALL HAVE THE POWER TO GRANT FRANCHISES TO PUBLIC UTILITIES; PROVIDING EFFECTIVE DATE.

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

By Senators Herrell and Hollahan—

S. B. NO. 235—A BILL TO BE ENTITLED AN ACT RELATING TO PROPERTY EXEMPT FROM TAXATION; AMENDING SECTION 192.06, FLORIDA STATUTES, BY ADDING SUBSECTION (13); PROVIDING AN EFFECTIVE DATE.

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

By Senators Herrell and Hollahan—

S. B. NO. 236—A BILL TO BE ENTITLED AN ACT RELATING TO SECRET SOCIETIES IN PUBLIC SCHOOLS; AMENDING THE THIRD UNNUMBERED PARAGRAPH OF SECTION 232.39, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

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

By Senators Herrell and Hollahan—

S. B. NO. 237—A BILL TO BE ENTITLED AN ACT RELATING TO THE INTER-AMERICAN CENTER AUTHORITY; AMENDING SECTION 554.16, FLORIDA STATUTES; RELATING TO DECLARATION OF PUBLIC PURPOSE, EXEMPTION OF PROPERTY OF AUTHORITY AND EXHIBITS FOR WHICH NO ADMISSION CHARGE IS MADE FROM TAXATION; PROVIDING EFFECTIVE DATE.

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

By Senators Herrell and Hollahan—

S. B. NO. 238—A BILL TO BE ENTITLED AN ACT RELATING TO THE INTER-AMERICAN CENTER AUTHORITY; AMENDING SECTION 554.11, FLORIDA STATUTES, RELATING TO TRUST FUNDS AND THEIR EXPENDITURE.

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

By Senators Herrell and Hollahan—

S. B. NO. 239—A BILL TO BE ENTITLED AN ACT RELATING TO STATE DEPARTMENT OF PUBLIC WELFARE ASSISTANCE; PROVIDING THAT ACCEPTANCE OF PUBLIC ASSISTANCE PAYMENTS AFTER CERTAIN DATE SHALL CONSTITUTE DEBT OF RECIPIENT; PROVIDING FOR FILING OF CLAIMS BY WELFARE DEPARTMENT AGAINST ESTATE OF RECIPIENT FOR COLLECTION OF SUCH DEBT; PROVIDING AN EFFECTIVE DATE.

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

By Senator Spottswood—

S. B. NO. 240—A BILL TO BE ENTITLED AN ACT RELATING TO MOTOR VEHICLES LEFT UNCLAIMED; REQUIRING PERSONS IN CHARGE OF PARKING PLACE TO REPORT TO NEAREST POLICE DEPARTMENT; PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE.

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

By Senators Price, Hollahan, Whitaker, Barber, Mathews, Herrell, Mapoles, Friday, Williams (27th), Fraser, Young, Cross, Davis, Roberts, McCarty and Usher—

S. B. NO. 241—A BILL TO BE ENTITLED AN ACT RELATING TO CONSTABLES' FEES; AMENDING SECTIONS 30.23 AND 37.20, FLORIDA STATUTES; PROVIDING FOR A REDUCTION IN FEES OF CONSTABLES FOR MAKING TRAFFIC ARRESTS.

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

By Senator Mathews—

S. B. NO. 242—A BILL TO BE ENTITLED AN ACT RELATING TO JACKSONVILLE EXPRESSWAY AUTHORITY; AMENDING SECTION 349.05(1), FLORIDA STATUTES; PROVIDING FOR PUBLIC SALE OF BONDS BY COMPETITIVE BID; PROVIDING AN EFFECTIVE DATE.

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

By Senator Hollahan—

S. B. NO. 243—A BILL TO BE ENTITLED AN ACT RELATING TO FOOD; REPEALING SECTIONS 500.34, 500.35, AND 500.38, FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE.

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

By Senator Ryan—

S. B. NO. 244—A BILL TO BE ENTITLED AN ACT REPEALING CERTAIN SECTIONS OF CHAPTER 82 PERTAINING TO FORCIBLE ENTRY AND UNLAWFUL DETAINER, AND ENACTING IN LIEU THEREOF, AND AS A NEW SECTION, STATUTES TO PROVIDE FOR THE ENTRY OF DEFAULT IN SUCH CASES, TO PERMIT THE ISSUES TO BE TRIED BY THE JUDGE WHERE TRIAL BY JURY IS NOT REQUIRED, AND TO ESTABLISH A NEW SECTION FOR PROCESS.

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

By Senator Ryan—

S. B. NO. 245—A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PROCEDURE FOR ENFORCING A WRIT OF REPLEVIN WHERE THE PROPERTY SOUGHT THEREIN IS BEING SECRETED OR CONCEALED.

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

By Senator Ryan—

S. B. NO. 246—A BILL TO BE ENTITLED AN ACT RELATING TO MOTIONS TO QUASH AND PLEAS IN CRIMINAL CASES, AMENDING SECTION 909.03, FLORIDA STATUTES, TO REQUIRE THE MOTION TO QUASH TO SET OUT IN DETAIL THE INVALIDITY IN THE INFORMATION OR INDICTMENT.

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

By Senator Ryan—

S. B. NO. 247—A BILL TO BE ENTITLED AN ACT FIXING THE COMPENSATION FOR EXAMINING COMMITTEEMEN FOR THE EXAMINATION OF PERSONS BELIEVED TO BE MENTALLY OR PHYSICALLY INCOMPETENT IN BROWARD COUNTY, FLORIDA, AND PROVIDING EFFECTIVE DATE.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 247 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 Ryan moved that the rules be waived and Senate Bill No. 247 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 247 was read the second time by title only.

Senator Ryan moved that the rules be further waived and Senate Bill No. 247 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. 247 was read the third time in full.

Upon the passage of Senate Bill No. 247 the roll was called and the vote was:

Yeas—43.

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

Nays—None.

So Senate Bill No. 247 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Roberts—

S. B. NO. 248—A BILL TO BE ENTITLED AN ACT RELATING TO SECONDARY ROAD MONEY IN HAMILTON COUNTY; AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS TO USE A PORTION OF THE SECONDARY ROAD MONEYS ACCRUING TO HAMILTON COUNTY FOR PAVING CERTAIN STREETS AND ROADS IN THE CITIES OF JASPER, JENNINGS AND WHITE SPRINGS; PROVIDING AN EFFECTIVE DATE.

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

By Senator Price—

S. B. NO. 249—A BILL TO BE ENTITLED AN ACT RELATING TO DEPARTMENT OF PUBLIC SAFETY; AMENDING SECTION 321.20, FLORIDA STATUTES, RELATING TO RETIREMENT PAY BY ADDING THERETO SUBSECTION (6); PROVIDING 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 Senator Friday—

S. B. NO. 250—A BILL TO BE ENTITLED AN ACT RELATING TO THE GAME AND FRESH WATER FISH COMMISSION; AMENDING SECTION 372.001 BY ADDING SUBSECTION (24), AMENDING SUBSECTIONS (3) AND (4) AND ADDING SUBSECTION (18) TO SECTION 372.57, ALL FLORIDA STATUTES; PROVIDING FOR CREATION AND MANAGEMENT OF SPECIAL FISH MANAGEMENT AREAS; PROVIDING INCREASED FEE FOR FISHING LICENSE; PROVIDING AN EFFECTIVE DATE.

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

By Senators Herrell, Kelly and Hollahan—

S. B. NO. 251—A BILL TO BE ENTITLED AN ACT RELATING TO MUNICIPAL POLICE OFFICERS GENERALLY; AMENDING SECTION 185.34, FLORIDA STATUTES, PROVIDING THAT IMPAIRMENT OF HEALTH RESULTING FROM EXPOSURE SHALL BE PRESUMED TO HAVE BEEN SUFFERED IN THE LINE OF DUTY.

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

By Senators Herrell, Kelly and Hollahan—

S. B. NO. 252—A BILL TO BE ENTITLED AN ACT RELATING TO RESISTING AN OFFICER WITH VIOLENCE TO HIS PERSON; AMENDING SECTION 843.01, FLORIDA STATUTES, BY DELETING PROVISION THAT OFFICER BE BONDED.

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

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

SENATE RESOLUTION NO. 253—

A RESOLUTION EXPRESSING SYMPATHY AND REGRET OVER THE PASSING OF THOMAS M. KING, JR.

WHEREAS, the late Thomas M. King, Jr., had continuously served his fellow man, his community, and the state of Florida with unselfish zeal, and

WHEREAS, Mr. King was born in Windsor, Alachua county on September 24, 1910, and moved to Tallahassee in 1938; and

WHEREAS, Mr. King worked for the Florida Industrial Commission for two years; worked as a Supervisor for the Department of Public Safety, Drivers' License Division, from 1940 to the time of his death, and served as Senate Finance Officer for over twenty years, and

WHEREAS, Mr. King died on February 8, 1963, at the age of 53 years, and

WHEREAS, the late Mr. King throughout his entire life gave of himself without thought of personal motive or reward, and merited the continuous approval of the members of the Senate, NOW, THEREFORE,

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

That on behalf of the membership of the Senate sympathy is expressed to the family of Thomas M. King, Jr. with a deep and earnest sense of regret at his untimely passing.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the family of the late Thomas M. King, Jr.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

And Senate Resolution No. 253 was unanimously adopted.

By Senators Hollahan and Blank—

S. B. NO. 254—A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE BOARD OF HEALTH TO ADOPT RULES AND REGULATIONS TO BECOME A PART OF THE STATE SANITARY CODE FOR THE HANDLING OF HIGHLY TOXIC MATERIALS IN RESIDENTIAL AREAS; PROVIDING AN EFFECTIVE DATE.

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

By Senator Edwards—

S. B. NO. 255—A BILL TO BE ENTITLED AN ACT RELATING TO THE DEPARTMENT OF PUBLIC SAFETY; PROVIDING FOR A HIGHWAY PATROL STATION TO BE LOCATED IN MARION COUNTY; PROVIDING AN APPROPRIATION THEREFOR; PROVIDING AN EFFECTIVE DATE.

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

By Senator Whitaker—

S. B. NO. 256—A BILL TO BE ENTITLED AN ACT RELATING TO ADOPTION; AMENDING SECTION 72.34, FLORIDA STATUTES, RELATING TO THE ADOPTION OF ADULTS; PROVIDING THAT ANY ADULT, MARRIED OR UNMARRIED, CAN ADOPT ANOTHER ADULT; PROVIDING AN EFFECTIVE DATE.

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

By Senator Askew—

S. B. NO. 257—A BILL TO BE ENTITLED AN ACT PROVIDING THAT IN THE CASE OF ALL VESSELS REQUIRING THE SERVICE OF PILOTS IN ENTERING AND DEPARTING FROM THE PORT OF PENSACOLA, THAT THE DOCKING AND UNDOCKING OF SAID VESSELS AT THE WHARVES, PIERS AND DOCKS SHALL BE DONE BY LICENSED BAR PILOTS OF THE PORT OF PENSACOLA AND PROVIDING THAT THE BOARD OF PILOT COMMISSIONERS HAVING JURISDICTION OVER THE PORT OF PENSACOLA SHALL FIX OR APPROVE THE RATES OF COMPENSATION FOR SUCH SERVICES.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 257 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 Askew moved that the rules be waived and Senate Bill No. 257 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 257 was read the second time by title only.

Senator Askew moved that the rules be further waived and Senate Bill No. 257 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. 257 was read the third time in full.

Upon the passage of Senate Bill No. 257 the roll was called and the vote was:

Yeas—43.

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

Nays—None.

So Senate Bill No. 257 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johnson (6th)—

S. B. NO. 258—A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN CHARTER OF THE TOWN OF CHATTAHOOCHEE, GADSDEN COUNTY; AMENDING SECTIONS 17 AND 18 OF CHAPTER 9060, LAWS OF FLORIDA, 1921; PROVIDING FOR THE CHIEF OF POLICE TO HAVE CONTROL OF THE POLICE FORCE SUBJECT TO SUPERVISION AND DIRECTION OF TOWN COUNCIL AND FOR THE APPOINTMENT OF POLICE OFFICERS BY THE CHIEF OF POLICE WITH THE ADVICE AND CONSENT OF TOWN COUNCIL; PROVIDING THAT THE CHIEF OF POLICE AND TOWN COUNCIL SHALL NOT BE RESTRICTED TO CITIZENS OF THE TOWN IN MAKING SUCH APPOINTMENT; PROVIDING FOR A REFERENDUM; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only.

Senator Johnson (6th) moved that the rules be waived and Senate Bill No. 258 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 258 was read the second time by title only.

Senator Johnson (6th) moved that the rules be further waived and Senate Bill No. 258 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. 258 was read the third time in full.

Upon the passage of Senate Bill No. 258 the roll was called and the vote was:

Yeas—43.

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

Nays—None.

So Senate Bill No. 258 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johnson (6th)—

S. B. NO. 259—A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN CHARTER OF THE TOWN OF CHATTAHOOCHEE, GADSDEN COUNTY; AMENDING SECTION 14 OF CHAPTER 9060, LAWS OF FLORIDA, 1921; PROVIDING FOR THE DESIGNATION OF DEPOSITORIES AND ACCOUNTING FOR FUNDS OF SAID TOWN; REQUIRING DEPOSITORIES TO PLEDGE CERTAIN SECURITIES FOR THE SAFEKEEPING OF SUCH FUNDS; PROVIDING FOR INVESTMENT OF CERTAIN FUNDS; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 259 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 Johnson (6th) moved that the rules be waived and Senate Bill No. 259 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 259 was read the second time by title only.

Senator Johnson (6th) moved that the rules be further waived and Senate Bill No. 259 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. 259 was read the third time in full.

Upon the passage of Senate Bill No. 259 the roll was called and the vote was:

Yeas—43.

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

Nays—None.

So Senate Bill No. 259 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Cross—

SENATE JOINT RESOLUTION NO. 260—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 2A OF ARTICLE XII OF THE FLORIDA CONSTITUTION AND THE REPEAL OF SECTION 2B OF SAID ARTICLE XII; RELATING TO THE APPOINTMENT OF COUNTY SUPERINTENDENTS OF PUBLIC INSTRUCTION.

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

That the following amendment to section 2A and the repeal of section 2B both of article XII of the Florida constitution are agreed to and shall be submitted to the electors of the state for ratification or rejection at the general election in November, 1964:

SECTION 2A. **County superintendent of public instruction; appointment in certain counties.—**

(1) The county superintendent of public instruction

shall be appointed by the county board of public instruction in the counties wherein the proposition is affirmed by a majority of the vote of the qualified electors of any such county, making the office of county superintendent of public instruction appointive.

(2) To submit the proposition contained in subsection (1) above to the electors, the board of public instruction shall request an election, which may be a special election or may be on the ballot of any regular primary or general election as designated by the board of public instruction, and upon receipt of such request the board of county commissioners of such county shall call such special election or cause to be placed on the ballot of such other election the proposition whether subsection (1) shall be effective in such county.

(3) Any county adopting the provisions of subsection (1) hereof may after four (4) years return to its former status and reject the provisions of this section by the same procedure outlined in subsection (2).

(4) In the event a referendum election results in a change in the method of selecting a county superintendent, the incumbent shall continue to serve the remainder of the term of office to which he was duly elected or appointed.

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

By Senator Cross—

S. B. NO. 261—A BILL TO BE ENTITLED AN ACT RELATING TO STRUCTURAL PEST CONTROL; AMENDING SECTION 482.132, FLORIDA STATUTES, PROVIDING FOR THE QUALIFICATION FOR CERTIFICATE; PROVIDING AN EFFECTIVE DATE.

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

By Senator Blank—

S. B. NO. 262—A BILL TO BE ENTITLED AN ACT RELATING TO COIN-OPERATED VENDING MACHINES; DEFINING SAME; PROVIDING PENALTY FOR MOLESTING, BREAKING OR DAMAGING SAME; PROVIDING EFFECTIVE DATE.

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

By Senators Mathews, Whitaker, Cleveland, Pearce, Askew, Johnson (6th), Blank, Price, Johns, Davis, Johnson (19th), Friday and Kelly—

S. B. NO. 263—A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION AND APPOINTMENT OF A COMMITTEE OF THE LEGISLATURE TO MAKE INVESTIGATION OF THE ACTIVITIES OF THE STATE BOARDS WHICH HAVE ISSUED BONDS OR REVENUE CERTIFICATES AND/OR WHICH HAVE AUTHORITY TO ISSUE BONDS AND REVENUE CERTIFICATES, AND OF THE LAWS CREATING, REGULATING OR GOVERNING SAID BOARDS, INCLUDING BUT NOT LIMITED TO THE FLORIDA DEVELOPMENT COMMISSION, THE FLORIDA TURNPIKE AUTHORITY, THE JACKSONVILLE EXPRESSWAY AUTHORITY; FOR THE CONDUCT OF HEARINGS AND THE SUBPOENAING OF WITNESSES; PROVIDING FOR CIRCUIT COURTS TO ENFORCE COMMITTEE PROCESSES; FOR AN INTERIM REPORT OF SAID COMMITTEE TO THE 1963 LEGISLATURE; AUTHORIZING THE EMPLOYMENT OF SPECIALIZED ASSISTANTS BY THE COMMITTEE; MAKING AN APPROPRIATION FOR THE EXPENSES OF THE COMMITTEE; PROVIDING AN EFFECTIVE DATE.

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

By Senators Mathews, Price, Whitaker and Hollahan—

SENATE JOINT RESOLUTION NO. 264—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE XII OF THE CONSTITUTION OF FLORIDA BY ADDING A SECTION TO BE NUMBERED BY THE SECRETARY OF STATE AUTHORIZING THE ISSUANCE OF BONDS FOR CAPITAL OUTLAY AT INSTITUTIONS OF HIGHER EDUCATION; PROVIDING PROCEDURES THEREFOR; PROVIDING POWERS AND DUTIES OF THE STATE BOARD OF EDUCATION.

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

That Article XII of the Florida Constitution be amended by adding the section set forth below to be numbered by the secretary of state and that said amendment be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1964, or at the next state-wide general election which is called prior thereto:

Section ..... (a) Beginning January 1 of the year next succeeding the ratification of this amendment, the total proceeds of the revenues derived from the state gross receipts tax on utilities shall, as collected, be placed monthly in a fund to be designated the capital outlay fund for higher education and junior colleges and used only as provided in this amendment. Such funds shall be administered by the state board of education (hereinafter called the state board) as now created and constituted by section 3 of article XII of the Constitution of Florida. For the purposes of this amendment, said board as now constituted shall continue as a body corporate during the life of this amendment and shall have all the powers provided in this amendment in addition to all other constitutional and statutory powers related to the purposes of this amendment heretofore or hereafter conferred upon said board.

(b) The state board shall, in addition to its other constitutional and statutory powers, have the management, control and supervision of the proceeds of the revenues derived from the utilities gross receipts tax as provided for in subsection (a) hereof. The state board shall also have the power for the purpose of obtaining funds for the use of any project properly authorized by the legislature, in acquiring, building, constructing, altering, improving, enlarging, furnishing or equipping capital outlay projects at state institutions of higher learning, junior colleges and technical schools, to issue bonds or utilities gross receipts tax anticipation certificates and also to issue such bonds or utilities gross receipts tax anticipation certificates to pay, subject to legislative authorization as hereinafter provided, fund or refund any bonds or revenue certificates theretofore issued by said state board. All such bonds shall bear interest at not exceeding four (4) per centum per annum, and shall mature serially and annual installments commencing not more than three (3) years from the date of issuance thereof, and each annual installment shall not be less than three (3) per centum of the total amount of the issue. All such utilities gross receipts tax anticipation certificates shall bear interest at not exceeding four (4) per centum per annum. The state board shall have power to determine all other details of said bonds or utilities gross receipts tax anticipation certificates and to sell at public sale after public advertisement or exchange said bonds or utilities gross receipts tax anticipation certificates upon such terms and conditions as the state board shall provide.

The state board shall also have power to pledge for the payment of the principal of and interest on such bonds or of utilities gross receipts tax anticipation certificates, including refunding bonds or refunding utilities gross re-

ceipts tax anticipation certificates, all or any part from the anticipated revenues to be derived from the utilities gross receipts tax provided for in this amendment, and to enter into any covenants or other agreement with the holders of such bonds or utilities gross receipts tax anticipation certificates at the time of the issuance thereof concerning the security thereof and the rights of the holders thereof. All of which covenants and agreements shall constitute legally binding and irrevocable contracts with such holders and shall be fully enforceable by such holders in any court of competent jurisdiction. No such bonds or utilities gross receipts tax anticipation certificates shall ever be issued by the state board until and unless the project to be financed has been specifically authorized to be constructed by this means by the legislature.

(c) The state board shall, in each year, use the funds accruing pursuant to this amendment only in the following manner and order of priority:

1. To pay all amounts of principal and interest maturing in such year on any bonds or utilities gross receipts tax anticipation certificates issued under the authority hereof including refunding bonds or motor vehicle or utilities gross receipts tax anticipation certificates subject, however, to any covenants or agreements made by the state board concerning the rights between holders of different issues of such bonds or utilities gross receipts tax anticipation certificates as herein authorized.

2. To establish and maintain a sinking fund or funds to meet the future requirements for debt service or reserve therefor on bonds or utilities gross receipts tax anticipation certificates issued on behalf of the board of control whenever the state board shall deem it necessary or advisable and in such amounts and under such terms and conditions as the state board shall in its discretion determine.

3. When all major capital outlay needs for higher education and junior colleges have been met as determined by the legislature such funds as remain in the capital outlay fund for higher education may be utilized to recall any existing bonds or certificates or for necessary maintenance and operation of institutions of higher learning pursuant to law.

4. The state board may invest any sinking funds or funds created pursuant to this amendment in direct obligation of the United States of America. The state board shall have the power to make and enforce all rules and regulations necessary to the full exercise of the powers herein granted and no legislation shall be required to render this amendment in full force and operating effect from and after January 1 of the date succeeding the date of ratification hereof.

The legislature shall not reduce the levies of the said utilities gross receipts tax during the life of this amendment to any degree which will fail to provide the full amount necessary to comply with the provisions of this amendment and pay the necessary expenses of administering the laws to comply with the provisions of this amendment and shall not enact any law having the effect of withdrawing the proceeds of such utilities gross receipts taxes from the operation of this amendment, and shall not enact any law impairing or materially altering the rights of the holders of any bonds or utilities gross receipts tax anticipation certificates issued pursuant to this amendment, or impairing or altering any covenant or agreement of the state board as provided in such bonds or utilities gross receipts tax anticipation certificates. The state board shall have the power to appoint such persons and fix their compensation for the administration of the provisions of this amendment as it shall deem necessary and the expenses of the state board in administering the provisions of this amendment shall be paid out of the proceeds of the bonds or utilities gross receipts tax anticipation certificates.

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

By Senators Mathews, Price, Edwards, Cleveland and Cross—

S. B. NO. 265—A BILL TO BE ENTITLED AN ACT RELATING TO HIGHER EDUCATION; REPEALING CHAPTER 240, FLORIDA STATUTES; CREATING A NEW BOARD DESIGNATED THE BOARD OF TRUSTEES FOR HIGHER EDUCATION; PROVIDING MEMBERSHIP AND TERMS OF OFFICE OF SAID BOARD; PROVIDING DUTIES AND RESPONSIBILITIES OF SAID BOARD; 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 Mathews, Price and Whitaker—

S. B. NO. 266—A BILL TO BE ENTITLED AN ACT RELATING TO THE ISSUANCE OF STATE BONDS AND REVENUE CERTIFICATES; ENUMERATING PROCEDURES AND RESTRICTIONS THERETO; REQUIRING LEGISLATIVE AUTHORIZATION FOR ISSUANCE; PROVIDING AN EFFECTIVE DATE.

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

By Senators Mathews, Price, Edwards, Cleveland and Cross—

SENATE JOINT RESOLUTION NO. 267—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE XVI, SECTION 7 OF THE STATE CONSTITUTION RELATIVE TO THE LENGTH OF TERMS OF OFFICERS.

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

That article XVI, section 7 of the Florida constitution be amended as set forth below and that said resolution be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1964:

Section 7. **Terms of offices created by legislature.—** The legislature shall not create any office, the term of which shall be longer than four (4) years, except for the board of trustees for higher education, which terms may be extended by the legislature to not more than nine (9) years.

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

By Senator Mathews—

SENATE JOINT RESOLUTION NO. 268—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE XVI, OF THE FLORIDA CONSTITUTION, RELATING TO THE LOCATION OF THE SEAT OF GOVERNMENT; ADDING SECTION 1A, PROVIDING FOR MEANS TO INSURE CONTINUITY OF STATE AND LOCAL GOVERNMENTAL OPERATIONS IN PERIODS OF EMERGENCY RESULTING FROM DISASTERS CAUSED BY ENEMY ATTACK.

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

That the following amendment of Article XVI, of the Florida Constitution by adding section 1A is agreed to and shall be submitted to the electors of the state for ratification or rejection at the general election held in November, 1964:

SECTION 1A. **Continuity of government.**—The legislature, in order to insure continuity of state and local governmental operations in periods of emergency resulting from disasters caused by enemy attack, shall have the power and the immediate duty (1) to provide for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and (2) to adopt such other measures as may be necessary and proper for insuring the continuity of governmental operations. In the exercise of the powers hereby conferred the legislature shall in all respects conform to the requirements of this Constitution except to the extent that in the judgment of the legislature so to do would be impracticable or would admit of undue delay.

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

By Senator Mathews—

SENATE JOINT RESOLUTION NO. 269—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA BY REVISING SECTION 14 OF ARTICLE XII.

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

That the following proposed revision of Section 14 of Article XII of the Constitution of the State of Florida is agreed to and shall be submitted to the electors of this state for ratification or rejection at the general election to be held in November, 1964:

ARTICLE XII

EDUCATION

Section 14. **State institutions of higher learning; board of regents.**—

(a) The legislature shall establish and maintain colleges, universities, and other institutions of higher learning as the legislature determines to be necessary.

(b) The supervision, management and control of all institutions of higher learning created by the legislature is vested in a board of regents which shall consist of nine members, appointed by the governor from the state's most distinguished and outstanding citizens and confirmed by the senate, for terms of nine years. Provided, however, that within ninety days but not less than sixty days after the ratification of this amendment, the governor shall, subject to the approval of the senate at its next succeeding session, appoint the first board of regents for terms of one to nine years respectively, one of which shall expire on February 1 of each succeeding year; after the first appointments all terms shall be for nine years. When any member of the board fails to complete his term, the governor shall appoint a successor for the balance of the unexpired term. Members of the board shall receive no compensation for their services, but shall be reimbursed for expenses as provided by law. The board annually shall designate one of its members as chairman. The board shall employ a chancellor or other administrative officer and such staff as may be necessary to perform its duties, who shall serve at the pleasure of the board.

(c) The legislature shall by law prescribe the powers and duties of the board of regents and the board shall by regulation set the general policies controlling the institutions under its supervision, but no law shall restrict the power of the board to delegate to its administrative officer and to the heads of the institutions such powers and authority as the board may find necessary in the performance of their respective duties. The board shall select the presidents and other policy making officers of each institution, who shall serve at the pleasure of the board.

(d) The board of regents shall submit to the legislature budgets for moneys from all sources for the institutions under its control and shall be required to expend all moneys in accordance with the budgets as amended and approved by the legislature. Appropriations for the institutions under the board shall be on a parity with all other appropriations from the general revenue fund and shall be reduced in any one year only in the same proportion that appropriations for all other purposes from the general revenue fund must be reduced in order to keep total spending within available funds.

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

By Senator Mathews—

S. B. NO. 270—A BILL TO BE ENTITLED AN ACT RELATING TO CIVIL DEFENSE; REPEALING SUBSECTIONS (3), (4) AND (5) OF SECTION 252.03, SECTIONS 252.11, 252.13 AND 252.23 THROUGH 252.27; AMENDING SECTIONS 252.02(1)(b)-(d), 252.02(2), 252.03(1) AND ADDING NEW SUBSECTION (3), 252.05, 252.06(1),(2)(a),(b),(c),(d),(g),(i),(j); THE INTRODUCTORY PARAGRAPH OF SECTION 252.07, 252.07(2)(a),(4)(a), SECTIONS 252.08, 252.09, 252.10(2), 252.12, 252.14, 252.15(2), 252.16(1), (2), 252.18 AND 252.19(2), ADDING SECTION 252.071, ALL FLORIDA STATUTES; PROVIDING FOR A STATE CIVIL DEFENSE ADVISORY BOARD, CIVIL DEFENSE ADVISORY COUNCILS, COUNTY AND MUNICIPAL LOCAL ORGANIZATIONS WITH DIRECTORS; REGULATING POWERS OF SUCH AGENCIES; GRANTING GOVERNOR EMERGENCY POWERS; PROVIDING EFFECTIVE DATE.

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

By Senator Askew—

S. B. NO. 271—A BILL TO BE ENTITLED AN ACT RELATING TO COMPENSATION OF COUNTY OFFICIALS; AMENDING SECTIONS 145.061(17) AND 145.072(17), FLORIDA STATUTES, BY RAISING THE COMPENSATION OF THE COUNTY JUDGE AND SHERIFF OF ESCAMBIA COUNTY; PROVIDING EFFECTIVE DATE.

Which was read the first time by title only.

Senator Askew moved that the rules be waived and Senate Bill No. 271 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 271 was read the second time by title only.

Senator Askew offered the following amendment to Senate Bill No. 271:

In Section 2, page 1, strike: entire Section 2 and insert in lieu thereof the following:

Section 2. Section 145.071(17), Florida Statutes, is amended to read:

145.071 **Sheriffs.**—The sheriffs of the following named counties shall receive as compensation the amounts indicated:

(17) Escambia $14,500.00

Senator Askew moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Askew also offered the following amendment to Senate Bill No. 271:

In Title, line 3, strike the figures 145.072(17) and insert in lieu thereof the following: 145.071(17).

Senator Askew moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Askew moved that the rules be further waived and Senate Bill No. 271, 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. 271, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 271, as amended, the roll was called and the vote was:

Yeas—43.

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

Nays—None.

So Senate Bill No. 271 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

By Senator Ryan—

S. B. NO. 272—A BILL TO BE ENTITLED AN ACT AMENDING SUB-SECTION 550.081(3), FLORIDA STATUTES, ALLOCATION OF HORSE RACING PERIODS OF OPERATION; PROVIDING AN EFFECTIVE DATE.

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

CONSIDERATION OF SENATE RESOLUTIONS

SENATE CONCURRENT RESOLUTION NO. 48—

A CONCURRENT RESOLUTION RATIFYING THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATING TO QUALIFICATIONS OF ELECTORS.

WHEREAS, the 87th Congress of the United States of America in both houses by a constitutional majority of two-thirds thereof has made the following proposition to amend the Constitution of the United States of America, in the following words:

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relating to the qualifications of electors.

RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED, That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"Article —

"Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

"Sec. 2. The Congress shall have power to enforce this article by appropriate legislation." NOW, THEREFORE,

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

That the proposed amendment set forth below to the Constitution of the United States be, and the same is hereby, ratified by the Legislature of the State of Florida.

"Article —

Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

Section 2. The Congress shall have power to enforce this article by appropriate legislation."

BE IT FURTHER RESOLVED, that certified copies of the foregoing preamble and resolution be immediately forwarded by the Secretary of State of the State of Florida, under the great seal, to the President of the United States, the Secretary of State of the United States, the President of the Senate of the United States, and the Speaker of the House of Representatives of the United States.

Was taken up in its order and read the second time in full.

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

A roll call was requested and upon call of the roll the vote was:

Yeas—36.

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

Nays—6.

Campbell	Galloway	Pearce	Tucker
Friday	Mapoles		

So Senate Concurrent Resolution No. 48 was adopted, and the action of the Senate was ordered certified to the House of Representatives.

VETOED BILLS OF 1961 REGULAR SESSION

The following message from the Honorable Tom Adams, Secretary of State, was received and read:

Tallahassee, Florida
April 9, 1963

Honorable Wilson Carraway
President of the Senate
Senate Chamber
The Capitol

Dear Senator Carraway:

In compliance with the provisions of Section 28, Article III of the State Constitution, I am transmitting to you for consideration of the Senate the following vetoed bills, with the Governor's objections attached thereto:

Senate Bill No. 308

"AN ACT RELATING TO THE STATE AND COUNTY

RETIREMENT SYSTEM; AMENDING SUBSECTION (1) OF SECTION 122.03, FLORIDA STATUTES, BY ADDING A SECOND PARAGRAPH TO PROVIDE FOR SERVICE TO MUNICIPALITIES TO APPLY TOWARD STATE AND COUNTY RETIREMENT UNDER CERTAIN CIRCUMSTANCES; PROVIDING AN EFFECTIVE DATE."

Senate Bill No. 497

"AN ACT TO AMEND CHAPTER 849, FLORIDA STATUTES, BY ADDING A SECTION THERETO TO BE KNOWN AS SECTION 849.092, EXEMPTING CERTAIN ADVERTISING UNDERTAKINGS FROM THE PROVISIONS OF SECTION 849.09, WHICH PROHIBIT LOTTERIES; PROVIDING LIMITATIONS THEREON."

Senate Bill No. 669

"AN ACT DIRECTING THAT TAXES ON GASOLINE AND LIKE PRODUCTS, ACCRUING UNDER SECTION 208.44, FLORIDA STATUTES, TO ANY COUNTY IN THE STATE WITH A POPULATION OF NOT LESS THAN THIRTY-SEVEN THOUSAND (37,000) AND NOT MORE THAN THIRTY-NINE THOUSAND NINE HUNDRED (39,900), ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS, BE DISTRIBUTED TO CERTAIN FUNDS OF THE COUNTY."

Committee Substitute for Senate Bill No. 828

"AN ACT TO AMEND SECTION 208.041, FLORIDA STATUTES, TAX ON OUT OF STATE PURCHASED MOTOR FUEL BY AMENDING SUBSECTIONS (2) AND (3) AND ADDING A NEW SUBSECTION (5) MAKING A VIOLATION OF THIS SECTION A MISDEMEANOR AND PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE."

Senate Bill No. 1043

"AN ACT AUTHORIZING THE STATE ROAD DEPARTMENT AND THE BOARD OF COUNTY COMMISSIONERS OF WAKULLA COUNTY TO EXPEND CERTAIN FUNDS FOR THE CONSTRUCTION OF CERTAIN WATERWAY PROJECTS; REPEALING CONFLICTING ACTS AND PROVIDING AN EFFECTIVE DATE."

Senate Bill No. 1129

"AN ACT AMENDING CHAPTER 22935, LAWS OF FLORIDA 1945; ADDING SECTION 1-A TO CHANGE THE POPULATION CLASSIFICATION FROM TWO HUNDRED SIXTY THOUSAND (260,000) TO FOUR HUNDRED FIFTY THOUSAND (450,000); PROVIDING AN EFFECTIVE DATE."

Very truly yours,
TOM ADAMS
Secretary of State

Senate Bill No. 308 (1961 Regular Session)

"AN ACT RELATING TO THE STATE AND COUNTY RETIREMENT SYSTEM; AMENDING SUBSECTION (1) OF SECTION 122.03, FLORIDA STATUTES, BY ADDING A SECOND PARAGRAPH TO PROVIDE FOR SERVICE TO MUNICIPALITIES TO APPLY TOWARD STATE AND COUNTY RETIREMENT UNDER CERTAIN CIRCUMSTANCES; PROVIDING AN EFFECTIVE DATE."

Was taken up and read by title, together with the following objections thereto of the Honorable Farris Bryant, Governor of Florida:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

June 16, 1961

Honorable Tom Adams
Secretary of State
The Capitol
Tallahassee, Florida

Dear Sir:

Pursuant to the authority vested in me as Governor of Florida under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill 308, enacted by the Legislature of 1961, and entitled:

"AN ACT RELATING TO THE STATE AND COUNTY RETIREMENT SYSTEM; AMENDING SUBSECTION (1) OF SECTION 122.03, FLORIDA STATUTES, BY ADDING A SECOND PARAGRAPH TO PROVIDE FOR SERVICE TO MUNICIPALITIES TO APPLY TOWARD STATE AND COUNTY RETIREMENT UNDER CERTAIN CIRCUMSTANCES; PROVIDING AN EFFECTIVE DATE."

Senate Bill 308 is a general act with restrictive application to municipal police department personnel who have served ten (10) or more years without retirement fund benefits and who then become employed by the State. It provides that credit toward State retirement can be obtained by paying a proper percentage into the retirement fund for those so employed by the municipality.

The act obviously affects only a limited class of persons. It takes effect immediately and expires thirty (30) days later; consequently, no opportunity is given to ascertain the number of persons that will be affected nor the immediate or ultimate cost to the State. That cost may be in the thousands of dollars or in the hundreds of thousands. Whatever it may be, no funds have been provided to defray such an uncertain amount. The act may affect only one person; but on the other hand, it may affect hundreds. In any event, it is unlikely that any but a very few of those affected will ever be aware of the benefits offered for the brief period of thirty (30) days.

Inherent in any retirement program is the requirement that it must be actuarily sound; such is fundamental. The act, by making it virtually impossible to ascertain the extent of its effect, prohibits such an actuarial study and a determination of its soundness.

If the act is designed to affect only one individual, then it would seem to be more appropriate to do so by a bill for the relief of that particular individual, thus making it possible to determine the extent of the act and its ultimate cost.

For the foregoing reasons, I must withhold my approval from Senate Bill 308.

Respectfully,
FARRIS BRYANT
Governor

And Senate Bill No. 308 (1961 Regular Session), together with the Governor's objections thereto, was referred to the Committee on Judiciary "B" for study and recommendation.

Senate Bill No. 497 (1961 Regular Session)

"AN ACT TO AMEND CHAPTER 849, FLORIDA STATUTES, BY ADDING A SECTION THERETO TO BE KNOWN AS SECTION 849.092, EXEMPTING CERTAIN ADVERTISING UNDERTAKINGS FROM THE PROVISIONS OF SECTION 849.09, WHICH PROHIBIT LOTTERIES; PROVIDING LIMITATIONS THEREON."

Was taken up and read by title, together with the following objections thereto of the Honorable Farris Bryant, Governor of Florida:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

June 16, 1961

Honorable Tom Adams
Secretary of State
The Capitol
Tallahassee, Florida

Dear Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill 497, enacted by the Legislature of 1961, and entitled:

"AN ACT TO AMEND CHAPTER 849, FLORIDA STATUTES, BY ADDING A SECTION THERETO TO BE KNOWN AS SECTION 849.092, EXEMPTING CERTAIN ADVERTISING UNDERTAKINGS FROM THE PROVISIONS OF SECTION 849.09, WHICH PROHIBIT LOTTERIES; PROVIDING LIMITATIONS THEREON."

Senate Bill 497 exempts from our anti-lottery law certain advertising and promotional schemes not involving payment of a tangible consideration.

Article III, Section 23, of our State Constitution prohibits lotteries. The task of defining a lottery is for our judiciary rather than for the Legislature, and Senate Bill 497 can have no effect if it condones a scheme which is in fact a lottery as defined by our State Supreme Court.

I am apprehensive that this bill would give to lottery operators in Florida an effective device permitting them to further their efforts to enlarge their unlawful activities.

Moreover, if Senate Bill 497 becomes law, it would place a stumbling block in the path of conscientious law enforcement officers who seek to enforce the present lottery laws. I can conceive numerous situations in which those ingenious persons who operate lotteries in Florida could use this bill to their advantage in their constant efforts to violate the law.

If permitted to become law, this bill would also create an evidentiary hurdle that in many cases would be almost impossible to overcome. Through the use of devious methods the direct payment of **tangible** considerations could be avoided, making it most difficult for the State to establish that the scheme involved was in truth a violation of the lottery law.

It is my opinion that Senate Bill 497, if enacted into law, could not withstand an attack on constitutional grounds and, further, would grant to lottery operators an opportunity to clothe their unlawful operations with a cloak of respectability, thus fostering the growth of this prohibited activity that we all seek to eradicate.

Apart from questions of unconstitutionality or of law enforcement this bill, if permitted to become law, would encourage a "something for nothing" philosophy which I do not believe to be in the best interests of our citizens, particularly our younger people. To me it seems unwise to remove the prohibitions which now exist against games of chance and other forms of lottery.

For these reasons, I am necessarily withholding my approval from Senate Bill 497.

Respectfully,
FARRIS BRYANT
Governor

And Senate Bill No. 497 (1961 Regular Session), together with the Governor's objections thereto, was referred to the Committee on Miscellaneous Legislation for study and recommendation.

Senate Bill No. 669—(1961 Regular Session)

"AN ACT DIRECTING THAT TAXES ON GASOLINE AND LIKE PRODUCTS, ACCRUING UNDER SECTION 208.44, FLORIDA STATUTES, TO ANY COUNTY IN THE STATE WITH A POPULATION OF NOT LESS THAN THIRTY-SEVEN THOUSAND (37,000) AND NOT MORE THAN THIRTY-NINE THOUSAND NINE HUNDRED (39,900), ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS, BE DISTRIBUTED TO CERTAIN FUNDS OF THE COUNTY."

Was taken up and read by title, together with the following objections thereto of the Honorable Farris Bryant, Governor of Florida:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

June 16, 1961

Honorable Tom Adams
Secretary of State
The Capitol
Tallahassee, Florida

Dear Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill 669, enacted by the Legislature of 1961, and entitled:

"AN ACT DIRECTING THAT TAXES ON GASOLINE AND LIKE PRODUCTS, ACCRUING UNDER SECTION 208.44, FLORIDA STATUTES, TO ANY COUNTY IN THE STATE WITH A POPULATION OF NOT LESS THAN THIRTY-SEVEN THOUSAND (37,000) AND NOT MORE THAN THIRTY-NINE THOUSAND NINE HUNDRED (39,900), ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS, BE DISTRIBUTED TO CERTAIN FUNDS OF THE COUNTY."

Senate Bill 669 is a population act applicable only to St. Lucie County based upon the latest official census. It authorizes the entire use of the seventh cent gas tax funds by the affected county and, in effect, modifies the provisions of Section 208.44, Florida Statutes.

The seventh cent gasoline tax is a state tax imposed upon motorists who purchase gasoline in the State of Florida. The legislature by general act has determined that this gasoline tax should be used for state purposes, namely, the construction and maintenance of state roads. It has further determined by general act that 20% of this fund should be paid directly to the 67 counties for construction and maintenance of roads within the individual counties, under the supervision of the boards of county commissioners, and that the remaining 80% should be distributed to the State Road Department for the construction, reconstruction, maintenance and repair of state roads and bridges within an individual county, acquisition of rights of way or reduction of bonded indebtedness incurred for road and bridge purposes. The general law further provides that the State Road Department shall expend such funds (80% of the seventh cent) solely for such purposes on such roads as shall be designated by appropriate resolution of the board of county commissioners of such counties.

It is my feeling that by general law the legislature clearly spelled out its intent that 80% of the seventh cent should be administered by the State Road Department

for the benefit of each individual county. I, therefore, feel that any local act which withdraws the guidance and experience of the State Road Department from the expenditure of these funds, placing the discretion and absolute control of the whole of the seventh cent in the board of county commissioners of a specific county, is not in keeping with the basic theory of state taxation.

Further, I am of the opinion that the allocation of this tax directly to the boards of county commissioners, with no control or supervision by the State Road Department, will result in less road maintenance and construction within a given county and an increase in costs to the county because the counties generally do not have engineering departments and staffs sufficient to oversee the expenditure of large sums of money for road construction purposes. It is my opinion that, in order to carry out the legislative mandate that we have an integrated system of state highways, both primary and secondary, it is inherent that the State Road Department must have some supervision and control over the expenditure of the majority of the gasoline taxes raised by state taxation.

For these reasons, I am necessarily withholding my approval from Senate Bill 669.

Respectfully,
FARRIS BRYANT
Governor

And Senate Bill No. 669 (1961 Regular Session), together with the Governor's objections thereto, was referred to the Committee on Judiciary "B" and the Committee on Finance and Taxation for study and recommendation.

Committee Substitute for Senate Bill No. 828 (1961 Regular Session)

"AN ACT TO AMEND SECTION 208.041, FLORIDA STATUTES, TAX ON OUT OF STATE PURCHASED MOTOR FUEL BY AMENDING SUBSECTIONS (2) AND (3) AND ADDING A NEW SUBSECTION (5) MAKING A VIOLATION OF THIS SECTION A MISDEMEANOR AND PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE."

Was taken up and read by title, together with the following objections thereto of the Honorable Farris Bryant, Governor of Florida:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

June 16, 1961

Honorable Tom Adams
Secretary of State
The Capitol
Tallahassee, Florida

Dear Sir:

Pursuant to the authority vested in me as Governor of Florida under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Committee Substitute for Senate Bill 828, enacted by the Legislature of 1961, and entitled:

"AN ACT TO AMEND SECTION 208.041, FLORIDA STATUTES, TAX ON OUT OF STATE PURCHASED MOTOR FUEL BY AMENDING SUBSECTIONS (2) AND (3) AND ADDING A NEW SUBSECTION (5) MAKING A VIOLATION OF THIS SECTION A MISDEMEANOR AND PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE."

Committee Substitute for Senate Bill 828 amends an existing statute which levies an excise tax of seven cents (7¢) per gallon on every gallon of motor fuel in excess of fifty (50) gallons carried in fuel tanks of vehicles entering this State, excepting only certain common carriers.

The bill requires drivers of vehicles entering Florida to have in their possession Florida motor fuel purchase invoices showing the purchase of sufficient motor fuel to propel the vehicle the number of miles traveled or to be traveled within the state. No other method is provided for payment of the tax.

It is apparent that no vehicle operator can comply with the above requirements prior to entering Florida. Accordingly, when the vehicle crosses the State line with more than fifty (50) gallons of fuel in its tanks, it is in violation of the law. If such a law were strictly enforced, law enforcement officials would be making charges against out-of-state vehicle operators who have no chance to comply with the law unless they purchase the necessary fuel exactly on the State line.

If this bill becomes a law and is enforced as written, retaliatory action can be expected from other states which would seriously affect the movement of Florida products to markets outside the State.

For these reasons, I am necessarily withholding my approval from Committee Substitute for Senate Bill 828.

Respectfully,
FARRIS BRYANT
Governor

And Committee Substitute for Senate Bill No. 828 (1961 Regular Session), together with the Governor's objections thereto, was referred to the Committee on Finance and Taxation for study and recommendation.

Senate Bill No. 1043 (1961 Regular Session)

"AN ACT AUTHORIZING THE STATE ROAD DEPARTMENT AND THE BOARD OF COUNTY COMMISSIONERS OF WAKULLA COUNTY TO EXPEND CERTAIN FUNDS FOR THE CONSTRUCTION OF CERTAIN WATERWAY PROJECTS; REPEALING CONFLICTING ACTS AND PROVIDING AN EFFECTIVE DATE."

Was taken up and read by title, together with the following objections thereto of the Honorable Farris Bryant, Governor of Florida:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

June 16, 1961

Honorable Tom Adams
Secretary of State
The Capitol
Tallahassee, Florida

Dear Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill 1043, enacted by the Legislature of 1961, and entitled:

"AN ACT AUTHORIZING THE STATE ROAD DEPARTMENT AND THE BOARD OF COUNTY COMMISSIONERS OF WAKULLA COUNTY TO EXPEND CERTAIN FUNDS FOR THE CONSTRUCTION OF CERTAIN WATERWAY PROJECTS; REPEALING CONFLICTING ACTS AND PROVIDING AN EFFECTIVE DATE."

Senate Bill 1043 is a local act applying only to Wakulla County. It authorizes the State Road Department and the Board of County Commissioners of Wakulla County to expend any portion of that county's proceeds from the

seventh cent gas tax for the construction of waterway projects within Wakulla County.

The seventh cent gasoline tax is a state tax imposed upon motorists who purchase gasoline in the State of Florida. The legislature by general act has determined that this gasoline tax should be used for state purposes, namely, the construction and maintenance of state roads. It has further determined by general act that 20% of this fund should be paid directly to the 67 counties for construction and maintenance of roads within the individual counties, under the supervision of the boards of county commissioners, and that the remaining 80% should be distributed to the State Road Department for the construction, reconstruction, maintenance and repair of state roads and bridges within an individual county, acquisition of rights of way or reduction of bonded indebtedness incurred for road and bridge purposes. The general law further provides that the State Road Department shall expend such funds (80% of the seventh cent) solely for such purposes on such roads as shall be designated by appropriate resolution of the board of county commissioners of such counties.

I feel that the use of gasoline taxes imposed upon the motorists of this state for the specific purpose of maintaining and constructing roads should not be diverted from such purpose. I feel that to use these moneys for waterway projects, however badly needed, is certainly a violation of the purpose and intent of the gasoline tax law. I understand and sympathize with the need of certain counties for improvement of their waterways and waterway facilities. But I do not feel that our meager road funds should be diverted to non-highway purposes so long as we have a dire need for additional funds to build and maintain roads.

Moreover, Senate Bill 1043 is unconstitutional in that it is a local act applicable only to Wakulla County, yet no notice of intention to apply for passage of this legislation was published as required by law, nor is the bill subject to a referendum.

For these reasons, I am necessarily withholding my approval from Senate Bill 1043.

Respectfully,
FARRIS BRYANT
Governor

And Senate Bill No. 1043 (1961 Regular Session), together with the Governor's objections thereto, was referred to the Committee on Judiciary "B" for study and recommendation.

Senate Bill No. 1129 (1961 Regular Session)

"AN ACT AMENDING CHAPTER 22935, LAWS OF FLORIDA 1945; ADDING SECTION 1-A TO CHANGE THE POPULATION CLASSIFICATION FROM TWO HUNDRED SIXTY THOUSAND (260,000) TO FOUR HUNDRED FIFTY THOUSAND (450,000); PROVIDING AN EFFECTIVE DATE."

Was taken up and read by title, together with the following objections thereto of the Honorable Farris Bryant, Governor of Florida:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

June 16, 1961

Honorable Tom Adams
Secretary of State
The Capitol
Tallahassee, Florida

Dear Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill 1129, enacted by the Legislature of 1961, and entitled:

"AN ACT AMENDING CHAPTER 22935, LAWS OF FLORIDA 1945; ADDING SECTION 1-A TO CHANGE THE POPULATION CLASSIFICATION FROM TWO HUNDRED SIXTY THOUSAND (260,000) TO FOUR HUNDRED FIFTY THOUSAND (450,000); PROVIDING AN EFFECTIVE DATE."

Senate Bill 1129 changes the population classification of Chapter 22935, Acts of 1945, relating to water conservation districts in counties having a designated population.

Senator Gibbons of Hillsborough County and Senator Young of Pinellas County have discussed this bill with me and I have received a letter from Senator Ripley of Duval County regarding its passage. It is apparent that it was passed by the Legislature purely as a local measure and that there was no discussion on the floor of either House concerning its merits. It is also apparent that its passage vitally affects Hillsborough County although this fact was not made known to the representatives of that county. It is, of course, of considerable importance to the successful working of our legislative processes that opportunity to discuss proposed enactments be given to the representatives of the people who may thereby be affected. This opportunity apparently was not made available in the passage of this bill.

For these reasons, I am necessarily withholding my approval from Senate Bill 1129.

Respectfully,
FARRIS BRYANT
Governor

And Senate Bill No. 1129 (1961 Regular Session), together with the Governor's objections thereto, was referred to the Committee on Judiciary "B" for study and recommendation.

MESSAGE FROM THE GOVERNOR

The following message from the Governor was received:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

April 11, 1963

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

Dear Sir:

I have today transmitted to the office of the Secretary of State, the following Acts which originated in your Honorable Body, Regular Session, 1963, and which I have approved:

S. B. 8 RELATING TO THE TAKING OF STONE CRABS

S. B. 43 RELATING TO CIVIL COURTS OF RECORD

S. B. 44 RELATING TO CIVIL COURTS OF RECORD

Respectfully,
FARRIS BRYANT
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida
April 10, 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 the Committee on Rules & Calendar—

H. B. NO. 424—A BILL TO BE ENTITLED AN ACT RELATING TO PER DIEM AND TRAVEL EXPENSES OF STATE OFFICERS AND EMPLOYEES; AMENDING SECTION 112.061(1), FLORIDA STATUTES; 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. 424, contained in the above message, was read the first time by title only.

Senator Edwards moved that the rules be waived and House Bill No. 424 be placed on the Calendar of Bills on Second Reading, without reference.

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

Senator Edwards requested unanimous consent of the Senate to take up and consider House Bill No. 424, out of its order.

Unanimous consent was granted, and House Bill No. 424 was taken up.

Senator Edwards moved that the rules be waived and House Bill No. 424 be read the second time by title only.

Which was agreed to by a two-thirds vote and House Bill No. 424 was read the second time by title only.

Senator Edwards offered the following amendment to House Bill No. 424:

In Section 1, line 1, page 2, strike: "twenty-five dollars ($25.00)" and insert in lieu thereof the following: twenty dollars ($20.00)

Senator Edwards moved the adoption of the amendment.

A roll call was demanded and upon call of the roll the vote was:

Yeas—23.

Mr. President	Clarke	Gautier	Pearce
Askew	Cleveland	Gibson	Pope
Barber	Cross	Henderson	Ryan
Barron	Davis	Johnson (19th)	Spottswood
Blank	Edwards	Kelly	Young
Boyd	Fraser	Parrish	

Nays—20.

Campbell	Herrell	Mapoles	Stratton
Connor	Hollahan	Mathews	Tucker
Covington	Johns	Melton	Usher
Friday	Johnson (6th)	Price	Whitaker
Galloway	McCarty	Roberts	Williams (4th)

So the amendment was adopted.

Senator Edwards moved that the rules be further waived and House Bill No. 424, 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. 424, as amended, was read the third time in full.

Upon the passage of House Bill No. 424, as amended, the roll was called and the vote was:

Yeas—24.

Mr. President	Clarke	Friday	Johnson (6th)
Askew	Cleveland	Gautier	Mathews
Barron	Connor	Gibson	Pearce
Blank	Cross	Herrell	Price
Boyd	Edwards	Hollahan	Spottswood
Campbell	Fraser	Johnson (19th)	Williams (4th)

Nays—19.

Barber	Johns	Parrish	Tucker
Covington	Kelly	Pope	Usher
Davis	McCarty	Roberts	Whitaker
Galloway	Mapoles	Ryan	Young
Henderson	Melton	Stratton	

So House Bill No. 424 passed, as amended.

Senator Gibson moved that the Senate reconsider the vote by which House Bill No. 424, as amended, passed the Senate this day.

And the motion went over under the rule.

Senator Gibson then moved that the Senate reconsider the vote by which the amendment to House Bill No. 424 was adopted by the Senate this day.

And the motion went over under the rule.

Tallahassee, Florida
April 12, 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 adopted—

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 SPESSARD 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 extending the invitation on behalf of the legislature of the State of Florida.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

And Senate Concurrent Resolution No. 175, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Pursuant to House Concurrent Resolution No. 168 the Senate formed in processional order and marched in a body to the Chamber of the House of Representatives, in the order of length of service as Senators, with the President and President Pro Tempore of the Senate leading, who were preceded by the Secretary of the Senate, the way being opened to the Chamber of the House of Representatives by the Sergeant At Arms of the Senate.

The House of Representatives received the Senate in due form.

Honorable Mallory E. Horne, Speaker of the House of Representatives, invited the President and the President Pro Tempore of the Senate to the rostrum, and requested the President of the Senate to preside over the Joint Session.

The President in the Chair.

By direction of the President, the Chief Clerk of the House of Representatives called the roll of the House of Representatives and the following members answered to their names:

Mr. Speaker	Dubbin	Loeffler	Schultz
Adams	Ducker	Long	Scott
Allsworth	Eddy	MacKenzie	Sims
Anderson, D. C.	Eldredge	Mann	Slade
Anderson, G. H.	Elrod	Markham	Smith
Arnold	Fagan	Marshburn	Spencer
Arrington	Faircloth	Matthews	Stallings
Ashler	Fee	Mattox	Stevens
Ayers	Fincher	McAlpin	Stolzenburg
Baker, L. L.	Fortune	McDonald	Stone
Baker, M. E.	Furlong	McLaughlin	Strickland
Basford	Gong	Mitchell, C. J.	Sweeny
Beck	Greene	Mitchell, R. O.	Thomas,A.J.,Jr.
Bell	Griffin,B.H.,Jr.	Moudry	Thomas, J.
Bennett	Griffin, J. J., Jr.	Nash	Turlington
Boyd	Grizzle	O'Neill	Usina
Broxson	Guilford	Owens	Wadsworth
Brumback	Hasson	Prescott	Walker
Carter	Holley	Pruitt	Weissenborn
Chaires	Hosford	Putnal	Wells
Chappell	Inman	Ramos	Westberry
Chiles	Jones	Reed	Whitfield
Craig	Jordan	Roberts, C. A.	Williams, B. C.
Crews	Karl	Roberts, E. S.	Williams, J. J.
Daniel	Karst	Rowell	Wingate
Davis	Knopke	Russ	Wise
Deeb	Knowles	Russell, C. E.	Wolfson
de la Parte	Land	Russell, J. T.	Zacchini
Dressler	Liles	Saunders, J. A.	

—115.

A quorum of the House of Representatives was declared present.

By direction of the President, the Secretary of the Senate called the roll of the Senate and the following members answered to their names:

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

—43.

A quorum of the Senate was declared present.

The President announced a quorum of the Joint Session present.

Senator Mathews moved that a committee be appointed to escort Dr. Ed Annis, President-elect of the American Medical Association, to the rostrum.

Which was agreed to and the President appointed Senators Mathews, Edwards and Johnson (6th) as the committee which escorted Dr. Annis to the rostrum where he received a standing ovation.

The President of the Senate requested the Speaker of the House of Representatives to take the Chair.

The Speaker in the Chair.

The Speaker presented Dr. Judd Chapman, President-elect of the American Optometrical Association, to the Body.

The Speaker presented Dr. Annis who spoke briefly to the Joint Assembly.

The President in the Chair.

The committee previously appointed then escorted Dr. Annis from the rostrum and from the House Chamber.

Senator Cross moved that the Senate withdraw from the Joint Assembly and resume its Session in the Senate Chamber.

Which was agreed to and the Senate returned to the Senate Chamber in processional order and resumed its Session at 11:33 o'clock A. M.

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

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

—42.

A quorum present.

Senator Friday was excused from further attendance upon the Session.

Senator Cross, Chairman of the Committee on Rules and Calendar, moved that the Report of the Committee on Rules and Calendar adopted by the Senate on April 3, 1963, be amended in the following respect:

The membership of the Committee on Pensions and Retirement shall be increased from seven members to nine members.

Which was agreed to and it was so ordered.

The President announced the appointment of Senators Pope and Friday as additional members of the Committee on Pensions and Retirement.

The Senate resumed consideration of messages from the House of Representatives.

Tallahassee, Florida
April 10, 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 adopted—

By the Committee on Public Roads & Highways—

C. S. FOR H. R. NO. 194

H. C. R. NO. 194—A CONCURRENT RESOLUTION PROVIDING FOR THE APPOINTMENT OF A JOINT COMMITTEE TO STUDY THE POLICIES, LAWS AND PRACTICES INVOLVED IN THE ISSUANCE AND SALE OF REVENUE CERTIFICATES OR REVENUE BONDS IN THE STATE OF FLORIDA AND REQUIRING SAID COMMITTEE TO MAKE ITS REPORT AND FILE RECOMMENDATIONS.

WHEREAS, the Constitution of the State of Florida contains a prohibition against state indebtedness except in certain limited cases as provided therein, and

WHEREAS, the Supreme Court of Florida has determined that the above constitutional prohibition does not prevent governmental agencies from issuing and selling revenue certificates or revenue bonds which do not legally pledge the full credit of the State, and

WHEREAS, the counties and municipalities of this State have issued and sold revenue certificates or revenue bonds in the hundreds of millions of dollars to finance county and municipal programs, and

WHEREAS, the Florida Turnpike Authority, the Florida Development Commission, the State Road Department, the Board of Administration, the Board of Control, the Inter-American Center Authority, the Board of Education, and other governmental agencies are authorized to and have issued and sold millions of dollars in revenue certificates or revenue bonds to provide funds for governmental needs, and

WHEREAS, in his message to the 1963 Legislature, His Excellency, Farris Bryant, Governor of the State of Florida, has asked the Legislature to authorize the issuance and sale of an additional one hundred twenty-five million ($125,000,000) dollars of revenue certificates or revenue bonds to finance higher education and other vital state programs, and

WHEREAS, there has developed legislative concern over the policies, laws and practices of financing government through the extensive use of revenue certificates or revenue bonds, and

WHEREAS, the limitations of a sixty (60) day legislative session require speedy resolution of this legislative concern, and

WHEREAS, the committees of the Senate and the House pertaining to finance and taxation contain those legislators immediately concerned with financing and governmental needs and who must first resolve this legislative concern, NOW, THEREFORE,

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

That a joint committee of six (6) members forthwith be appointed to investigate the methods, safeguards, limitations, interest rates, and other matters which should be observed in governmental financing through the issuance and sale of revenue certificates or revenue bonds and all aspects of state law, policy and practices thereof.

BE IT FURTHER RESOLVED that the President of the Senate forthwith appoint three (3) members from the Senate Committee on Finance and Taxation to this joint committee and the Speaker of the House forthwith appoint three (3) members of the House Committee on Finance and Taxation to this joint committee.

BE IT FURTHER RESOLVED that such joint committee make a report of its findings together with its recommendations to the Senate and to the House of Representatives not later than May 15, 1963.

BE IT FURTHER RESOLVED that it is the sense of the Legislature that this committee shall make a thorough inquiry, time permitting, into all aspects of State laws, policies and practices in the issuance and sale of revenue certificates or revenue bonds. To this end, the Legislature urges this joint committee to fully utilize the knowledge, experience and abilities of accountants, attorneys, bankers, brokers, financial advisers and others who have such knowledge and experience. All such persons within and without the State of Florida are urged to give this joint committee their full cooperation and assistance.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

And Committee Substitute for House Resolution No. 194 House Concurrent Resolution No. 194, contained in the above message, was read the first time in full and referred to the Committee on Judiciary "C".

Tallahassee, Florida
April 12, 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 Russell of Madison—

H. B. NO. 341—A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF MADISON; AMENDING SECTIONS 12, 127 AND 129 OF CHAPTER 23390, LAWS OF FLORIDA, 1945, INCORPORATING THE CITY OF MADISON; PROVIDING FOR CANDIDATES' PETITION FOR NOMINATION AND MAXIMUM CAMPAIGN EXPENSES; PROVIDING HOURS DURING WHICH REGISTRATION BOOKS SHALL BE OPEN FOR REGISTRATION; AND PROVIDING THE HOURS DURING WHICH POLLS SHALL BE OPEN FOR VOTING.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Proof of publication of Notice was attached to House Bill No. 341 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.

And House Bill No. 341, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Tallahassee, Florida
April 12, 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 Representatives Roberts, Thomas, Moudry and Reed of Palm Beach—

H. B. NO. 317—A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 57-1698, LAWS OF FLORIDA, SPECIAL ACTS OF 1957, BEING AN ACT RELATING TO AND CONCERNING THE VILLAGE OF PALM SPRINGS, IN PALM BEACH COUNTY, FLORIDA, BY ADDING SECTION 4, ARTICLE V, RELATING TO THE AUTHORITY OF TOWN POLICE OFFICERS TO MAKE ARRESTS OUTSIDE THE CORPORATE LIMITS OF THE TOWN; AND PROVIDING AN EFFECTIVE DATE.

Proof of publication attached.

Also—

By Representatives Roberts, Thomas, Moudry and Reed of Palm Beach—

H. B. NO. 321—A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 57-1478, SPECIAL ACTS OF 1957, RELATING TO THE CHARTER OF THE TOWN OF LAKE CLARKE SHORES, PALM BEACH COUNTY, FLORIDA, A MUNICIPAL CORPORATION, BY ADDING TO ARTICLE 4 THEREOF A SECTION 15, RELATING TO THE AUTHORITY OF THE TOWN MARSHAL AND HIS DEPUTIES TO MAKE ARRESTS OUTSIDE THE CORPORATE LIMITS OF THE TOWN WHILE IN FRESH PURSUIT.

Proof of publication attached.

Also—

By Representatives Pruitt and Dressler of Brevard—

H. B. NO. 325—A BILL TO BE ENTITLED AN ACT RELATING TO COURT OF RECORD OF BREVARD COUNTY; AMENDING SECTIONS 5, 7, 9, 13 AND 22 OF CHAPTER 61-605, LAWS OF FLORIDA; AUTHORIZING THE COURT TO TRY CASES IN CONTINUOUS TERM; CHANGING AND FIXING THE TERM OF OFFICE AND COMPENSATION OF THE JUDGE OR JUDGES; PROVIDING FOR THE QUALIFICATION AND ELECTION OF JUDGE OR JUDGES; AUTHORIZING CHANGES IN SALARY FOR CERTAIN ELECTED OFFICIALS OF COURT; FIXING BOND OF THE CLERK; PROVIDING FOR ASSIGNMENT AND TRANSFER OF SUBSTITUTE JUDGE OR JUDGES IN THE EVENT OF ABSENCE, ILLNESS, OR DISQUALIFICATION; VALIDATING CERTAIN PRIOR PROCEEDINGS; PROVIDING AN EFFECTIVE DATE.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Proof of publication of Notice was attached to House Bill No. 317 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.

And House Bill No. 317, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 321 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.

And House Bill No. 321, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 325 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.

And House Bill No. 325, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Tallahassee, Florida
April 12, 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 Representatives Roberts, Thomas, Moudry and Reed of Palm Beach—

H. B. NO. 314—A BILL TO BE ENTITLED AN ACT RELATING TO PALM BEACH COUNTY; PROVIDING FOR THE SALARY OF THE COUNTY SOLICITOR OF THE CRIMINAL COURT OF RECORD IN AND FOR PALM BEACH COUNTY; PROVIDING THAT SAID COUNTY SOLICITOR SHALL BE AUTHORIZED TO EMPLOY ASSISTANT COUNTY SOLICITORS AND INVESTIGATORS; PROVIDING FOR THE COMPENSATION OF SAID ASSISTANTS AND INVESTIGATORS; PROVIDING THAT SAID COUNTY SOLICITOR SHALL NOT ENGAGE IN THE PRIVATE PRACTICE OF LAW DURING HIS TENURE OF OFFICE; PROVIDING FOR THE AUTHORIZATION OF CERTAIN EXPENDITURES; PROVIDING FOR THE REPEAL OF CHAPTER 61-675; LAWS OF 1961; PROVIDING EFFECTIVE DATE.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Proof of publication of Notice was attached to House Bill No. 314 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.

And House Bill No. 314, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Tallahassee, Florida
April 12, 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 Representatives Roberts, Thomas, Moudry and Reed of Palm Beach—

H. B. NO. 315—A BILL TO BE ENTITLED AN ACT RELATING TO THE COMPENSATION OF THE SUPERVISOR OF REGISTRATION OF PALM BEACH COUNTY; REQUIRING SAID SUPERVISOR TO KEEP RECORDS AND TO ACCOUNT TO THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY FOR ALL FEES AND COMMISSIONS OR OTHER REMUNERATION OF HIS OFFICE, EXCEPT THE SALARY OF SUPERVISOR; PROVIDING FOR THE DISPOSITION OF SUCH FUNDS; RELATING TO CHARGES AND FEES OF THE OFFICE AND TO THE FURNISHING OF LISTS OF VOTERS TO THE EXECUTIVE COMMITTEES OF RECOGNIZED POLITICAL PARTIES; REPEALING ALL LAWS IN CONFLICT; PROVIDING AN EFFECTVE DATE.

Proof of publication attached.

Also—

By Representatives Roberts, Thomas, Moudry and Reed of Palm Beach—

H. B. NO. 316—A BILL TO BE ENTITLED AN ACT CONFIRMING, RATIFYING AND APPROVING THE PAYMENT OF ALL MONEYS HERETOFORE MADE BY THE BOARD OF COUNTY COMMISSIONERS OF

PALM BEACH COUNTY, FLORIDA, TO THE ANIMAL RESCUE LEAGUE OF THE PALM BEACHES, INC., A CORPORATION NOT FOR PROFIT; TO AUTHORIZE AND EMPOWER THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY TO MAKE APPROPRIATIONS AND PAYMENTS FROM THE GENERAL FUND OF PALM BEACH COUNTY NOT EXCEEDING THE SUM OF FIVE THOUSAND DOLLARS PER YEAR TO SAID CORPORATION FOR RENDERING SERVICES IN THE CARE AND BURIAL OF ANIMALS DEEMED NECESSARY FOR THE PUBLIC INTEREST, HEALTH AND WELFARE; PROVIDING AN EFFECTIVE DATE.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Proof of publication of Notice was attached to House Bill No. 315 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.

And House Bill No. 315, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 316 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.

And House Bill No. 316, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Tallahassee, Florida
April 12, 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 Fee of St. Lucie—

H. B. NO. 293—A BILL TO BE ENTITLED AN ACT RELATING TO ST. LUCIE COUNTY; PROVIDING FOR ASSESSMENT OF THE TAXES OF ANY MUNICIPALITY BY THE COUNTY TAX ASSESSOR AND THE COLLECTION THEREOF BY THE TAX COLLECTOR OF SUCH COUNTY UPON APPLICATION BY ANY MUNICIPALITY LOCATED THEREIN FOR SUCH SERVICES; PROVIDING FOR REASONABLE COMPENSATION FOR THE COUNTY TAX ASSESSOR AND COUNTY TAX COLLECTOR FOR SUCH ADDITIONAL DUTIES TO BE PAID BY THE MUNICIPALITY FOR WHICH SUCH DUTIES ARE PERFORMED; PROVIDING A REFERENDUM.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

And House Bill No. 293, contained in the above message, was read the first time by title only.

Senator McCarty moved that the rules be waived and House Bill No. 293 be read the second time by title only.

Which was agreed to by a two-thirds vote and House Bill No. 293 was read the second time by title only.

Senator McCarty moved that the rules be further waived and House Bill No. 293 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. 293 was read the third time in full.

Upon the passage of House Bill No. 293 the roll was called and the vote was:

Yeas—42.

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

Nays—None.

So House Bill No. 293 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Tallahassee, Florida
April 12, 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 Representatives Usina and Craig of St. Johns—

H. B. NO. 62—A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TAX COLLECTOR OF ST. JOHNS COUNTY, FLORIDA, TO PREPARE AND USE ITEMIZED TAX BILLS SHOWING EXACT MILEAGE AND AMOUNT OF TAX PERTAINING TO EACH SEPARATE TAXING UNIT IN SAID COUNTY FOR 1963 TAXES AND SUBSEQUENT YEARS, AND PROVIDING TIME FOR TAKING EFFECT.

Proof of publication attached.

Also—

By Representatives Usina and Craig of St. Johns—

H. B. NO. 65—A BILL TO BE ENTITLED AN ACT CANCELLING UNSETTLED ACCOUNTS WITH ST. JOHNS COUNTY, FLORIDA, IN AUDITOR'S REPORTS NUMBERED 3697, 3963, 4444, 4774 AND 5339, AND PROVIDING THAT COMMISSIONS HELD BY THE STATE, PENDING SETTLEMENT, SHALL BE PAID TO THE GENERAL FUND OF ST. JOHNS COUNTY, FLORIDA, AND PROVIDING TIME FOR TAKING EFFECT.

Proof of publication attached.

Also—

By Representative Miner of Hendry—

H. B. NO. 97—A BILL TO BE ENTITLED AN ACT RELATING TO THE POWERS OF THE BOARD OF PUBLIC INSTRUCTION OF HENDRY COUNTY, FLORIDA, AND AUTHORIZING THEM TO MAKE NON-BID PURCHASES NOT TO EXCEED $1,000.00.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Proof of publication of Notice was attached to House Bill No. 62 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.

And House Bill No. 62, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 65 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.

And House Bill No. 65, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 97 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.

And House Bill No. 97, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

ORDER OF THE DAY

CONSIDERATION OF BILLS AND JOINT RESOLUTIONS ON SECOND READING

S. B. NO. 38—A BILL TO BE ENTITLED AN ACT REQUIRING THE ISSUANCE OF TRAFFIC CITATION FORMS BY TRAFFIC-ENFORCEMENT AGENCIES WITH RESPONSIBILITY FOR THE ISSUANCE OF AND THE MAINTENANCE OF RECORDS CONCERNING SUCH CITATIONS IN THE ADMINISTRATIVE OFFICER OF EACH SUCH AGENCY; PROVIDING A FORM FOR A UNIFORM TRAFFIC TICKET AND COMPLAINT; PROVIDING AN EFFECTIVE DATE.

Having been read the second time by title and amended on April 10, 1963, was taken up in its order, read the third time in full, as amended, and put upon its passage.

Upon the passage of Senate Bill No. 38, as amended, the roll was called and the vote was:

Yeas—38.

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

Nays—1.

Davis

So Senate Bill No. 38 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

S. B. NO. 9—A BILL TO BE ENTITLED AN ACT RELATING TO CONTRABAND ARTICLES; PROHIBITING THE INTRODUCTION OF SUCH ARTICLES INTO THE COUNTY JAILS; PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE.

Was taken up in its order.

Senator Spottswood moved that the rules be waived and Senate Bill No. 9 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 9 was read the second time by title only.

The following Committee Substitute for Senate Bill No. 9:

By the Committee on Judiciary "B"—

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 9—A BILL TO BE ENTITLED AN ACT RELATING TO CONTRABAND ARTICLES; PROHIBITING THE INTRODUCTION OF SUCH ARTICLES INTO THE COUNTY JAILS; PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE.

Was read the first time by title only.

Senator Spottswood moved that the rules be waived and the Committee Substitute for Senate Bill No. 9 be read the second time by title only.

Which was agreed to by a two-thirds vote and the Committee Substitute for Senate Bill No. 9 was read the second time by title only.

Senator Spottswood moved the adoption of the Committee Substitute for Senate Bill No. 9.

Which was agreed to and the Committee Substitute for Senate Bill No. 9 was adopted.

Senator Spottswood moved that the rules be further waived and Committee Substitute for Senate Bill No. 9 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote and Committee Substitute for Senate Bill No. 9 was read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 9 the roll was called and the vote was:

Yeas—39.

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

Nays—None.

So Committee Substitute for Senate Bill No. 9 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. NO. 11—A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF OBSCENE OR INDECENT LANGUAGE BY AN ANONYMOUS TELEPHONE CALLER; PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE.

Was taken up in its order.

Senator Spottswood moved that the rules be waived and Senate Bill No. 11 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 11 was read the second time by title only.

The following Committee Substitute for Senate Bill No. 11:

By the Committee on Judiciary "B"—

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 11—A BILL TO BE ENTITLED AN ACT RELATING TO LEWD, LASCIVIOUS OR INDECENT LANGUAGE OVER THE TELEPHONE.

Was read the first time by title only.

Senator Spottswood moved that the rules be waived and the Committee Substitute for Senate Bill No. 11 be read the second time by title only.

Which was agreed to by a two-thirds vote and the Committee Substitute for Senate Bill No. 11 was read the second time by title only.

Senator Spottswood moved the adoption of the Committee Substitute for Senate Bill No. 11..

Which was agreed to and the Committee Substitute for Senate Bill No. 11 was adopted.

Senator Spottswood moved that the rules be further waived and Committee Substitute for Senate Bill No. 11 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote and Committee Substitute for Senate Bill No. 11 was read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 11 the roll was called and the vote was:

Yeas—38.

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

Nays—None.

So Committee Substitute for Senate Bill No. 11 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. NO. 140—A BILL TO BE ENTITLED AN ACT RELATING TO JUVENILE COURTS; AMENDING SECTION 39.02(1), FLORIDA STATUTES, LIMITING THE JURISDICTION OF JUVENILE COURTS IN CASES WHERE CHILD VIOLATES MOTOR VEHICLE LAWS; PROVIDING AN EFFECTIVE DATE.

Was taken up in its order.

Senator Galloway moved that the rules be waived and Senate Bill No. 140 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 140 was read the second time by title only.

The Committee on Judiciary "B" offered the following amendment to Senate Bill No. 140:

In Section 1, line 22, on page 1, strike out the word "shall" and insert in lieu thereof the following: may

Senator Galloway moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Galloway moved that the rules be further waived and Senate Bill No. 140, 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. 140, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 140, as amended, the roll was called and the vote was:

Yeas—40.

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

Nays—None.

So Senate Bill No. 140 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

S. B. NO. 16—A BILL TO BE ENTITLED AN ACT RELATING TO WRECKED AND DERELICT PROPERTY, GENERALLY; AMENDING CHAPTER 705 BY AMENDING SECTIONS 705.03, 705.06; REPEALING SECTION 705.04, NUMBERING PRESENT SECTION 705.01 AS SUBSECTION (1) AND ADDING SUBSECTION (2); ADDING SECTIONS 705.09, 705.10, 705.11, 705.12, 705.13, 705.14, 705.15, ALL FLORIDA STATUTES; PROVIDING FOR THE DISPOSAL OF CONFISCATED OR CONTRABAND PERSONAL PROPERTY BY SHERIFFS; PROVIDING FOR DISPOSITION OF PROCEEDS; PROVIDING FOR SUIT TO RECOVER PROPERTY WRONGFULLY WITHHELD; PROVIDING FOR DISPOSITION AND APPRAISAL OF PROPERTY; PROVIDING FOR FILING OF CLAIMS AND SERVICE OF PROCESS; PROVIDING A PROCEDURE FOR JUDGMENT OF FORFEITURE; PROVIDING FOR FEES FOR SERVICES; PROVIDING AN EFFECTIVE DATE.

Was taken up in its order.

Senator Spottswood moved that the rules be waived and Senate Bill No. 16 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 16 was read the second time by title only.

Senator Spottswood moved that the rules be further waived and Senate Bill No. 16 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. 16 was read the third time in full.

Upon the passage of Senate Bill No. 16 the roll was called and the vote was:

Yeas—34.

Mr. President	Davis	Johnson (19th)	Spottswood
Barron	Edwards	Kelly	Stratton
Blank	Fraser	McCarty	Tucker
Campbell	Galloway	Mapoles	Usher
Clarke	Gibson	Mathews	Whitaker
Cleveland	Henderson	Melton	Williams (4th)
Connor	Herrell	Parrish	Young
Covington	Hollahan	Pearce	
Cross	Johns	Ryan	

Nays—None.

So Senate Bill No. 16 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 74 was taken up in its order and the consideration thereof was temporarily deferred, the Bill retaining its place on the Calendar of Bills on Second Reading.

S. B. NO. 68—A BILL TO BE ENTITLED AN ACT RELATING TO FUNDS UNDER THE SUPERVISION OF THE MOTOR VEHICLE COMMISSIONER; RE-

PEALING SECTIONS 318.05 AND 320.22, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

Was taken up in its order.

Senator Galloway moved that the rules be waived and Senate Bill No. 68 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 68 was read the second time by title only.

Senator Galloway moved that the rules be further waived and Senate Bill No. 68 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. 68 was read the third time in full.

Upon the passage of Senate Bill No. 68 the roll was called and the vote was:

Yeas—39.

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

Nays—None.

So Senate Bill No. 68 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. NO. 111—A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 45, SECTION 20, SUBSECTIONS (1) AND (2) BY RAISING PARENTAL RESPONSIBILITY FOR DAMAGES INCURRED BY MINOR CHILDREN FROM THREE HUNDRED (300) DOLLARS TO ONE THOUSAND (1,000) DOLLARS; PROVIDING AN EFFECTIVE DATE.

Was taken up in its order.

Senator Young moved that the rules be waived and Senate Bill No. 111 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 111 was read the second time by title only.

The Committee on Judiciary "A" offered the following amendment to Senate Bill No. 111:

In Section 2, line 4, page 1, strike: "immediately upon becoming a law." and insert in lieu thereof the following: September 1, 1963.

Senator Young moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Young offered the following amendment to Senate Bill No. 111:

In title, line 2, page 1, following: "SUB-SECTIONS (1) AND (2)" insert the following: , FLORIDA STATUTES,

Senator Young moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Young moved that the rules be further waived and Senate Bill No. 111, 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. 111, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 111, as amended, the roll was called and the vote was:

Yeas—39.

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

Nays—None.

So Senate Bill No. 111 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

S. B. NO. 46—A BILL TO BE ENTITLED AN ACT RELATING TO RELINQUISHING A TELEPHONE PARTY LINE IN AN EMERGENCY; DEFINING A PARTY LINE; PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE.

Was taken up in its order.

Senator Mathews moved that the rules be waived and Senate Bill No. 46 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 46 was read the second time by title only.

The Committee on Judiciary "A" offered the following amendment to Senate Bill No. 46:

In Section 2, line 1, page 2, strike the words: "upon becoming a law." and insert in lieu thereof the following: September 1, 1963.

Senator Mathews moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Mathews moved that the rules be further waived and Senate Bill No. 46, 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. 46, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 46, as amended, the roll was called and the vote was:

Yeas—39.

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

Nays—None.

So Senate Bill No. 46 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

S. B. NO. 104—A BILL TO BE ENTITLED AN ACT RELATING TO JUDGMENTS AND EXECUTIONS; AMENDING CHAPTER 55, FLORIDA STATUTES, BY ADDING SECTION 55.611, PROVIDING FOR THE CHARGING OF ALL SUPPLEMENTARY PROCEEDINGS COSTS, AS WELL AS RELATED COSTS, AGAINST THE DEFENDANT; PROVIDING EFFECTIVE DATE.

Was taken up in its order.

Senator Cross moved that the rules be waived and Senate Bill No. 104 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 104 was read the second time by title only.

Senator Cross moved that the rules be further waived and Senate Bill No. 104 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. 104 was read the third time in full.

Upon the passage of Senate Bill No. 104 the roll was called and the vote was:

Yeas—37.

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

Nays—2.

Mapoles	Tucker

So Senate Bill No. 104 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Cross requested permission of the Senate to be shown as a co-introducer of Senate Bill No. 47.

Permission was granted.

S. B. NO. 47—A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 811, FLORIDA STATUTES, RELATING TO LARCENY; RECEIVING STOLEN GOODS; RELATED CRIMES; PROHIBITING THE FALSE AND FRAUDULENT PROCURING OF A MORTGAGE OR MORTGAGE NOTE OR FALSELY PROCURING THE SIGNATURE OF ANY PERSON TO ANY MORTGAGE OR MORTGAGE NOTE WITH INTENT TO DEPRIVE OR DEFRAUD THE TRUE OWNER OF HIS PROPERTY AND PROVIDING A PENALTY FOR A VIOLATION THEREOF; PROVIDING AN EFFECTIVE DATE.

Was taken up in its order.

Senator Mathews moved that the rules be waived and Senate Bill No. 47 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 47 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 47 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. 47 was read the third time in full.

Upon the passage of Senate Bill No. 47 the roll was called and the vote was:

Yeas—38.

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

Nays—None.

So Senate Bill No. 47 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. NO. 120—A BILL TO BE ENTITLED AN ACT RELATING TO PROBATE LAW; AMENDING SECTION 735.10(2), FLORIDA STATUTES; REDUCING TIME CREDITORS ARE ALLOWED FOR FILING CLAIMS AGAINST DECEDENTS' ESTATES; PROVIDING AN EFFECTIVE DATE.

Was taken up in its order.

Senator Blank moved that the rules be waived and Senate Bill No. 120 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 120 was read the second time by title only.

The Committee on Judiciary "A" offered the following amendment to Senate Bill No. 120:

In Section 2, line 1, page 1, strike the words: "upon becoming a law." and insert in lieu thereof the following: September 1, 1963.

Senator Blank moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Blank moved that the rules be further waived and Senate Bill No. 120, 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. 120, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 120, as amended, the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So Senate Bill No. 120 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

S. B. NO. 145—A BILL TO BE ENTITLED AN ACT RELATING TO THE ABUSE OF CHILDREN; REQUIRING REPORTS BY PHYSICIANS AND INSTITUTIONS OF CERTAIN PHYSICAL ABUSE OF CHILDREN; PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE.

Was taken up in its order.

Senator Mathews moved that the rules be waived and Senate Bill No. 145 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 145 was read the second time by title only.

The Committee on Judiciary "A" offered the following amendment to Senate Bill No. 145:

In Section 2, line 7, page 1, insert after the word "him" a comma and also insert after the word "means" a comma

Senator Mathews moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Judiciary "A" also offered the following amendment to Senate Bill No. 145:

In Section 4, line 4, on page 2, strike: the words "in so doing" and insert in lieu thereof the following: be presumed to be acting in good faith and in so doing shall

Senator Mathews moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Judiciary "A" also offered the following amendment to Senate Bill No. 145:

In Section 7, line 1, page 2, strike the words: "immediately upon becoming a law." and insert in lieu thereof the following: September 1, 1963.

Senator Mathews moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Mathews moved that the rules be further waived and Senate Bill No. 145, 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. 145, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 145, as amended, the roll was called and the vote was:

Yeas—37.

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

Nays—1.

Davis

So Senate Bill No. 145 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Cross requested permission of the Senate to be shown as a co-introducer of Senate Bill No. 198.

Permission was granted.

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.

Was taken up in its order.

Senator Mathews moved that the rules be waived and Senate Bill No. 198 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 198 was read the second time by title only.

The Committee on Judiciary "A" offered the following amendment to Senate Bill No. 198:

Strike: Section 4. and insert in lieu thereof the following:

Section 4. 117.09, Florida Statutes, is a new section to read:

117.09 Penalties.—(1) Every notary public in the state shall require reasonable proof of the identity of the person whose signature is being notarized and such person must be in the presence of the notary public at the time the signature is notarized. Any notary public violating the above provision shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars ($500) or by imprisonment for not more than six (6) months or by both such fine and imprisonment. It shall be no defense under this section that the notary public acted without intent to defraud. (2) Any notary public in this state who shall falsely or fraudulently take any acknowledgement of any instrument as a notary public or who falsely or fraudulently makes any certificate as a notary public or who falsely takes or receives an acknowledgement of the signature on any written instrument shall be deemed guilty of a felony and upon conviction shall be punished by imprisonment in the state prison not exceeding five (5) years or by a fine not exceeding five thousand dollars ($5,000) or by both such fine and imprisonment.

Senator Mathews moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Mathews moved that the rules be further waived and Senate Bill No. 198, 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. 198, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 198, as amended, the roll was called and the vote was:

Yeas—38.

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

Nays—None.

So Senate Bill No. 198 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

S. B. NO. 130—A BILL TO BE ENTITLED AN ACT RELATING TO THE DISPENSING OF LIQUOR AND BEVERAGES; REPEALING SECTION 569.07, FLORIDA STATUTES, PROHIBITING THE SALE OF LIQUOR TO INDIANS; PROVIDING EFFECTIVE DATE.

Was taken up in its order.

Senator Ryan moved that the rules be waived and Senate Bill No. 130 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 130 was read the second time by title only.

Senator Ryan moved that the rules be further waived and Senate Bill No. 130 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. 130 was read the third time in full.

Upon the passage of Senate Bill No. 130 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So Senate Bill No. 130 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. NO. 49—A BILL TO BE ENTITLED AN ACT RELATING TO THE BEVERAGE LAW; AMENDING CHAPTER 561, FLORIDA STATUTES, BY ADDING THERETO SECTION 561.221, PROVIDING THAT NOTHING CONTAINED IN THE BEVERAGE LAW SHALL PROHIBIT THE OWNERSHIP, MANAGEMENT, OPERATION OR CONTROL OF NOT MORE THAN ONE (1) VENDOR'S LICENSE BY A MANUFACTURER OF MALT BEVERAGES; AND PROVIDING AN EFFECTIVE DATE.

Was taken up in its order.

Senator Whitaker moved that the rules be waived and Senate Bill No. 49 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 49 was read the second time by title only.

The Committee on Temperance offered the following amendment to Senate Bill No. 49:

In Section 1, line 8, page 1, following the words: "of not more than one (1) vendor's license" insert the following: for the sale of alcoholic beverages

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 49, 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. 49, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 49, as amended, the roll was called and the vote was:

Yeas—34.

Mr. President	Davis	Johnson (19th)	Ryan
Barron	Edwards	Johnson (6th)	Spottswood
Blank	Fraser	Kelly	Stratton
Boyd	Galloway	McCarty	Tucker
Campbell	Gautier	Mapoles	Usher
Clarke	Gibson	Melton	Whitaker
Cleveland	Henderson	Parrish	Williams (4th)
Covington	Herrell	Pearce	
Cross	Johns	Pope	

Nays—1.

Young

So Senate Bill No. 49 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Stratton, Chairman of the Committee on Labor and Industry, moved that the Committee on Labor and Industry 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 when the Senate adjourns at this Session it adjourn to reconvene at 3:00 o'clock P. M., Monday, April 15, 1963.

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 12:59 o'clock P. M., until 3:00 o'clock P. M., Monday, April 15, 1963.