

JOURNAL OF THE SENATE

Wednesday, June 5, 1963

The Senate convened at 1:00 o'clock P. M., pursuant to adjournment on Tuesday, June 4, 1963.

The President in the Chair.

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

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

—44.

A quorum present.

Senator Friday was excused from attendance upon the Session.

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

Guide us, O God, in these difficult times. Help us to keep a sane balance between the right of the individual to express his personal opinion and the will of the majority. Grant that we may always so inform our own opinions that when we express them, they may help and not hinder the truth. We ask this, knowing that thou art the source of all truth. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Thursday, May 30, 1963, was further corrected as follows:

Page 1561, column 1, line 36, counting from the bottom of the column, strike the numerals "17909" and insert in lieu thereof: 17809

Also—

Page 1561, column 1, line 13, counting from the bottom of the column, strike the numerals "28607" and insert in lieu thereof: 28697

Also—

Page 1561, column 1, line 13, counting from the bottom of the column, between the numeral "1953," and the word "CHAPTER" insert the following: CHAPTER 28425, 1953, CHAPTER 28607, 1953,

Also —

Page 1561, column 1, line 4, counting from the bottom of the column, strike the numerals "2709" and insert in lieu thereof: 27099

Also—

Page 1561, column 2, line 10, strike the numerals "1015" and insert in lieu thereof the following: 1016, CHAPTER 57-1053, CHAPTER 57-1015,

Also—

Page 1561, column 2, at the end of line 10 add the following: 57-1015, CHAPTER 57-1052, CHAPTER 57-927, CHAPTER

Also—

Page 1562, column 1, at the end of line 12, strike the word and hyphen "CHAP-" and insert in lieu thereof: CHAPTER

Also—

Page 1562, column 1, between lines 17 and 18 insert the following: 1949, CHAPTER 23642, 1947, CHAPTER 17863, 1937,

Also—

Page 1562, column 1, strike line 20

And as further corrected was approved.

The Senate daily Journal of Tuesday, June 4, 1963, was corrected and as corrected was approved.

REPORT OF COMMITTEE

Senator Pearce, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. NO. 1311

—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.

ENGROSSING REPORTS

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

S. B. NO. 744—A BILL TO BE ENTITLED AN ACT RELATING TO THE SUPPORT, OPERATION, AND MAINTENANCE OF THE FLORIDA WING OF THE CIVIL AIR PATROL; PROVIDING AN APPROPRIATION; 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. 744, contained in the above report, was certified to the House of Representatives immediately.

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

S. B. NO. 1048—A BILL TO BE ENTITLED AN ACT RELATING TO CONSERVATION; AMENDING CHAPTER 370, FLORIDA STATUTES, BY ADDING A NEW SECTION TO BE ENTITLED EROSION CONTROL TRUST FUND; PROVIDING FOR THE PURPOSES FOR WHICH SAID FUND MAY BE USED; PROVIDING FOR CONTROL OF AND DISBURSEMENT FROM SAID FUND BY THE STATE BOARD OF CONSERVATION; 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. 1048, contained in the above report, was certified to the House of Representatives immediately.

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

S. B. NO. 1273—A BILL TO BE ENTITLED AN ACT RELATING TO THE GAME AND FRESH WATER FISH

COMMISSION; PROVIDING FOR RESIDENT AND NON-RESIDENT LICENSE TO TAKE AND POSSESS ALLIGATORS AND CROCODILES; PROVIDING THE MANNER IN WHICH SUCH LICENSE IS TO BE ISSUED; REQUIRING REPORT; PROVIDING FOR DISPOSITION OF FEES; PROVIDING PENALTY; PROVIDING 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. 1273, contained in the above report, was certified to the House of Representatives immediately.

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

S. B. NO. 1322—A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DISTRIBUTION OF ALL MONEYS RECEIVED BY OKALOOSA COUNTY UNDER THE PROVISIONS OF CHAPTERS 550 AND 551, FLORIDA STATUTES, RELATING TO RACE TRACKS AND JAI ALAI FRONTONS; PROVIDING FOR AMOUNTS TO BE DISTRIBUTED FOR BEAUTIFICATION AND MAINTENANCE OF COURT HOUSE GROUNDS, FOR THE COUNTY HEALTH UNIT, FOR THE INDIGENT PATIENT FUND, FOR THE OKALOOSA COUNTY HOSPITAL SYSTEM, AND FOR THE REMAINING FUNDS TO BE DISTRIBUTED TO THE BOARD OF COUNTY COMMISSIONERS AND THE BOARD OF PUBLIC INSTRUCTION; PROVIDING FOR PAYMENT TO THE OKALOOSA COUNTY HOSPITAL SYSTEM FROM SUMS PAYABLE OR RECEIVED BY THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, VALIDATING AND RATIFYING PAYMENTS TO OKALOOSA COUNTY HOSPITAL SYSTEM; PROVIDING EFFECTIVE DATE.

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

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

And Senate Bill No. 1322, contained in the above report, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

ENROLLING REPORTS

Your Enrolling Clerk, to whom was referred—

S. B. NO. 1052

—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 June 4, 1963.

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

Your Enrolling Clerk to whom was referred—

C. S. FOR H. B. NO. 1774

—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 June 4, 1963.

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

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

Senator Young requested consent of the Senate to introduce the following proposed legislation:

By Senator Young—

S. B. NO. 1376—A BILL TO BE ENTITLED AN ACT PROVIDING A LEGISLATORS' EXPENSE FUND IN ANY COUNTY IN THE STATE HAVING A POPULATION OF NOT LESS THAN THREE HUNDRED FIFTY THOUSAND (350,000) NOR MORE THAN THREE HUNDRED EIGHTY-FIVE THOUSAND (385,000), ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS; AMENDING SECTION 2 OF CHAPTER 63-899, LAWS OF FLORIDA; PROVIDING THAT SUCH EXPENSE FUND BE PAID TO LEGISLATORS FROM SUCH COUNTY ELECTED IN 1962 AND THEREAFTER; PROVIDING AN EFFECTIVE DATE.

Consent was granted by a two-thirds vote of the members of the Senate, as required by Section 2, Article III of the Constitution of the State of Florida, and Senate Bill No. 1376 was read the first time by title only.

Senator Young moved that the rules be waived and Senate Bill No. 1376 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 1376 was read the second time by title only.

Senator Young moved that the rules be further waived and Senate Bill No. 1376 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. 1376 was read the third time in full.

Upon the passage of Senate Bill No. 1376 the roll was called and the vote was:

Yeas—44.

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

Nays—None.

So Senate Bill No. 1376 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Young requested consent of the Senate to introduce the following proposed legislation:

By Senator Young—

S. B. NO. 1377—A BILL TO BE ENTITLED AN ACT RELATING TO THE ESTABLISHMENT OF "HIGH POINT VOLUNTEER SPECIAL FIRE CONTROL DISTRICT" TO PROVIDE FOR THE INCORPORATION OF ALL LANDS IN PINELLAS COUNTY, FLORIDA, INCLUDED WITHIN THE BOUNDARIES AS SET FORTH BELOW, ACCORDING TO THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, AS A SPECIAL FIRE CONTROL DISTRICT; TO PROVIDE FOR THE EXTENSION OF THE BOUNDARIES THEREOF; TO PROVIDE FOR THE INCORPORATION OF ALL OF SAID LANDS AND TERRITORY INTO AND AS A SPECIAL FIRE CONTROL DISTRICT; TO PROVIDE FOR AND LIMIT THE POWERS, DUTIES AND LIABILITIES OF SAID DISTRICT IN AND ABOUT THE PURCHASE AND ACQUIRING OF FIRE-FIGHTING EQUIPMENT, FIRE STATIONS, FIRE HYDRANTS AND WATER SUPPLY

IN PREVENTION OF ALL TYPES OF FIRES; TO PROVIDE FOR INSPECTION OF PLACES OF BUSINESS, APARTMENT HOUSES AND BUILDINGS WHERE LARGE GROUPS OF PERSONS MIGHT CONGREGATE; TO PROVIDE FOR THE EXERCISE AND ADMINISTRATION OF THE POWERS OF SAID DISTRICT BY A BOARD OF COMMISSIONERS TO BE ELECTED AS PROVIDED HEREIN BELOW; TO PROVIDE FOR RAISING ALL NECESSARY FUNDS FOR FINANCING SAID DISTRICT AND ALL OF ITS PURPOSES; TO PROVIDE FOR THE LEVY, COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS AGAINST AND CREATING LIENS UPON LANDS IN SAID DISTRICT IN ORDER TO RAISE FUNDS FOR THE PURPOSES OF SAID DISTRICT AND TO DETERMINE THE BENEFITS OF SUCH ASSESSMENTS AND THE PRIORITY AND DIGNITY OF SUCH LIENS IN RAISING REVENUES FOR THE PURPOSES OF SAID DISTRICT; TO PROVIDE FOR LIMITATIONS OF CLAIMS, DEMANDS AND SUITS AGAINST SAID DISTRICT; TO AUTHORIZE AND EMPOWER SUCH DISTRICT TO MAKE AND ENTER INTO CONTRACTS WITH FIRMS AND INDIVIDUALS, NATURAL AND CORPORATE, RELATING TO ANY AND ALL OF THE PURPOSES OF SAID DISTRICT; TO AUTHORIZE THE BORROWING OF MONEY FOR THE PURPOSES OF THE DISTRICT AND PLEDGING OF NOT OVER 50% OF THE TOTAL ASSESSMENT ROLL ON TAX ANTICIPATION NOTES; AND TO PROVIDE FOR AND ESTABLISH THE PROCEEDINGS BY WHICH SAID SPECIAL FIRE CONTROL DISTRICT SHALL BECOME INCORPORATED AS A PUBLIC MUNICIPAL CORPORATION; AND PROVIDING FOR A REFERENDUM.

Consent was granted by a two-thirds vote of the members of the Senate, as required by Section 2, Article III of the Constitution of the State of Florida, and Senate Bill No. 1377 was read the first time by title only.

Senator Young moved that the rules be waived and Senate Bill No. 1377 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 1377 was read the second time by title only.

Senator Young moved that the rules be further waived and Senate Bill No. 1377 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. 1377 was read the third time in full.

Upon the passage of Senate Bill No. 1377 the roll was called and the vote was:

Yeas—44.

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

Nays—None.

So Senate Bill No. 1377 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor were received:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

June 5, 1963

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

Dear Sir:

I have today filed with the office of the Secretary of State the following acts which originated in the Senate, Regular Session, 1963, same having remained in my office for the full constitutional period of five days and will become law without my approval:

S. B. 179	S. B. 718
S. B. 184	S. B. 782
S. B. 292	S. B. 854
S. B. 315	S. B. 846
S. B. 338	S. B. 903
S. B. 415	S. B. 915
S. B. 521	S. B. 976
S. B. 650	S. B. 1059
S. B. 673	S. B. 1089
S. B. 674	S. B. 1090

Respectfully,
FARRIS BRYANT
Governor

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

June 5, 1963

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

Dear Sir:

I have today filed with the office of the Secretary of State Senate Bill No. 1055, which originated in the Senate, Regular Session, 1963, which I have approved.

Respectfully,
FARRIS BRYANT
Governor

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

June 5, 1963

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

Dear Sir:

I have today filed in the office of the Secretary of State Senate Bill No. 873, Regular Session, 1963, same having remained in my office for the full constitutional period of five days and will become law without my approval.

Respectfully,
FARRIS BRYANT
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida
June 5, 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 concurred in Senate amendment to—

By Representative Walker of Collier—

H. B. NO. 1972—A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, TO CONSTRUCT, OPERATE AND MAINTAIN CEMETERIES WITHIN COLLIER COUNTY; DECLARING THE CONSTRUCTION, OPERATION AND MAINTENANCE OF SUCH CEMETERIES FOR A COUNTY AND PUBLIC PURPOSE; AND PROVIDING FOR THE SALE OF LOTS IN SAID CEMETERIES UPON TERMS AND CONDITIONS TO BE FIXED BY THE BOARD OF COUNTY COMMISSIONERS.

Proof of publication attached.

Which amendment reads as follows:

In Section 2, line 4, on page 1, strike the “.” add ; provided that no such facilities may be constructed or operated when and where reasonable facilities are available, it being the intent of this legislation to restrict and prohibit competition with private or other enterprise where not necessary.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Tallahassee, Florida
June 5, 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 concurred in Senate amendments to—

By the Committee on Elections—

C. S. FOR H. B. NO. 512—A BILL TO BE ENTITLED AN ACT RELATING TO ELECTIONS; AMENDING SECTION 98.201, FLORIDA STATUTES, AUTHORIZING THE SUPERVISOR OF REGISTRATION TO REMOVE NAMES OF DISQUALIFIED ELECTORS FROM THE REGISTRATION BOOKS; REPEALING SECTION 101.59, FLORIDA STATUTES.

Which amendments read as follows:

Amendment No. 1—

In Section 1, line 15, on page 1, strike: “why it is believed that the registration was” and insert in lieu thereof the following: that the registration is allegedly

Amendment No. 2—

In Section 1, line 14, on page 1, strike: “once a week for four (4) consecutive weeks.” and insert in lieu thereof the following: one time.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Tallahassee, Florida
June 5, 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 concurred in Senate amendment to—

By Representative Strickland of Citrus—

H. B. NO. 1965—A BILL TO BE ENTITLED AN ACT RELATING TO LAW LIBRARIES AND FILING FEES IN CIRCUIT, COUNTY JUDGE'S, AND SMALL CLAIMS COURTS IN ANY COUNTY IN THE STATE HAVING A POPULATION OF NOT LESS THAN EIGHT THOUSAND THREE HUNDRED (8,300) AND NOT MORE THAN NINE THOUSAND FOUR HUNDRED (9,400) ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS; IMPOSING ADDITIONAL FILING FEES IN SUCH COURTS AND APPROPRIATING SAME FOR A COUNTY LAW LIBRARY; REGULATING THE CUSTODY, CONTROL AND EXPENDITURE OF SUCH FEES; DECLARING SUCH TO BE A COUNTY PURPOSE; PROVIDING EFFECTIVE DATE.

Which amendment reads as follows:

In Section 1, line 9, on page 1, strike: “two dollars and fifty cents (\$2.50)” and insert in lieu thereof the following: One dollar (\$1.00)

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Tallahassee, Florida
June 5, 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 concurred in Senate amendments to—

By Representatives Russell, Loeffler, Grizzle and Deeb of Pinellas—

H. B. NO. 2251—A BILL TO BE ENTITLED AN ACT RELATING TO PINELLAS COUNTY, FLORIDA; AUTHORIZING THE PINELLAS COUNTY HEALTH BOARD AS GOVERNING BODY OF THE MOSQUITO CONTROL DISTRICT OF PINELLAS COUNTY, FLORIDA, TO TAKE ALL NECESSARY STEPS FOR THE EXTERMINATION OF MOSQUITOES WITHIN THE COUNTY; TO ABATE AS NUISANCES BREEDING PLACES FOR MOSQUITOES; TO ENTER UPON LANDS, PUBLIC OR PRIVATE, IN SAID COUNTY FOR THE PURPOSE OF INSPECTION; TO REMOVE WITHOUT NOTICE STAGNANT WATER OR OTHER BREEDING PLACES FOR MOSQUITOES; TO PURCHASE SUCH MATERIALS AND EMPLOY SUCH LABOR AS NECESSARY IN THE FURTHERANCE OF THE OBJECTS OF THIS TITLE; TO BUILD, REPAIR AND MAINTAIN NECESSARY LEVIES, CUTS, CANALS OR CHANNELS UPON ANY LAND WITHIN THE COUNTY AND TO ACQUIRE BY PURCHASE, CONDEMNATION OR OTHER LAWFUL MEANS IN THE NAME OF THE COUNTY ANY NECESSARY LANDS NECESSARY FOR ANY OF SUCH PURPOSES; TO MAKE CONTRACTS TO INDEMNIFY OR COMPENSATE ANY OWNER OF LAND FOR DAMAGE NECESSARILY CAUSED BY THE EXERCISE OF ITS POWERS BY THIS TITLE; TO DO ANY AND ALL THINGS NECESSARY TO CARRY OUT THE OBJECTS SPECIFIED HEREIN; TO PROVIDE AN EFFECTIVE DATE.

Proof of publication attached.

Which amendments read as follows:

Amendment No. 1—

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

Section 2. The provisions of this act relate to entry upon land upon which there is no dwelling house. Entry upon all closures involving a dwelling house may be inspected upon permission of the owner or occupant thereof. In the event such permission is arbitrarily withheld by such owner or occupant inspection may be had thereafter only if such inspector has reasonable grounds to believe that such premises may be injurious to the public health and safety and forwards by mail to such occupant written notice of inspection and the date when such inspection will be made. The notice shall be signed by a member of the Board of Health of Pinellas county. Each inspector shall wear an official Board of Health badge clearly exhibiting his picture, name and number signed by a member of the Pinellas county Board of Health.

Amendment No. 2—

In Section 3, page 2, strike entire Section 3. and insert in lieu thereof the following:

Section 3. It is the Legislative intent that all Federal and State constitutional rights of the citizens of Pinellas county shall remain inviolate and shall supersede the provisions of this act particularly those relating to search and seizure and the deprivation of life, liberty and property without due process.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Tallahassee, Florida
June 5, 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 concurred in Senate amendments to—

By Representative Nash of Franklin—

H. B. NO. 1569—A BILL TO BE ENTITLED AN ACT RELATING TO THE BOARD OF COUNTY COMMISSIONERS IN ANY COUNTY IN THE STATE HAVING A POPULATION OF NOT LESS THAN SIX THOUSAND FIVE HUNDRED (6,500) AND NOT MORE THAN SIX THOUSAND SIX HUNDRED (6,600), ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS; AUTHORIZING SAID BOARD TO USE SECONDARY ROAD FUNDS TO PAVE CERTAIN STREETS; PROVIDING THAT SUCH STREETS BE PAVED BY THE STATE ROAD DEPARTMENT; PROVIDING AN EFFECTIVE DATE.

Which amendments read as follows:

Amendment No. 1—

Title, strike out entire Title and insert in lieu thereof the following: A BILL TO BE ENTITLED AN ACT RELATING TO THE DESIGNATION OF THE CITY STREETS OF CARRABELLE, FRANKLIN COUNTY; PROVIDING AN EFFECTIVE DATE.

Amendment No. 2—

Strike out: All sections following the enacting clause and insert in lieu thereof the following:

Section 1. All the city streets of Carrabelle, Franklin County, are hereby declared, designated and established as eligible to be designated state roads forming a part of the system of state roads of Florida.

Section 2. These roads shall be appropriately numbered by the state road department of Florida and shall be entitled to all rights and privileges of other designated state roads when designated as required by law.

Section 3. This act shall take effect upon becoming a law.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Tallahassee, Florida
June 5, 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 concurred in Senate amendment to—

By Representative Strickland of Citrus—

H. B. NO. 1976—A BILL TO BE ENTITLED AN ACT RELATING TO THE CITRUS COUNTY MOSQUITO CONTROL DISTRICT; PROVIDING FOR AND REGULATING THE COMPENSATION TO BE PAID THE BOARD OF COMMISSIONERS OF SAID DISTRICT; PROVIDING FOR THE MILEAGE AND PER DIEM TO BE PAID THE BOARD OF COMMISSIONERS OF SAID DISTRICT; AND AUTHORIZING THE DISTRICT TO BORROW MONIES AND SECURE PAYMENT OF ANY SUM BORROWED.

Proof of publication attached.

Which amendment reads as follows:

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

Section 2. Members of the Board of Commissioners of the Citrus County Mosquito Control District, in addition to the monthly salary to be paid them as herein provided, shall be paid mileage for inspection work and other services rendered for the district at the rate of ten cents (10¢) per mile. Provided, however, the members of the Board of Commissioners of Citrus County Mosquito Control District shall be paid mileage and per diem for other services rendered for the District for business outside of the County at the same rate as is now paid State employees.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Tallahassee, Florida
June 5, 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 concurred in Senate amendment to—

By the Committee on Statutory Revision—

H. B. NO. 2434—A BILL TO BE ENTITLED AN ACT CORRECTING, AMENDING AND REPEALING CERTAIN SECTIONS OF THE FLORIDA STATUTES PURSUANT TO SECTION 16.44, FLORIDA STATUTES, IN ACCORDANCE WITH REVISOR'S NOTES ATTACHED HERETO SHOWING CHANGES MADE AND REASON THEREFOR.

Which amendment reads as follows:

After Section 31 add the following: Section 32. Chapter 59-912, Laws of Florida, is repealed.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Tallahassee, Florida
June 5, 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 concurred in Senate amendment to—

By Representative Fagan of Alachua—

H. B. NO. 1439—A BILL TO BE ENTITLED AN ACT RECOGNIZING AND CONFIRMING CERTAIN LAND TRUSTS; PROVIDING THAT EVERY CONVEYANCE HERETOFORE OR HEREAFTER MADE TRANSFERRING INTERESTS IN REAL PROPERTY, LEASES OR MORTGAGES TO ANY PERSON OR CORPORATION QUALIFIED TO ACT AS A FIDUCIARY IN WHICH THE GRANTEE IS DESIGNATED "TRUSTEE" OR "AS TRUSTEE" SHALL VEST IN THE GRANTEE FULL RIGHTS OF OWNERSHIP OVER THE SUBJECT MATTER CONVEYED NOTWITHSTANDING NO BENEFICIARY IS NAMED THEREIN OR THAT REFERENCE THEREIN IS MADE TO ANY UNRECORDED INSTRUMENT; PROVIDING THAT NO PERSON DEALING WITH SUCH A TRUSTEE SHALL BE OBLIGATED TO INQUIRE INTO THE IDENTITY OF ANY UNNAMED BENEFICIARY, SEE TO THE ADEQUACY OR DISPOSITION OF THE PROCEEDS OR INQUIRE INTO THE PROVISIONS OF ANY UNRECORDED INSTRUMENT; PROVIDING THAT ANY PERSON DEALING WITH SUCH A TRUSTEE SHALL TAKE FREE OF THE CLAIMS OF ALL NAMED OR UNNAMED BENEFICIARIES AND OF ANYONE CLAIMING UNDER THEM; PROVIDING THAT A DECLARATION THAT THE INTEREST OF ANY BENEFICIARY IN SUCH A TRUST IS PERSONAL PROPERTY, SHALL BE CONTROLLING; AND PROVIDING AN EFFECTIVE DATE.

Which amendment reads as follows:

Following Section 5, insert the following: Section 6. This act shall not apply to any deed, mortgage or other instrument to which section 689.07, Florida Statutes, applies.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Tallahassee, Florida
June 5, 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 concurred in Senate amendments to—

By Representatives Russell, Loeffler, Deeb and Grizzle of Pinellas—

H. B. NO. 2387—A BILL TO BE ENTITLED AN ACT RELATING TO PINELLAS COUNTY CREATING A PERSONNEL DEPARTMENT AND A PERSONNEL BOARD; ESTABLISHING A MERIT SYSTEM FOR ALL EMPLOYEES UNDER THE DIRECTION AND CONTROL OF THE BOARD OF COUNTY COMMISSIONERS; DESCRIBING AND DEFINING THE PURPOSES, DUTIES, RESPONSIBILITIES AND AUTHORITY OF THE DIRECTOR OF PERSONNEL AND OF THE PERSONNEL BOARD; PRESCRIBING PENALTIES FOR THE VIOLATION OF THIS ACT AND OF THE RULES ADOPTED PURSUANT THERETO; PROVIDING AN EFFECTIVE DATE THEREOF.

Proof of publication attached.

Which amendments read as follows:

Amendment No. 1—

In Section 1, sub-section (1), paragraph (a), on page 1, strike: entire paragraph (a) and insert in lieu thereof the following:

(a) The board of county commissioners, their immediate staffs of special assistants and personal secretaries.

Amendment No. 2—

Strike: All section numbers in entire bill and insert in lieu thereof the following:

Re-number Section 1, as Section 2, and conform all section numbers in numerical order thereafter accordingly ending the amendment by renumbering Section 12, to read Section 13.

Amendment No. 3—

In section 1, on page 1, insert the following:

Section 1. It is the legislative intent:

(1) That the county employees of Pinellas county be productive employees who perform a useful county purpose.

(2) That there be no employees on the county payrolls for whom there is no employment need.

(3) That in the event the activity of the Board of County Commissioners requires that each Commissioner have an individual secretary, and the board so finds, then, in that event, each Commissioner should be authorized to employ and in his discretion discharge his individual secretary.

(4) That there be no individual, group or faction in county employ who shall create, dissension, unrest, disquiet, institute rumors or by any other act cause dissension and inefficiency to develop in county government. Such acts shall constitute ground for dismissal.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Tallahassee, Florida
June 5, 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 concurred in Senate amendment to—

By Representative Broxson of Santa Rosa—

H. B. NO. 2107—A BILL TO BE ENTITLED AN ACT RELATING TO AUTHORITY FOR THE BOARD OF COUNTY COMMISSIONERS OF SANTA ROSA COUNTY TO ESTABLISH WATER CONSERVATION DISTRICTS IN THE COUNTY, REGULATING AND DEFINING SAID POWERS; AUTHORIZING COOPERATION WITH OTHER GOVERNMENTAL BODIES; PROVIDING AUTHORITY TO LEVY A TAX FOR CERTAIN PURPOSES; PROVIDING THAT VIOLATION OF REGULATIONS PROMULGATED HEREUNDER SHALL BE A MISDEMEANOR; AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS TO CONVEY PROPERTY TO SUCH WATER CONSERVATION DISTRICTS; PROVIDING REFERENDUM.

Proof of publication attached.

Which amendment reads as follows:

In Section 11, on page 4, strike: Entire section (11) eleven and insert in lieu thereof the following:

Section (11) Eleven: This act shall take effect upon its approval by a majority of the voters at the next General Election to be held in November.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives
Tallahassee, Florida
June 5, 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 concurred in Senate amendment to—

By Representatives Griffin, Mattox and Chiles of Polk—

H. B. NO. 2438—A BILL TO BE ENTITLED AN ACT AUTHORIZING THE ESTABLISHMENT, ORGANIZATION AND COMPENSATION OF A BUDGET COMMISSION IN ALL COUNTIES OF THE STATE HAVING A POPULATION OF MORE THAN ONE HUNDRED SEVENTY-FIVE THOUSAND (175,000) AND WITH NO MUNICIPALITY HAVING A POPULATION IN EXCESS OF FIFTY THOUSAND (50,000); PROVIDING THAT THE COUNTY JUDGE, CLAIMS COURT JUDGE, CLERK OF CIRCUIT COURT, CLERK OF CRIMINAL COURT OF RECORD, TAX COLLECTOR, TAX ASSESSOR, SHERIFF, JUSTICE OF THE PEACE AND CONSTABLES SHALL RECEIVE AN ANNUAL SALARY AND NO OTHER COMPENSATION; REQUIRING JUSTICES OF THE PEACE TO RENDER A REPORT; SPECIFYING DUTIES OF THE CLERK AND TAX ASSESSOR; REQUIRING THAT ESTIMATES OF EXPENDITURES BE FILED WITH THE COMMISSION; PROVIDING FOR PUBLICATION OF MEETINGS; AUTHORIZING EXAMINATION OF BOOKS AND RECORDS OF BOARDS AND OFFICERS WHO ARE REQUIRED TO SUBMIT ESTIMATES OF EXPENDITURES; AUTHORIZING COMMISSION TO INVESTIGATE, STUDY, ANALYZE AND PASS UPON ALL PROPOSED EXPENDITURES, DETERMINE THE AMOUNT OF AD VALOREM TAXES; CREATING A BUDGET APPEAL BOARD, PROVIDING FOR APPEALS; PROVIDING FOR BUDGET INCREASES; ACT TO BE DIRECTORY AND NOT MANDATORY; PROVIDING FOR AN EFFECTIVE DATE.

Which amendment reads as follows:

In Section 24, line 25, on page 16, strike: "or special election." and insert in lieu thereof the following: general election to be held in November 1964.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives
Tallahassee, Florida
June 5, 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 concurred in Senate amendments to—

By Representative Westberry of Duval—

H. B. NO. 1703—A BILL TO BE ENTITLED AN ACT RELATING TO MOTOR VEHICLE EQUIPMENT SAFETY; AUTHORIZING THE GOVERNOR TO ENTER INTO A COMPACT WITH OTHER STATES; ESTAB-

LISHING A VEHICLE EQUIPMENT SAFETY COMMISSIONER; ESTABLISHING HIS POWERS AND DUTIES; SETTING FORTH PROCEDURES REQUIRED UNDER THE COMPACT; PROVIDING AN EFFECTIVE DATE.

Which amendments read as follows:

Amendment No. 1—

In Article V on page 7, subsection (d), line 2, after the word "action" and before the word "issuing" strike out the word "is" and insert in lieu thereof the following: in

Amendment No. 2—

In Article V(f), lines 3 and 4, on page 8, strike the words "in accordance" and insert in lieu thereof the following: shall in accordance

Amendment No. 3—

In Article V(g), line 9, on page 8, strike the word "veview" and insert in lieu thereof the following: review

Amendment No. 4—

In Article VI(b), line 3, on page 9, strike: the first word "among" and insert in lieu thereof the following: amount

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives
Tallahassee, Florida
June 5, 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 concurred in Senate amendments to—

By Representative Thomas of Palm Beach—

H. B. NO. 1153—A BILL TO BE ENTITLED AN ACT RELATING TO EXEMPT TRANSACTIONS UNDER THE UNIFORM SALE OF SECURITIES LAWS; AMENDING SECTION 517.06, FLORIDA STATUTES, BY AMENDING THE INTRODUCTORY PARAGRAPH AND SUBSECTION (7); BY REPEALING SUBSECTIONS (11) AND (15); PROVIDING A FEE WHERE NOTICE IS REQUIRED; PROVIDING FOR THE REFUSAL OF EXEMPTION WHERE OFFERING IS NOT JUST AND EQUITABLE; PROVIDING AN EFFECTIVE DATE.

Which amendments read as follows:

Amendment No. 1—

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

Section 1. Subsection (15) of section 517.06, Florida Statutes, is repealed and the introductory paragraph and subsection (7) of said section are amended to read:

517.06 Exempt transactions.—Except as hereinafter expressly provided, the provisions of this chapter shall not apply to the sale of any security described in subsections (1) through (14).

In any of the transactions referred to in subsections (8), (10) and (11), written notice is required to be given to said Florida securities commission in advance of the sale of securities in such exempt transactions, such notice to be on forms prescribed by the Florida securities commission and to contain such information as the Florida securities commission shall deem necessary to affirmatively show particular transactions to be in fact exempt transactions and permissible under this section. A twenty-five dollar (\$25.00) filing fee shall accompany each notice. The names of all persons who will be connected with the offer-

ing of such securities for sale shall be filed with such notice and the commission may require all funds received from such sales placed in escrow pending further order of the commission. No sales shall be made by any person not listed in such notice.

(7) Bonds or notes secured by mortgage upon real estate or tangible personal property where the entire mortgage, together with all of the bonds or notes secured thereby, are sold to a single purchaser of a single sale; provided, however, that such bonds or notes are not offered for sale in connection with an express recourse agreement or guarantee as to the repayment of principal or interests, or both.

Amendment No. 2—

In Title, strike the entire Title and insert in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT RELATING TO EXEMPT TRANSACTIONS UNDER THE UNIFORM SALE OF SECURITIES LAWS; REPEALING SUBSECTION (15) OF SECTION 517.06, FLORIDA STATUTES, AND AMENDING THE INTRODUCTORY PARAGRAPH AND SUBSECTION (7) OF SAID SECTION; PROVIDING A FEE WHERE NOTICE IS REQUIRED; AND DELETING INSURED MORTGAGE EXEMPTION; PROVIDING AN EFFECTIVE DATE.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Tallahassee, Florida
June 5, 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 concurred in Senate amendments to—

By Representatives Chappell and O'Neill of Marion and Stevens of Pasco—

H. B. NO. 519—A BILL TO BE ENTITLED AN ACT RELATING TO BARBER SHOPS; AMENDING CHAPTER 476, FLORIDA STATUTES, BY ADDING SECTIONS 476.221 TO 476.227, INCLUSIVE; PROVIDING FOR THE REGISTRATION OF BARBER SHOPS; FIXING THE REQUIREMENTS FOR SUCH REGISTRATION AND PROVIDING FOR THE PAYMENT OF FEES THEREFOR; PROVIDING PENALTIES; PROVIDING EXCEPTION; PROVIDING EFFECTIVE DATE.

Which amendments read as follows:

Amendment No. 1—

In Section 1 following the enacting clause: strike everything following the enacting clause and insert in lieu thereof the following:

Section 1. Chapter 476, Florida Statutes, is amended by adding new sections 476.221, 476.222 and 476.223, to read:

476.221 Barber shop registration; requirements; fee.— Every person, whether as owner, manager or agent who opens or establishes a barber shop, place or establishment in this state shall, prior to opening or establishing of such shop, place or establishment, file with the Barbers' Sani-

tary Commission the name and address of the owner of such shop and the city or town and the street and number where the same is located, together with a fee of five dollars (\$5.00). The commission shall furnish the applicant with filing forms upon request for registration. Upon receipt of the completed form and the fee the Barbers' Sanitary Commission shall issue a certificate of registration for a period of one (1) year to be renewed on or before July 1, of each year, upon the payment of a renewal fee of two dollars (\$2.00). In the event of a change of location of any registered barber shop and upon notice thereof and filing a fee of five dollars (\$5.00) with said commission, the commission shall issue a transfer of the certificate of registration of such shop to its new location.

476.222 Barber shop registration; penalties.—

(1) The commission may suspend or revoke any certificate of registration to practice barbering of any person either as owner or operator, manager or agent, who shall open, establish, conduct or maintain a shop, place or establishment in this state for the conduct of the occupation of barbering without first having received from the commission a certificate of registration for such barber shop or establishment.

(2) Before any such certificate is suspended or revoked, the holder thereof shall be given written notice of such suspension or revocation and shall, at a day specified in such notice, at least fifteen (15) days after the service thereof, be given a public hearing.

(3) Such person may, at any time before the day specified in such notice, apply for a barber shop registration certificate, which shall be issued after payment of an additional fee of ten dollars (\$10.00).

476.223 Barber shop registration; barber shops presently operating.—

Any barber shop operating on the effective date of this act shall be issued a certificate of registration for such shop upon furnishing the information set forth in section 476.221 to the commission within three (3) months after the effective date of this act accompanied by the payment of a fee of two dollars (\$2.00). The said barber shops in operation shall be subject to the renewal and penalty provisions of this act.

Section 2. This act shall take effect July 1, 1963.

Amendment No. 2—

In Title, line 3, strike: "476.227" and insert in lieu thereof: 476.223

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Tallahassee, Florida
June 5, 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 with amendment—

By the Committee on Finance and Taxation—

C. S. FOR S. B. NO. 82—A BILL TO BE ENTITLED AN ACT REPEALING ALL PROVISIONS OF GENERAL, SPECIAL AND LOCAL STATUTES AND LAWS OF

THIS STATE GRANTING EXCEPTIONS OR EXEMPTIONS FROM THE GROSS RECEIPTS TAXES IMPOSED BY CHAPTER 203, FLORIDA STATUTES; PROVIDING A RULE OF STATUTORY CONSTRUCTION PROHIBITING AN EXEMPTION FROM OR REPEAL OF TAXES IMPOSED BY CHAPTER 203 EXCEPT BY DIRECT REFERENCE THERETO; AND PROVIDING AN EFFECTIVE DATE.

Which amendment reads as follows:

In Section 5, following the word "on" strike out: "July 1, 1963" and insert the following in lieu thereof: "October 1, 1963"

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

And Committee Substitute for Senate Bill No. 82, contained in the above message, was read by title, together with the House Amendment thereto.

Senator Pearce moved that the Senate concur in the House Amendment to Committee Substitute for Senate Bill No. 82, and the Senate concurred in the House Amendment to Committee Substitute for Senate Bill No. 82.

And Committee Substitute for Senate Bill No. 82, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Edwards moved that the Senate reconsider the vote by which Senate Bill No. 979, still in the possession of the Senate, passed the Senate on June 4, 1963.

And the motion went over under the rule.

ORDER OF THE DAY

CONSIDERATION OF BILLS AND JOINT RESOLUTIONS ON SECOND READING

Senate Bill No. 1107 was taken up in its order and the consideration thereof was temporarily deferred, the Bill retaining its place on the Calendar.

H. B. NO. 1560—A BILL TO BE ENTITLED AN ACT CREATING A BOARD OF HIGHWAY SECONDARY TRUSTEES AND A HIGHWAY SECONDARY TRUST FUND; PROVIDING FOR THE APPOINTMENT OF THE MEMBERS OF THE BOARD AND THEIR TERMS OF OFFICE; PROVIDING FOR THE ISSUANCE OF FUEL TAX ANTICIPATION CERTIFICATES BY THE STATE ROAD DEPARTMENT AND THE INVESTMENT THEREIN OF MONEYS BY THE STATE BOARD OF ADMINISTRATION; PROVIDING AN EFFECTIVE DATE.

Was taken up in its order.

Senator McCarty moved that the rules be waived and House Bill No. 1560 be read the second time by title only.

Which was agreed to by a two-thirds vote and House Bill No. 1560 was read the second time by title only.

Senator Cleveland offered the following amendment to House Bill No. 1560:

In Section 2, line 3, on page 1, following the words:

"law for state" strike the word "officers" and insert in lieu thereof the following: employees

Senator Cleveland moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Finance and Taxation offered the following amendment to House Bill No. 1560:

In Section 3, line 5, on page 2, following the word "primary" insert: and secondary

Senator McCarty moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Cleveland offered the following amendment to House Bill No. 1560:

In Section 5, following the words: "as provided in Section 4 hereof." insert the following: Said certificates issued and outstanding on behalf of any one county at any one time shall not exceed five hundred thousand dollars (\$500,000).

Senator Cleveland moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Barber moved that the further consideration of House Bill No. 1560, as amended, be temporarily deferred, the Bill retaining its place on the Calendar.

Which was agreed to and it was so ordered.

S. B. NO. 1274—A BILL TO BE ENTITLED AN ACT RELATING TO LICENSES REQUIRED FOR FUR AND HIDE DEALERS; AMENDING SECTION 372.66, FLORIDA STATUTES; PROVIDING FOR ADDITIONAL AND AN INCREASE IN LICENSE FEES; PROVIDING AN EFFECTIVE DATE.

Was taken up in its order.

Senator Gibson moved that the rules be waived and Senate Bill No. 1274 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 1274 was read the second time by title only.

Senator Gibson moved that the rules be further waived and Senate Bill No. 1274 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. 1274 was read the third time in full.

Upon the passage of Senate Bill No. 1274 the roll was called and the vote was:

Yeas—43.

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

Nays—None.

So Senate Bill No. 1274 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

H. B. NO. 450—A BILL TO BE ENTITLED AN ACT RELATING TO TAX ON CIGARETTES; AMENDING SECTIONS 210.02(1)(a), (b), (c); (3)(a), (b); (4)(a), (b); (5)(a), (b), AND SECTION 210.05(3); AND ADDING SECTION 210.02(8) ALL FLORIDA STATUTES; PROVIDING DISCOUNT FOR COLLECTION; PROVIDING AN EFFECTIVE DATE.

Was taken up in its order.

Senator Stratton moved that the rules be waived and House Bill No. 450 be read the second time by title only.

Which was agreed to by a two-thirds vote and House Bill No. 450 was read the second time by title only.

The Committee on Finance and Taxation offered the following amendment to House Bill No. 450:

In Section 2, on pages 2 and 3, strike: entire Section 2 and renumber present Section 3 as Section 2.

Senator Herrell moved the adoption of the amendment.

Pending consideration of the amendment offered by the Committee on Finance and Taxation to House Bill No. 450, Senator Stratton offered the following substitute amendment for the amendment offered by the Committee on Finance and Taxation to House Bill No. 450:

After section 1 insert the following and renumber present sections 2 and 3 as sections 3 and 4:

Section 2. Subsection (3) of section 210.05, Florida Statutes, is amended to read:

210.05 Preparation and sale of stamps; discount.—

(3) The director may appoint dealers in cigarettes, manufacturers of cigarettes, within or without the state as agents to buy or affix stamps to be used in paying the tax herein imposed, or the tax imposed by any municipality as authorized herein, but an agent shall at all times have the right to appoint a person in his employ who is to affix the stamps to any cigarettes under the agent's control; provided, however, that any wholesale dealer in the state shall have the right to buy and affix such stamps. Whenever the director shall sell and deliver to any such agent or wholesaler any such stamps, such agent or wholesaler shall be entitled to receive as compensation for his services and expenses as such agent or wholesaler in affixing such stamps, and to retain out of the moneys to be paid by him for such stamps, a discount of five per cent (5%) of the par value of any amount of stamps purchased during any fiscal year from July 1 through June 30 of the following year, up to and including two million (2,000,000) stamps, and a discount of three and one-eighth per cent (3.125%) on the par value of any amount of stamps purchased during any fiscal year from July 1 through June 30 of the following year in excess of two million (2,000,000) stamps. All stamps purchased from the director under this chapter shall be paid for in cash.

Senator Stratton moved the adoption of the substitute amendment, for the amendment offered by the Committee on Finance and Taxation.

The question was put on the adoption of the substitute amendment.

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

Yeas—15.

Askew	Cleveland	Johnson (19th)	Ryan
Barron	Covington	Parrish	Stratton
Blank	Gibson	Pope	Young
Boyd	Henderson	Price	

Nays—28.

Mr. President	Davis	Johnson (6th)	Roberts
Barber	Edwards	Kelly	Spottswood
Bronson	Fraser	McCarty	Tucker
Campbell	Galloway	Mapoles	Usher
Clarke	Gautier	Mathews	Whitaker
Connor	Herrell	Melton	Williams (27th)
Cross	Hollahan	Pearce	Williams (4th)

So the substitute amendment failed of adoption.

The question recurred on the motion made by Senator Herrell.

Which was agreed to and the amendment was adopted.

The Committee on Finance and Taxation also offered the following amendment to House Bill No. 450:

In Title, lines 3 and 4, on page 1, strike: “; AND SECTION 210.05 (3) ALL FLORIDA STATUTES; PROVIDING DISCOUNT FOR COLLECTION;” and insert in lieu thereof the following: , FLORIDA STATUTES;

Senator Herrell moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Stratton moved that the rules be further waived and House Bill No. 450, 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. 450, as amended, was read the third time in full.

Upon the passage of House Bill No. 450, as amended, the roll was called and the vote was:

Yeas—33.

Askew	Davis	Kelly	Tucker
Barber	Galloway	McCarty	Usher
Barron	Gautier	Mathews	Whitaker
Blank	Gibson	Parrish	Williams (27th)
Boyd	Henderson	Pope	Williams (4th)
Bronson	Herrell	Price	Young
Campbell	Hollahan	Ryan	
Cleveland	Johns	Spottswood	
Covington	Johnson (19th)	Stratton	

Nays—10.

Mr. President	Edwards	Mapoles	Roberts
Clarke	Fraser	Melton	
Cross	Johnson (6th)	Pearce	

So House Bill No. 450 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives immediately.

S. B. NO. 1311—A BILL TO BE ENTITLED AN ACT RELATING TO CERTAIN FISHING, HUNTING, CAMPING, SWIMMING AND DIVING EQUIPMENT; LEVYING A TAX UPON CERTAIN SALES, USES, AND STORAGE THEREOF; PROVIDING FOR COLLECTION AND ADMINISTRATION THEREOF; EARMARKING THE PROCEEDS OF SUCH TAX; PROVIDING FOR CERTAIN EXEMPTIONS; PROVIDING A PENALTY; PROVIDING EFFECTIVE DATE.

Was taken up in its order.

Senator Fraser moved that the rules be waived and Senate Bill No. 1311 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 1311 was read the second time by title only.

The Committee on Finance and Taxation offered the following amendment to Senate Bill No. 1311:

In Section 3, paragraph 3, line 5, on page 4, strike: "or commercial"

Senator Fraser moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Finance and Taxation also offered the following amendment to Senate Bill No. 1311:

In Paragraph 6(e), on page 9, insert:

(f) This act shall not apply to nets and seines, and gear attached to or used directly in connection with same, used for commercial production of fish and other marine life, and such nets and gear are exempted from the payment of the tax herein proposed.

Senator Fraser moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Blank offered the following amendment to Senate Bill No. 1311:

In Section 3, subsection (2), on pages 3 and 4, renumber the present paragraphs (e), (f) and (g) as paragraphs (f), (g) and (h) and insert a new paragraph (e) to read:

(e) Every person who purchases, imports or causes to be imported into this state for resale, fishing, hunting, camping, swimming and diving equipment, who cannot prove that the tax levied by this chapter has been paid to his supplier or vendor.

Senator Blank moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Blank also offered the following amendment to Senate Bill No. 1311:

In Section 4, subsection (1), on page 7, renumber the present paragraph (b) as paragraph (c) and insert a new paragraph (b) to read:

(b) At the rate of five per cent (5%) of the cost price of each item of fishing, hunting, camping, swimming and diving equipment purchased, imported or caused to be imported into this state for resale unless the purchaser thereof can prove that the tax levied by this chapter has been paid to his supplier or vendor.

Senator Blank moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Fraser moved that the rules be further waived and Senate Bill No. 1311, 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. 1311, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 1311, as amended, the roll was called and the vote was:

Yeas—31.

Mr. President	Covington	Johnson (19th)	Ryan
Askew	Cross	Johnson (6th)	Spottswood
Blank	Fraser	Kelly	Stratton
Boyd	Galloway	Mathews	Tucker
Bronson	Gautier	Parrish	Usher
Campbell	Henderson	Pope	Williams (27th)
Cleveland	Herrell	Price	Young
Connor	Hollahan	Roberts	

Nays—11.

Barber	Davis	Mapoles	Whitaker
Barron	Gibson	Melton	Williams (4th)
Clarke	McCarty	Pearce	

So Senate Bill No. 1311 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

And Senate Bill No. 1311 was ordered immediately certified to the House of Representatives, after being engrossed.

Senator Galloway moved that the rules be waived and the Senate revert to Introduction of Resolutions, Memorials, Bills and Joint Resolutions.

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

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

Senator Galloway requested consent of the Senate to introduce the following proposed legislation:

By Senator Galloway—

S. B. NO. 1378—A BILL TO BE ENTITLED AN ACT RELATING TO CREATION OF THE CITY OF FREEPORT, IN WALTON COUNTY, FLORIDA; ESTABLISHING THE BOUNDARIES THEREOF; PROVIDING FOR ELECTION OF OFFICERS AND EFFECTIVE DATES.

Consent was granted by a two-thirds vote of the members of the Senate, as required by Section 2, Article III of the Constitution of the State of Florida, and Senate Bill No. 1378 was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1378 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 Galloway moved that the rules be waived and Senate Bill No. 1378 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 1378 was read the second time by title only.

Senator Galloway moved that the rules be further waived and Senate Bill No. 1378 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. 1378 was read the third time in full.

Upon the passage of Senate Bill No. 1378 the roll was called and the vote was:

Yeas—44.

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

Nays—None.

So Senate Bill No. 1378 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Connor requested consent of the Senate to introduce the following proposed legislation:

By Senator Connor—

S. B. NO. 1379—A BILL TO BE ENTITLED AN ACT RELATING TO THE HERNANDO COUNTY AVIATION AUTHORITY; AMENDING SECTION 4 OF CHAPTER 59-1343, AS AMENDED BY CHAPTER 61-2229, LAWS OF FLORIDA, BY ADDING A NEW PARAGRAPH (1), PROVIDING FOR OPERATION OF A FORESTRY SERVICE; AMENDING SECTION 14 OF CHAPTER 61-2229, LAWS OF FLORIDA, PROVIDING FOR EXPENDITURES; PROVIDING EFFECTIVE DATE.

Consent was granted by a two-thirds vote of the members of the Senate, as required by Section 2, Article III of the Constitution of the State of Florida, and Senate Bill No. 1379 was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1379 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 Connor moved that the rules be waived and Senate Bill No. 1379 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 1379 was read the second time by title only.

Senator Connor moved that the rules be further waived and Senate Bill No. 1379 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. 1379 was read the third time in full.

Upon the passage of Senate Bill No. 1379 the roll was called and the vote was:

Yeas—44.

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

Nays—None.

So Senate Bill No. 1379 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

A Committee from the House of Representatives, composed of Representatives Mitchell of Leon, Griffin of Osceola, and Boyd of Manatee, appeared at the Bar of the Senate and delivered the following House Resolution to the Senate:

BY THE SELECT IMPEACHMENT INVESTIGATING COMMITTEE APPOINTED UNDER H. R. NO. 1442—

H. R. NO. 2504—A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF FLORIDA PREFERRING ARTICLES OF IMPEACHMENT AGAINST RICHARD KELLY AS A DULY COMMISSIONED AND ACTING JUDGE OF THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT OF FLORIDA; PROVIDING FOR THE PRESENTATION OF ARTICLES OF IMPEACHMENT TO THE SENATE OF THE STATE OF FLORIDA REQUESTING THE TRIAL THEREOF; APPOINTING AND PROVIDING FOR THE COMPENSATION OF A COMMITTEE OF THE HOUSE TO MANAGE, PRESENT AND PROSECUTE ARTICLES OF IMPEACHMENT AT TRIAL BEFORE THE SENATE; AND PROVIDING FOR THE EMPLOYMENT

AND COMPENSATION OF LEGAL AND CLERICAL HELP AND EXPENSES OF TRIAL.

WHEREAS, a committee of this body was, by House Resolution No. 1442 of the 1963 legislative session, appointed to investigate charges of official misconduct of Circuit Judge Richard Kelly of the Sixth Judicial Circuit of Florida and make its report and recommendations to the house of representatives, and

WHEREAS, said committee has performed its duties and filed its report recommending that said judge be impeached, NOW, THEREFORE:

Be It Resolved by the House of Representatives of the State of Florida:

Section 1. That Richard Kelly, a duly commissioned and acting judge of the circuit court of the Sixth Judicial Circuit of Florida, has been guilty of misdemeanor in his office as Circuit Judge aforesaid for which he, the said Richard Kelly as circuit judge, should be and is hereby impeached of his said office under Article III, Section 29, of the Constitution of the State of Florida; the said acts so constituting misdemeanor in office of him, the said Richard Kelly, as judge aforesaid, being hereinafter more particularly set forth by way of separate articles of impeachment which are hereby found and voted against the said Richard Kelly as Circuit Judge aforesaid by a vote of two-thirds (2/3) of all members present of the house of representatives of the state of Florida, viz:

ARTICLES OF IMPEACHMENT

Articles of impeachment of the house of representatives of the state of Florida, in the name of themselves, and all of the people of the state of Florida against Richard Kelly who was heretofore elected, duly qualified and commissioned to serve as a Circuit Judge of the Sixth Judicial Circuit of Florida.

ARTICLE I

That said Richard Kelly, while holding the office of Circuit Judge for the Sixth Judicial Circuit of Florida, having been duly elected, qualified and commissioned as such judge and while acting as such judge was guilty of misdemeanor in office in the manner and form as follows, to-wit:

The reasonable and probable consequences of the actions and conduct of Richard Kelly hereunder specified and indicated in this article since he became judge of said court, as an individual, or as said judge, or both, has been such as to bring his court into scandal and disrepute, to the prejudice of said court and public confidence in the administration of justice therein, and to the prejudice of public respect for and confidence in the state judiciary and to render him unfit to continue to serve as such judge, did:

(a) Intentionally, illegally and for personal reasons and emotions, abuse the power and trust vested in him as said Circuit Judge in a tyrannical and oppressive manner and did violate the Code of Ethics governing conduct of judges in and of the state of Florida, in that he, the said Richard Kelly, on or about March 26, 1963, in the case of State Road Department of Florida and Pasco County, v. Aiken, Law Case No. 1753, in the Circuit Court, Sixth Judicial Circuit of Florida, in and for Pasco County, Florida, based on affidavits filed by attorneys Charlie Luckie, Jr., E. B. Larkin and Robert E. Clawson, in support of a suggestion of disqualification of said judge on the ground of bias and prejudice filed pursuant to section 38.10, Florida Statutes, 1961, by Charlie Luckie, Jr., as an attorney representing clients in said cause, with knowledge and advice that said affidavits and suggestion were privileged, were not the subject of contempt and were not contemptuous in nature under Flor-

ida. law, did issue rules to show cause to said attorneys requiring them to appear on a day certain to show cause why they should not be found in criminal contempt of that court, and that he did thereafter, prior to the time specified for hearing on said rule to show cause, dictate and prepare an opinion whereby said attorneys were found in contempt though no order based on this opinion was ever entered because of the intervention and prohibition of the district court of appeal of the second district of the State of Florida.

(b) On the 15th day of March, 1963, issue an order bearing the caption of said court, but bearing no style of any cause or proceeding pending in that court and not relating thereto, but for the prime purpose of requiring attendance at a discussion of a political question of moment in the community, ordering and requiring Charlie Luckie, Jr., an attorney and solicitor of that court, to appear before him at a time stated in said order and did cause the same to be served upon the said Charlie Luckie, Jr., by the sheriff of Pasco County, although said judge knew, or should have known in all reasonable competence, that such was and is an abuse of his public trust and exceeds the power of his office.

(c) On or about the 16th day of March, 1962, intentionally, illegally and for personal reasons and emotions, abuse the power and trust vested in him as said Circuit Judge in a tyrannical and oppressive manner and did violate the Code of Ethics governing conduct of judges in and of the State of Florida, by causing the Honorable Stanley C. Burnside, Clerk of the Circuit Court, Sixth Judicial Circuit of Florida in and for Pasco County, to come to the courtroom in the Pasco County Courthouse. That upon arrival at said courtroom said Stanley C. Burnside, being without previous knowledge of what was to take place, was taken into open court in which the said Richard Kelly, acting as Circuit Judge, subjected the said Stanley C. Burnside to an extended session of oppressive and threatening statements and questions, to his extreme harassment, discomfort and embarrassment.

Wherefore, the said Richard Kelly was and is guilty of misbehavior and misdemeanor in office.

ARTICLE II

The said Richard Kelly, while holding the office of Circuit Judge for the Sixth Judicial Circuit of Florida, having been duly elected, qualified and commissioned as such judge and while acting as such judge was guilty of misdemeanor in office in the manner and form as follows, to-wit:

The reasonable and probable consequences of the actions and conduct of Richard Kelly hereunder specified and indicated in this article since he became judge of said court, as an individual, or as said judge, or both, has been such as to bring his court into scandal and disrepute, to the prejudice of said court and public confidence in the administration of justice therein, and to the prejudice of public respect for and confidence in the state judiciary and to render him unfit to continue to serve as such judge, did:

(a) On the 26th day of February, 1963, at Zephyrhills, Florida, in person, use the name, standing and dignity of his high office in a speech before a partisan political group to assail and disparage the reputation of attorneys, elected and appointed public officials and legislative representatives of Pasco County. That aforesaid speech and public appearance was for a political purpose and was and is highly censurable and unbecoming of a circuit judge of the State of Florida, and by this conduct the said Richard Kelly violated the Code of Ethics governing the conduct of judges in Florida.

(b) Assist in the preparation and circulation of a petition relating to a political purpose in which nineteen

(19) practicing attorneys of the Pasco County Bar Association were assailed as being undemocratic and un-American, thereby improperly lending the name, standing, dignity and persuasive capacity of his high office to such political purpose and unwarranted, slanderous assertions.

Wherefore, that said Judge Richard Kelly was and is guilty of misbehavior and misdemeanor in said office.

ARTICLE III

That said Richard Kelly, while holding the office of Circuit Judge for the Sixth Judicial Circuit of Florida, having been duly elected, qualified and commissioned as such judge and while acting as such judge was guilty of misdemeanor in office in the manner and form as follow, to-wit:

The reasonable and probable consequences of the actions and conduct of Richard Kelly hereunder specified and indicated in this article since he became judge of said court, as an individual, or as said judge, or both, has been such as to bring his court into scandal and disrepute, to the prejudice of public respect for and confidence in the state judiciary and to render him unfit to continue to serve as such judge, did:

On or about the 6th day of April, 1962, and thereafter on the 20th day of April, 1962, in the case of Mountain v. Pinellas County in the Circuit Court of Pinellas County, Chancery No. 61540, recklessly and arbitrarily exercise the powers of said office by entering and issuing orders lifting and reinstating a temporary injunction prepared by counsel benefited by such orders, without notice or communication to counsel for the parties adversely affected, thereby embarrassing counsel for said parties and seriously abriding the rights and remedies of the parties thereto.

Wherefore, that said Judge Richard Kelly was and is guilty of misbehavior and misdemeanor in said office.

ARTICLE IV

That said Richard Kelly, while holding the office of Circuit Judge for the Sixth Judicial Circuit of Florida, having been duly elected, qualified and commissioned as such judge and while acting as such judge was guilty of misdemeanor in office in the manner and form as follows, to-wit:

The reasonable and probable consequences of the actions and conduct of Richard Kelly hereunder specified and indicated in this article since he became judge of said court, as an individual, or as said judge, or both, has been such as to bring his court into scandal and disrepute, to the prejudice of said court and public confidence in the administration of justice therein, and to the prejudice of public respect for and confidence in the state judiciary and to render him unfit to continue to serve as such judge, did:

Cause friction between himself and the other circuit judges of the Sixth Judicial Circuit of Florida, by disputing with them the assignment of cases generally in the circuit and the assignment of other judges of the circuit to preside over any cases in Pasco County, although the assignment of cases to particular circuit judges is the function and duty of the presiding judge of the circuit and not the said Richard Kelly.

Wherefore, the said Judge Richard Kelly was and is guilty of misbehavior and misdemeanor in said office.

ARTICLE V

The said Richard Kelly, while holding the office of Circuit Judge for the Sixth Judicial Circuit of Florida, having been duly elected, qualified and commissioned as such judge and while acting as such judge was guilty of mis-

demeanor in office in the manner and form as follows, to-wit:

The reasonable and probable consequences of the actions and conduct of Richard Kelly hereunder specified and indicated in this article since he became judge of said court, as an individual, or as said judge, or both, has been such as to bring his court into scandal and disrepute, to the prejudice of said court and public confidence in the administration of justice therein, and to the prejudice of public respect for and confidence in the state judiciary and to render him unfit to continue to serve as such judge, did:

(a) Allow, aid or condone the alteration of public records in a cause pending before him in the case of Hayward v. Hayward in the Circuit Court of the Sixth Judicial Circuit of Florida in and for Pasco County, Florida, Chancery No. 8556, on certain pleadings filed therein, despite the official record to the contrary, and his own previous finding of fact, by holding that signatures appearing on a pleading at a later hearing had been on the pleadings at the previous hearing covered by the record, which alteration was and is a violation of the criminal law of the state of Florida.

(b) In the case of Case v. Case, Chancery No. 63737 in the Circuit Court of Pinellas County, Florida, unlawfully and unjustly hold one Alex D. Finch, a practicing attorney of Pinellas County, in contempt of court and fined him the sum of two hundred dollars (\$200.00) and did, on the next day or the following day thereafter, rescind the order of contempt and imposition of the fine and request of the said Alex D. Finch that he, Judge Kelly, be permitted to destroy the record of the case insofar as it pertained to the contempt matter.

Wherefore, the said Judge Richard Kelly was and is guilty of misbehavior and misdemeanor in said office.

ARTICLE VI

That said Richard Kelly, while holding the office of Circuit Judge for the Sixth Judicial Circuit of Florida, having been duly elected, qualified and commissioned as such judge and while acting as such judge was guilty of misdemeanor in office in the manner and form as follows, to-wit:

The reasonable and probable consequences of the actions and conduct of Richard Kelly hereunder specified and indicated in this article since he became judge of said court, as an individual, or as said judge, or both, has been such as to bring his court into scandal and disrepute, to the prejudice of said court and public confidence in the administration of justice therein, and to the prejudice of public respect for and confidence in the state judiciary and to render him unfit to continue to serve as such judge, did:

In the case of State v. Sinclair in the Circuit Court of Pinellas County, Florida, in which the said Sinclair previously had been indicted by the grand jury of Pinellas County for the crime of murder in the first degree, grant a writ of habeas corpus upon petition of the defendant, Sinclair, without notifying the prosecuting attorney of the Sixth Judicial Circuit of Florida as required by section 27.06, Florida Statutes, 1961.

Wherefore, the said Judge Richard Kelly was and is guilty of misbehavior and misdemeanor in said office.

ARTICLE VII

That said Richard Kelly, while holding the office of Circuit Judge for the Sixth Judicial Circuit of Florida, having been duly elected, qualified and commissioned as such judge and while acting as such judge was guilty of misdemeanor in office in the manner and form as follows, to-wit:

The reasonable and probable consequences of the actions and conduct of Richard Kelly hereunder specified and indicated in this article since he became judge of said court, as an individual, or as said judge, or both, has been such as to bring his court into scandal and disrepute, to the prejudice of said court and public confidence in the administration of justice therein, and to the prejudice of public respect for and confidence in the state judiciary and to render him unfit to continue to serve as such judge, did:

(a) Unduly and unnecessarily interject his own personality into the trial of cases before him, indulge in unnecessary, embarrassing and belligerent examination of witnesses and parties; engage in undue and unnecessary arguments with counsel for parties appearing before him, in the presence of their clients and the public generally, and otherwise has failed to adequately inform and prepare himself on the law and procedure of causes and proceedings before him, all of which impeded the expeditious disposition of litigation before him adding greatly to the expense of litigation in his court, all of which was and is in violation of the Code of Ethics governing the conduct of judges in Florida.

(b) Indulge in partisan politics.

(c) On many and diverse occasions discuss litigation pending before him with parties themselves out of the presence of their attorneys of record.

(d) Conduct and mis-manage his office as circuit judge so as to cause confusion by wilfully and deliberately alienating the attorneys practicing before him in Pasco County, Florida.

(e) Flagrantly violate certain provisions of the Code of Ethics governing judges as adopted by the supreme court of Florida.

(f) Commit other and further actions of misconduct and misdemeanors in office.

Wherefore, the said Judge Richard Kelly was and is guilty of misbehavior and misdemeanor in said office.

ARTICLE VIII

The said Richard Kelly, while holding the office of Circuit Judge for the Sixth Judicial Circuit of Florida, having been duly elected, qualified and commissioned as such judge and while acting as such judge was guilty of misdemeanor in office in the manner and form as follows, to-wit:

The reasonable and probable consequences of the actions and conduct of Richard Kelly hereunder specified and indicated in this article since he became judge of said court, as an individual, or as said judge, or both, has been such as to bring his court into scandal and disrepute, to the prejudice of said court and public confidence in the administration of justice therein, and to the prejudice of public respect for and confidence in the state judiciary and to render him unfit to continue to serve as such judge, did:

In his official capacity, intentionally, shrewdly, and ruthlessly and in abuse of his official trust, as evidenced by the acts heretofore set out in Articles I through VII hereof, each of which is hereby realleged and reaffirmed and made a part of this article as though set out in full herein, embark upon and maintain a continuous course of conduct calculated to intimidate and embarrass the members of the Pasco County Bar Association, the officials of Pasco County, the officials of certain cities therein, and certain other attorneys, in the presence of their constituents, clients and before the public generally.

Wherefore, the said Judge Richard Kelly was and is guilty of misbehavior and misdemeanor in said office.

Section 2. That Richard Kelly, a judge of the Circuit

Court of the Sixth Judicial Circuit of Florida, be impeached of his office for misdemeanors in his office.

Section 3. That the Speaker of the House of Representatives shall appoint and fix the compensation of two (2) members of the House of Representatives as a board of managers, said compensation to be paid out of the general legislative appropriation.

Section 4. That the said board of managers be and they are hereby instructed to appear before the Senate of the State of Florida and at the bar thereof in the name of the House of Representatives of the State of Florida, and all of the people of the State of Florida, to impeach the said Richard Kelly for misconduct in office and to exhibit to the said Senate the foregoing articles of impeachment against said judge, which have been agreed upon by this House, and that the said managers request that the senate issue an order for the appearance of said Richard Kelly before the said Senate to answer said articles of impeachment, and demand his impeachment, conviction and removal from office.

Section 5. That the said board of managers shall manage, present and prosecute the foregoing articles of impeachment at the trial thereof by the Senate.

Section 6. That the board of managers on the part of the House of Representatives of Florida be and it is hereby authorized and empowered to employ and fix the compensation of such legal, clerical and other necessary assistance as they may require, and to incur such expenses as may be necessary in the preparation and conduct of the case, to be paid out of the legislative expenses on vouchers approved by the board of managers.

Section 7. That said board of managers be and it is hereby authorized to issue subpoenas and subpoenas duces tecum requiring appearance of witnesses at said impeachment trial which witnesses shall receive the compensation provided by law.

Which was read in full.

Senator Cross moved that the Senate proceed to the consideration of Executive Business.

Which was agreed to and the Senate went into Executive Session at 3:05 o'clock P. M.

The Senate emerged from Executive Session at 3:49 o'clock P. M., and resumed its Session.

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

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

—44.

A quorum present.

Senator Cross, Chairman of the Committee on Rules and Calendar, announced the appointment by the President of Senators Cross, Mathews, McCarty and Young, as a special committee to promulgate and present to the Senate for adoption, rules to govern the impeachment trial of Judge Richard Kelly.

Senator Ryan requested unanimous consent of the Senate to take up and consider House Bill No. 2477, out of its order.

Unanimous consent was granted, and—

H. B. NO. 2477—A BILL TO BE ENTITLED AN ACT RELATING TO THE CREATION OF A BOARD OF EXAMINERS FOR ELECTROLOGISTS IN COUNTIES HAVING A POPULATION OF 300,000-350,000 BY THE DECENNIAL CENSUS OF 1960; DEFINING THE TERM ELECTROLOGY AND ITS APPLICATION; PROVIDING FOR REMOVAL OF MEMBERS OF THE BOARD AND PROVIDING FOR ORIGINAL MEETING AFTER CREATION OF BOARD; PROVIDING FOR A PENAL BOND IN THE SUM OF \$1,000.00; PROVIDING FOR ANNUAL EXAMINATION AND DATE THEREOF, TOGETHER WITH REQUISITES FOR APPLICANTS TO BE EXAMINED INCLUDING SUBJECTS TO BE EXAMINED UPON, PASSING GRADES AND FEES; TO PROVIDE LICENSING PROCEDURE; TO PROVIDE FOR LIMITATIONS FOR THE PRACTICE OF ELECTROLOGY; TO PROVIDE PENALTIES FOR VIOLATION OF LICENSE TO PRACTICE OR PRACTICING UNDER A FALSE OR ASSUMED NAME; TO PROVIDE FOR REVOCATION OF LICENSES; TO PROVIDE FOR JURISDICTION OF THE BOARD AND TO SET FORTH THE MECHANICS PERTAINING TO THE PROCEDURE FOR FILING COMPLAINTS BEFORE THE BOARD; TO PROVIDE THE PROCEDURE FOR HEARING COMPLAINTS BEFORE THE BOARD AND APPEALS FROM DECISIONS OF THE BOARD; TO PROVIDE FOR THE DISPOSITION OF FEES RECEIVED UNDER THIS ACT AND DISPOSITION THEREOF; TO PROVIDE FOR THE KEEPING OF RECORDS BY THE BOARD CONTAINING THE NAMES OF ALL PERSONS LICENSED UNDER THIS ACT, LICENSE NUMBER, THE DATES OF GRANTING SUCH LICENSES AND OTHER MATTERS PERTAINING TO THE LICENSEE; TO PROVIDE FOR ELIGIBILITY FOR MEMBERSHIP ON THE STATE BOARD OF ELECTROLOGY EXAMINERS; TO PROVIDE FOR THE ADMINISTRATION OF THE BOARD INCLUDING THE AUTHORITY TO APPOINT INVESTIGATORS TO DETERMINE ANY VIOLATIONS OF THIS ACT AND TO PROVIDE COMPENSATION FOR EXPENSES OF MEMBERS OF THE STATE BOARD OF ELECTROLOGY EXAMINERS; AND PROVIDING FOR AN EFFECTIVE DATE.

Was taken up.

Senator Ryan moved that the rules be waived and House Bill No. 2477 be read the second time by title only.

Which was agreed to by a two-thirds vote and House Bill No. 2477 was read the second time by title only.

Senator Ryan offered the following amendment to House Bill No. 2477:

In Section 4, strike: entire section and insert in lieu thereof the following:

"SECTION 4. The Board of Electrology Examiners shall hold at least one annual examination each year at a place to be designated by the Board of Electrology Examiners with the first of such examinations being held within ninety (90) days subsequent to the receipt of the first application for examination."

Senator Ryan moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Ryan also offered the following amendment to House Bill No. 2477:

In Section 5, line 4, on page 3, following the words "good moral character," strike: "and who shall make oath that he or she has not been convicted of any offense that could constitute a felony in the State of Florida, or any other state or country,"

Senator Ryan moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Ryan moved that the rules be further waived and House Bill No. 2477, 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. 2477, as amended, was read the third time in full.

Upon the passage of House Bill No. 2477, as amended, the roll was called and the vote was:

Yeas—44.

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

Nays—None.

So House Bill No. 2477 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Henderson requested unanimous consent of the Senate to take up and consider House Bill No. 1888, out of its order.

Unanimous consent was granted, and—

H. B. NO. 1888—A BILL TO BE ENTITLED AN ACT RELATING TO SARASOTA COUNTY; AMENDING SUBSECTION (a) OF SECTION 6, CHAPTER 57-1853, AS AMENDED BY SECTION 2 OF CHAPTER 59-1848, SPECIAL ACTS OF 1959, BY PROVIDING FOR FILING OF APPLICATION FOR PERMIT TO PERFORM WORK REGULATED BY SARASOTA WATER AND NAVIGATION CONTROL AUTHORITY AND MAKING SUCH FILING MANDATORY; ALSO, AMENDING THE FIFTH (5TH) UNNUMBERED PARAGRAPH OF SECTION 7, CHAPTER 57-1853, PROVIDING THAT PERMITS ISSUED FOR MINOR WORK BE EFFECTIVE UPON ISSUANCE; ALSO, AMENDING SUBSECTION (A) OF SECTION 7, CHAPTER 57-1853, AS AMENDED BY SECTION 4 OF CHAPTER 59-1848, SPECIAL ACTS

OF 1959, PROVIDING FOR ISSUANCE OF PERMITS FOR MINOR WORK; PROVIDING AN EFFECTIVE DATE.

Was taken up.

Senator Henderson moved that the rules be waived and House Bill No. 1888 be read the second time by title only.

Which was agreed to by a two-thirds vote and House Bill No. 1888 was read the second time by title only.

Senator Henderson moved that the rules be further waived and House Bill No. 1888 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. 1888 was read the third time in full.

Upon the passage of House Bill No. 1888 the roll was called and the vote was:

Yeas—44.

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

Nays—None.

So House Bill No. 1888 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Cross moved that when the Senate adjourns at this Session, it adjourn to reconvene at 1:00 o'clock P. M., Thursday, June 6, 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 3:51 o'clock P. M., until 1:00 o'clock P. M., Thursday, June 6, 1963.