

# JOURNAL OF THE SENATE

Tuesday, June 11, 1963

The Senate convened at 9:30 o'clock A. M., pursuant to adjournment on Monday, June 10, 1963.

The President in the Chair.

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

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

—45.

A quorum present.

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

We give thee hearty thanks, O God, that thou hast brought us to the beginning of another day. Grant that in the hours ahead we may so dedicate ourselves to a life of perfect freedom in thy service, that at eventide we may again give thanks to thee for thy sustaining strength. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Wednesday, April 24, 1963, was further corrected as follows:

Page 289, column 2, line 8, counting from the bottom of the column, strike the word "amendment" and insert in lieu thereof: amendments

Also—

Page 290, column 1, line 10, strike the word "amendment" and insert in lieu thereof: amendments

And as further corrected was approved.

The Senate daily Journal of Tuesday, May 21, 1963, was further corrected as follows:

Page 1090, column 2, line 6, strike the numerals "1175" and insert in lieu thereof: 1715

And as further corrected was approved.

The Senate daily Journal of Friday, June 7, 1963, was further corrected as follows:

Page 1832, column 1, line 10, counting from the bottom of the column, strike the numerals "130" and insert in lieu thereof: 1030

Also—

Page 1834, column 1, line 1, after the words "reconsider the" insert: vote

And as further corrected was approved.

The Senate daily Journal of Monday, June 10, 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 Bills:

H. B. NO. 1313

H. B. NO. 2466

—and recommends that the same pass.

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

## ENGROSSING REPORTS

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

**S. B. NO. 314—A BILL TO BE ENTITLED AN ACT RELATING TO THE MINIMUM FOUNDATION PROGRAM; AMENDING SECTION 236.07(8), FLORIDA STATUTES, DETERMINING THE MINIMUM FINANCIAL EFFORT REQUIRED IN EACH COUNTY FOR THE MINIMUM FOUNDATION PROGRAM; PROVIDING THAT EFFECTIVE JULY 1, 1965, INSTRUCTION UNITS AND TRANSPORTATION UNITS SHALL BE BASED ON THE CURRENT YEAR'S AVERAGE DAILY ATTENDANCE IN LIEU OF THE PRECEDING YEAR; 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. 314, contained in the above report, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

**S. B. NO. 441—A BILL TO BE ENTITLED AN ACT TO AMEND SECTION 509.151, FLORIDA STATUTES, MAKING IT A MISDEMEANOR TO OBTAIN LODGING AND FOOD WITH INTENT TO DEFRAUD AND MAKING DEMAND TO PAY AND FAILURE TO PAY PRIMA FACIE EVIDENCE OF INTENT TO DEFRAUD; TO AMEND SECTION 509.161, FLORIDA STATUTES, RELATING TO RULES OF EVIDENCE IN PROSECUTIONS UNDER SECTION 509.151, FLORIDA STATUTES, AND PROVIDING THAT FAILURE TO MAKE PAYMENT UPON DEMAND OR DEPARTURE SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF INTENT TO DEFRAUD; TO AMEND CHAPTER 509, FLORIDA STATUTES, BY ADDING NEW SECTION 509.162, FLORIDA STATUTES, PROVIDING FOR A PEACE OFFICER OR OWNER OR OPERATOR OF PUBLIC ESTABLISHMENT TO DETAIN FOR REASONABLE PERIOD ANY PERSON HE HAS PROBABLE CAUSE TO BELIEVE HAS OBTAINED FOOD OR LODGING WITH INTENT TO DEFRAUD OR TAKEN PERSONAL PROPERTY ILLEGALLY; PROVIDING REPEAL OF LAWS IN CONFLICT; 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. 441, contained in the above report, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

**S. B. NO. 553**—A BILL TO BE ENTITLED AN ACT REQUIRING THE ANNUAL REGISTRATION OF EDUCATIONAL INSTITUTIONS WITH THE STATE BOARD OF EDUCATION; PROVIDING PENALTIES FOR VIOLATION; 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. 553, contained in the above report, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

**S. B. NO. 657**—A BILL TO BE ENTITLED AN ACT RELATING TO FLORIDA STATE HOSPITALS; AMENDING SECTION 394.22, FLORIDA STATUTES, BY ADDING SUBSECTION (20) THERETO; PROVIDING FOR PAYMENT OF CARE AND MAINTENANCE IN CASES OF CRIMINAL COMMITMENTS; 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. 657, contained in the above report, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

**S. B. NO. 988**—A BILL TO BE ENTITLED AN ACT RELATING TO THE CREATION AND ESTABLISHMENT OF THE LAKE SHORE HOSPITAL AUTHORITY OF COLUMBIA COUNTY, FLORIDA; PROVIDING FOR THE DUTIES, POWERS AND FUNCTIONS OF SUCH AUTHORITY, INCLUDING THE ACQUISITION, CONSTRUCTION AND OPERATION OF HOSPITALS AND THE ISSUANCE OF REVENUE BONDS; PROVIDING APPROPRIATION; 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. 988, contained in the above report, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

**S. B. NO. 1147**—A BILL TO BE ENTITLED AN ACT INCORPORATING CERTAIN LANDS IN OKALOOSA COUNTY, FLORIDA INTO THE OCEAN CITY-WRIGHT WATER DISTRICT; DECLARING LEGISLATIVE INTENT; DEFINING THE DISTRICT BOUNDARIES; PROVIDING FOR DEFINITION; CREATING A DISTRICT BOARD TO CONDUCT AFFAIRS OF DISTRICT;

PROVIDING FOR COMMISSIONERS, PRESCRIBING THEIR QUALIFICATION, TERMS OF OFFICES, DUTIES AND ELECTION; PROVIDING THE POWERS OF DISTRICT BOARD; PROVIDING FOR THE ISSUANCE OF REVENUE BONDS; PROVIDING FOR A METHOD OF ESTABLISHING, CHARGING AND COLLECTING RATES AND FEES; PROVIDING THAT UNPAID FEES SHALL CONSTITUTE A LIEN; PROVIDING FOR AN AUDIT, DEPOSIT AND DISTRIBUTION OF FUNDS; PROVIDING FOR AN ANNUAL REPORT; PROVIDING THAT THE DISTRICT SHALL BE EXEMPT FOR TAXATION; PROVIDING FOR CONTRACTS FOR CONSTRUCTION OF IMPROVEMENTS UPON SEALED BIDS; PROVIDING FOR PERPETUAL EXISTENCE; PROVIDING FOR CONTRACTING WITH FLORIDA DEVELOPMENT COMMISSION FOR TECHNICAL ASSISTANCE IN BOND ISSUES AND DEFINING THE SAME; PROVIDING FOR RESTRICTIONS ON FEES OF BOND ISSUES NOT HANDLED BY THE DEVELOPMENT COMMISSION; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS IN CONFLICT; AND PROVIDING A REFERENDUM.

—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. 1147, contained in the above report, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

**S. B. NO. 1241**—A BILL TO BE ENTITLED AN ACT RELATING TO THE FLORIDA KEYS AQUEDUCT COMMISSION; AMENDING SECTION 3 OF CHAPTER 21230, LAWS OF FLORIDA, 1941; PROVIDING FOR ADDITIONAL POWERS; PROVIDING AN EFFECTIVE DATE.

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

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

And Senate Bill No. 1241, 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. 17  | S. B. NO. 563           |
| S. B. NO. 28  | S. B. NO. 582           |
| S. B. NO. 94  | S. B. NO. 611           |
| S. B. NO. 288 | S. B. NO. 616           |
| S. B. NO. 446 | S. M. NO. 196           |
| S. B. NO. 469 | S. M. NO. 274           |
| S. B. NO. 476 | S. C. R. NO. 486        |
| S. B. NO. 494 | S. C. R. NO. 510        |
| S. B. NO. 495 | C. S. FOR S. B. NO. 312 |
| S. B. NO. 559 | C. S. FOR S. B. NO. 321 |

—reports same have 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 10, 1963.

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

Your Enrolling Clerk, to whom was referred—

S. B. NO. 1371

—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 10, 1963.

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

The following Return by Honorable Leslie Bessenger, Sheriff of Pasco County, Florida, of execution of service of order impounding records issued by Honorable B. K. Roberts, Chief Justice of the Supreme Court of Florida, under date of June 6, 1963, was received and filed with the Secretary of the Senate:

In Re Impeachment of Circuit Judge Richard Kelly

Cause of Action

Order Impounding Records

Type of Writ

Office Of The Chief Justice  
Supreme Court of Florida

Court

Case Number

Attorney

ORIGINAL RETURN

Received this writ on the 6th day of June A. D. 1963.

and executed the same in Pasco County, Florida on the 6th day of June, 1963 by packaging in seven (7) cardboard packages under seal and delivering same to the Chief Justice of the Supreme Court of Florida all of the official records, official memoranda, official files and official documents, and all other papers heretofore used by Judge Richard Kelly in the performance of his duties as a Circuit Judge, as found in the office of the said Judge Richard Kelly in the Courthouse in Pasco County, Dade City, Florida, as herein commanded.

LESLIE BESSENGER, Sheriff of  
Pasco County, Florida

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

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

By Senator Connor—

**S. B. NO. 1387—A BILL TO BE ENTITLED AN ACT RELATING TO THE PURCHASE FROM THE DEPARTMENT OF CORRECTIONS OF FOODSTUFFS, CANNED FOODS AND PRODUCE BY THE SHERIFF AND THE BOARD OF PUBLIC INSTRUCTION, OF ANY COUNTY IN THE STATE HAVING A POPULATION OF NOT**

**LESS THAN ELEVEN THOUSAND SEVEN HUNDRED (11,700) AND NOT MORE THAN TWELVE THOUSAND THREE HUNDRED (12,300) ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS; AUTHORIZING THE DIVISION TO SELL, AND SAID COUNTY UNITS AND OFFICIALS TO BUY; 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. 1387 was read the first time by title only.

Senator Connor moved that the rules be waived and Senate Bill No. 1387 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 1387 was read the second time by title only.

Senator Connor moved that the rules be further waived and Senate Bill No. 1387 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. 1387 was read the third time in full.

Upon the passage of Senate Bill No. 1387 the roll was called and the vote was:

Yeas—45.

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

Nays—None.

So Senate Bill No. 1387 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

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

By Senator Tucker—

**S. B. NO. 1388—A BILL TO BE ENTITLED AN ACT RELATING TO THE TAKING OF SALT WATER SPECKLED TROUT OR WEAKFISH IN ANY COUNTY IN THE STATE HAVING A POPULATION OF NOT LESS THAN FOUR THOUSAND SIX HUNDRED (4,600) AND NOT MORE THAN FIVE THOUSAND THREE HUNDRED (5,300) ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS; 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. 1388 was read the first time by title only.

Senator Tucker moved that the rules be waived and Senate Bill No. 1388 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 1388 was read the second time by title only.

Senator Tucker moved that the rules be further waived and Senate Bill No. 1388 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. 1388 was read the third time in full.

Upon the passage of Senate Bill No. 1388 the roll was called and the vote was:

Yeas—45.

Tallahassee, Florida  
June 11, 1963

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

Nays—None.

So Senate Bill No. 1388 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 10, 1963

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

Dear Sir:

I have filed in the office of the Secretary of State the following acts which originated in the Senate, Regular Session, 1963, and which I have approved:

- S. B. NO. 125
- S. B. NO. 407
- C. S. S. B. NO. 619

Respectfully,  
FARRIS BRYANT  
Governor

STATE OF FLORIDA  
OFFICE OF THE GOVERNOR  
TALLAHASSEE

June 10, 1963

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

Dear Sir:

I have filed in the office of the Secretary of State the following resolutions which originated in the Senate, Regular Session, 1963:

- S. C. R. NO. 692
- S. C. R. NO. 779
- S. C. R. NO. 1196
- S. C. R. NO. 1248

Respectfully,  
FARRIS BRYANT  
Governor

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

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

*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 Senator Williams (27th)—

S. B. NO. 1375

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

And Senate Bill No. 1375, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Tallahassee, Florida  
June 11, 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 Senator Young—

S. B. NO. 1376

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

And Senate Bill No. 1376, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Tallahassee, Florida  
June 11, 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 Stone, Wells and Ashler of Escambia—

**H. B. NO. 718—A BILL TO BE ENTITLED AN ACT RELATING TO THE FLORIDA BARBERS' SANITARY COMMISSION; AMENDING SECTION 476.17, FLORIDA STATUTES, PROVIDING FOR THE APPOINTMENT, QUALIFICATIONS AND TERM OF A SEVEN (7) MEMBER COMMISSION FROM CERTAIN GEOGRAPHIC DISTRICTS; AMENDING SECTION 476.18, FLORIDA STATUTES, PROVIDING COMPENSATION FOR CHAIRMAN, MEMBERS AND SECRETARY OF COMMISSION; PROVIDING AN EFFECTIVE DATE.**

Which amendments read as follows:

Amendment No. 1—

Strike: all of Section 1 and insert in lieu thereof the following:

“Section 1. Section 476.17, Florida Statutes, is amended to read:

**476.17 Florida barbers' sanitary commission.—**

(1) There is hereby created the Florida barbers' sanitary commission consisting of seven (7) members to be appointed by the Governor, one (1) from the state at large who shall be a sanitarian as defined in chapter

491, Florida Statutes, and one (1) from each of the six (6) districts of the state hereinafter set forth:

(a) District 1, consisting of Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington, Bay, Gulf, Calhoun, Jackson, Gadsden, Liberty and Franklin counties.

(b) District 2, consisting of Wakulla, Leon, Jefferson, Madison, Taylor, Lafayette, Suwannee, Hamilton, Gilchrist, Columbia, Dixie, Levy, Alachua, Bradford, Union and Baker counties.

(c) District 3, consisting of Nassau, Duval, St. Johns, Clay, Marion, Flagler, Putnam, Citrus, Hernando, Pasco, Sumter, Lake and Volusia counties.

(d) District 4, consisting of Orange, Brevard, Osceola, Polk, Seminole, Hillsborough, Pinellas and Indian River counties.

(e) District 5, consisting of Manatee, Sarasota, DeSoto, Hardee, Charlotte, Lee, Highlands, Glades, Hendry, Okeechobee, St. Lucie, Martin and Palm Beach counties.

(f) District 6 consisting of Broward, Collier, Monroe and Dade counties.

(2) Each member representing one (1) of the six (6) districts shall be a practical barber who has followed the occupation of barbering in the state for at least five (5) years. No person shall be appointed to the commission or as an inspector, investigator or clerical appointee who is in any way connected with the manufacture, rental, sale or distribution of barber equipment and supplies; and no person connected with a school of barbering in any capacity shall be eligible to serve on the commission.

(3) Within thirty (30) days after the effective date of this act, the Governor shall appoint seven (7) eligible and qualified persons to be members of the board as follows:

- (a) One (1) member from district 1 for one (1) year.
- (b) One (1) member from district 2 for four (4) years.
- (c) One (1) member from district 3 for three (3) years.
- (d) One (1) member from district 4 for one (1) year.
- (e) One (1) member from district 5 for two (2) years.
- (f) One (1) member from district 6 for four (4) years.

(g) One (1) member from the state at large for one (1) year who shall be a sanitarian as defined in chapter 491, Florida Statutes.

Annually, thereafter, as the terms of the members expire, the Governor shall appoint successors for a period of four (4) years and such members shall serve until their successors are appointed and qualified, but the Governor may remove any member for cause.

(4) No person shall be appointed to serve more than two (2) consecutive terms. A vacancy resulting from any cause other than the expiration of the term shall be filled for the unexpired term by appointment by the Governor."

Amendment No. 2—

Strike out all of Section 2.

Amendment No. 3—

Following the enacting clause, insert the following sections and renumber Section 1 to read Section 6 and Section 3 to read Section 8:

"Section 1. Section 476.05, Florida Statutes, is amended to read:

**476.05 Qualifications of applicants for certificates as**

**barbers.**—Any person is qualified to receive a certificate of registration to practice barbering:

(1) Who is qualified under the provisions of section 476.06, Florida Statutes;

(2) Who is at least eighteen (18) years of age, of good moral character and temperate habits; and

(3) Who has practiced as a registered apprentice for a period of eighteen (18) months under the immediate personal supervision of a registered barber, and

(4) Who has passed a satisfactory examination conducted by the commission to determine his fitness to practice barbering;

(5) An applicant for a certificate of registration to practice as a registered barber who fails to pass a satisfactory examination conducted by the commission, must continue to practice as an apprentice for an additional six (6) months before he is again entitled to take the examination for a registered barber.

(6) Any person who has not practiced barbering within five (5) years immediately preceding the filing of his application and who has failed to pass an examination conducted by the commission to determine his fitness to practice barbering in this state, shall not be eligible to take a second examination until he has attended a recognized barbering school for at least one thousand (1,000) hours.

The commission shall not waive any of the above qualifications.

"Section 2. Section 476.06, Florida Statutes, is amended to read:

**476.06 Qualifications of applicants for certificates as apprentices.**—Any person is qualified to receive a certificate of registration as a registered apprentice:

(1) Who is at least sixteen and one-half (16½) years of age;

(2) Who is of good moral character and temperate habits;

(3) Who has graduated from a school of barbering approved by the commission, or from the barber training division of the Florida school for the deaf and blind, provided said division meets the standards of the commission and this chapter;

(4) Who has passed a satisfactory examination conducted by the commission to determine his fitness to practice as a registered apprentice.

An applicant for a certificate of registration to practice as an apprentice in a barber shop who fails to pass a satisfactory examination is required to complete a further course of study and practice of not less than five hundred (500) hours, to be completed within six (6) months, of not more than eight (8) hours in any one (1) working day in a school of barbering approved by the commission.

The commission shall not waive any of the above qualifications.

"Section 3. Section 476.09, Florida Statutes, is amended to read:

**476.09 Time, place and subjects of examination.** The commission shall conduct examinations of applicants for certificates of registration to practice as registered barber teachers, registered barbers, registered apprentices and examinations to determine the educational fitness of applicants to enter a school of barbering not less than four (4) times each year at such time and place as the commission may determine. The examination of applicants for certificates of registration as registered barber

teachers, registered barbers and registered apprentices shall include both practical demonstrations and written and oral tests, and shall embrace the subjects required in section 476.07, Florida Statutes, to be taught in schools of barbering approved by the commission. The director shall be in charge of administering the examination and shall control the personnel assisting in the giving of such examinations. The written examination shall be made up by the commission and shall be graded by the commissioners under the supervision of the director at a regularly scheduled monthly meeting of the commission.

"Section 4. Section 476.10, Florida Statutes, is amended to read:

**476.10 Certificates to be issued to successful examinees.**—A certificate of registered barber teacher, registered barber or of registered apprentice shall be issued by the commission to any applicant who shall pass a satisfactory examination making an average grade of not less than seventy-five per cent (75%) on each, both practical and written, and who shall possess the other qualifications required by law.

The certificate shall be signed by all members of the commission at a regular meeting.

"Section 5. Section 476.11, Florida Statutes, is amended to read:

**476.11 Qualifications of barbers and apprentices from other states.**—A person who is at least eighteen (18) years of age and of good moral character and temperate habits, who:

(1) Can furnish to the commission a certificate from a practicing medical doctor of this state dated not more than ten (10) days prior to the date of application attesting that he is free from any contagious or infectious disease; and furnish a certificate showing he has passed the Wassermann or some similar test.

Medical certificate as herein used shall mean a certificate signed by a reputable practicing medical doctor of the state to the effect that he has examined the person named therein and has found him free from all contagious or infectious diseases, including gonorrhoea, syphilis and tuberculosis. These certificates must be based on a Wassermann and laboratory test.

(2) (a) Has a license or certificate of registration as a practicing barber from another state or country which has substantially the same standard of requirements for licensing or registering barbers as required by this chapter, or

(b) Can prove by a sworn affidavit that he has practiced as a barber in another state or country for at least five years immediately prior to making application in this state;

Shall upon payment of the required fee be eligible to take an examination to determine his fitness to practice as a registered barber.

Any apprentice who is at least sixteen and one-half (16½) years of age and of good moral character, temperate habits and who furnishes to the commission a certificate from a licensed medical doctor of this state dated not more than ten days prior to the date of the application attesting that he is free from any contagious or infectious disease, who has a diploma showing graduation from an eighth (8th) grade grammar school, or an equivalent education as determined by an examination conducted by the commission and has a certificate of registration as an apprentice in a state or country which has substantially the same requirements for registration as an apprentice as required by this chapter, shall upon payment of the required fee, be eligible to take an examination to determine his fitness to practice as an apprentice.

Should he pass the required examination, a certificate of registration as a registered apprentice shall be issued to him and the time spent in such other state or country as an apprentice shall be credited upon the period of apprenticeship required by this chapter as a qualification to take examination to determine his fitness to receive his certificate of registration as a registered barber.

Any person who has practiced as an apprentice in another state or country which does not have substantially the same requirements for registration as an apprentice as required by this chapter and who has the qualifications as required in section 476.06 shall be credited with the time spent as in such state or country upon the period of apprenticeship required by this chapter as a qualification to take the examination to determine his fitness to receive a certificate of registration as a registered barber. The commission shall not waive any of the above qualifications.

"Section 7. Section 476.18, Florida Statutes, is amended to read:

**476.18 Organization, quarters, seal, employees, compensation and reports of commission; quorum; bond of secretary.**—The commission shall elect a president and a secretary. The secretary may, or may not, be a member of the commission. The commission shall maintain its headquarters in Tallahassee, Leon county, and at its own expense. The commission shall adopt and use a common seal for the authentication of its orders and records, and its secretary shall keep a record of all proceedings of the commission.

The secretary shall give to the state a bond in the sum of five thousand dollars (\$5,000), with sufficient sureties, to be approved by the commission for the faithful performance of his duties. A majority of the commission in meeting duly assembled may perform and exercise all the duties and powers devolving upon the commission. The commission shall meet at least once each month. An assistant attorney general shall be present at any meeting when general policies are changed.

Each member of the commission shall receive a salary of one hundred dollars (\$100.00) per month and shall receive per diem and mileage as provided in section 112-061, Florida Statutes, from the place of their residence to the place of meeting and the return therefrom.

There shall be a director of the commission whose duties shall be to carry out the policies enacted by the commission. The director shall be appointed by the governor and shall serve at the pleasure of the governor. The director shall have direct control over all personnel, including inspectors, who are employed by the commission. The director's salary shall be six hundred dollars (\$600.00) per month. The commission shall report annually to the governor a full statement of its work during the year, and shall transfer all surplus funds at the end of each year to the state agency fund."

Amendment No. 4—

Strike all of the Title and insert in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT RELATING TO BARBERS; AMENDING SECTIONS 476.05, 476.06, 476.09, 476.10, 476.11, 476.17 AND 476.18, FLORIDA STATUTES; PROVIDING FOR A DIRECTOR OF THE FLORIDA BARBERS' SANITARY COMMISSION AND HIS DUTIES AND RESPONSIBILITIES; CHANGING THE NUMBER OF MEMBERS OF THE COMMISSION AND PROVIDING FOR THEIR APPOINTMENT BY DISTRICTS; PROVIDING SALARIES FOR DIRECTOR AND COMMISSION MEMBERS; PROVIDING METHODS FOR GIVING AND GRADING EXAMINATIONS; PROVIDING METHOD FOR SIGNING CERTIFICATES; PROVIDING THAT STATUTORY QUALIFICATIONS SHALL

NOT BE WAIVED; PROVIDING AN EFFECTIVE DATE.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives  
Tallahassee, Florida  
June 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 Rules & Calendar and Representatives Turlington of Alachua, Crews of Baker, Jones of Bay, Thomas of Bradford, Pruitt and Dressler of Brevard, Allsworth, Long, Bell and Eddy of Broward, Guilford of Calhoun, Smoak of Charlotte, Strickland of Citrus, Saunders of Clay, Walker of Collier, Bedenbaugh of Columbia, Faircloth, Matthews, Weissenborn, Furlong, Dubbin, MacKenzie, Pettigrew, Gong, Yarborough, Spencer, Fincher, Wolfson and Baker of Dade, Slade, Stallings, Basford, Greene, Arnold and Schultz of Duval, Wells and Ashler of Escambia, Wadsworth of Flagler, Nash of Franklin, Williams of Gulf, McAlpin of Hamilton, Bass of Hardee, Miner of Hendry, Adams of Highlands, Zacchini, de la Parte, Knopke and Sessums of Hillsborough, Williams of Holmes, Sims and Mitchell of Jackson, Anderson of Jefferson, Putnal of Lafayette, Baker of Lake, Scott of Lee, Horne of Leon, Russell of Madison, Knowles of Manatee, Owens of Martin, Ramos of Monroe, Wingate of Nassau, McLaughlin and Wise of Okaloosa, Land, Ducker, Elrod and Brumback of Orange, Thomas, Roberts, Reed and Moudry of Palm Beach, Stevens of Pasco, Russell, Holley, Loeffler and Deeb of Pinellas, Beck of Putnam, Usina and Craig of St. Johns, Fee of St. Lucie, Jordan of Sarasota, Fortune and Davis of Seminole, McDonald of Suwannee, Whitfield of Taylor, Roberts of Union, Karl of Volusia, Prescott of Walton, and Carter of Washington.

**H. C. R. NO. 2521—**

A CONCURRENT RESOLUTION EXPRESSING SYMPATHY IN THE DEATH OF DON FLEMING.

WHEREAS, a tragic accident resulted in the untimely death of Don Fleming on June 4, 1963, at Orlando, Florida, and

WHEREAS, Don Fleming while a student at the University of Florida established an outstanding record of athletic achievement, being captain of the football team in 1958, and being recognized as an outstanding football and baseball player, and

WHEREAS, Don Fleming displayed the highest qualities of leadership, being elected to Florida Blue Key, and receiving numerous other honors, and

WHEREAS, Don Fleming had distinguished himself since his graduation from the University of Florida as an outstanding competitor as a member of the Cleveland Browns professional football team, and thereby brought honor to his adopted state, and

WHEREAS, Don Fleming was a devoted husband and father, and

WHEREAS, his life exemplified the highest qualities of dedication, devotion, and perseverance, and his death will be a loss not only to his family but also to this state, NOW, THEREFORE,

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

That the Legislature of the State of Florida notes with

sadness the death of Don Fleming and does hereby express to the family of Don Fleming on behalf of the people of Florida their sincere sympathy and profound sense of loss in his passing.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

And House Concurrent Resolution No. 2521, contained in the above message, was read the first time in full.

Senator Cross moved that the rules be waived and House Concurrent Resolution No. 2521 be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote and House Concurrent Resolution No. 2521 was read the second time in full.

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

And House Concurrent Resolution No. 2521 was unanimously adopted, and the action of the Senate was ordered certified to the House of Representatives immediately.

Tallahassee, Florida  
June 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 concurred in Senate Amendments Nos. 1, 2, 3, 4, 5 and 7 to—

By Representative Mitchell of Leon—

**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.**

Which amendments read as follows:

Amendment No. 1—

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

Amendment No. 2—

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

Amendment No. 3—

In Section 4, line 3, on page 2, strike: the word "finances" and insert in lieu thereof the following: the ability of the borrowing county to repay the loan within five years,

Amendment No. 4—

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).

Amendment No. 5—

In Section 5, line 6, on page 2, strike: "three percent

(3%)” and insert in lieu thereof the following: three and one-half percent (3½%)

Amendment No. 7—

In Section 8, strike: the period and add ; and shall expire on July 1, 1965.

—and has reconsidered the vote by which it concurred in Senate Amendment No. 6 on June 6, 1963, and has refused to concur in Senate Amendment No. 6—

Which amendment reads as follows:

Amendment No. 6—

In Section 7, add the following new sentence: The maximum amount that may be invested by the State Board of Administration in any such certificate shall not exceed five hundred thousand (\$500,000) dollars.

—and respectfully requests the Senate to recede therefrom.

Respectfully,  
**LAMAR BLEDSOE**  
 Chief Clerk, House of Representatives

Senator Cleveland moved that the Senate recede from Senate Amendment No. 6, as set forth in the foregoing message, to House Bill No. 1560, and the Senate receded from Senate Amendment No. 6 to House Bill No. 1560.

Senator Cleveland moved that the Senate immediately reconsider the vote by which House Bill No. 1560, as amended, contained in the above message, passed the Senate on June 6, 1963.

The President put the question: “Will the Senate now reconsider the vote by which House Bill No. 1560, as amended, passed the Senate on June 6, 1963?”

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which House Bill No. 1560, as amended, passed the Senate on June 6, 1963.

The question recurred on the passage of House Bill No. 1560, as amended.

Pending consideration thereof, by unanimous consent, Senator Cleveland offered the following additional amendment to House Bill No. 1560:

In Section 7, on page 3, at the end of Section 7 add: The maximum amount that may be invested by the State Board of Administration in any such certificates for any one county shall not exceed five hundred thousand dollars (\$500,000.00).

Senator Cleveland moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Cleveland moved that House Bill No. 1560, as further amended, be read in full and put upon its passage.

Which was agreed to and House Bill No. 1560, as further amended, was read in full.

Upon call of the roll on the passage of House Bill No. 1560, as further amended, the vote was:

Yeas—36.

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

Nays—7.

Bronson	Davis	Johnson (6th)	Usher
Connor	Friday	Pope	

So House Bill No. 1560 passed, as further amended, and the action of the Senate was ordered certified to the House of Representatives immediately.

Tallahassee, Florida  
 June 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 Representative Anderson of Jefferson—

**H. B. NO. 2519—A BILL TO BE ENTITLED AN ACT RELATING TO COMPENSATION AND BUDGETS OF CERTAIN COUNTY OFFICERS IN ANY COUNTY IN THE STATE OF FLORIDA HAVING A POPULATION OF NOT LESS THAN NINE THOUSAND FOUR HUNDRED (9,400) AND NOT MORE THAN NINE THOUSAND SEVEN HUNDRED (9,700), ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS; PROVIDING FOR SALARIES OF SUCH OFFICERS; PROVIDING AND REGULATING A BUDGET SYSTEM FOR SUCH OFFICERS; AMENDING SECTIONS 2 AND 3 OF HOUSE BILL 2428 ENACTED INTO LAW BY THE 1963 REGULAR SESSION OF THE FLORIDA LEGISLATURE, AND ADDING SECTION 1A TO SAID LAW TO INCLUDE THE COUNTY PROSECUTING ATTORNEY; 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. 2519, contained in the above message, was read the first time by title only.

Senator Clarke moved that the rules be waived and House Bill No. 2519 be read the second time by title only.

Which was agreed to by a two-thirds vote and House Bill No. 2519 was read the second time by title only.

Senator Clarke moved that the rules be further waived and House Bill No. 2519 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. 2519 was read the third time in full.

Upon the passage of House Bill No. 2519 the roll was called and the vote was:

Yeas—45.

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

Nays—None.

So House Bill No. 2519 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Tallahassee, Florida  
June 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 requests the return of—

By Senator Kelly—

**S. B. NO. 1365—A BILL TO BE ENTITLED AN ACT CREATING A SPECIAL TAX DISTRICT TO BE KNOWN AS THE NORTHEAST POLK COUNTY HOSPITAL DISTRICT; PRESCRIBING ITS BOUNDARIES; PROVIDING FOR ITS ADMINISTRATION BY A BOARD OF COMMISSIONERS; PRESCRIBING AND LIMITING THE POWERS OF SAID DISTRICT, INCLUDING ESTABLISHMENT AND OPERATION OF A HOSPITAL IN THE DISTRICT WITH A TRAINING SCHOOL FOR NURSES; AUTHORIZING HOSPITAL BOARD TO EXERCISE THE POWER OF EMINENT DOMAIN; AUTHORIZING, WITH LIMITATIONS, SAID DISTRICT TO BORROW MONEY AND TO ISSUE BONDS; AUTHORIZING THE LEVYING OF TAXES UPON THE FURNISHING OF CERTAIN UTILITIES AND PROVIDING FOR ITS COLLECTION; MAKING FAILURE TO COMPLY WITH THE UTILITY TAX COLLECTION PROVISIONS A MISDEMEANOR; AUTHORIZING, WITH LIMITATIONS, AN AD VALOREM TAX; PROVIDING DETAILS AS TO THE USE OF SUCH TAXES AND RULES OF CONSTRUCTION WITH REFERENCE THERETO; AUTHORIZING THE ISSUANCE OF REFUNDING BONDS; PROVIDING PROCEDURE FOR ISSUANCE AND SALE OF BONDS; PROVIDING PROVISIONS FOR THE RAISING OF CERTAIN FUNDS BY GIFT OR PLEDGE, AND DEFINING THE TERM PLEDGE; PROVIDING PROCEDURE FOR THE COLLECTION OF TAXES; REQUIRING ANNUAL PUBLICATION OF FINANCIAL STATEMENT; AUTHORIZING ADOPTION OF RULES AND POLICIES CONCERNING OPERATION OF HOSPITAL, MEDICAL STAFF MEMBERSHIP, CHARGES FOR SERVICES AND OF ADMISSION; ADOPTING BENEFITS OF OTHER STATUTES RELATING TO HOSPITAL DISTRICTS; PROVIDING POWERS AND METHODS FOR THE CARRYING OUT OF THE PURPOSES OF THE ACT; PROVIDING RULES OF CONSTRUCTION OF THE ACT; PROVIDING FOR A REFERENDUM TO DETERMINE WHAT TAXING POWERS WILL TAKE EFFECT; PROVIDING EFFECTIVE DATE.**

—and respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

Senator Kelly moved that Senate Bill No. 1365 be recalled from the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate.

Which was agreed to and it was so ordered.

Senator Kelly moved that the request of the House of Representatives, as contained in the foregoing message, be granted.

And Senate Bill No. 1365 was ordered returned to the House of Representatives.

#### ORDER OF THE DAY

#### MOTIONS TO RECONSIDER

The motion made by Senator Pope on June 10, 1963, to reconsider the vote by which House Joint Resolution No. 1030, as amended, was placed on third reading, was taken up.

**H. J. R. NO. 1030—A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 7 OF THE STATE CONSTITUTION RELATING TO HOMESTEAD EXEMPTIONS.**

WHEREAS, the legislature has determined that an emergency requiring an early decision by the electors of the state does exist, and

WHEREAS, an amendment to the Constitution dealing with the subject matter of homestead exemption in Flagler and Sarasota counties should be submitted to the electors of the State at the earliest possible time, NOW, THEREFORE,

*Be It Resolved by the Legislature of the State of Florida:*

Section 1. That three fourths ( $\frac{3}{4}$ ) of all members elected to each house of the legislature does determine that an emergency requiring an early decision by the electors of the state does exist with reference to the amendment to article X, Section 7 of the Florida Constitution hereby proposed dealing with the matter of homestead exemption in Flagler and Sarasota counties.

Section 2. That the following amendment to Article X, Section 7 of the Florida Constitution is hereby agreed to and shall be submitted to the electors of Florida for approval or rejection at a special called election as provided by Article XVII, Section 3, of the Florida Constitution:

#### ARTICLE X

**SECTION 7. Exemption of homestead from taxation.—** Every person who has the legal title or beneficial title in equity to real property in this state and who resides thereon and in good faith makes the same his or her permanent home, or the permanent home of another or others legally or naturally dependent upon said person, shall be entitled to an exemption from all taxation, except for assessments for special benefits, up to the assessed valuation of five thousand dollars (\$5,000.00) on said home and contiguous real property, as defined in article X, section 1, of the constitution, for the year 1939 and thereafter, provided that in Flagler and Sarasota county the first one thousand dollars (\$1,000.00) of the assessed valuation of such property shall be taxable for school purposes only and the exemption shall apply to the next five thousand dollars (\$5,000.00) for school purposes only of assessed valuation. Said title may be held by the entireties, jointly, or in common with others, and said exemption may be apportioned among such of the owners as shall reside thereon, as their respective interests shall appear, but no such exemption of more than five thousand dollars (\$5,000.00) shall be allowed to any one (1) person or on any one (1) dwelling house, nor shall the amount of the exemption allowed any person exceed the proportionate assessed valuation based on the interest owned by such person. The legislature may prescribe appropriate and reasonable laws regulating the manner of establishing the right to said exemption.

Section 3. This resolution shall become effective only upon its approval by a majority of the freeholders, whose property shall be taxed under the provisions of this resolution, voting in a referendum election to be held in Flagler and Sarasota counties at the next special, regular primary or general election.

Section 4. Should this resolution be rejected by the freeholders whose property shall be taxed under the provisions of this resolution in Flagler county or Sarasota county, then this resolution shall be null and void as to such county whose said freeholders rejected said resolution.

Section 5. If a majority of the electors of Flagler or Sarasota counties voting at the emergency election to be held under the provisions of this resolution fails to approve the same, then this resolution shall be null and void and of no effect in the county in which the electors fail to approve this resolution.

The following Report of the Special Parliamentary Committee pursuant to Senate Rule 78 was received and read:

Tallahassee, Florida  
June 11, 1963

*Honorable Wilson Carraway*  
*President of the Senate*

Sir:

Your Special Parliamentary Committee has met and conferred on the question submitted to it regarding Senator Pope's motion as to the reconsideration of the vote by which House Joint Resolution No. 1030 was placed on third reading.

We are of the opinion that to place the Joint Resolution on third reading required a waiver of the rules by a two-thirds vote and, therefore, according to Jefferson's Manual to rescind that would also require a two-thirds vote. We are also of the opinion that the question is not debatable.

Respectfully submitted,

J. EMORY CROSS, Chairman  
Committee on Rules and Calendar

ROBT. W. DAVIS  
Secretary of the Senate

FRED M. BURNS  
Assistant Attorney General

Senator Pope moved that House Joint Resolution No. 1030, as amended, be placed back on second reading for the purpose of further amendment.

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

Yeas—34.

Mr. President	Cross	Hollahan	Price
Barron	Davis	Johnson (19th)	Roberts
Blank	Edwards	Kelly	Ryan
Boyd	Fraser	McCarty	Stratton
Bronson	Friday	Mathews	Whitaker
Campbell	Galloway	Melton	Williams (27th)
Clarke	Gautier	Parrish	Young
Cleveland	Henderson	Pearce	
Covington	Herrell	Pope	

Nays—10.

Askew	Gibson	Mapoles	Williams (4th)
Barber	Johns	Spottswood	
Connor	Johnson (6th)	Tucker	

So the motion received the required two-thirds vote and House Joint Resolution No. 1030, as amended, was placed back on second reading.

Senator Pope moved that the rules be waived and the Senate immediately reconsider the vote by which the following amendment to House Joint Resolution No. 1030 was adopted by the Senate on June 7, 1963:

Following the resolving clause, strike: the remainder of the resolution and insert in lieu thereof the following:

Section 1. That three fourths ( $\frac{3}{4}$ ) of all members elected to each house of the legislature does determine that an emergency requiring an early decision by the electors of the state does exist with reference to the amendment to article X, Section 7 of the Florida Constitution hereby proposed dealing with the matter of homestead exemption in Flagler and Sarasota counties.

Section 2. That the following amendment to Article X, Section 7 of the Florida Constitution is hereby agreed to and shall be submitted to the electors of Florida for approval or rejection at a special called election as provided by Article XVII, Section 3, of the Florida Constitution:

ARTICLE X

SECTION 7. **Exemption of homestead from taxation.**—Every person who has the legal title or beneficial title in equity to real property in this state and who resides thereon and in good faith makes the same his or her permanent home, or the permanent home of another or others legally or naturally dependent upon said person, shall be entitled to an exemption from all taxation, except for assessments for special benefits, up to the assessed valuation of five thousand dollars (\$5,000.00) on said home and contiguous real property, as defined in article X, section 1, of the constitution, for the year 1939 and thereafter, provided that in Flagler and Sarasota county the first one thousand dollars (\$1,000.00) of the assessed valuation of such property shall be taxable for school purposes only and the exemption shall apply to the next five thousand dollars (\$5,000.00) for school purposes only of assessed valuation. Said title may be held by the entireties, jointly, or in common with others, and said exemption may be apportioned among such of the owners as shall reside thereon, as their respective interests shall appear, but no such exemption of more than five thousand dollars (\$5,000.00) shall be allowed to any one (1) person or on any one (1) dwelling house, nor shall the amount of the exemption allowed any person exceed the proportionate assessed valuation based on the interest owned by such person. The legislature may prescribe appropriate and reasonable laws regulating the manner of establishing the right to said exemption.

Section 3. This resolution shall become effective only upon its approval by a majority of the freeholders, whose property shall be taxed under the provisions of this resolution, voting in a referendum election to be held in Flagler and Sarasota counties at the next special, regular primary or general election.

Section 4. Should this resolution be rejected by the freeholders whose property shall be taxed under the provisions of this resolution in Flagler county or Sarasota county, then this resolution shall be null and void as to such county whose said freeholders rejected said resolution.

Section 5. If a majority of the electors of Flagler or Sarasota counties voting at the emergency election to be held under the provisions of this resolution fails to approve the same, then this resolution shall be null and void and of no effect in the county in which the electors fail to approve this resolution.

The President put the question: "Will the Senate reconsider the vote by which the foregoing amendment to House Joint Resolution No. 1030 was adopted by the Senate on June 7, 1963?"

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which the foregoing amendment to House Joint Resolution No. 1030 was adopted by the Senate on June 7, 1963.

The question recurred on the adoption of the foregoing amendment.

Pending consideration thereof, by permission of the Senate, Senator Pope withdrew the foregoing amendment from the further consideration of the Senate.

Senator Pope moved that the rules be waived and the Senate immediately reconsider the vote by which the following amendment to House Joint Resolution No. 1030 was adopted by the Senate on June 7, 1963:

Following the Title and preceding the resolving clause, insert the following:

WHEREAS, the legislature has determined that an emergency requiring an early decision by the electors of the state does exist, and

WHEREAS, an amendment to the Constitution dealing

with the subject matter of homestead exemption in Flagler and Sarasota counties should be submitted to the electors of the State at the earliest possible time, NOW, THEREFORE,

The President put the question: "Will the Senate reconsider the vote by which the foregoing amendment to House Joint Resolution No. 1030 was adopted by the Senate on June 7, 1963?"

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which the foregoing amendment to House Joint Resolution No. 1030 was adopted by the Senate on June 7, 1963.

The question recurred on the adoption of the foregoing amendment.

Pending consideration thereof, by permission of the Senate, Senator Pope withdrew the foregoing amendment from the further consideration of the Senate.

By unanimous consent, Senator Henderson offered the following amendment to House Joint Resolution No. 1030:

Following the resolving clause, strike: the remainder of the resolution and insert in lieu thereof the following:

Section 1. That the amendment to article X, Section 7 of the Florida Constitution as set forth below is agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1964:

#### ARTICLE X

**SECTION 7. Exemption of homestead from taxation.**—Every person who has the legal title or beneficial title in equity to real property in this state and who resides thereon and in good faith makes the same his or her permanent home, or the permanent home of another or others legally or naturally dependent upon said person, shall be entitled to an exemption from all taxation, except for assessments for special benefits, up to the assessed valuation of five thousand dollars (\$5,000.00) on said home and contiguous real property, as defined in Article X, Section 1, of the constitution, for the year 1939 and thereafter, provided that in Sarasota County the first two thousand dollars (\$2,000.00) of the assessed valuation of such property shall be taxable for school purposes only and the exemption shall apply to the next five thousand dollars (\$5,000.00) for school purposes only of assessed valuation. Said title may be held by the entireties, jointly, or in common with others, and said exemption may be apportioned among such of the owners as shall reside thereon, as their respective interests shall appear, but no such exemption of more than five thousand dollars (\$5,000.00) shall be allowed to any one (1) person or on any one (1) dwelling house, nor shall the amount of the exemption allowed any person exceed the proportionate assessed valuation based on the interest owned by such person. The legislature may prescribe appropriate and reasonable laws regulating the manner of establishing the right to said exemption.

Section 2. This resolution shall become effective only upon its approval by a majority of the freeholders voting in a referendum election to be held in Sarasota county at the next special or regular primary election.

Section 3. Should this resolution be rejected by the freeholders in Sarasota county, then this resolution shall be null and void.

Senator Henderson moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Henderson moved that House Joint Resolution No. 1030, as amended, be read in full and put upon its passage.

Which was agreed to by a two-thirds vote and House Joint Resolution No. 1030, as amended, was read in full, as follows:

**H. J. R. NO. 1030—A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 7 OF THE STATE CONSTITUTION RELATING TO HOMESTEAD EXEMPTION.**

*Be It Resolved by the Legislature of the State of Florida:*

Section 1. That the amendment to article X, Section 7 of the Florida Constitution as set forth below is agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1964:

#### ARTICLE X

**SECTION 7. Exemption of homestead from taxation.**—Every person who has the legal title or beneficial title in equity to real property in this state and who resides thereon and in good faith makes the same his or her permanent home, or the permanent home of another or others legally or naturally dependent upon said person, shall be entitled to an exemption from all taxation, except for assessments for special benefits, up to the assessed valuation of five thousand dollars (\$5,000.00) on said home and contiguous real property, as defined in Article X, Section 1, of the constitution, for the year 1939 and thereafter, provided that in Sarasota County the first two thousand dollars (\$2,000.00) of the assessed valuation of such property shall be taxable for school purposes only and the exemption shall apply to the next five thousand dollars (\$5,000.00) for school purposes only of assessed valuation. Said title may be held by the entireties, jointly, or in common with others, and said exemption may be apportioned among such of the owners as shall reside thereon, as their respective interests shall appear, but no such exemption of more than five thousand dollars (\$5,000.00) shall be allowed to any one (1) person or on any one (1) dwelling house, nor shall the amount of the exemption allowed any person exceed the proportionate assessed valuation based on the interest owned by such person. The legislature may prescribe appropriate and reasonable laws regulating the manner of establishing the right to said exemption.

Section 2. This resolution shall become effective only upon its approval by a majority of the freeholders voting in a referendum election to be held in Sarasota county at the next special or regular primary election.

Section 3. Should this resolution be rejected by the freeholders in Sarasota county, then this resolution shall be null and void.

Upon the passage of House Joint Resolution No. 1030, as amended, the roll was called and the vote was:

Yeas—28.

Mr. President	Cleveland	Henderson	Parrish
Barron	Covington	Herrell	Pearce
Blank	Cross	Hollahan	Pope
Boyd	Davis	Johnson (19th)	Price
Bronson	Edwards	McCarty	Ryan
Campbell	Friday	Mathews	Whitaker
Clarke	Gautier	Melton	Young

Nays—16.

Askew	Galloway	Kelly	Tucker
Barber	Gibson	Mapoles	Usher
Connor	Johns	Roberts	Williams (27th)
Fraser	Johnson (6th)	Stratton	Williams (4th)

So House Joint Resolution No. 1030 passed, as amended, by the required Constitutional three-fifths vote of all members elected to the Senate for the 1963 Regular Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately.

The motion made by Senator Pope on June 10, 1963, that the Senate reconsider the vote by which the following amendment to—

**COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 72—A BILL TO BE ENTITLED AN ACT RELATING TO TAX ON SALES, USE AND CERTAIN TRANSACTIONS AMENDING SECTIONS 212.02(3), (4), (6) AND (16), FLORIDA STATUTES, PROVIDING FOR DEFINITIONS; AMENDING SECTION 212.03(4), FLORIDA STATUTES, PROVIDING FOR TAXATION ON TRANSIENT RENTALS; AMENDING THE INTRODUCTORY PARAGRAPH OF SECTION 212.04, FLORIDA STATUTES, PROVIDING FOR ADMISSIONS TAX; AMENDING SECTION 212.04(2), FLORIDA STATUTES, PROVIDING FOR TAXATION OF ADMISSIONS TO PLACES OF AMUSEMENT SUPERVISED BY THE STATE RACING COMMISSION; AMENDING SECTION 212.05(3), FLORIDA STATUTES, PROVIDING FOR TAXATION OF RENTAL OF TANGIBLE PERSONAL PROPERTY; AMENDING SECTION 212.08(3), FLORIDA STATUTES, PROVIDING TAXATION OF MOTOR VEHICLES; AMENDING SECTION 212.08(4), FLORIDA STATUTES, PROVIDING FOR TAXATION OF INDUSTRIAL MACHINERY; AMENDING SECTION 212.08(5), FLORIDA STATUTES, PROVIDING FOR TAXATION OF FUELS; AMENDING SECTION 212.08(6), FLORIDA STATUTES, PROVIDING FOR TAXATION OF FARM MACHINERY AND EQUIPMENT; AMENDING SECTION 212.08(7), FLORIDA STATUTES, DELETING EXEMPTION OF VEHICLES USED TO TRANSPORT PERSONS OR PROPERTY IN INTERSTATE OR FOREIGN COMMERCE; ADDING SECTION 212.08(10), FLORIDA STATUTES, PROVIDING PARTIAL EXEMPTION OF VEHICLES AND PARTS THEREOF USED IN INTERSTATE OR FOREIGN COMMERCE; REPEALING SECTION 212.03 (6), FLORIDA STATUTES; PROVIDING EFFECTIVE DATE.**

failed of adoption by the Senate on June 10, 1963, which amendment reads as follows:

On page 8, after the period in line 10, Subsection 4, strike the remainder of line 10 and all of lines 11, 12, 13, 14 and line 15 through the word allowed; and insert in lieu thereof the following: as used in this Subsection "single transaction" shall mean any item purchased at any single time and delivered to any point;

Was taken up.

The President put the question: "Will the Senate reconsider the vote by which the foregoing amendment to Committee Substitute for Committee Substitute for Senate Bill No. 72 failed of adoption by the Senate on June 10, 1963?"

Upon call of the roll on the question the vote was:

Yeas—14.

Boyd	Davis	Pope	Usher
Campbell	Henderson	Roberts	Williams (27th)
Covington	Johns	Ryan	
Cross	McCarty	Tucker	

Nays—30.

Mr. President	Connor	Johnson (19th)	Price
Asker	Edwards	Johnson (6th)	Spottswood
Barber	Fraser	Kelly	Stratton
Barron	Friday	Mapoles	Whitaker
Blank	Galloway	Mathews	Williams (4th)
Bronson	Gautier	Melton	Young
Clarke	Herrell	Parrish	
Cleveland	Hollahan	Pearce	

So the Senate refused to reconsider the vote by which

the foregoing amendment to Committee Substitute for Committee Substitute for Senate Bill No. 72 failed of adoption by the Senate on June 10, 1963.

Senator Blank offered the following amendment to Committee Substitute for Committee Substitute for Senate Bill No. 72:

Following Section 7, on page 11, add Section 7A to read:

Section 7A. Section 212.071 is created to read:

212.071 Excise tax; solid minerals.—

(1) The term "solid mineral" as used in this section shall include but not be limited to, mineral ore, metallic ore, clay, sand, limestone, gravel, phosphate rock, phosphate, stone and all similar substances mined, quarried, extracted or removed from the soil or earth.

(2) Levy.—There is hereby levied an excise tax on the privilege of severing all solid minerals from the soil and waters of the state, said tax to be a sum equal to five per cent (5%) of the gross sales value at the mines, dredges, quarries or other original point of production.

(3) When tax due and payable; returns.—It shall be the duty of any person severing any natural resource taxed in this section to make and file a return in such form as the comptroller may require and to pay tax due on or before the twentieth (20th) day of every month showing and paying taxes due for the preceding calendar month, the first report and form to be due on August 20, 1963.

(4) Distribution.—The comptroller shall distribute the taxes so collected under this section as follows:

(a) Twenty-five per cent (25%) shall be returned at the end of each year to the county wherein such taxes were collected and shall be placed in the county general revenue fund.

(b) The remaining seventy-five per cent (75%) of the taxes so collected shall be placed in the general revenue fund of the state.

Senator Blank moved the adoption of the amendment.

Pending consideration of the foregoing amendment offered by Senator Blank to Committee Substitute for Committee Substitute for Senate Bill No. 72, Senator Mathews offered the following amendment to the amendment offered by Senator Blank:

In Section 7, Subsection (1), eliminate: "clay, sand,"

Senator Mathews moved the adoption of the amendment to the amendment.

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

The question recurred on the adoption of the amendment offered by Senator Blank to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Pending consideration thereof, Senator Whitaker offered the following amendment to the amendment offered by Senator Blank to Committee Substitute for Committee Substitute for Senate Bill No. 72:

In Subsection 2, line 2, following the words "of the state" strike the comma and insert in lieu thereof the following: for the purpose of sale,

Senator Whitaker moved the adoption of the amendment to the amendment.

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

Yeas—24.

Askew	Covington	Hollahan	Pope
Barron	Cross	Johns	Price
Blank	Davis	Johnson (19th)	Ryan
Boyd	Fraser	McCarty	Whitaker
Campbell	Gautier	Mathews	Williams (27th)
Cleveland	Henderson	Parrish	Young

Nays—21.

Mr. President	Friday	Mapoles	Tucker
Barber	Galloway	Melton	Usher
Bronson	Gibson	Pearce	Williams (4th)
Clarke	Herrell	Roberts	
Connor	Johnson (6th)	Spottswood	
Edwards	Kelly	Stratton	

So the amendment to the amendment was adopted.

The question recurred on the adoption of the original amendment, as amended, offered by Senator Blank to Committee Substitute for Committee Substitute for Senate Bill No. 72.

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

Yeas—20.

Askew	Cleveland	Hollahan	Price
Barron	Cross	Johnson (19th)	Ryan
Blank	Davis	Mathews	Whitaker
Boyd	Gautier	Parrish	Williams (27th)
Campbell	Henderson	Pope	Young

Nays—25.

Mr. President	Fraser	Kelly	Stratton
Barber	Friday	McCarty	Tucker
Bronson	Galloway	Mapoles	Usher
Clarke	Gibson	Melton	Williams (4th)
Connor	Herrell	Pearce	
Covington	Johns	Roberts	
Edwards	Johnson (6th)	Spottswood	

So the amendment, as amended, failed of adoption.

Senator Blank offered the following amendment to Committee Substitute for Committee Substitute for Senate Bill No. 72:

In Section 1, page 4, at end of page following paragraph (f), insert the following:

(12) "Tangible personal property" means and includes personal property, which may be seen, weighed, measured, felt or touched, or is in any other manner perceptible to the senses. The term "tangible personal property" shall not include stocks, bonds, notes, insurance, or other obligations or securities, or intangibles as defined by the intangible tax law of the state nor pari-mutuel tickets sold or issued under the racing laws of the state.

The term "tangible personal property" shall also include but not be limited to minerals, metals, rock, dirt, earth, mineral ore, metallic ore, clay, sand, limestone, gravel, phosphate rock, phosphate, stone and all similar substances mined, quarried, extracted or removed from the soil or earth; provided that as to such class of tangible personal property the provisions of subsections (3) (c) hereof shall not apply.

Senator Blank moved the adoption of the amendment.

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

Senator Whitaker offered the following amendment to Committee Substitute for Committee Substitute for Senate Bill No. 72:

In Section 2, line 5, page 5, strike out the remainder of Section 2 and insert in lieu thereof the following:

(4) The tax levied by this section shall not apply to, be imposed upon, or collected from any person who shall reside continuously longer than six (6) months at anyone hotel, apartment house, rooming house, tourist or trailer

camp, and shall have paid the tax levied by this section for six (6) months of residence in any one hotel, rooming house, apartment house, tourist or trailer camp.

Senator Whitaker moved the adoption of the amendment.

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

Senator Pearce moved that the rules be waived and Committee Substitute for Committee Substitute for Senate Bill No. 72, as amended, 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 Committee Substitute for Senate Bill No. 72, as amended, was read the third time in full.

Upon the passage of Committee Substitute for Committee Substitute for Senate Bill No. 72, as amended, the roll was called and the vote was:

Yeas—28.

Mr. President	Cleveland	Herrell	Melton
Askew	Cross	Hollahan	Parrish
Blank	Edwards	Johnson (19th)	Pearce
Boyd	Fraser	Johnson (6th)	Price
Bronson	Friday	McCarty	Stratton
Campbell	Galloway	Mapoles	Williams (27th)
Clarke	Gautier	Mathews	Williams (4th)

Nays—17.

Barber	Gibson	Roberts	Whitaker
Barron	Henderson	Ryan	Young
Connor	Johns	Spottswood	
Covington	Kelly	Tucker	
Davis	Pope	Usher	

So Committee Substitute for Committee Substitute for Senate Bill No. 72 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

And Committee Substitute for Committee Substitute for Senate Bill No. 72 was ordered certified to the House of Representatives immediately, after being engrossed.

Senator Cross moved that the rules be waived and during the remainder of the extended Session, a motion to reconsider shall be made and acted on the same day that the question is decided.

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

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

Senate Bill No. 1384 was taken up in its order and the consideration thereof was temporarily deferred, the Bill retaining its place on the Calendar.

Senator Stratton, President Pro Tempore, presiding.

Senator Cross moved that the Senate recess until 1:30 o'clock P. M., this day.

And the Senate recessed at 11:56 o'clock A. M., until 1:30 o'clock P. M., this day.

### AFTERNOON SESSION

The Senate reconvened at 1:30 o'clock P. M., pursuant to recess order.

Senator Stratton, President Pro Tempore, in the Chair.

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

Mr. President	Bronson	Cross	Gautier
Askew	Campbell	Davis	Gibson
Barber	Clarke	Edwards	Henderson
Barron	Cleveland	Fraser	Herrell
Blank	Connor	Friday	Hollahan
Boyd	Covington	Galloway	Johns

Johnson (19th) Melton  
 Johnson (6th) Parrish  
 Kelly Pearce  
 McCarty Pope  
 Mapoles Price  
 Mathews Roberts

Ryan  
 Spottswood  
 Stratton  
 Tucker  
 Usher  
 Whitaker

Williams (27th)  
 Williams (4th)  
 Young

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

The Senate resumed consideration of Bills and Joint Resolutions on Second Reading.

**S. B. NO. 900**—A BILL TO BE ENTITLED AN ACT RELATING TO BEVERAGE LAW; AMENDING SECTION 561.46(1), FLORIDA STATUTES; INCREASING EXCISE TAX ON MALT BEVERAGES; PROVIDING EFFECTIVE DATE.

Was taken up in its order.

Senator Pearce moved that the rules be waived and Senate Bill No. 900 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 900 was read the second time by title only.

The following Committee Substitute for Senate Bill No. 900:

By the Committee on Finance and Taxation—

**COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 900**—A BILL TO BE ENTITLED AN ACT RELATING TO BEVERAGE LAW ADMINISTRATION; AMENDING SECTION 561.46(1), (2), (3), (4), (5) AND (6), FLORIDA STATUTES, RELATING TO EXCISE TAXES ON ALCOHOLIC BEVERAGES; PROVIDING FOR EXEMPTIONS FROM EXCISE TAXES ON ALCOHOLIC BEVERAGES; PROVIDING FOR THE COLLECTION OF SUCH TAXES; PROVIDING EFFECTIVE DATE.

Was read the first time by title only.

Senator Pearce moved that the rules be waived and the Committee Substitute for Senate Bill No. 900 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. 900 was read the second time by title only.

Senator Pearce moved the adoption of the Committee Substitute for Senate Bill No. 900.

Which was agreed to and the Committee Substitute for Senate Bill No. 900 was adopted.

Senator Pope offered the following amendment to Committee Substitute for Senate Bill No. 900:

In Section 1, strike: all of section 1 and insert in lieu thereof the following:

Section 1. Subsection (1) of section 561.46, Florida Statutes, is amended to read:

561.46 Excise taxes on beverages; exemption.

(1) As to malt beverages containing more than one per cent (1%) of alcohol by weight, there shall be paid by all manufactures and distributors, as herein defined, a tax of forty-eight cents (48¢) per gallon upon all such beverages in bulk or in kegs or barrels and when sold in containers of less than one (1) gallon, the tax shall be six (6) cents for each pint or fraction thereof:

Senator Pope moved the adoption of the amendment.

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

Yeas—18.

Askew	Davis	Mapoles	Usher
Blank	Gibson	Parrish	Williams (27th)
Boyd	Johns	Pope	Young
Campbell	Johnson (6th)	Price	
Covington	Kelly	Roberts	

Nays—25.

Mr. President	Farber	Barron	Bronson
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—45.

A quorum present.

Senator Carraway moved that the rules be waived and the Senate remain in Session until completion of consideration of all Bills on the Calendar or until 6 o'clock P. M., whichever is first.

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

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

By Senator Campbell—

**S. B. NO. 1389**—A BILL TO BE ENTITLED AN ACT RELATING TO THE ISSUANCE OF BONDS AND REVENUE CERTIFICATES BY OKALOOSA COUNTY, THE COUNTY BOARD OF PUBLIC INSTRUCTION, ALL MUNICIPALITIES, GOVERNMENTAL AGENCIES, OKALOOSA COUNTY GAS DISTRICT AND ANY OTHER SPECIAL TAX DISTRICTS IN SAID COUNTY; ENUMERATING PROCEDURES AND RESTRICTIONS THERETO; 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. 1389 was read the first time by title only.

Senator Campbell moved that the rules be waived and Senate Bill No. 1389 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 1389 was read the second time by title only.

Senator Campbell moved that the rules be further waived and Senate Bill No. 1389 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. 1389 was read the third time in full.

Upon the passage of Senate Bill No. 1389 the roll was called and the vote was:

Yeas—45.

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

Nays—None.

So Senate Bill No. 1389 passed, title as stated, and the

Clarke	Gautier	Mathews	Tucker
Cleveland	Henderson	Melton	Whitaker
Cross	Herrell	Pearce	Williams (4th)
Edwards	Hollahan	Ryan	
Fraser	Johnson (19th)	Spottswood	
Galloway	McCarty	Stratton	

So the amendment failed of adoption.

Senators Askew, Covington and Kelly offered the following amendment to Committee Substitute for Senate Bill No. 900:

In Section 1, subsection (2), line 3, on page 2, strike: "twenty cents (20¢)" and insert in lieu thereof the following: twenty-three cents (23¢)

Senator Askew moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Askew, Covington and Kelly also offered the following amendment to Committee Substitute for Senate Bill No. 900:

In Section 1, Subsection (3), line 6, on page 2, strike: "thirty cents (30¢)" and insert in lieu thereof the following: thirty-five cents (35¢)

Senator Askew moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Askew, Covington and Kelly also offered the following amendment to Committee Substitute for Senate Bill No. 900:

In Section 1, Subsection (4), line 5, on page 2, strike: "forty cents (40¢)" and insert in lieu thereof the following: forty-six cents (46¢)

Senator Askew moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Askew, Covington and Kelly also offered the following amendment to Committee Substitute for Senate Bill No. 900:

In Section 1, Subsection (5), line 10, on page 3, strike: "twenty-four cents (24¢)" and insert in lieu thereof the following: twenty-eight cents (28¢)

Senator Askew moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Askew, Covington and Kelly also offered the following amendment to Committee Substitute for Senate Bill No. 900:

In Section 1, Subsection (6), lines 8 and 9, on page 3, strike: "forty-eight cents (48¢)" and insert in lieu thereof the following: fifty-five cents (55¢)

Senator Askew moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Pearce moved that the rules be further waived and Committee Substitute for Senate Bill No. 900, as amended, 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. 900, as amended, was read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 900, as amended, the roll was called and the vote was:

Yeas—42.

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

Nays—1.

Fraser

So Committee Substitute for Senate Bill No. 900 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

And Committee Substitute for Senate Bill No. 900 was ordered certified to the House of Representatives immediately, after being engrossed.

Senator Pearce moved that the rules be waived and the Senate revert to the consideration of Committee Reports.

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

The following Conference Committee Report was received and read:

#### CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 450

Tallahassee, Florida  
June 11, 1963

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

*The Honorable Mallory E. Horne*  
*Speaker of the House of Representatives*  
*Tallahassee, Florida*

Sirs:

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to House Bill 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.

having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

That the Senate recede from its amendment numbered 2.

At the end of Section 1, strike Section 2 and insert in lieu thereof:

"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-half per cent (3½%) of 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."

That the Senate and House of Representatives adopt the Conference Committee amendment as set forth hereinabove.

That the Senate and House of Representatives pass House Bill 450 as further amended by the said Conference Committee amendment.

JAMES H. SWEENEY, JR.	B. C. PEARCE
JOHN J. CREWS, JR.	W. C. (CLIFF) HERRELL
CLAUDE E. WINGATE	JOHN E. MATHEWS, JR.
Managers on the part of the House of Representatives	Managers on the part of the Senate

And pursuant thereto the Senate receded from Senate Amendment numbered No. 1 which reads as follows:

Amendment No. 1—

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

Further pursuant thereto the Senate receded from Senate Amendment numbered No. 2 which reads as follows:

Amendment No. 2—

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;

Further pursuant thereto the Senate adopted the following Conference Committee Amendment:

At the end of Section 1, strike Section 2 and insert in lieu thereof:

"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-half per cent (3½%) of 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 Pearce moved that House Bill No. 450, as amended by the Conference Committee Amendment, be read in full and put upon its passage.

Which was agreed to by a two-thirds vote and House Bill No. 450, as amended by the Conference Committee Amendment, was read in full.

The question was put on the passage of House Bill No. 450, as amended by the Conference Committee Amendment.

Upon call of the roll on the passage of House Bill No. 450, as amended by the Conference Committee Amendment, the vote was:

Yeas—35.

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

Nays—7.

Mr. President	Edwards	Johnson (6th)	Roberts
Cross	Henderson	Melton	

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

**PAIR**

The following Pair was announced by the Secretary in accordance with Senate Rule 12:

I am paired with Senator Parrish on House Bill No. 450.

If he were present he would vote "Aye" and I would vote "Nay."

**ED FRASER**  
Senator, 29thX District

Dated: June 11, 1963

The Senate resumed consideration of Bills and Joint Resolutions on Second Reading.

**S. B. NO. 928—A BILL TO BE ENTITLED AN ACT LEVYING A ONE PER CENT (1%) TAX ON THE PRIVILEGE OF RECORDING A DEED OR CERTIFICATE OF TITLE CONVEYING AN INTEREST IN REAL PROPERTY; PROVIDING EXEMPTIONS; PRESCRIBING DUTIES OF THE CLERK OF THE CIRCUIT COURT AND COMPTROLLER; PROVIDING FOR TRANSFER OF TAX TO THE GENERAL REVENUE FUND, AND PROVIDING AN EFFECTIVE DATE.**

Was taken up in its order.

Senator Pearce moved that the rules be waived and Senate Bill No. 928 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 928 was read the second time by title only.

The following Committee Substitute for Senate Bill No. 928:

By the Committee on Finance and Taxation—

**COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 928**—A BILL TO BE ENTITLED AN ACT RELATING TO THE EXCISE TAX ON DOCUMENTS; AMENDING SECTIONS 201.02, 201.04, 201.05, 201.07, AND 201.08, FLORIDA STATUTES; INCREASING THE DOCUMENTARY STAMP TAX; PROVIDING AN EFFECTIVE DATE.

Was read the first time by title only.

Senator Pearce moved that the rules be waived and the Committee Substitute for Senate Bill No. 928 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. 928 was read the second time by title only.

Senator Pearce moved the adoption of the Committee Substitute for Senate Bill No. 928.

Which was agreed to and the Committee Substitute for Senate Bill No. 928 was adopted.

Senator Herrell offered the following amendment to Committee Substitute for Senate Bill No. 928:

In Section 5, subsection (1), line 6, on page 4, strike: "fifteen" and insert in lieu thereof the following: ten

Senator Herrell moved the adoption of the amendment.

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

Senator Pearce moved that the rules be further waived and Committee Substitute for Senate Bill No. 928 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. 928 was read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 928 the roll was called and the vote was:

Yeas—29.

Mr. President	Cleveland	Johnson (19th)	Ryan
Askew	Connor	McCarty	Spottswood
Barber	Cross	Mathews	Stratton
Barron	Davis	Parrish	Whitaker
Blank	Edwards	Pearce	Williams (27th)
Boyd	Galloway	Pope	
Bronson	Gautier	Price	
Campbell	Hollahan	Roberts	

Nays—14.

Clarke	Herrell	Mapoles	Williams (4th)
Covington	Johns	Melton	Young
Fraser	Johnson (6th)	Tucker	
Henderson	Kelly	Usher	

So Committee Substitute for Senate Bill No. 928 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

**COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 872**—A BILL TO BE ENTITLED AN ACT RELATING TO CORPORATIONS; AMENDING SECTION 608.33, FLORIDA STATUTES; PROVIDING FOR AN INCREASE IN THE SCHEDULE OF FEES FOR CAPITAL STOCK TAX; PROVIDING AN EFFECTIVE DATE.

Was taken up in its order.

Senator Mathews moved that the rules be waived and Committee Substitute for House Bill No. 872 be read the second time by title only.

Which was agreed to by a two-thirds vote and Committee Substitute for House Bill No. 872 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Committee Substitute for House Bill No. 872 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 House Bill No. 872 was read the third time in full.

Upon the passage of Committee Substitute for House Bill No. 872 the roll was called and the vote was:

Yeas—34.

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

Nays—8.

Covington	Henderson	Johnson (6th)	Spottswood
Gibson	Herrell	Mapoles	Young

So Committee Substitute for House Bill No. 872 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Kelly moved that the House of Representatives be requested to return House Bill No. 2493 to the Senate for further action.

Which was agreed to and it was so ordered.

Senator Galloway requested unanimous consent of the Senate to take up and consider Senate Bill No. 1384, out of its order.

Unanimous consent was granted, and—

**S. B. NO. 1384**—A BILL TO BE ENTITLED AN ACT RELATING TO MOTOR VEHICLE LICENSES; AMENDING SECTIONS 320.08 (1), (2), (8), (10), AND 320.081 (2), FLORIDA STATUTES; PROVIDING AN INCREASE IN LICENSE FEES FOR CERTAIN VEHICLES AND CERTAIN TRAILERS; PROVIDING AN EFFECTIVE DATE.

Was taken up.

Senator Galloway moved that the rules be waived and Senate Bill No. 1384 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 1384 was read the second time by title only.

Senator Young offered the following amendment to Senate Bill No. 1384:

In Section 1, line 9, on page 2, strike: "\$25.00" and insert in lieu thereof the following: \$15.00

Senator Young moved the adoption of the amendment.

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

Senator Ryan offered the following amendment to Senate Bill No. 1384:

In Section 1, lines 8 and 9, on page 2, strike: "'MH' Series: Trailer coaches used for housing accommodations: \$25.00 flat.—" and insert in lieu thereof the following: "MH" Series: Trailer coaches used for housing accommodations:

"MHA" Series: Trailer coaches used for housing accommodations 35 feet in length and under: \$15.00.

"MHB" Series: Trailer coaches used for housing accommodations more than 35 feet in length and less than 55 feet one inch in length: \$20.00.

"MHC" Series: Trailer coaches used for housing accommodations 55 feet one inch in length and over: \$25.00.

Senator Ryan moved the adoption of the amendment.

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

**Senator Mathews presiding.**

Senator Galloway moved that the rules be further waived and Senate Bill No. 1384 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. 1384 was read the third time in full.

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

Senator Galloway moved that the rules be waived and Senate Bill No. 1384 be placed back on Second Reading.

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

Yeas—26.

Mr. President	Cross	Mathews	Usher
Barber	Edwards	Melton	Whitaker
Boyd	Galloway	Parrish	Williams (27th)
Bronson	Gautier	Pearce	Williams (4th)
Campbell	Herrell	Price	Young
Cleveland	Hollahan	Ryan	
Covington	Johnson (19th)	Stratton	

Nays—16.

Askew	Davis	Johns	Mapoles
Barron	Fraser	Johnson (6th)	Pope
Blank	Gibson	Kelly	Roberts
Clarke	Henderson	McCarty	Tucker

So the motion made by Senator Galloway failed to receive the required two-thirds vote and, therefore, failed of adoption.

Senator Mathews moved that Senate Bill No. 1384 be referred to an appropriate committee.

Which was agreed to.

Senator Kelly moved that the Senate reconsider the vote by which Senate Bill No. 1384 was ordered referred to an appropriate committee.

The question was put and upon call of the roll the vote was:

Yeas—16.

Askew	Fraser	Johnson (6th)	Ryan.
Barron	Gibson	Kelly	Tucker
Blank	Henderson	Pope	Usher
Davis	Johns	Roberts	Young

Nays—26.

Mr. President	Covington	Johnson (19th)	Price
Barber	Cross	McCarty	Stratton
Boyd	Edwards	Mapoles	Whitaker
Bronson	Galloway	Mathews	Williams (27th)
Campbell	Gautier	Melton	Williams (4th)
Clarke	Herrell	Parrish	
Cleveland	Hollahan	Pearce	

So the Senate refused to reconsider the vote by which Senate Bill No. 1384 was ordered referred to an appropriate committee, and Senate Bill No. 1384 was referred to the Committee on Finance and Taxation.

**H. B. NO. 2466—A BILL TO BE ENTITLED AN ACT RELATING TO PAYMENTS TO THE GENERAL REVENUE FUND FROM CERTAIN STATE MONEYS AND TRUST FUNDS; AMENDING SECTION 215.20, FLOR-**

**IDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.**

Was taken up in its order.

Senator Pearce moved that the rules be waived and House Bill No. 2466 be read the second time by title only.

Which was agreed to by a two-thirds vote and House Bill No. 2466 was read the second time by title only.

Senator Pearce moved that the rules be further waived and House Bill No. 2466 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. 2466 was read the third time in full.

Upon the passage of House Bill No. 2466 the roll was called and the vote was:

Yeas—43.

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

Nays—2.

Askew	Barron
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So House Bill No. 2466 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Cross moved that the rules be waived and the Senate revert to the consideration of messages from the House of Representatives.

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

**MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

The following message from the House of Representatives was received and read:

Tallahassee, Florida  
June 11, 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 accepted and adopted the Conference Committee report on

By Representatives Wingate of Nassau, Saunders of Monroe, Hason of Sarasota, Owens of Martin, Land of Orange, Jordan of Sarasota, Thomas of Bradford, Mattox of Polk, Knowles of Manatee, Ramos of Monroe, Daniel of Lake and Strickland of Citrus—

**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.**

Which Conference Committee report reads as follows:

CONFERENCE COMMITTEE REPORT ON  
HOUSE BILL NO. 450

Tallahassee, Florida  
June 11, 1963

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

*Honorable Mallory E. Horne*  
*Speaker, House of Representatives*  
*Tallahassee, Florida*

Sirs:

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to House Bill 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.

having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

That the Senate recede from its amendment numbered 2.

At the end of Section 1, strike Section 2 and insert in lieu thereof:

"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-half per cent (3½%) of 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."

That the Senate and House of Representatives adopt the Conference Committee amendment as set forth hereinabove.

That the Senate and House of Representatives pass House Bill 450 as further amended by the said Conference Committee amendment.

JAMES H. SWEENEY, JR.	B. C. PEARCE
JOHN J. CREWS, JR.	W. C. (CLIFF) HERRELL
CLAUDE E. WINGATE	JOHN E. MATHEWS, JR.
Managers on the part of the House of Representatives	Managers on the part of the Senate

and pursuant thereto the House of Representatives has adopted the Conference Committee amendment as set forth in the foregoing report, and further pursuant thereto, the House of Representatives has passed H. B. No. 450 as further amended by the Conference Committee Amendment.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

Senator Cross moved that the rules be waived and when the Senate adjourns at this Session, it adjourn to reconvene at 12:00 o'clock Noon, Wednesday, June 12, 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 4:16 o'clock P. M., until 12:00 Noon, Wednesday, June 12, 1963.