

# JOURNAL OF THE SENATE

Thursday, June 13, 1963

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Wednesday, June 12, 1963.

The President in the Chair.

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

Mr. President	Cross	Johns	Price
Askew	Davis	Johnson (19th)	Roberts
Barber	Edwards	Johnson (6th)	Ryan
Barron	Fraser	Kelly	Spottswood
Blank	Friday	McCarty	Stratton
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

—44.

A quorum present.

Senator Boyd was excused from attendance upon the Sessions.

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

Since it is of thy mercy, O gracious Father, that another day is added to our lives, we here dedicate both our minds and bodies to thee and to thy service in a sober, righteous, and godly life; in which resolution do thou, O God, confirm and strengthen us that as we grow in age, we may grow in grace. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Wednesday, May 22, 1963, was further corrected as follows:

Page 1114, column 2, line 24, counting from the bottom of the column, strike the numerals "115" and insert in lieu thereof: 1115

Also—

Page 1121, column 1, line 6, strike the numerals and comma: "388,391" and insert in lieu thereof: 388.391

And as further corrected was approved.

The Senate daily Journal of Wednesday, May 29, 1963, was further corrected as follows:

Page 1471, column 2, strike lines 17 through 40.

And as further corrected was approved.

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

Page 1553, column 1, between lines 18 and 19 insert the following:

Senators Friday and Galloway were excused from attendance upon the Session or Sessions this day.

And as further corrected was approved.

The Senate daily Journal of Monday, June 10, 1963, was further corrected as follows:

Page 1837, column 1, counting from the bottom of the column, strike lines 15 through 21.

Also—

Page 1840, column 2, line 3, before the word "and" insert the following: by the required Constitutional three-fourths vote of all members elected to the Senate for the 1963 Regular Session of the Florida Legislature,

And as further corrected was approved.

The Senate daily Journal of Tuesday, June 11, 1963, was further corrected as follows:

Page 1857, column 1, counting from the bottom of the column, strike lines 22 through 26 and insert in lieu thereof the following:

In Section 7, on page 3, at the end of Section 7 add: The maximum amount that may be invested

And as further corrected was approved.

The Senate daily Journal of Wednesday, June 12, 1963, was corrected as follows:

Page 1871, column 1, line 20, strike the numerals "512" and insert in lieu thereof: 519

Also—

Page 1878, column 1, line 17, counting from the bottom of the column, before the word "and" insert the following: by the required three-fifths vote of all members elected to the Senate for the 1963 Regular Session of the Florida Legislature.

And as corrected was approved.

## ENGROSSING REPORTS

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

**COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 300—A BILL TO BE ENTITLED AN ACT AUTHORIZING EXPENDITURES FOR CAPITAL OUTLAY PROJECTS AT JUNIOR COLLEGES AND INSTITUTIONS UNDER THE BOARD OF CONTROL; PROVIDING FOR A STUDY OF THE EDUCATIONAL NEEDS OF THE INSTITUTIONS OF HIGHER LEARNING, JUNIOR COLLEGES AND VOCATIONAL TECHNICAL SCHOOLS; PROVIDING FOR REVIEW BY THE BOND REVIEW BOARD; AND PROVIDING AN EFFECTIVE DATE.**

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

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

And Committee Substitute for Senate Bill No. 300, contained in the above report, was certified to the House of Representatives immediately.

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

**S. B. NO. 514—A BILL TO BE ENTITLED AN ACT RELATING TO THE WATERWAYS DEVELOPMENT DIVISION OF THE FLORIDA BOARD OF CONSERVATION; PROVIDING FOR THE CONSTRUCTION OF A SMALL BOAT CHANNEL AT THE MOUTH OF THE SUWANNEE RIVER; 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. 514, 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. 568—A BILL TO BE ENTITLED AN ACT RELATING TO SURVEYS, POLLS, INDEXES, MEASUREMENT, MEASUREMENT SHARES, TOTALS, AND AUDIENCE INDEX MEASUREMENT AND POLL OPERATIONS; PROVIDING FOR THE LICENSING, CONTROL, REGULATION AND OPERATION BY THE SECRETARY OF STATE; PROVIDING FOR SUSPENSION OR REVOCATION OF LICENSE; PROVIDING FOR EXEMPTIONS; PROVIDING A TRUST FUND; PROVIDING A PENALTY; 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. 568, 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. C. R. NO. 952—A CONCURRENT RESOLUTION URGING THE USE OF PRODUCTS WHICH STIMULATE FLORIDA EMPLOYMENT BY ALL GOVERNMENTAL AGENCIES OF THE STATE, ITS SUBDIVISIONS, AND BUSINESSES OF THE STATE.**

—begs leave to report that the amendment has been incorporated in the Concurrent Resolution 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 Concurrent Resolution No. 952, 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. 1073—A BILL TO BE ENTITLED AN ACT AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA TO PAY EACH OF THE MEMBERS OF SAID BOARD AND ALL COUNTY EMPLOYEES OF MONROE COUNTY, FLORIDA, FOR MILEAGE ACTUALLY TRAVELED WITHIN MONROE COUNTY, FLORIDA, WHILE ATTENDING TO BUSINESS OF THE COUNTY, INCLUDING MILEAGE FOR BOARD MEMBERS FOR TRAVELING TO AND FROM THE COURT HOUSE TO ATTEND MEETINGS OF SAID BOARD; AUTHORIZING ADDITIONAL COMPENSATION FOR ACTUAL EXPENSES, INCLUDING TRAVEL, INCURRED IN ATTENDING TO BUSINESS FOR THE COUNTY BEYOND THE LIMITS OF MONROE COUNTY; DESIGNATING THE FUND OUT OF WHICH SAID COMPENSATION SHALL BE PAID; REPEALING ALL LAWS AND PARTS OF LAWS, WHETHER GENERAL OR SPECIAL, IN CONFLICT WITH THIS ACT TO THE EXTENT OF SUCH CON-**

**FLICT; AND PROVIDING WHEN THIS ACT SHALL TAKE EFFECT.**

—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. 1073, 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—

C. S. FOR S. B. NO. 263

—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 12, 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. 1315 | S. B. NO. 1334 |
| S. B. NO. 1321 | S. B. NO. 1336 |
| S. B. NO. 1323 | S. B. NO. 1340 |
| S. B. NO. 1325 | S. B. NO. 1342 |
| S. B. NO. 1326 | S. B. NO. 1344 |
| S. B. NO. 1327 | S. B. NO. 1346 |
| S. B. NO. 1328 | S. B. NO. 1349 |
| S. B. NO. 1330 | S. B. NO. 1351 |
| S. B. NO. 1332 | S. B. NO. 1355 |
| S. B. NO. 1333 | S. B. NO. 1357 |

—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 12, 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. 1381

—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 12, 1963.

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

Your Enrolling Clerk to whom was referred—

H. B. NO. 450                      H. B. NO. 2040

—reports same have been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on June 12, 1963.

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

Your Enrolling Clerk to whom was referred—

- |                |                |
|----------------|----------------|
| H. B. NO. 560  | H. B. NO. 1299 |
| H. B. NO. 954  | H. B. NO. 1379 |
| H. B. NO. 1247 | H. B. NO. 1703 |
| H. B. NO. 1254 |                |

—reports same have been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on June 12, 1963.

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

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

By Senators Galloway and Pearce—

**S. B. NO. 1395**—A BILL TO BE ENTITLED AN ACT RELATING TO LICENSE TAXES FOR THE OPERATION OF MOTOR VEHICLES; AMENDING SECTIONS 320.08 AND 320.081, FLORIDA STATUTES, LEVYING AND IMPOSING ANNUAL LICENSE TAXES FOR THE OPERATION OF MOTOR VEHICLES; PROVIDING FOR THE COLLECTION OF SUCH LICENSE TAXES; REPEALING SECTION 320.082, FLORIDA STATUTES; AND FIXING AN EFFECTIVE DATE OF THIS ACT.

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

By Senators Young and Herrell—

**S. B. NO. 1396**—A BILL TO BE ENTITLED AN ACT RELATING TO TRADING STAMPS; AMENDING SECTION 559.03, FLORIDA STATUTES, TO REQUIRE TRADING STAMPS TO REFLECT THE MONTH AND YEAR OF ISSUANCE; ADDING SECTION 559.051 TO PART I OF CHAPTER 559, FLORIDA STATUTES, TO PROVIDE THAT TRADING STAMPS NOT REDEEMED WITHIN ONE YEAR SHALL BELONG TO THE STATE TO BE DEPOSITED IN THE GENERAL REVENUE FUND; PROVIDING AN EFFECTIVE DATE.

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

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

By Senator Parrish—

**S. B. NO. 1397**—A BILL TO BE ENTITLED AN ACT REMOVING BREVARD COUNTY FROM THE PROVISIONS OF THE WATER AND SEWER SYSTEM REGULATORY LAW, BEING CHAPTER 367, FLORIDA STATUTES 1961; PROVIDING FOR POWERS OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY; AND 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. 1397 was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1397 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Parrish moved that the rules be waived and Senate Bill No. 1397 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 1397 was read the second time by title only.

Senator Parrish moved that the rules be further waived and Senate Bill No. 1397 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. 1397 was read the third time in full.

Upon the passage of Senate Bill No. 1397 the roll was called and the vote was:

Yeas—44.

Mr. President	Cross	Johns	Price
Askew	Davis	Johnson (19th)	Roberts
Barber	Edwards	Johnson (6th)	Ryan
Barron	Fraser	Kelly	Spottswood
Blank	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

Nays—None.

So Senate Bill No. 1397 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

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

By Senator Cross—

**S. B. NO. 1398**—A BILL TO BE ENTITLED AN ACT RELATING TO THE PURCHASE OF FOODSTUFFS, CANNED GOODS AND OTHER PRODUCE BY THE SHERIFF AND THE BOARD OF PUBLIC INSTRUCTION, OF ANY COUNTY IN THE STATE HAVING A POPULATION OF NOT LESS THAN SEVENTY THOUSAND (70,000) AND NOT MORE THAN SEVENTY-FOUR THOUSAND TWO HUNDRED (74,200), ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS, FROM THE DIVISION OF CORRECTIONS.

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. 1398 was read the first time by title only.

Senator Cross moved that the rules be waived and Senate Bill No. 1398 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 1398 was read the second time by title only.

Senator Cross moved that the rules be further waived and Senate Bill No. 1398 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. 1398 was read the third time in full.

Upon the passage of Senate Bill No. 1398 the roll was called and the vote was:

Yeas—44.

Mr. President	Cross	Johns	Price
Askew	Davis	Johnson (19th)	Roberts
Barber	Edwards	Johnson (6th)	Ryan
Barron	Fraser	Kelly	Spottswood
Blank	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

Nays—None.

So Senate Bill No. 1398 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Young—

#### SENATE RESOLUTION NO. 1399—

A RESOLUTION COMMEMORATING THE DEATH OF AVERY W. GILKERSON, CLERK OF THE CIRCUIT COURT OF PINELLAS COUNTY.

WHEREAS, Avery W. Gilkerson has been a public

official in Pinellas county for the past decade serving with distinction as Clerk of the Circuit Court, and

WHEREAS, prior to his election by the voters of his county as Clerk of the Circuit Court, he served as Mayor of Gulfport. Subsequently, he was elected in 1953 as Clerk of the Circuit Court and has served in that capacity until his death, and

WHEREAS, Mr. Gilkerson has occupied a unique place in Pinellas county government winning elections with ease and serving the public with dispatch proving himself a valuable public servant, NOW, THEREFORE,

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

That the members of the Legislature extend the family of Avery W. Gilkerson its sympathy in the death and loss to Pinellas county of one of its most outstanding public citizens and in memory of his passing we do send forth the following:

#### IN MEMORIAM

#### AVERY W. GILKERSON

Avery W. Gilkerson was born on June 5, 1899, in Toronto, Canada, moving to Minneapolis, Minnesota, as a child. He was educated in the public schools in Minneapolis and entered the University of Minnesota, where he was attending when he enlisted to serve in World War I. Following the war, he re-entered the University securing therefrom a degree of Bachelor of Laws. He subsequently moved to Boston, Massachusetts, where he practiced law for twenty-five years, serving in the Massachusetts State Legislature for eight years. Seventeen years ago he moved to Florida, settling in Pinellas county. In 1953 he was elected as Mayor of the city of Gulfport in Pinellas county and subsequently was elected, in 1953, to the office of Clerk of the Circuit Court, where he was serving at the time of his death. He was a member of the Pasadena Community Church of St. Petersburg and a Mason. He is survived by his widow, Esther Gilkerson; two daughters, Mrs. Robert Newmann of Colombia, South America, and Mrs. Thomas M. Davis, Granada Hills, California, and a sister, Miss Dorothy Gilkerson of Long Beach, New Jersey.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to his widow and members of his family with an expression of deep sympathy from the members of the Florida Senate in the passing of an outstanding and conscientious public official of Pinellas county.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

And Senate Resolution No. 1399 was unanimously adopted.

By Senators Gautier, Campbell, Barber and Barron—

**S. B. NO. 1400—A BILL TO BE ENTITLED AN ACT RELATING TO PAYMENT OF PER DIEM AND MILEAGE DURING THE EXTENDED SESSION OF THE 1963 LEGISLATURE; PROVIDING EFFECTIVE DATE.**

Which was read the first time by title only.

Senator Gautier moved that the rules be waived and Senate Bill No. 1400 be placed on the Calendar of Bills on Second Reading, without reference.

Senator Pearce moved as a substitute motion that Senate Bill No. 1400 be referred to an appropriate committee.

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

Which was agreed to and Senate Bill No. 1400 was referred to the Committee on Appropriations.

#### MESSAGES FROM THE GOVERNOR VETOED BILL OF 1963 REGULAR SESSION

The following message from the Governor was read:

STATE OF FLORIDA  
OFFICE OF THE GOVERNOR  
TALLAHASSEE

June 11, 1963

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

Dear Sir:

Pursuant to the authority vested in me as Governor of Florida under the provisions of Article III, Section 28, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill No. 439, enacted by the Legislature of 1963, and entitled:

“AN ACT AMENDING SECTION 323.16, FLORIDA STATUTES, RELATING TO DISPOSITION OF MILEAGE TAXES COLLECTED BY THE FLORIDA RAILROAD AND PUBLIC UTILITIES COMMISSION SO AS TO PROVIDE FOR THE USE OF A PORTION OF SUCH TAXES BY SAID COMMISSION FOR REGULATORY PURPOSES; AND REPEALING ALL LAWS IN CONFLICT WITH THIS ACT.”

This measure provides that of the funds received from the taxes collected by the Florida Railroad and Public Utilities Commission which have previously accrued to the General Revenue Fund, 40% (10% of the present 25%) shall be paid to the Florida Railroad and Public Utilities Regulatory Trust Fund. According to the Budget Director, this will effect a diversion from the General Revenue Fund for the coming biennium of \$260,000.

Senate Bill No. 70, which has already become law (Chapter 63-296), creates a Florida Public Utilities Regulatory Trust Fund and provides for the deposit of certain money into the Fund.

Section 2 of Senate Bill No. 70 provides that all fees, licenses, and other charges collected by the Commission shall be deposited in the Trust Fund. It is estimated that these sources will divert to the Commission in the next biennium \$340,000 which heretofore has been deposited in the General Revenue Fund.

Section 3 of Senate Bill No. 70 provides for an additional tax of 1/25 of 1% on the gross operating revenues of utility companies in Florida which it is estimated will produce an additional \$480,000 in the next biennium to be deposited in the Commission's Regulatory Trust Fund.

These three sources, the last two of which have already become law, will place into the Trust Fund \$1,080,000 in the next biennium of which \$600,000 will have been a diversion from the General Revenue Fund.

The Legislature, in the General Appropriations Act, has appropriated \$884,439 from the Regulatory Trust Fund to provide 47 new positions, with the attendant expenses and capital outlay appropriations, for the stepped-up regulatory operation of the Commission. It is my feeling that the \$820,000 provided for by Senate Bill No. 70 will be adequate to finance the Trust Fund appropriation, taking into consideration lapsetime in filling the 47 new positions.

It was my understanding at the time the Commission proposed a stepped-up regulatory program that industry was willing to finance the total cost of such stepped-up program, and it was not anticipated that moneys presently going into the General Revenue Fund would be diverted into the Trust Fund. I now find that already

under the provisions of Senate Bill No. 70, \$340,000 has been diverted.

I note that a memorandum prepared for me by the staff of the Public Utilities Commission indicates that this Senate Bill No. 439 would take only \$100,000 from the General Revenue Fund, while the evidence indicates that \$260,000 is the more nearly correct figure. Also, the Commission staff indicates that the General Revenue Fund would suffer no loss dollar-wise because improved enforcement and Commission procedures in the last two years are alleged to have increased the total mileage tax collections by about 30%. The Budget Director advises me that the total increased collections by the Commission have amounted to only about 10% per year.

In view of the fact that Senate Bill No. 70 provides sufficient moneys, in my opinion, to properly and effectively finance the appropriation from the Trust Fund contained in the General Appropriations Act, I do not believe that a further diversion of moneys from General Revenue is necessary or desirable.

For these reasons, I am withholding my approval from Senate Bill No. 439.

Respectfully,  
FARRIS BRYANT  
Governor

The President put the question: "Shall the Bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of Senate Bill No. 439 (1963 Regular Session) the roll was called and the vote was:

Yeas—None.

Nays—41.

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

So Senate Bill No. 439 (1963 Regular Session) failed to pass over the Governor's objections thereto.

The following messages from the Governor were received:

STATE OF FLORIDA  
OFFICE OF THE GOVERNOR  
TALLAHASSEE

June 13, 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, same having remained in my office for the full constitutional period of five days and will become law without my approval:

- |           |            |
|-----------|------------|
| S. B. 57  | S. B. 864  |
| S. B. 137 | S. B. 872  |
| S. B. 174 | S. B. 1069 |
| S. B. 431 | S. B. 1096 |
| S. B. 463 | S. B. 1097 |

- |            |            |
|------------|------------|
| S. B. 1188 | S. B. 1348 |
| S. B. 1219 | S. B. 962  |
| S. B. 1252 | S. B. 1181 |

Respectfully,  
FARRIS BRYANT  
Governor

STATE OF FLORIDA  
OFFICE OF THE GOVERNOR  
TALLAHASSEE

June 13, 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:

- |                         |
|-------------------------|
| C. S. FOR C. S. S. B. 2 |
| S. B. 287               |

Respectfully,  
FARRIS BRYANT  
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida  
June 13, 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 Pearce—  
S. B. NO. 84  
Also—  
By Senator Pearce—  
S. B. NO. 89  
Also—  
By Senator Pearce—  
S. B. NO. 87  
Also—  
By Senator Pearce—  
S. B. NO. 83  
Also—  
By Senator Edwards—  
S. B. NO. 374  
Also—  
By Senator Spottswood—  
S. B. NO. 787  
Also—  
By Senator Carraway—  
S. B. NO. 1386

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

And Senate Bills Nos. 84, 89, 87, 83, 374, 787 and 1386, contained in the above message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Tallahassee, Florida  
June 12, 1963

*The Honorable Wilson Carraway*  
*President of the Senate*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate amendment to—

By Representatives Griffin and Chiles of Polk—

**H. B. NO. 2508—A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, GIVING THE SAID CITY JURISDICTION OVER THE TERRITORY EMBRACED IN SAID EXTENSION, PROVIDING FOR THE TAXATION OF SAID TERRITORY EMBRACED IN SAID EXTENSION BY SAID CITY, PROVIDING THAT INVALIDITY OF ANY PORTION OF THIS ACT SHALL NOT AFFECT THE REMAINING PORTIONS HEREOF, REPEALING ALL LAWS AND PARTS OF LAWS IN CONFLICT, AND PROVIDING FOR REFERENDUM ELECTION.**

Which amendment reads as follows:

In Section 7, strike: the entire Section 7 and insert in lieu thereof the following: Section 7. This Act shall not take effect as to said Area 1 or Area 2 unless the annexation of such area or areas has been approved by a majority of the combined qualified electors of the City of Lake Wales, Florida, and the qualified electors residing in said Area 1 and Area 2 herein described, voting in an election to be called and held for that purpose. The City of Lake Wales, shall provide for the registration of those electors residing in the areas to be annexed. Said registration shall be held during a full month prior to the date of the election. The ballot to be submitted shall read:

**VOTE ON BOTH QUESTIONS!**

If you fail to vote on Question 1 your vote on Question 2 will not be counted!

Question 1.

- For annexation
- Against annexation

Question 2.

- For annexation of Areas 1 and 2
- For annexation of Area 1 only

The results on Question 2 shall be effective and binding only in the event a majority of those voting at the election shall cast their votes (for annexation) on Question 1.

The results of the election shall be certified by the City of Lake Wales to the Secretary of State.

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

Tallahassee, Florida  
June 13, 1963

*The Honorable Wilson Carraway*  
*President of the Senate*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate amendment to—

By Representatives Wadsworth of Flagler and Jordan of Sarasota—

**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:*

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:

**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 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.

Provided however this resolution shall be inoperative in Sarasota county unless approved by the electorate thereof at an election called for that purpose.

Which amendment reads as follows:

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.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

Tallahassee, Florida  
June 13, 1963

*The Honorable Wilson Carraway*  
*President of the Senate*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed with amendments by the required three-fifths vote of all members elected to the House of Representatives for the 1963 Regular Session of the Florida Legislature—

By the Committee on Education—Higher Learning—

**COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 300—A BILL TO BE ENTITLED AN ACT AUTHORIZING EXPENDITURES FOR CAPITAL OUTLAY PROJECTS AT JUNIOR COLLEGES AND INSTITUTIONS UNDER THE BOARD OF CONTROL; PROVIDING FOR A STUDY OF THE EDUCATIONAL NEEDS OF THE INSTITUTIONS OF HIGHER LEARNING, JUNIOR COLLEGES AND VOCATIONAL TECHNICAL SCHOOLS; PROVIDING FOR REVIEW BY THE BOND REVIEW BOARD; AND PROVIDING AN EFFECTIVE DATE.**

Which amendments read as follows:

Amendment No. 1—

In Section 1, Sub-section (3), following the words "Article XII of the Constitution" insert the following: "and any monies in the "Institutions of Higher Learning and Junior Colleges Capital Outlay and Debt Service Trust Fund";"

Amendment No. 2—

In Section 1, Sub-section (2), item 2., line 9, strike out: "Engineering Science Unit 1 1,300,000.00" and insert the following in lieu thereof: "Science Unit 1 1,300,000.00"

—and respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

And Committee Substitute for Senate Bill No. 300, contained in the above message, was read by title, together with House Amendments thereto.

Senator Price moved that the Senate concur in House Amendment No. 1 to Committee Substitute for Senate Bill No. 300.

Which was agreed to by the required three-fifths vote of all members elected to the Senate for the 1963 Regular Session of the Florida Legislature, and the Senate concurred in House Amendment No. 1 to Committee Substitute for Senate Bill No. 300.

Senator Price moved that the Senate concur in House Amendment No. 2 to Committee Substitute for Senate Bill No. 300.

Which was agreed to by the required three-fifths vote of all members elected to the Senate for the 1963 Regular Session of the Florida Legislature, and the Senate concurred in House Amendment No. 2 to Committee Substitute for Senate Bill No. 300.

And Committee Substitute for Senate Bill No. 300, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives immediately.

Tallahassee, Florida  
June 13, 1963

*The Honorable Wilson Carraway*  
*President of the Senate*

Sir:

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

By The Committee on Finance & Taxation—

**H. B. NO. 2524—A BILL TO BE ENTITLED AN ACT FIXING THE AMOUNT OF THE ANNUAL ROAD TAX TO BE PAID FOR MOTOR VEHICLES ENGAGED IN THE TRANSPORTATION OF ROAD BUILDING AND CONSTRUCTION AGGREGATES; REPEALING ALL LAWS IN CONFLICT HEREWITH; AND 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. 2524, contained in the above message, was read the first time by title only and referred to the Committee on Finance and Taxation.

Tallahassee, Florida  
June 12, 1963

*The Honorable Wilson Carraway*  
*President of the Senate*

Sir:

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

By The Committee on Finance & Taxation—

**H. B. NO. 2526—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; AND LIMITATIONS THEREON; PROVIDING FOR THE COLLECTION OF SUCH TAXES; PROVIDING EFFECTIVE DATE.**

—and respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

And House Bill No. 2526, contained in the above message, was read the first time by title only and referred to the Committee on Finance and Taxation.

Tallahassee, Florida  
June 12, 1963

*The Honorable Wilson Carraway*  
*President of the Senate*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has granted the request of the Senate and returns herewith—

By Representatives Griffin, Mattox, and Chiles of Polk—

**H. B. NO. 2493**—A BILL TO BE ENTITLED AN ACT RELATING TO CLUB BEVERAGE LICENSES IN EACH COUNTY IN THE STATE HAVING A POPULATION OF NOT LESS THAN ONE HUNDRED SEVENTY-FIVE THOUSAND (175,000) AND NOT MORE THAN TWO HUNDRED THOUSAND (200,000) ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS; PROVIDING FOR ADDITIONAL CLUB BEVERAGE LICENSES; PROVIDING AN EFFECTIVE DATE.

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

Senator Kelly moved that the Senate immediately reconsider the vote by which House Bill No. 2493, contained in the above message, passed the Senate on May 31, 1963.

The President put the question: "Will the Senate now reconsider the vote by which House Bill No. 2493 passed the Senate on May 31, 1963?"

Which was agreed to, and the Senate reconsidered the vote by which House Bill No. 2493 passed the Senate on May 31, 1963.

The question recurred on the passage of House Bill No. 2493.

Pending consideration thereof, Senator Kelly moved that House Bill No. 2493 be placed on the Calendar of Local Bills.

Which was agreed to and House Bill No. 2493 was placed on the Calendar of Local Bills, pending roll call.

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

Which was agreed to and the Senate went into Executive Session at 12:43 o'clock P. M.

The Senate emerged from Executive Session at 12:52 o'clock P. M., and resumed its Session.

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

Mr. President	Cross	Johns	Price
Askew	Davis	Johnson (19th)	Roberts
Barber	Edwards	Johnson (6th)	Ryan
Barron	Fraser	Kelly	Spottswood
Blank	Friday	McCarty	Stratton
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

—44.

A quorum present.

Senator Cross moved that the Senate recess until 3:00 o'clock P. M., this day.

And the Senate recessed at 12:53 o'clock P. M., until 3:00 o'clock P. M., this day.

**AFTERNOON SESSION**

The Senate reconvened at 3:00 o'clock P. M., pursuant to recess order.

The President in the Chair.

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

Mr. President	Cross	Johns	Price
Askew	Davis	Johnson (19th)	Roberts
Barber	Edwards	Johnson (6th)	Ryan
Barron	Fraser	Kelly	Spottswood
Blank	Friday	McCarty	Stratton
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

—44.

A quorum present.

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

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

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

Tallahassee, Florida  
June 13, 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 Senators Mapoles and Spottswood—

**S. B. NO. 568**—A BILL TO BE ENTITLED AN ACT RELATING TO SURVEYS, POLLS, INDEXES, MEASUREMENT, MEASUREMENT SHARES, TOTALS, AND AUDIENCE INDEX MEASUREMENT AND POLL OPERATIONS; PROVIDING FOR THE LICENSING, CONTROL, REGULATION AND OPERATION BY THE SECRETARY OF STATE; PROVIDING FOR SUSPENSION OR REVOCATION OF LICENSE; PROVIDING FOR EXEMPTIONS; PROVIDING A TRUST FUND; PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE.

—and respectfully requests the concurrence of the Senate therein.

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

Senator Mapoles moved that Senate Bill No. 568 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 Mapoles moved that the request of the House of Representatives, as contained in the foregoing message, be granted.

And Senate Bill No. 568 was ordered returned to the House of Representatives.

Tallahassee, Florida  
June 13, 1963

*The Honorable Wilson Carraway*  
*President of the Senate*



*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate amendment to—

By Representative 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 amendment reads as follows:

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)."

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

Senator Kelly requested unanimous consent of the Senate to take up and consider House Bill No. 2493, out of its order.

Unanimous consent was granted, and—

**H. B. NO. 2493**—A BILL TO BE ENTITLED AN ACT RELATING TO CLUB BEVERAGE LICENSES IN EACH COUNTY IN THE STATE HAVING A POPULATION OF NOT LESS THAN ONE HUNDRED SEVENTY-FIVE THOUSAND (175,000) AND NOT MORE THAN TWO HUNDRED THOUSAND (200,000) ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS; PROVIDING FOR ADDITIONAL CLUB BEVERAGE LICENSES; PROVIDING AN EFFECTIVE DATE.

Was taken up, pending roll call.

By unanimous consent Senator Kelly offered the following amendment to House Bill No. 2493:

Strike everything after the enacting clause and insert in lieu thereof the following:

Section 1. In each county of the state having a population of not less than one hundred seventy five thousand (175,000) and not more than two hundred thousand (200,000), according to the latest official decennial census, the quota of beverage licenses to be issued under the authority of Subsection (11) of Section 561.34, Florida Statutes and Section 561.20(6), Florida Statutes, such licenses being known as club licenses, shall be increased by ten (10) more than the number of such licenses currently authorized to be issued under said sections.

Section 2. The additional licenses provided for in Section 1, of this act shall be distributed to persons associated together as a chartered or incorporated club,

including social clubs incorporated by orders of the circuit judges as provided in Subsection (11) of Section 561.34, Florida Statutes, or the office of the Secretary of State. The recipients of such additional licenses must have been in existence prior to January 1, 1963.

Section 3. The additional licenses as provided herein as well as those provided under authority of Subsection (11) of Section 561.34, Florida Statutes, and Subsection (6) of Section 561.20, Florida Statutes, shall be issued on the basis of the requirements contained herein, in Subsection (11) of Section 561.34, Florida Statutes, and subsection (6) of Section 561.20, Florida Statutes, and such other rules and regulations as may be established by the Director of the State Beverage Department.

Section 4. It is the intent of the legislature that the recipients of the additional licenses provided for in this act shall not be required to be in continuous active existence and operation for a period of two years as provided in Subsection (11) of Section 561.34, Florida Statutes, but should be bona fide, reputable clubs, recognized as such in their respective communities.

Section 5. This act shall take effect immediately upon becoming a law.

Senator Kelly moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Kelly moved that House Bill No. 2493, as amended, be read in full and put upon its passage.

Which was agreed to and House Bill No. 2493, as amended, was read in full.

Upon call of the roll on the passage of House Bill No. 2493, as amended, the vote was:

Yeas—44.

Mr. President	Cross	Johns	Price
Askew	Davis	Johnson (19th)	Roberts
Barber	Edwards	Johnson (6th)	Ryan
Barron	Fraser	Kelly	Spottswood
Blank	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

Nays—None.

So House Bill No. 2493 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Cross moved that the Senate adjourn to reconvene at 10:00 o'clock A. M., Friday, June 14, 1963.

Which was agreed to and the Senate stood adjourned at 3:54 o'clock P. M., until 10:00 o'clock A. M., Friday, June 14, 1963.

#### EXECUTIVE SESSION ANNOUNCEMENT

The Senate in Executive Session on June 13, 1963, refused to remove from office, as recommended by the Governor, Eugene Licata, Member, Barbers' Sanitary Commission.