

# JOURNAL OF THE SENATE

Friday, June 14, 1963

The Senate convened at 10:00 o'clock A. M., pursuant to adjournment on Thursday, June 13, 1963.

The President in the Chair.

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

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

—43.

A quorum present.

Senators Boyd and Johnson (19th) were excused from attendance upon the Session or Sessions.

In the excused absence of the Senate Chaplain, Senator Ed H. Price, Jr., of the Thirty-sixth Senatorial District offered the following Prayer:

Our Heavenly Father, thou art a good and gracious God and we thank thee for all the blessings thou hast bestowed upon us. Father, during these trying closing days of this extended session, we pray that thou would instill in us the tolerance, good humor and wisdom that will lead us to deal lovingly with our fellow human beings. Bless our every action, Father, and help us to conduct ourselves so that our actions will be pleasing in thy sight. In Jesus' Name, we pray. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Wednesday, May 15, 1963, was further corrected as follows:

Page 889, column 1, line 9, counting from the bottom of the column, in the third column of the roll call, add the name: Price

And as further corrected was approved.

The Senate daily Journal of Monday, May 20, 1963, was further corrected as follows:

Page 1003, column 1, line 28, counting from the bottom of the column, strike the name: "Connor"

Also—

Page 1003, column 1, between lines 26 and 27, counting from the bottom of the column, insert the following: Connor

And as further corrected was approved.

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

Page 1867, column 2, line 24, counting from the bottom of the column, strike the name: "Askew"

Also—

Page 1867, column 2, counting from the bottom of the column, between lines 13 and 14 in the first column of the roll call, insert the name: Askew

And as further corrected was approved.

The Senate daily Journal of Thursday, June 13, 1963, was corrected as follows:

Page 1881, column 1, line 23, counting from the bottom of the column, strike the numerals "11115" and insert in lieu thereof: 1115

Also—

Page 1881, column 2, line 7, counting from the bottom of the column, strike the illegible numerals and insert in lieu thereof: 514

Also—

Page 1881, column 2, counting from the bottom of the column, at the end of line 31 insert: Senate

Also—

Page 1884, column 1, line 15, counting from the bottom of the column, strike the words "Barber and Campbell—" and insert in lieu thereof the following: Campbell, Barber and Barron—

And as corrected was approved.

## REPORTS OF COMMITTEE

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

H. B. NO. 2524

—and recommends that the same pass.

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

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

S. B. NO. 1395

—and recommends that the same pass with committee amendments as attached thereto.

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

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

S. B. NO. 1391

S. B. NO. 1396

—and recommends that the same not pass.

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

## ENGROSSING REPORTS

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

**S. B. NO. 406—A BILL TO BE ENTITLED AN ACT RELATING TO CIVIL DEFENSE; AMENDING CHAPTER 252, FLORIDA STATUTES, BY ADDING SECTION 252.221; PROVIDING FOR LIABILITY OF DESIGNATED SHELTER LANDOWNER IN CERTAIN CASES UNDER CERTAIN CIRCUMSTANCES; PROVIDING EFFECTIVE DATE.**

—begs leave to report that the amendment has been in-

corporated 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. 406, 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. 1243**—A BILL TO BE ENTITLED AN ACT AUTHORIZING AND EMPOWERING THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA TO FURNISH STREET LIGHTS ON CERTAIN PUBLIC ROADS AND HIGHWAYS IN MONROE COUNTY, FLORIDA; PROVIDING FOR PAYMENT OF THE COST AND MAINTENANCE OF SAME; DECLARING SAME TO BE A COUNTY AND PUBLIC PURPOSE; LIMITING THE TIME IN WHICH THIS ACT SHALL BE IN EFFECT; CONFIRMING AND VALL-DATING PRIOR ACTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA IN THE INSTALLATION AND MAINTENANCE OF STREET LIGHTS; REPEALING ALL LAWS AND PARTS OF LAWS, WHETHER GENERAL OR SPECIAL, IN CONFLICT WITH THIS ACT TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING WHEN THIS ACT SHALL TAKE EFFECT.

—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. 1243, 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. 1268**—A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE SALARY OF THE JUSTICE OF THE PEACE AND THE CONSTABLE IN AND FOR THE FIRST JUSTICE OF THE PEACE DISTRICT IN MONROE COUNTY, STATE OF FLORIDA; FIXING THE FUND OUT OF WHICH SAID SALARIES SHALL BE PAID; REPEALING ALL LAWS AND PARTS OF LAWS, WHETHER GENERAL OR SPECIAL, IN CONFLICT WITH THIS ACT TO THE EXTENT OF SUCH CONFLICT, EXCEPT CHAPTER 61-907, LAWS OF FLORIDA, ACTS OF THE LEGISLATURE YEAR 1961; AND PROVIDING WHEN THIS ACT SHALL TAKE EFFECT.

—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. 1268, 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. 1269**—A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE SALARIES OF THE JUSTICE OF THE PEACE AND CONSTABLES IN AND FOR THE

SECOND JUSTICE DISTRICT IN MONROE COUNTY, STATE OF FLORIDA SHALL BE FOUR THOUSAND TWO HUNDRED DOLLARS (\$4,200.00) PER ANNUM FOR SAID JUSTICE AND CONSTABLE, AND FIXING THE FUND OUT OF WHICH SAID SALARIES SHALL BE PAID; REPEALING ALL LAWS AND PARTS OF LAWS, WHETHER GENERAL OR SPECIAL, IN CONFLICT WITH THIS ACT TO THE EXTENT OF SUCH CONFLICT; 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. 1269, 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. 1292**—A BILL TO BE ENTITLED AN ACT CREATING AND CHARTERING A MUNICIPALITY TO BE KNOWN AS THE CITY OF STOCK ISLAND, IN MONROE COUNTY, FLORIDA, AND TO DEFINE ITS TERRITORIAL BOUNDARIES AND TO PROVIDE FOR ITS GOVERNMENT, JURISDICTION, POWERS, FRANCHISES AND PRIVILEGES; 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. 1292, 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. 1294**—A BILL TO BE ENTITLED AN ACT RELATING TO THE USE BY MUNICIPALITIES OF INCREASED CIGARETTE TAX REVENUES IN ANY COUNTY OF THE STATE HAVING A POPULATION OF NOT LESS THAN FORTY-FIVE THOUSAND (45,000) NOR MORE THAN FIFTY-ONE THOUSAND (51,000) ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS; AUTHORIZING CERTAIN USES; 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. 1294, 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. 1295**—A BILL TO BE ENTITLED AN ACT PROVIDING CIVIL SERVICE FOR EMPLOYEES OF THE OFFICE OF THE SHERIFF OF MONROE COUNTY AND CREATING A CIVIL SERVICE BOARD TO ADMINISTER THIS ACT; REPEALING CHAPTER

61-2506, LAWS OF FLORIDA 1961; 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. 1295, 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. 1311**—A BILL TO BE ENTITLED AN ACT RELATING TO CERTAIN FISHING, HUNTING, CAMPING, SWIMMING AND DIVING EQUIPMENT; LEVYING A TAX UPON CERTAIN SALES, USES, AND STORAGE THEREOF; PROVIDING FOR COLLECTION AND ADMINISTRATION THEREOF; EARMARKING THE PROCEEDS OF SUCH TAX; PROVIDING FOR CERTAIN EXEMPTIONS; PROVIDING A PENALTY; PROVIDING EFFECTIVE DATE.

—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. 1311, 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. 1335**—A BILL TO BE ENTITLED AN ACT RELATING TO BROWARD COUNTY, AMENDING CHAPTER 61-1969, LAWS OF FLORIDA, SPECIAL ACTS OF 1961, RELATING TO WATER RESOURCES DEVELOPMENT, CONSERVATION AND MANAGEMENT IN SAID COUNTY; AMENDING SECTION 2 OF SAID ACT BY ADDING PROVISIONS DEFINING "WATER MANAGEMENT WORKS"; AMENDING SECTION 8 OF SAID ACT, BY ADDING PROVISIONS FOR ADDITIONAL PERSONNEL OF THE COUNTY WATER RESOURCES ADVISORY BOARD, AND BY DELETING PROVISIONS RELATING TO THE TERMS OF OFFICE OF MEMBERS OF SAID ADVISORY BOARD; ADDING SECTION 38 TO SAID ACT, DECLARING EXISTENCE OF A STATE OF EMERGENCY IN REGARD TO SALT WATER INTRUSION IN SAID COUNTY; ADDING SECTION 39 TO SAID ACT AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF SAID COUNTY TO ESTABLISH A SALINITY ABATEMENT DISTRICT OR DISTRICTS WITHIN SAID COUNTY, PROVIDING FOR THE METHOD OF SUCH ESTABLISHMENT AND THE PERSONNEL OF THE BOARD OF COMMISSIONERS OF ANY SUCH DISTRICT; ADDING SECTION 40 TO SAID ACT, PRESCRIBING THE POWERS AND DUTIES OF THE BOARD OF COMMISSIONERS OF ANY SUCH DISTRICT OR DISTRICTS; ADDING SECTION 41 TO SAID ACT, AUTHORIZING SAID BOARD OF COUNTY COMMISSIONERS TO LEVY AND COLLECT A SEVERANCE TAX FOR THE USE OF ANY SUCH DISTRICT OR DISTRICTS ON GOVERNMENTAL, MUNICIPAL AND PRIVATE WATER UTILITY COMPANIES SEVERING OR EXTRACTING WATER FROM THE GROUND IN ANY SUCH DISTRICT OR DISTRICTS, PROVIDING SUCH TAX SHALL NOT EXCEED TWENTY-FIVE CENTS (\$.25) ON EACH TWENTY-FIVE THOUSAND (25,000) GAL-

LONS OF WATER EXTRACTED FROM THE GROUND; ADDING SECTION 42 TO SAID ACT, DECLARING THE LEVY AND COLLECTION OF SUCH TAX A COUNTY PURPOSE; ADDING SECTION 43 TO SAID ACT MAKING IT UNLAWFUL TO CONSTRUCT, OPERATE OR MAINTAIN WATER MANAGEMENT WORKS, INCLUDING WATERWAYS, WITHOUT A PERMIT, REQUIRING SUCH PERMIT PRIOR TO RECORDATION OF ANY PLAT CONTEMPLATING THE CONSTRUCTION OF ANY WATERWAY, PROVIDING CIVIL REMEDIES FOR ENFORCEMENT, AND MAKING VIOLATION OF THE ACT A MISDEMEANOR; PROVIDING FOR SEVERABILITY OF INVALID PORTIONS OF THE ACT; AND PROVIDING FOR AN EFFECTIVE DATE; EXEMPTING CERTAIN EXISTING DRAINAGE DISTRICTS.

—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. 1335, 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. 1339**—A BILL TO BE ENTITLED AN ACT CREATING THE MONROE COUNTY ADVERTISING COMMISSION; PROVIDING FOR THE MEMBERSHIP OF SAID COMMISSION; AUTHORIZING AND EMPOWERING THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA TO RAISE BY TAXATION AND APPROPRIATE ANNUALLY FUNDS NOT IN EXCESS OF ONE MILL FOR USE BY SAID ADVERTISING COMMISSION IN ADVERTISING; DECLARING THE POWERS AND PURPOSES OF SAID ADVERTISING COMMISSION; PROVIDING FOR THE EXPENDITURE OF SAID FUNDS, AND PROHIBITING THE USE OF SAID FUNDS FOR CERTAIN PURPOSES; REPEALING ALL LAWS AND PARTS OF LAWS, WHETHER GENERAL OR SPECIAL, IN CONFLICT WITH THIS ACT TO THE EXTENT OF SUCH CONFLICT, INCLUDING CHAPTER 29298, LAWS OF FLORIDA, SPECIAL ACTS OF THE LEGISLATURE YEAR 1953, CHAPTER 59-1586, LAWS OF FLORIDA, SPECIAL ACTS OF THE LEGISLATURE YEAR 1959, AND CHAPTER 61-2509, LAWS OF FLORIDA, SPECIAL ACTS OF THE LEGISLATURE YEAR 1961; 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. 1339, 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. 1356**—A BILL TO BE ENTITLED AN ACT RELATING TO MONROE COUNTY; MAKING IT UNLAWFUL TO FISH FROM CERTAIN BRIDGES EXCEPT FROM THE CATWALKS THEREOF; PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE.

—begs leave to report that the amendment has been in-

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. 1356, 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. 201	S. B. NO. 1042
S. B. NO. 397	S. B. NO. 1184
S. B. NO. 537	S. B. NO. 1378
S. B. NO. 732	S. B. NO. 1379
S. B. NO. 817	S. B. NO. 1380
S. B. NO. 1023	

—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 13, 1963.

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

Your Enrolling Clerk, to whom was referred—

C. S. FOR S. J. R. NO. 264

—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 13, 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. 309	S. B. NO. 1128
S. B. NO. 422	S. B. NO. 1175
S. B. NO. 430	S. B. NO. 1238
S. B. NO. 714	S. B. NO. 1261
S. B. NO. 816	S. B. NO. 1302
S. B. NO. 819	S. B. NO. 1317
S. B. NO. 830	S. B. NO. 1322
S. B. NO. 1102	S. B. NO. 1338
S. B. NO. 1119	

—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 13, 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. 917	S. B. NO. 1312
S. B. NO. 996	S. B. NO. 1358

S. B. NO. 1359

S. B. NO. 1360

S. B. NO. 1361

S. B. NO. 1363

S. B. NO. 1364

S. B. NO. 1366

S. B. NO. 1367

S. B. NO. 1372

—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 13, 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. 886

—reports same has been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on June 13, 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. 2477

—reports same has been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on June 13, 1963.

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

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

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

By Senator Young—

**S. B. NO. 1401—A BILL TO BE ENTITLED AN ACT RELATING TO THE HOUSING AUTHORITIES LAW; CREATING SECTION 421.53, FLORIDA STATUTES, TO PROVIDE THAT THE PROVISIONS OF THE HOUSING AUTHORITY LAW SHALL APPLY IN PINELLAS COUNTY ONLY UNDER CERTAIN CONDITIONS; 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. 1401 was read the first time by title only.

Senator Young moved that the rules be waived and Senate Bill No. 1401 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 1401 was read the second time by title only.

Senator Young moved that the rules be further waived and Senate Bill No. 1401 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. 1401 was read the third time in full.

Upon the passage of Senate Bill No. 1401 the roll was called and the vote was:

Yeas—43.

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

Nays—None.

So Senate Bill No. 1401 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 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:

- S. B. 935
- S. B. 944
- S. B. 1381

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 transmitted to the office of the Secretary of State the following acts which originated in the Senate, Regular Session, 1963:

- |              |              |
|--------------|--------------|
| S. M. 196    | S. C. R. 510 |
| S. C. R. 486 | S. C. R. 686 |

Respectfully,  
FARRIS BRYANT  
Governor

STATE OF FLORIDA  
OFFICE OF THE GOVERNOR  
TALLAHASSEE

June 14, 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. 760  | S. B. 1257 |
| S. B. 1229 | S. B. 1258 |
| S. B. 1232 | S. B. 1259 |
| S. B. 1233 | S. B. 1260 |
| S. B. 1234 | S. B. 1262 |
| S. B. 1236 | S. B. 1263 |
| S. B. 1237 | S. B. 1264 |
| S. B. 1242 | S. B. 1265 |
| S. B. 1244 | S. B. 1266 |
| S. B. 1245 | S. B. 1267 |
| S. B. 1247 | S. B. 1272 |
| S. B. 1249 | S. B. 1276 |
| S. B. 1250 | S. B. 1277 |
| S. B. 1251 | S. B. 1278 |
| S. B. 1253 | S. B. 1308 |
| S. B. 1254 | S. B. 1309 |
| S. B. 1256 | S. B. 1324 |

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 14, 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 Connor—  
S. B. NO. 1279

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

And Senate Bill No. 1279, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Tallahassee, Florida  
June 14, 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 Parrish—  
S. B. NO. 1390  
Proof of publication attached.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

And Senate Bill No. 1390, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Tallahassee, Florida  
June 14, 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 Mathews—

S. B. NO. 1394

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

And Senate Bill No. 1394, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Tallahassee, Florida  
June 14, 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 Cross—

S. B. NO. 1398

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

And Senate Bill No. 1398, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Tallahassee, Florida  
June 14, 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 Connor—

S. B. NO. 1387

Also—

By Senator Tucker—

S. B. NO. 1388

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

And Senate Bills Nos. 1387 and 1388, contained in the above message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk for enrolling.

Tallahassee, Florida  
June 14, 1963

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

*Sir:*

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

By Senators Ryan, Mathews, Stratton and Kelly—

S. B. NO. 744

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

And Senate Bill No. 744, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Tallahassee, Florida  
June 14, 1963

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

*Sir:*

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

By Representative Smoak of Charlotte—

H. B. NO. 1581—A BILL TO BE ENTITLED AN ACT PROVIDING FOR AND CREATING A JURY COMMISSION IN COUNTIES HAVING A POPULATION OF TWELVE THOUSAND FIVE HUNDRED (12,500) THROUGH THIRTEEN THOUSAND (13,000); PRESCRIBING THEIR QUALIFICATIONS, METHOD OF APPOINTMENT, POWERS, DUTIES, FUNCTIONS, TERMS OF OFFICE; AND PROVIDING FOR THE SELECTION, LISTING AND PROCUREMENT OF JURORS IN SAID COUNTY.

Which amendments read as follows:

Amendment No. 1—

In Section 1, Following the words "consisting of five (5) members," strike: "who shall receive no compensation," and insert in lieu thereof the following: who shall receive an annual compensation of \$100.00 each,

Amendment No. 2—

In the title, following the words "LISTING AND PROCUREMENT OF JURORS IN SAID COUNTY"

Strike out: the period and insert in lieu thereof the following: AND PROVIDING FOR THE COMPENSATION OF SAID JURORS.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

Tallahassee, Florida  
June 14, 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 Representative Smoak of Charlotte—

H. C. R. NO. 2539—A CONCURRENT RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF FLORIDA TO RETURN HOUSE BILL NO. 2394 TO THE HOUSE OF REPRESENTATIVES FOR THE PURPOSE OF FURTHER CONSIDERATION.

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

Section 1. The House of Representatives respectfully requests His Excellency, the Governor of Florida, to return House Bill No. 2394 introduced by Mr. Smoak of Charlotte

County, to the House of Representatives for the purpose of further consideration.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

And House Concurrent Resolution No. 2539, contained in the above message, was read the first time in full.

Senator Davis moved that the rules be waived and House Concurrent Resolution No. 2539 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. 2539 was read the second time in full.

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

And House Concurrent Resolution No. 2539 was adopted 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 with amendments—

By the Committee on Finance and Taxation—

**C. S. FOR C. S. FOR S. B. 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.**

Which amendments read as follows:

Amendment No. 1—

In Section 5, Sub-section 212.08, following the words "by this chapter of Florida Statutes." insert the following:

"(2) EXEMPTIONS, MEDICAL.—There shall be exempt from the tax imposed by this chapter medicine compounded in a retail establishment by a pharmacist licensed by the state according to an individual prescription or prescriptions written by a practitioner of the healing arts licensed by the state, and common household remedies recommended and generally sold for the relief of pain, ailments, distress or disorders of the human body, according to a list prescribed and approved by the state board of health, which said list shall be certified to the comptroller from time to time and be included in the rules promulgated by the comptroller; artificial eyes and limbs, eyeglasses, dentures, hearing aids, crutches, prosthetic and orthopedic appliances and funerals. Funeral directors shall pay tax on all tangible personal property used by them in their business. This subsection shall be strictly construed and enforced."

Amendment No. 2—

In Title following the words "RENTAL OF TANGIBLE PERSONAL PROPERTY;" insert the following: "AMENDING SECTION 212.08(2) PROVIDING TAXATION OF PERSONAL PROPERTY USED BY FUNERAL DIRECTORS;"

Amendment No. 3—

In Section 5, Page 7, Line 1, following the word "Sub-sections" insert the following: "(2),"

Amendment No. 4—

In Section 3, following the words "shall be subject to a tax for the exercise of such privilege." strike out: "There shall be exempt all admissions to places of amusement operating under the supervision of the state racing commission."

Amendment No. 5—

In Section 3, Sub-section 212.04, Page 6, following the words "levy an excise tax on admissions." insert the following: "The taxes imposed by this Section shall be collected in addition to the admission tax collected pursuant to Florida Statutes Section 550.09, but the amount collected under Section 550.09 shall not be subject to taxation under this chapter."

Amendment No. 6—

In Section 5, Sub-section (6), strike out: entire subsection and insert the following in lieu thereof:

"(6) Exemptions; partial exemptions; account of use.

There shall be exempt from the tax imposed by this chapter so much of such tax as shall exceed two per cent (2%) on the sale of farm machinery and equipment used exclusively in the production and harvesting of crops. There shall be exempt from the tax imposed by this chapter nets and ships designed for and exclusively used by commercial fisheries; feeds for raising poultry and livestock on farms and for feeding dairy cows; fertilizers, insecticides and fungicides used for application on crops or groves; containers used for processing farm products; field and garden seeds; cheesecloth for shading tobacco and seed beds. Such exemptions and partial exemptions here provided shall not be allowed unless the purchaser signs a certificate stating that the item to be exempted is for the exclusive use designated herein."

Amendment No. 7—

In Section 5, Sub-section 3, following the words "state of motor vehicles" strike out: "; which term shall include self-propelled motor vehicles used exclusively by a farmer on a farm owned, leased or share-cropped by him in plowing, planting, cultivating and harvesting crops"

Amendment No. 8—

In Section 1, after paragraph beginning "212.02", follow-

ing the words "a different meaning": insert the following: "(2) "Sale" means (a) any transfer of title or possession, or both, exchange, barter, lease or rental, conditional or otherwise, in any manner or by any means whatsoever of tangible personal property for a consideration, and (b) shall include the rental of living quarters, sleeping or housekeeping accommodations in hotels, apartment houses or rooming houses, tourist or trailer camps, as hereinafter defined in this chapter, and (c) includes the producing, fabricating, processing, printing or imprinting of tangible personal property for a consideration for consumers who furnish either directly or indirectly the materials used in the producing, fabricating, processing, printing or imprinting, and (d) the furnishing, preparing or serving for a consideration of any tangible personal property consumed on the premises of the person furnishing, preparing, or serving such tangible personal property, and (e) the furnishing of advertising, space or time in or by a newspaper, magazine, circular, handbill, free distribution publication, brochure or the yellow pages in telephone directories, radio and television stations, billboards, signs, airplane sky-writing, portable signs on taxicabs and other public conveyances, including card advertising in buses, advertising calendars and other novelties which carry advertising."

**Amendment No. 9—**

In Section 2, Sub-section (4), following the last sentence add the following: "It is further provided, however, that any person, who, upon the effective date of this act, shall have resided continuously for six months at any one place enumerated above and shall have paid the tax levied by this section for said six months, or who previously resided for a period of six months in living accommodations heretofore exempt, shall be deemed to qualify fully for the exemption set forth herein so long as such person shall remain at said place."

**Amendment No. 10—**

In Section 5, Sub-section (7), at the beginning of line 2 identify present sub-section as paragraph (a) and add a new paragraph (b) to read as follows:

"(b) The exemption herein provided for newspapers and communications media shall extend only to the sale of such newspaper itself or charges made for the listening to or viewing of radio and television communication, but shall not extend to the sale of advertising space or time in such media."

**Amendment No. 11—**

In Section 1, following the words "Section 1. Subsections" add the following: "(2),"

**Amendment No. 12—**

In the 2nd line of Title following the words "AMENDING SECTIONS 212.02" strike out: "(3), (4), (6) AND (16), FLORIDA STATUTES, PROVIDING FOR DEFINITIONS;" and insert the following in lieu thereof: "(2), (3), (4), (6) AND (16), FLORIDA STATUTES, PROVIDING FOR DEFINITIONS AND TAXATION ON CERTAIN ADVERTISING SERVICES;"

**Amendment No. 13—**

In Section 3, at the end of Sub-section (2), add a new paragraph to read as follows:

"Provided that this section shall not become effective as to admissions to athletic events engaged in by elementary, junior high, high schools, and institutions of higher education in the State until January 1, 1964."

**Amendment No. 14—**

In the Title, line 24, following the words "INTERSTATE OR FOREIGN COMMERCE" strike out: semicolon ";," and add: "AND REMOVING SALE OF ADVERTISING

SPACE AND TIME IN NEWSPAPERS, RADIO AND TELEVISION FROM EXEMPTION;"

**Amendment No. 15—**

In Title, line 10, following the words "PLACES OF AMUSEMENT" strike out: "SUPERVISED BY THE STATE RACING COMMISSION;" and insert the following in lieu thereof: "AND PROVIDING AN EFFECTIVE DATE FOR THE ADMISSIONS TAX;"

**Amendment No. 16—**

In Section 5, Sub-section (3), following the words "(including occasional or isolated sales)" strike out: "or rental to"

**Amendment No. 17—**

In Section 1, Sub-section 16, following the words "greens fees," insert the following: "all dues paid to private clubs providing recreational facilities, including but not limited to golf, tennis, swimming, yachting and boating facilities; but specifically excluding civic, fraternal and religious clubs and organizations,"

**Amendment No. 18—**

In Section 3, Introductory Paragraph of Section 212.04 F.S. Page 6, Line 6, following the word "privilege." insert the following: "There shall be exempt all admissions to athletic events held by elementary, junior high schools, deaf and blind school and state correctional institutions."

**Amendment No. 19—**

In Section 2, Sub-section 4, following the words "tourist or trailer camp." insert the following: "Notwithstanding other provisions of this Act, no tax shall be imposed upon rooms provided guests where there is no consideration involved between guest and the public lodging establishment."

**Amendment No. 20—**

In Section 5, in line 7 of page 9, following the words "fuels used or consumed" strike out: "in airplanes or other aeronautical devices or used or consumed"

**Amendment No. 21—**

Following Section 7 add a new Section numbered 8:

"Section 8. A sufficient amount, not to exceed \$250,000, subject to the Budget Commission determination of need, shall be retained by the Comptroller in a special account in the State Treasury to be used in the proper enforcing and collection of the additional taxes imposed under this chapter."

—and renumber the remaining sections accordingly.

**Amendment No. 22—**

In Title, strike out: the period at the end thereof and insert the following "; PROVIDING FOR EXPENSES OF COLLECTION."

**Amendment No. 23—**

In Section 4, page 6, following the words "Section 4. Sub-section" add "(1) and" and following the words: "levied as follows:" add the following:

"(1) At the rate of three percent of the sales price of each item or article of tangible personal property when sold at retail in this state; provided however that the sales tax on cigars, chewing tobacco, snuff and all other tobacco products other than cigarettes, as defined in Chapter 210, section 210.01, subsection one (1), shall be fifteen (15) percent of the retail price; the tax to be computed on gross sales for the purpose of remitting the amount of tax due the state, and to include each and every retail sale. This section shall not however in any way change the present taxation of cigarettes."

**Amendment No. 24—**

After Section 4, Page 6, add a new Section 5, and renumber subsequent Sections.

"Section 5. Subsection (2) paragraph (e) of Section 212.06 Florida Statutes, is amended to read:

212.06(2)(e) The term "dealer" is further defined to mean any person, including any person engaged in the trading stamp business as used in this chapter, who leases or rents tangible personal property, as defined in this chapter, for a consideration, permitting the use or possession of said property without transferring title thereto, except as expressly provided for to the contrary herein, shall be collected at the rate of eight per cent of the value of the stamps as determined by the amount in money or kind paid to the trading stamp company for the use of such stamps."

Amendment No. 25—

In Title, line 13 (of the amended bill), following the words "SECTION 212.05" add "(1) AND"

—and respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

And Committee Substitute for Committee Substitute for Senate Bill No. 72, contained in the above message, was read by title, together with House Amendments thereto.

Senator Friday moved that Committee Substitute for Committee Substitute for Senate Bill No. 72, together with pending House Amendments thereto, be referred to an appropriate committee.

Which was agreed to and Committee Substitute for Committee Substitute for Senate Bill No. 72, together with pending House Amendments thereto, was recommitted to the Committee on Finance and Taxation.

Tallahassee, Florida  
June 14, 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 recalled from the Senate, reconsidered the vote by which Senate Bill No. 568 passed the House of Representatives as amended on May 30, 1963, amended and passed as further amended—

By Senators Mapoles and Spottswood—

**S. B. NO. 568—A BILL TO BE ENTITLED AN ACT RELATING TO SURVEYS, POLLS, INDEXES, 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.**

Which amendment reads as follows:

Strike out: all of Section 12. and insert the following in lieu thereof:

"Section 12. **Exemptions.**—Any firm, corporation, partnership, or company making an audience survey, poll, index, measurement, measurement shares, totals and audience index measurement and poll operations for its exclusive use and such survey is conducted by the employed staff of such enterprise is exempt from the provisions of this act. All universities or eleemosynary institutions or

students sponsored and directed by such institutions, or organizations and state agencies, their agents, servants or employees are exempt from the provisions of this act."

—and respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

And Senate Bill No. 568, contained in the above message, was read by title, together with the House Amendment thereto.

Senator Mapoles moved that the Senate concur in the House Amendment to Senate Bill No. 568, and the Senate concurred in the House Amendment to Senate Bill No. 568.

And Senate Bill No. 568, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Cross moved that when the Senate convenes at the Afternoon Session, this day, it take up as a Special and Continuing Order of Business the organization of the Senate as a Court of Impeachment.

Which was agreed to and it was so ordered.

**ORDER OF THE DAY**  
**CONSIDERATION OF BILLS AND JOINT**  
**RESOLUTIONS ON SECOND READING**

Senator Stratton, President Pro Tempore, presiding.

**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.**

Was taken up in its order.

Senator Galloway moved that the rules be waived and Senate Bill No. 1395 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 1395 was read the second time by title only.

Senator Melton offered the following amendment to Senate Bill No. 1395:

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

Section 1. Section 320.08, Florida Statutes, is amended to read:

320.08. LICENSE TAXES. There is hereby levied and imposed annual license taxes for the operation of motor vehicles which shall be paid to and collected by the state motor vehicle commission upon the registration or re-registration of the following vehicles:

**MOTORCYCLES:**

"A" Series: All motorcycles: \$10.00 flat.

"R" Series: All motor-driven cycles which are certified by the manufacturer not to exceed 5 brake horsepower: \$10.00 flat.

**AUTOMOBILES FOR PRIVATE USE:**

"Q" Series: Antique automobiles: \$7.50 flat.

"D" Series: Net weight of 2,000 pounds or more, but less than 2,500 pounds: \$12.50 flat.

"Plain" Series: Net weight of 2,500 pounds or more, but less than 3,500 pounds: \$20.00 flat.

"W" Series: Net weight of 3,500 pounds or more, but less than 4,500 pounds: \$27.50 flat.

"WW" Series: Net weight of 4,500 pounds or more: \$35.00 flat.

An "antique automobile" is defined as any passenger automobile manufactured more than twenty (20) years prior to the current year. Before a license tag shall be issued for an "antique automobile" the State Motor Vehicle Commissioner shall require a certificate from a member of the highway patrol of this State that such vehicle is mechanically safe to be used upon the highways of this State.

#### TRUCKS FOR PRIVATE USE:

"G" Series: Net weight less than 2,000 pounds: \$2.50 flat plus \$0.50 per cwt.

"GH" Series: Net weight not less than 2,000 pounds and not more than 3,000 pounds: \$5.00 flat plus \$0.60 per cwt.

"GK" Series: Net weight not less than 3,000 pounds and not more than 5,000 pounds: \$7.50 flat plus \$0.75 per cwt.

"P" Series: Trucks, used in citrus groves, known as "goats" and other vehicles when used in the field by farmers or in the woods for the purpose of harvesting a crop, including naval stores, during such harvesting operations, and which shall not be operated principally upon the highways of the State: \$7.50 flat.

A "goat" is defined as being a motor vehicle designed, constructed and used principally for the transportation of citrus fruit within citrus groves.

#### TRACTORS AND TRUCKS FOR COMMERCIAL USE:

"CV" Series: Both private and for hire. Net weight more than 5,000 pounds: \$10.00 flat plus \$1.10 per cwt.

#### MOTOR VEHICLES AND TRAILERS CONSTRUCTED AND DESIGNED FOR AN EXCLUSIVE USE:

"GW" Series: Motor vehicles, trailers and semi-trailers equipped with machinery and designed for an exclusive use in the nature of well drilling, excavation, construction, spraying and like purposes: each \$32.50 flat.

"K" Series: School buses used exclusively for the purpose of transporting pupils to and from school or school or church activities or functions within their own counties: \$30.00 flat.

The operators of any motor vehicle used exclusively for the transportation of pupils to and from school or school or church activities or functions shall not be charged any sum greater than that paid by the operators or owners of ambulances, hearses or automobile wreckers owned and operated by a garage in connection with its regular business.

"K" Series: Motor vehicles operated solely as wreckers owned and operated by a garage in connection with its regular business: \$30.00 flat.

"K" Series: Hearses, ambulances: \$30.00 flat.

#### AUTOMOBILES FOR HIRE:

"E" Series: Under 9 passengers: \$12.50 flat plus \$1.00 per cwt.

"S" Series: 9 passenger and over: \$12.50 flat plus \$1.50 per cwt., plus \$10.00 per passenger.

#### SMALL TRAILERS:

"V" Series: All two-wheel trailers weighing 500 pounds or less: \$5.00 flat, per year or any part thereof. There shall be no reduction for half or quarter year license for trailers in this special class. The minimum charge law for issuing license tags shall be inapplicable to the aforesaid special class.

#### TRAILERS FOR PRIVATE USE:

"BB" Series: Net weight not less than 501 pounds and not more than 1,050 pounds: \$2.50 flat plus \$0.75 per cwt.

"B" Series: Net weight not less than 1,051 pounds and not more than 4,000 pounds: \$2.50 flat plus \$0.75 per cwt.

"L" Series: Net weight over 4,000 pounds: \$10.00 flat plus \$1.50 per cwt.

"MH" Series: Trailer coaches used for housing accommodations \$15.00 flat.

#### TRAILERS FOR HIRE:

"N" Series: Net weight not over 4,000 pounds: \$10.00 flat plus \$1.00 per cwt.

"O" Series: Net weight over 4,000 pounds: \$10.00 flat plus \$2.00 per cwt.

#### DEALERS' DEMONSTRATION TAGS:

"M" Series: All dealers' demonstration tags: \$12.50 flat.

#### EXEMPT OR OFFICIAL:

"X" Series: All exempt or official tags: \$3.00 flat.

#### LOCAL BUSES:

"C" Series: Buses and passenger cars operated wholly within cities or within twenty-five miles thereof: \$12.50 flat plus \$1.50 per cwt.

Section 2. Section 320.081, Florida Statutes, is amended to read:

**320.081 License fees for trailer coaches and trailers used for housing accommodations.—**

(1) This section shall apply only to trailers and vehicles not self-propelled used for housing accommodations and known as trailer coaches.

(2) The annual license fee to be paid by said owners and operators of house trailers in the state shall be fifteen dollars; and shall be paid to the Motor Vehicle Commissioner of the State at the same time and in the same manner as provided for other motor vehicle licenses. This license tax shall be in lieu of all other taxes and a suitable license plate shall be issued to evidence payment thereof.

(3) It shall be permissible in this state to operate a trailer coach, licensed hereunder without a corresponding state license on the vehicle towing same.

Section 3. Section 320.082, Florida Statutes, is hereby repealed.

Section 4. This act shall take effect on July 1, 1963.

Senator Melton moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Finance and Taxation offered the following amendment to Senate Bill No. 1395:

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

Section 4. Subsections (1) and (3) of Section 320.07, Florida Statutes, are amended to read:

320.07 Registration renewed annually.—

(1) Such registration shall be renewed annually and in the same manner and upon payment of the same fee as provided for in the original registration, such renewal to take effect on the first day of January of each year; except, however, that on January 1, 1964, registration shall be renewed for one year and one month in the same manner upon payment of the fee plus one-twelfth (1/12) of that amount; on February 1, 1965, for thirteen months; on March 1, 1966, for thirteen months; on April 1, 1967, for thirteen months; on May 1, 1968, for thirteen months; on June 1, 1969, for thirteen months; and on July 1, 1970 for twelve months and each twelve months thereafter; provided further that auto transportation companies may register semiannually the commercial motor vehicles used by them in their business and no registration or license shall be required to be paid during such semiannual period as the same may not be registered and in use, if the annual registration rate for the aforesaid motor vehicles is in excess of one hundred dollars fee not included.

(3) The sale of license number plates by the motor vehicle commissioner or his agents, for each year, shall begin on July first after 1970, and prior to that date as set forth in Section one above. The operation of any motor vehicle after the twentieth of the following month as set out above, without having attached thereto a license tag for the current year, shall subject the operator thereof to arrest and punishment as provided by law for the operation of a motor vehicle without proper license. The time for the operation of any motor vehicle for the current year may be extended by the governor for a period of thirty days, if within his judgment and discretion an emergency exists justifying the thirty days extension period.

Section 5. This act shall take effect July 1, 1963.

Senator Galloway moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Finance and Taxation also offered the following amendment to Senate Bill No. 1395:

Strike out the Title and insert in lieu thereof the following: A BILL TO BE ENTITLED AN ACT RELATING TO LICENSE TAXES FOR THE OPERATION OF MOTOR VEHICLES; AMENDING SECTIONS 320.07 (1) (3), 320.-08 AND 320.081, FLORIDA STATUTES; CHANGING THE REGISTRATION DATES; 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.

Senator Galloway moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Galloway moved that the rules be further waived and Senate Bill No. 1395, as amended, be read the third time in full and put upon its passage.

The question was put on the motion made by Senator Galloway.

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

Yeas—32.

Mr. President	Connor	Johns	Price
Askew	Cross	Johnson (6th)	Ryan
Barber	Edwards	McCarty	Spottswood
Blank	Friday	Mathews	Stratton
Bronson	Galloway	Melton	Usher
Campbell	Gautier	Parrish	Whitaker
Clarke	Herrell	Pearce	Williams (27th)
Cleveland	Hollahan	Pope	Williams (4th)

Nays—10.

Covington	Gibson	Mapoles	Young
Davis	Henderson	Roberts	
Fraser	Kelly	Tucker	

So the motion made by Senator Galloway was adopted and Senate Bill No. 1395, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 1395, as amended, the roll was called and the vote was:

Yeas—26.

Mr. President	Cross	Johns	Price
Barber	Edwards	Johnson (6th)	Spottswood
Bronson	Friday	McCarty	Stratton
Campbell	Galloway	Mathews	Williams (27th)
Clarke	Gautier	Melton	Williams (4th)
Cleveland	Herrell	Parrish	
Connor	Hollahan	Pearce	

Nays—15.

Askew	Davis	Kelly	Tucker
Barron	Fraser	Mapoles	Whitaker
Blank	Gibson	Roberts	Young
Covington	Henderson	Ryan	

So Senate Bill No. 1395 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engraving Clerk, for engraving.

**PAIR**

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

I am paired with Senator Boyd on Senate Bill No. 1395.

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

ETTER USHER  
Senator, 21st District

Dated: June 14, 1963

**PAIR**

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

I am paired with Senator Johnson (19th) on Senate Bill No. 1395.

If she were present she would vote "Yea" and I would vote "Nay".

VERLE A. POPE  
Senator, 31st District

Dated: June 14, 1963

And Senate Bill No. 1395 was ordered immediately certified to the House of Representatives, after being engrossed.

Senator Cross moved that the rules be waived and the Senate revert to 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 14, 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 failed to pass by the required Constitutional two-thirds vote of

all Members of the House of Representatives present on June 13, 1963—

**S. B. NO. 865 (1963 REGULAR SESSION)—AN ACT RELATING TO REGULATION OF TRAFFIC ON HIGHWAYS; AMENDING SECTION 317.80(2), FLORIDA STATUTES, TO PERMIT AN EXTRA TOLERANCE FOR TRUCKS IN INTRASTATE TRANSPORTATION OF CERTAIN PRODUCTS; PROVIDING AN EFFECTIVE DATE.**

The veto of the Governor was sustained.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

The Senate resumed consideration of Bills on Second Reading.

**The President presiding.**

**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.**

Was taken up in its order.

Senator Usher moved that the rules be waived and House Bill No. 2524 be read the second time by title only.

Which was agreed to by a two-thirds vote and House Bill No. 2524 was read the second time by title only.

Senator Blank offered the following amendment to House Bill No. 2524:

In Section 1, line 4, page 1, strike the words: "two hundred dollars (\$200.00) per vehicle for a limited common carrier operating in more than one county and one hundred dollars (\$100.00)" and insert in lieu thereof the following: one hundred dollars (\$100.00) per vehicle for a limited common carrier operating in more than one county and fifty dollars (\$50.00)

Senator Blank moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Usher moved that the rules be further waived and House Bill No. 2524, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote and House Bill No. 2524, as amended, was read the third time in full.

Upon the passage of House Bill No. 2524, as amended, the roll was called and the vote was:

Yeas—38.

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

Nays—None.

So House Bill No. 2524 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Galloway moved that the rules be waived and

the Senate revert to Introduction of Resolutions, Memorials, Bills and Joint Resolutions.

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

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

By Senator Galloway—

**S. B. NO. 1402—A BILL TO BE ENTITLED AN ACT RELATING TO MOTOR VEHICLE LICENSE TAGS; EXTENDING THE PERIOD OF USE FROM TWELVE (12) TO THIRTEEN (13) MONTHS; INCREASING FEES; PROVIDING EFFECTIVE DATE.**

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

Senator Askew requested unanimous consent of the Senate to be recorded as voting "Nay" on the passage of House Bill No. 2466 on June 11, 1963.

Unanimous consent was granted.

Senator Cross moved that the Senate recess until 2:30 o'clock P. M., this day.

And the Senate recessed at 12:06 o'clock P. M., until 2:30 o'clock P. M., this day.

#### AFTERNOON SESSION

The Senate convened at 2:30 o'clock P. M., pursuant to the motion made by Senator Cross this day, for the purpose of organizing the Body as a Court of Impeachment to try the Honorable Richard Kelly, Circuit Judge of the Sixth Judicial Circuit of Florida, on the Articles of Impeachment preferred against him by the House of Representatives and exhibited to the Senate on June 5, 1963, by the Managers appointed by the House of Representatives.

The President in the Chair.

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

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

—42.

A quorum present.

#### REPORT OF COMMITTEE

The following Report of the Committee on Rules and Procedure was received and read:

*The Honorable Wilson Carraway  
President, The Florida Senate*

*Sir:*

Your Committee appointed to promulgate rules and procedure for the impeachment trial of Honorable Richard Kelly, Judge, Sixth Judicial Circuit in and for Pasco County, State of Florida, submits herewith the following Report and recommends the adoption of the following rules to govern the procedure of the Senate while sitting as a Court of Impeachment:

## FLORIDA

RULES OF PROCEDURE AND PRACTICE IN THE  
SENATE WHEN SITTING ON THE TRIAL  
OF IMPEACHMENTS

1. Whensoever the Senate shall receive notice from the House of Representatives that Managers are appointed on their part to conduct an impeachment against any person, and are directed to carry Articles of Impeachment to the Senate, the Secretary of the Senate shall immediately inform the House of Representatives that the Senate is ready to receive the Managers for the purpose of exhibiting such Articles of Impeachment agreeable to said notice.

2. When the Managers of an impeachment shall be introduced at the bar of the Senate, and shall signify that they are ready to exhibit Articles of Impeachment against any person, the presiding officer of the Senate shall direct the Sergeant At Arms to make proclamation, who shall, after making proclamation, repeat the following words, viz: "All persons are commanded to keep silence, on pain of imprisonment, while the House of Representatives is exhibiting to the Senate of the State of Florida Articles of Impeachment against \_\_\_\_\_;" after which the Articles shall be exhibited, and then the presiding officer of the Senate shall inform the Managers that the Senate will take proper order on the subject of the impeachment, of which due notice shall be given to the House of Representatives or to the Managers when the House is not in session.

3. Upon such Articles being presented to the Senate, the Senate shall, at 11:00 o'clock A. M., of the day fixed to commence the consideration of such Articles proceed to the consideration of such Articles, and shall continue in session from day to day (Sundays excepted) after the trial shall commence (unless otherwise ordered by the Senate) until final judgment shall be rendered, and so much longer as may, in its judgment, be needful. Before proceeding to the consideration of the Articles of Impeachment, the presiding officer shall administer the oath hereinafter provided to the members of the Senate then present, and to the other members of the Senate as they shall appear, whose duty it shall be to take the same.

4. The Chief Justice of the Supreme Court of the State of Florida shall preside at all trials by impeachment except in the trial of the Chief Justice, when the Governor shall preside, and notice shall be given to him by the presiding officer of the Senate of the time and place fixed for the consideration of the Articles of Impeachment, as aforesaid, with a request to attend, and the Chief Justice shall preside over the Senate during the consideration of said Articles, and upon the trial of the person impeached therein.

5. The presiding officer shall have power to make and issue, by himself or by the Secretary of the Senate, all orders, mandates, writs, and precepts authorized by these rules, or by the Senate, and to make and enforce such other regulations and orders in the premises as the Senate may authorize or provide.

6. The Senate shall have power to compel the attendance of witnesses, to enforce obedience to its orders, mandates, writs, precepts, and judgments, to preserve order, and to punish in a summary way contempts of and disobedience to its authority, orders, mandates, writs, precepts, or judgments, and to make all lawful orders, rules and regulations, which it may deem essential or conducive to the ends of justice. And the Sergeant At Arms, under the direction of the Senate, may employ such aid and assistance as may be necessary to enforce, execute, and carry into effect the lawful orders, mandates, writs, and precepts of the Senate.

7. The presiding officer of the Senate shall direct all

necessary preparations in the Senate Chamber, and the presiding officer upon the trial shall direct all the forms of proceeding while the Senate is sitting for the purpose of trying an impeachment, and all forms during the trial not otherwise specially provided for. The presiding officer of the court may rule on all questions of evidence and incidental questions, which rulings stand as the judgment of the court, unless some member of the court shall ask that a formal vote be taken thereon, in which case it shall be submitted to the court for decision, or he may, at his option, in the first instance submit any such question to a vote of the members of the court.

8. Upon the presentation of Articles of Impeachment and the organization of the Senate as hereinbefore provided, a writ of summons shall be issued to the accused, unless the accused waive the issuance of such writ and service thereof and voluntarily appears at the bar of the Senate, reciting said Articles, and notifying him to appear before the Senate upon a day and at a place to be fixed by the Senate and named in such writ, and file his answer or plea to said Articles of Impeachment, and to stand and to abide the orders and judgments of the Senate thereon; which writs shall be served by such officers or person as shall be named in the precept thereof, at least one day prior to the day fixed for such appearance, as shall be named in such precept, either by the delivery of an attested copy thereof to the person accused, or, if that cannot conveniently be done by leaving such copy at last known place of abode of such person, or at his usual place of business, in some conspicuous place therein; or if such service shall be, in judgment of the Senate, impracticable, notice to the accused to appear shall be given in such other manner, by publication or otherwise, as shall be deemed just; and if the writ aforesaid shall fail of service in the manner aforesaid the proceedings shall not thereby abate, but further service may be made in such manner as the Senate shall direct. If the accused, after service, shall fail to appear, either in person or by attorney, on the day so fixed therefor as aforesaid, or appearing, shall fail to file his answer to such Articles of Impeachment, the trial shall proceed, nevertheless, as upon a plea of not guilty which may be entered by the presiding officer for the accused. If a plea of guilty shall be entered judgment may be entered thereon without further proceedings.

9. At 11:00 o'clock A. M., of the day appointed for the return of the summons against the person impeached, the legislative and executive business of the Senate shall be suspended, if in legislative session, and the Secretary of the Senate shall administer an oath to the returning officer in the form following, viz:

"I, \_\_\_\_\_ do solemnly swear that the return made by me upon the process issued on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by the Senate of the State of Florida against \_\_\_\_\_

is truly made, and that I have performed such service as therein described; so help me God."

Which oath shall be entered at large on the records. Should service of summons be waived then this oath may be dispensed with.

10. The person impeached shall then be called to appear and answer or plead to the Articles of Impeachment against him. If he appear, or any person for him, the appearance shall be recorded, stating particularly if by himself, or by agent or attorney, naming the person appearing, and the capacity in which he appears. If he do not appear, either personally or by agent or attorney, the same shall be recorded.

11. At 11:00 o'clock A. M., of the day appointed for the trial of an impeachment, the legislative and executive business of the Senate shall be suspended, if in legislative

session, and the Secretary shall give notice to the House of Representatives, if the House be in session, and if not in session, then to the board of managers that may have been named by the House, that the Senate is ready to proceed upon the impeachment of \_\_\_\_\_, in the Senate chamber, which chamber is prepared with accommodations for the reception of the House of Representatives, if the House be in session, and if the House be not in session, is ready to receive the board of managers that may have been appointed by the House.

12. The hours of the day at which the Senate shall sit upon the trial of an impeachment shall be designated by the presiding officer unless otherwise ordered by the Senate, and when the hour for such sitting shall arrive, the presiding officer of the Senate shall so announce; and thereupon the presiding officer upon such trial shall cause proclamation to be made and the business of the trial shall proceed. The adjournment of the Senate sitting in said trial shall not operate as an adjournment of the Senate if in legislative session, but on such adjournment the Senate shall resume the consideration of its legislative and executive business.

13. The proceedings of the Senate while sitting as a court of impeachment shall be recorded under the direction of the Secretary of the Senate, and published within 90 days after the final adjournment of the court of impeachment. Two copies of the record of the proceedings together with two attested copies of the transcript of testimony shall be filed as a permanent record of the Senate. One copy of the record of proceedings together with one copy of the transcript of testimony shall be filed in the office of the Attorney General of Florida.

14. Counsel for the parties shall be admitted to appear and be heard upon an impeachment.

15. All motions made by the parties or their counsel shall be addressed to the presiding officer, and if he, or any Senator, shall require it, they shall be committed to writing, and read at the Secretary's table.

16. Witnesses shall be examined by one person on behalf of the party producing them, and then cross-examined by one person on the other side, unless otherwise authorized by the presiding officer.

17. If a Senator is called as a witness he shall be sworn and give his testimony standing in his place, unless otherwise authorized by the presiding officer.

18. If a Senator wishes a question to be put to a witness, or to offer a motion or order (except a motion to adjourn) it shall be reduced to writing, and put by the Chief Justice of the Supreme Court as Presiding Officer.

19. At all times while the Senate is sitting upon the trial of an impeachment the doors of the Senate shall be kept open, unless the Senate shall direct the doors to be closed while deliberating upon its decisions.

20. All preliminary or interlocutory questions, and all motions, shall be argued for not exceeding one-half hour on each side, unless the Senate shall, by order, extend the time.

21. The case, on each side, shall be opened by one person. The final argument on the merits may be made by two persons on each side (unless otherwise ordered by the Senate, upon application for that purpose), and the argument shall be opened and closed on the part of the House of Representatives or its managers or attorneys.

22. On the final question whether the impeachment is sustained, the yeas and nays shall be taken on each Article of Impeachment separately; and if the impeachment shall not, upon any of the articles presented, be sustained by the concurrence of two-thirds of the Senators present, a judgment of acquittal shall be entered; but if

the person accused in such Articles of Impeachment shall be convicted upon any of said Articles by the concurrence of two-thirds of the Senators present, the Senate shall proceed to pronounce judgment, and a certified copy of such judgment shall be deposited in the office of the Secretary of State.

23. All the orders and decisions shall be made and had by yeas and nays, which shall be entered on the record, and without debate, subject, however, to the operation of rule 7, except when the doors shall be closed for deliberation, and in that case no member shall speak more than once on one question and for not more than five minutes on an interlocutory question, and for not more than ten minutes on the final question, unless by consent of the Senate, to be had without debate; but a motion to adjourn may be decided without the yeas and nays, unless they be demanded by one-fifth of the members present.

24. A. Witnesses shall be sworn in the following form, namely:

"You, \_\_\_\_\_, do swear (or affirm, as the case may be) that the evidence you shall give in the case now pending between the State of Florida and \_\_\_\_\_ shall be the truth, the whole truth, and nothing but the truth; so help you God."

Which oath shall be administered by the Secretary or any other duly authorized person.

B. Form of subpoena to be issued on the application of the Managers of the impeachment, or of the party impeached, or of counsel:

The State of Florida, to \_\_\_\_\_, greeting:

You and each of you are hereby commanded to appear before the Senate of the State of Florida on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the Senate Chamber, in the Capitol building, in the City of Tallahassee, then and there to testify your knowledge in the cause which is before the Senate, in which the House of Representatives has impeached \_\_\_\_\_.

Fail not.

Witness \_\_\_\_\_ and presiding officer of the Senate, at the City of Tallahassee, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord, 19\_\_\_\_.

C. Form of direction for the service of said subpoena:

The State of Florida, to \_\_\_\_\_, greeting:

You are hereby commanded to serve and return the within subpoena according to law.

Dated at Tallahassee, Florida, this \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord, 19\_\_\_\_.

\_\_\_\_\_  
Secretary of the Senate

D. Form of oath to be administered to the members of the Senate sitting in the trials of impeachments:

"I solemnly swear (or affirm, as the case may be), that in all things appertaining to the trial of the impeachment of \_\_\_\_\_, now pending, I will do impartial justice according to the Constitution and Laws of the State of Florida; so help me God."

E. Form of summons to be issued and served upon the person impeached:

The State of Florida, to \_\_\_\_\_, greeting:

Whereas, The House of Representatives of the State of

Florida did on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, exhibit to the Senate Articles of Impeachment against you, the said \_\_\_\_\_, in the words following:

(Here insert the Articles.)

And demand that you, the said \_\_\_\_\_ should be put up to answer the accusations as set forth in said Articles, and that such proceedings, examinations, trials and judgments might be thereupon had as are agreeable to the law and justice.

You, the said \_\_\_\_\_ are therefore hereby summoned to be and appear before the Senate of the State of Florida, at their chamber, in the City of Tallahassee, Florida, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at 11:00 o'clock A. M., then and there to answer to the said Articles of Impeachment, and then and there to abide by, obey and perform such orders, directions and judgments as the Senate of the State of Florida shall make in the premises according to the Constitution and laws of the State of Florida.

Hereof you are not to fail.

Witness \_\_\_\_\_ and presiding officer of the said Senate at the City of Tallahassee, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord, 19\_\_\_\_.

F. Form of precept to be endorsed on said writ of summons:

The State of Florida, to  
greeting:

You are hereby commanded to deliver to and leave with \_\_\_\_\_, if conveniently to be found, or, if not, to leave at his usual place of abode, or his usual place of business, in some conspicuous place, a true and attested copy of the within writ of summons, together with a like copy of this precept; and in whichever way you perform the service let it be done at least one day before the appearance day mentioned in said writ of summons.

Fail not, and make return of this writ of summons and precept, with your proceedings thereon endorsed, on or before the appearance day mentioned in the said writ of summons.

Witness \_\_\_\_\_ and presiding officer of the Senate, at the City of Tallahassee, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord, 19\_\_\_\_.

All process shall be served by the Sergeant At Arms of the Senate, unless otherwise ordered by the court.

25. If the Senate shall at any time fail to sit for the consideration of Articles of Impeachment on the day or hour fixed therefor, the Senate may, by an order to be adopted without debate, fix a day and hour for resuming and consideration.

26. The Senate may, at its pleasure, by a majority vote, adjourn the hearing of the case and hear same in the hall of the House of Representatives.

27. There may be admitted to the floor of the Senate, when sitting as a court of impeachment, only the Chief Justice of the Supreme Court of Florida and his assistants, the Senators, the Secretary of the Senate and his assistants, the Sergeant At Arms and his assistants, the defendant and his attorney or attorneys, the House Managers and their attorneys, authorized members of the press, necessary court reporters, and witnesses called to testify in the case.

28. Admissions to the Center Section of the Gallery shall be by admission card only.

29. The taking of pictures, photographs, tape and other recordings, including movies, television and other pictures, and similar devices, are prohibited in the Senate Chamber while the Court is in Session. This rule shall not prevent the use of recording instruments by reporters making a record or transcript of the proceedings as a public record.

30. If necessary to meet the ends of justice, rules may be amended, or new rules may be adopted by a majority vote of the members of the Senate present.

31. The Senate, sitting as a Court of Impeachment, may recess for a period of time on any trial day upon motion adopted by a majority vote of the members present.

32. After testimony has commenced, in case of emergency, any member of the Senate may be excused from further duty in the Impeachment proceedings upon his request therefor being approved by a majority vote of the members of the Senate present, and upon being excused shall not further participate in said proceedings. Any such Senator shall file his reasons for his request to be excused in writing with the Secretary of the Senate and the same shall be incorporated in the transcript of the record. His absence shall not affect the results of the trial.

33. The presiding officer may upon agreement by Counsel for the Managers on the part of the House of Representatives and Counsel for the Defendant conduct a pre-trial conference on procedural matters and shall submit the matters resolved at said pre-trial conference to the Special Committee on Impeachment for the Senate who shall present the same to the Senate with recommendations.

Respectfully submitted,

J. EMORY CROSS

JOHN E. MATHEWS, JR.

JOHN M. McCARTY

C. W. YOUNG

Senator Cross moved the adoption of the rules.

Which was agreed to and the rules of procedure and practice of the Senate while sitting on the trial of impeachments, as read, were adopted.

Senator Cross moved that the Senate proceed to organize the Body as a Court of Impeachment to try the Honorable Richard Kelly, Judge, Sixth Judicial Circuit in and for the County of Pasco, State of Florida, on the Articles of Impeachment preferred against him by the House of Representatives as originally exhibited to the Senate on Wednesday, June 5, 1963, under authority of House Resolution No. 1442 and House Resolution No. 2504, Regular Session of the 1963 Florida Legislature, and upon which order was taken that this body convene at 11:00 o'clock A. M., September 9, 1963, for the purpose of said trial, as set forth in the Journals of the Senate of Wednesday, June 5, 1963, and Friday, June 7, 1963.

The motion was agreed to.

Senator Cross moved that a committee be appointed to wait upon the Honorable B. K. Roberts, Chief Justice of the Supreme Court of Florida, to inform him that the Senate stands ready to organize as a Court of Impeachment and respectfully requests his presence for the purpose of presiding over the Senate during the consideration of said Articles for the trial of the Honorable Richard Kelly.

The motion was agreed to and the President appointed Senators Cross, Mathews, McCarty and Young as the committee.

The committee withdrew.

At 2:40 o'clock P. M., the committee escorted the Chief Justice of the Supreme Court of Florida into the Senate Chamber, accompanied by the Honorable E. Harris Drew, Justice of the Supreme Court of Florida.

The Chief Justice took the Chair and said:

"Senators—I attend the Senate in obedience to your notice for the purpose of joining with you in forming a court of impeachment for the trial of the Honorable Richard Kelly, Circuit Judge of the Sixth Judicial Circuit of Florida, and I am now ready to take the oath."

The oath was administered to the Honorable B. K. Roberts, Chief Justice of the Supreme Court of Florida, by Justice E. Harris Drew in the following words:

"I solemnly swear (or affirm, as the case may be), that in all things appertaining to the trial of the impeachment of the Honorable Richard Kelly, Circuit Judge of the Sixth Judicial Circuit of Florida, now pending, I will do impartial justice according to the Constitution and Laws of the State of Florida; so help me God."

The Chief Justice:

"Senators, the oath will now be administered to you and you will please stand as your names are called and remain standing as the oath is administered."

The Secretary of the Senate proceeded to call the roll of the Senators in alphabetical order and the Chief Justice administered the oath to Senators Askew, Barber, Barron, Blank, Bronson, Campbell, Carraway, Clarke, Cleveland, Connor, Covington, Cross, Davis, Edwards, Fraser, Friday, Galloway, Gautier, Gibson, Henderson, Herrell, Hollahan, Johns, Johnson (6th), Kelly, McCarty, Mapoles, Mathews, Melton, Parrish, Pearce, Pope, Price, Roberts, Ryan, Spottswood, Stratton, Usher, Whitaker, Williams (27th), Williams (4th) and Young in the following words:

"I do solemnly swear that in all things appertaining to the trial of the impeachment of the Honorable Richard Kelly, Circuit Judge of the Sixth Judicial Circuit of Florida, now pending, I will do impartial justice according to the Constitution and Laws of the State of Florida; so help me God."

The Chief Justice then administered the following oath to Robt. W. Davis, Secretary of the Senate:

"I do solemnly swear that I will faithfully and impartially perform the duties of Secretary to the Senate of the State of Florida, sitting as a Court of Impeachment in the trial of the Honorable Richard Kelly, Circuit Judge of the Sixth Judicial Circuit of Florida, now pending, and true and faithful record make of the same, so help me God."

The Chief Justice then administered the following oath to LeRoy Adkison, Sergeant At Arms of the Senate:

"I do solemnly swear that I will faithfully and impartially perform the duties of Sergeant At Arms to the Senate of the State of Florida, sitting as a Court of Impeachment in the trial of the Honorable Richard Kelly, Circuit Judge of the Sixth Judicial Circuit of Florida, now pending, so help me God."

At the direction of the Chief Justice the Sergeant At Arms made the following proclamation:

"Hear ye! Hear ye! Hear ye!"

"All persons are commanded to keep silence, on pain of imprisonment, while the Senate of the State of Florida is sitting for the trial of Articles of Impeachment exhibited by the House of Representatives against the

Honorable Richard Kelly, Circuit Judge of the Sixth Judicial Circuit of Florida."

Senator Cross moved that the rules of procedure and practice in the Senate when sitting on the trial of impeachments adopted by the Senate this day be adopted by the Court of Impeachment.

The motion was agreed to and the rules were adopted.

Senator Cross moved that the following Order be entered by the Senate, sitting as a Court of Impeachment, to-wit:

That the Order of the Honorable B. K. Roberts, Chief Justice of the Supreme Court of Florida, impounding the records of Richard Kelly, Judge, Sixth Judicial Circuit in and for Pasco County, State of Florida, be adopted and entered in the record of these proceedings and that all official records, official memoranda, official files and official documents heretofore delivered by the Sheriff of Pasco County to the Chief Justice of the Supreme Court of Florida, pursuant to the Order of the said Chief Justice on June 6, 1963, shall be forthwith delivered to the Secretary of the Senate who shall hold the same in his possession until the convening of the Court of Impeachment on September 9, 1963, subject to inspection by the Chief Justice, any member of the Senate, Managers or Counsel for Managers on the part of the House of Representatives and Counsel for said Defendant.

That it be further ORDERED that all preliminary motions directed to the Articles of Impeachment and all other preliminary matters shall be filed with the Secretary of the Senate on or before August 16, 1963.

Senator Cross moved the adoption of the Order.

The motion was agreed to and the Order was adopted.

The following order was asked for by Senator Cross:

Ordered: That the Secretary of the Senate notify the Managers for the House of Representatives that the Senate is now organized for the trial of the Articles of Impeachment against the Honorable Richard Kelly, Circuit Judge of the Sixth Judicial Circuit of Florida, and is ready to receive the Managers of the impeachment at the bar of the Senate.

Senator Cross moved the adoption of the Order.

The motion was agreed to and the Order was adopted.

The Secretary of the Senate withdrew to notify the Managers.

The committee appointed by the House of Representatives to conduct the impeachment trial against the Honorable Richard Kelly, Circuit Judge of the Sixth Judicial Circuit of Florida, composed of Honorable William G. O'Neill and Honorable C. Welborn Daniel, Managers on the part of the House of Representatives, appeared in the Senate Chamber accompanied by their Attorney, Honorable James J. Richardson, and were seated.

The Managers on the part of the House of Representatives requested the following motion, previously adopted by the House of Representatives, be adopted by the Court of Impeachment:

IN THE SENATE OF THE STATE OF FLORIDA,  
SITTING AS A COURT OF IMPEACHMENT

IN RE: THE MATTER OF IMPEACHMENT OF  
RICHARD KELLY, CIRCUIT JUDGE OF  
THE SIXTH JUDICIAL CIRCUIT OF FLORIDA.

#### MOTION

COME NOW, the managers of the house of representatives, and move this honorable body to confirm and amend

the order of the Honorable B. K. Roberts, Chief Justice of the Supreme Court of Florida, a copy of which appears in the Journal of the senate of the state of Florida for the 7th of June, 1963 at page 1828, which order by reference is hereby made a part hereof, and would show, as follows:

1. That on the day set out in the order, said managers were informed that Richard Kelly, Circuit Judge for the Sixth Judicial Circuit of Florida, was about to remove from the office of the Circuit Judge in the Pasco County Courthouse, Dade City, Florida, certain records of that office, and that it was the belief of the board of managers that some of those records would be necessary to the proper presentation of these impeachment proceedings. Whereupon, the board of managers, through their attorney, James J. Richardson, a practicing solicitor of all courts in and of the State of Florida, informed the Secretary of said Judge Kelly, and his wife, that an order was imminent from the Chief Justice of the Supreme Court impounding the records of that office. Judge Kelly himself was not notified since he could not be located, but his wife and secretary agreed to inform him upon his arrival at the courthouse. The board of managers immediately filed a petition with said Chief Justice, applied for and obtained an immediate hearing, during the progress of which the board of managers was informed that said Judge Kelly was actively engaged in removing certain of the records from that office, whereupon said Chief Justice Roberts, by telephone, ordered the Honorable Leslie C. Bessinger, Sheriff of Pasco County, to go immediately to the office of the Circuit Judge and impound the records of that court until further notice. That the Chief Justice thereupon, at 2:45 P.M. on the same date, issued the order hereto attached and caused the same to be transmitted immediately to Pasco County for service by aforesaid sheriff.

2. The sheriff impounded all records, books and materials in that office, boxed the same under seal, and same have been delivered to and are now in the custody of the Chief Justice of the Florida Supreme Court.

3. That prior to the arrival of said sheriff, some materials, files, books and other things were removed by Judge Kelly, which should be placed in the custody of the Supreme Court or this Senate.

WHEREFORE, the board of managers moves this honorable body to:

1. Confirm the actions and the order of the Honorable B. K. Roberts, Chief Justice of the Supreme Court of Florida, and to amend the same by causing the records and things hereinbefore impounded according to said order, to be deposited with the secretary of the senate for the inspection and reproduction by all parties to this proceeding and to allow the board of managers and Judge Richard Kelly, by written agreement, to release such materials as are not necessary to the proper disposition of this proceeding to the presiding judge of the Sixth Judicial Circuit, where such records may properly be deemed the records of the court and to Judge Kelly, when such items of the records are deemed to be his personal records.

2. Enter an order commanding the said Richard Kelly to deliver to the secretary of the senate of the State of Florida those papers, documents and things removed by him or under his direction prior to the arrival of the sheriff of Pasco County at the office of the Circuit Judge on the 6th day of June, 1963.

FURTHER, that the office of the secretary of the senate be established as the office in which official pleadings and papers shall be filed in these proceedings and that the said secretary be granted those same powers ordinarily exercised by the Clerk of the Circuit Court in

cases and proceedings in the circuit courts of this state.

WILLIAM G. O'NEILL

C. WELBORN DANIEL

OFFICE OF THE CHIEF JUSTICE  
SUPREME COURT OF FLORIDA

IN RE IMPEACHMENT OF CIRCUIT  
JUDGE RICHARD KELLY, SIXTH  
JUDICIAL CIRCUIT OF FLORIDA.

#### ORDER IMPOUNDING RECORDS

This matter came on to be heard upon the ex parte sworn Petition of William G. O'Neill and C. Welborn Daniel, duly appointed and acting managers on the part of the House of Representatives of the State of Florida in the matter of impeachment of Circuit Judge Richard Kelly; and it appearing that the House of Representatives of the Legislature of Florida, on June 5, 1963, voted Articles of Impeachment against said Richard Kelly, Circuit Judge of the Sixth Judicial Circuit; and it further appearing that Section 34 of Article III of the Constitution of Florida provides that immediately upon the impeachment of any officer by the House of Representatives, he shall be disqualified from performing any of the duties of his office until acquitted by the Senate; and it further appearing from the sworn Petition, upon information and belief, that certain records, public and private, and office memoranda are being removed, or about to be removed, from the Courthouse in Pasco County, Florida and the office provided for the said Circuit Judge therein, and that, upon information and belief, the hereinabove records, memoranda and files will be vital to the presentation of said Articles of Impeachment before the Senate of the State of Florida; and it further appearing that Section 29 of Article III of the Constitution of Florida designates the Chief Justice to preside at the trial in this matter, and further provides that all impeachments shall be tried by the Senate; and representation having been made to this Court that the cause of the prosecution may suffer immediate and irreparable injury unless such records, memoranda and files are impounded; and the Chief Justice having discussed the matter with Judge Richard Kelly over long distance telephone subsequent to the filing of the Petition here, and that he, the said Circuit Judge Richard Kelly, having objected to the delivery of such documents to the petitioners, and after discussion, agreed with the undersigned that, in the event such records are impounded, they should be placed under seal and impounded with the Chief Justice until further lawful disposition should be made of same, and that the inspection of such records should in due time be made available to said Judge Richard Kelly in the preparation of his defense;

NOW, THEREFORE, IT IS ORDERED that all official records, official memoranda, official files and official documents, and any other papers heretofore used by the said Judge Richard Kelly in the performance of his duties as a Circuit Judge, shall be by the Sheriff of Pasco County, packaged under seal and delivered by the Sheriff of Pasco County to the Chief Justice of the Supreme Court of Florida, then and there to be held until this Petition and this Order can be reviewed by the Senate of Florida; provided, however, that unless the Senate has acted on the Petition and reviewed this Order within a period of thirty (30) days from date, this Order shall expire and the impounded records returned to the Presiding Circuit Judge in and for Pasco County, Florida.

This is a temporary Order made to preserve the records for the benefit of the prosecution and defense pending review and consideration by the Senate of Florida.

Done and Ordered this 6th day of June A. D. 1963.

B. K. ROBERTS,  
Chief Justice.

Senator Cross moved that the foregoing communication from the Chief Justice of the Supreme Court of Florida be spread upon the Journal of the Senate.

Which was agreed to and it was so ordered.

Senator Cross, Chairman of the Committee on Rules and Calendar, moved that the Senate fix 11:00 o'clock A. M., September 9, 1963, as the time to convene for the purpose of trying Circuit Judge Richard Kelly on the Articles of Impeachment preferred against him by the House of Representatives, as more fully set forth in House Resolution No. 2504, with the Chief Justice of the Florida Supreme Court presiding, as provided by Section 29, Article III, of the Constitution of the State of Florida.

Which was agreed to and it was so ordered.

The Chief Justice ruled as follows:

That part of the Motion seeking approval of the Order impounding certain records made by the Chief Justice on June 6, 1963, is moot in that this Body earlier today has approved and confirmed that judgment. The part of the Motion seeking to impound additional records is denied because it is vague, indefinite and uncertain as to the additional records it seeks to impound. This Order is without prejudice to the Managers to reapply for such relief at a later date in the event that they describe with more particularity the additional records sought to be impounded.

Senator Cross moved that the Senate sitting as a Court of Impeachment for the purpose of trying Articles of Impeachment preferred against Honorable Richard Kelly recess until 11:00 o'clock A. M., Monday, September 9, 1963.

Which was agreed to and it was so ordered.

Senator Cross moved that the Senate resume the regular Order of Business.

Which was agreed to and it was so ordered.

Senator Connor moved that the House of Representatives be requested to return House Bill No. 2252 to the Senate for further action.

Which was agreed to and it was so ordered.

Senator Johnson (6th) 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 Johnson (6th) requested consent of the Senate to introduce the following proposed legislation:

By Senator Johnson (6th)—

**S. B. NO. 1403**—A BILL TO BE ENTITLED AN ACT RELATING TO RIGHT TO CONSTRUCT OR INSTALL A TELEPHONE IN ALL COUNTIES OF THE STATE HAVING A POPULATION OF NOT LESS THAN FORTY THOUSAND (40,000), NOR MORE THAN FORTY-FIVE THOUSAND (45,000) ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS, REQUIRING THE FLORIDA RAILROAD AND PUBLIC UTILITIES COMMISSION TO GRANT PERMISSION FOR SUCH INSTALLATION; PROVIDING EFFECTIVE DATE.

Consent was granted by a two-thirds vote of the members of the Senate, as required by Section 2, Article III of the Constitution of the State of Florida, and Senate Bill No. 1403 was read the first time by title only.

Senator Johnson (6th) moved that the rules be waived and Senate Bill No. 1403 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 1403 was read the second time by title only.

Senator Johnson (6th) moved that the rules be further waived and Senate Bill No. 1403 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. 1403 was read the third time in full.

Upon the passage of Senate Bill No. 1403 the roll was called and the vote was:

Yeas—42.

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

Nays—None.

So Senate Bill No. 1403 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

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

By Senator Kelly—

**S. B. NO. 1404**—A BILL TO BE ENTITLED AN ACT RELATING TO MEDICAL SERVICES IN POLK COUNTY; AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY TO ENTER INTO CONTRACTS FOR SERVICES WITH CERTAIN PUBLIC OR PRIVATE MEDICAL INSTITUTIONS FOR THE POLK COUNTY HOSPITAL; 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. 1404 was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1404 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 Kelly moved that the rules be waived and Senate Bill No. 1404 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 1404 was read the second time by title only.

Senator Kelly moved that the rules be further waived and Senate Bill No. 1404 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. 1404 was read the third time in full.

Upon the passage of Senate Bill No. 1404 the roll was called and the vote was:

Yeas—42.

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

Herrell	Mapoles	Price	Whitaker
Hollahan	Mathews	Roberts	Williams (27th)
Johns	Melton	Ryan	Williams (4th)
Johnson (6th)	Parrish	Spottswood	Young
Kelly	Pearce	Stratton	
McCarty	Pope	Usher	

Nays—None.

So Senate Bill No. 1404 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

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

By Senator Connor—

**S. B. NO. 1405—A BILL TO BE ENTITLED AN ACT RELATING TO CITRUS COUNTY; VESTING THE TITLE TO ALL SOVEREIGNTY SUBMERGED BOTTOM LANDS OF SAID COUNTY IN NAVIGABLE FRESH WATER LAKES, RIVERS AND STREAMS; PROVIDING FOR THE DISPOSITION THEREOF; AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS, GOVERNING BODY OF ANY MUNICIPALITY OR OTHER LOCAL BOARD AUTHORIZED BY LAW, AND THE TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND, TO ASCERTAIN AND ESTABLISH OR ALTER DEVELOPMENT LINES IN AREAS ON THEIR OWN INITIATIVE OR ON APPLICATION OF AN UPLAND OWNER; PROHIBITING THE PUMPING OF SAND, ROCK OR EARTH, AND THE CONSTRUCTION OF ISLANDS, FROM NAVIGABLE WATER BOTTOMS; AND ADDING TO OR EXTENDING EXISTING LANDS OR ISLANDS BORDERING ON OR BEING IN SUCH NAVIGABLE WATER BOTTOMS; REQUIRING A PERMIT; CONFIRMING CERTAIN TITLES AND AUTHORIZING DISCLAIMER; PROVIDING EFFECTIVE DATE.**

Consent was granted by a two-thirds vote of the members of the Senate, as required by Section 2, Article III of the Constitution of the State of Florida, and Senate Bill No. 1405 was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1405 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Connor moved that the rules be waived and Senate Bill No. 1405 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 1405 was read the second time by title only.

Senator Connor moved that the rules be further waived and Senate Bill No. 1405 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. 1405 was read the third time in full.

Upon the passage of Senate Bill No. 1405 the roll was called and the vote was:

Yeas—42.

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

Nays—None.

So Senate Bill No. 1405 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Herrell—

**S. B. NO. 1406—A BILL TO BE ENTITLED AN ACT APPROPRIATING SIXTY-ONE THOUSAND DOLLARS (\$61,000.00) TO THE FLORIDA COMMISSION ON AGING FOR THE 1963-1965 BIENNIUM; PROVIDING AN EFFECTIVE DATE.**

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

By Senators Williams (4th), Pope, Johns, Roberts, Tucker, Galloway, Mapoles, Usher, Fraser, Williams (27th), Johnson (6th), Melton, Covington, Davis, Henderson, Gibson, Barron, Pearce, Edwards, Bronson, Hollahan, Gautier, Stratton, Barber, Ryan, Herrell, Spottswood, Connor, Campbell and Young—

**S. B. NO. 1407—A BILL TO BE ENTITLED AN ACT RELATING TO HIGHER EDUCATION; REPEALING SECTION 240.20 OF CHAPTER 240, FLORIDA STATUTES, AS ENACTED BY THE 1963 REGULAR SESSION OF THE FLORIDA LEGISLATURE, PRESCRIBING PROCEDURE FOR PREPARING BUDGET FOR INSTITUTIONS UNDER SUPERVISION OF BOARD OF REGENTS CREATED BY CHAPTER 63-204, LAWS OF FLORIDA.**

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

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

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

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida  
June 14, 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 Parrish—

**S. B. NO. 1390—A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF COCOA BEACH, IN BREVARD COUNTY, FLORIDA, AMENDING CHAPTER 59-1187, LAWS OF FLORIDA, 1959, KNOWN AS THE COCOA BEACH CHARTER: BY AMENDING SECTION 2. THEREOF TO EXPAND THE CORPORATE LIMITS OF THE CITY OF COCOA BEACH TO 11TH STREET ON THE SOUTH, THREAD OF STREAM OF BANANA RIVER ON THE WEST, NORTH BOUNDARY OF CANAVERAL ADMINISTRATIVE COMPLEX ON THE NORTH, AND ATLANTIC OCEAN ON THE EAST: BY AMENDING SECTION 14. THEREOF TO PROVIDE THAT THE CITY COMMISSION SHALL APPOINT THE CITY MANAGER FOR AN INDEFINITE TERM, AND MAY REMOVE HIM BY A MAJORITY VOTE OF ITS MEMBERS: BY AMENDING SECTIONS 35, 36, 37, 38, 39, AND 42 THEREOF TO PROVIDE THAT EACH DEPARTMENT HEAD SHALL BE APPOINTED AND REMOVED BY THE CITY MANAGER, SUBJECT TO THE APPROVAL OF THE CITY COMMISSION: BY AMENDING SECTION 41 THEREOF AS FOLLOWS: (1). TO**

PROVIDE THE CITY POLICE DEPARTMENT WITH POWER OF ARREST COUNTY-WIDE; AND (2). TO PROVIDE OFFICIAL SANCTION AND PLACE THE POLICE RESERVE UNDER THE CONTROL OF THE CHIEF OF POLICE: BY AMENDING SECTION 78 THEREOF TO PROVIDE THAT THE REGISTRATION BOOKS BE CLOSED AT 5:00 P. M. ON THE SECOND FRIDAY BEFORE THE TUESDAY ELECTION: BY AMENDING SECTION 107 THEREOF TO PROVIDE THAT WITHIN THE JURISDICTION CONFERRED BY VIRTUE OF THE CHARTER, THE POWER TO ISSUE AND CAUSE TO BE SERVED THROUGHOUT THE STATE ANY AND ALL WRITS AND PROCESSES SUCH AS ARE ISSUED AND USED BY THE JUSTICES OF THE PEACE IN THE STATE OF FLORIDA: AND, BY AMENDING SECTIONS 120, 121, 122 AND 123 THEREOF BY CREATING A BOARD OF ADJUSTMENT TO ALLOW APPEALS FROM ADMINISTRATIVE DECISION AND TO GRANT SPECIAL EXCEPTIONS AND VARIANCES, AND ABOLISHING THE ZONING BOARD OF APPEALS AND PROVIDING THAT THE COMMISSION SHALL SERVE AS THE BOARD OF ADJUSTMENT UNTIL SUCH TIME AS A BOARD IS APPOINTED.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives

Senator Parrish moved that Senate Bill No. 1390 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 Parrish moved that the request of the House of Representatives, as contained in the foregoing message, be granted.

And Senate Bill No. 1390 was ordered returned to the House of Representatives.

Tallahassee, Florida  
June 14, 1963

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

Sir:

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

By Representatives Crews of Baker, Stallings and Westberry of Duval—

H. B. NO. 2538—A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE COMMEMORATION OF THE CENTENNIAL OF THE BATTLE OF OLUSTEE, OR OCEAN POND; PROVIDING FOR AN APPROPRIATION; 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. 2538, contained in the above message, was read the first time by title only and referred to the Committee on Appropriations.

Tallahassee, Florida  
June 14, 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 General Legislation—

H. B. NO. 2534—A BILL TO BE ENTITLED AN ACT RELATING TO ATTORNEYS, PERSONS AND JUDGES OF THE VARIOUS COURTS OF THIS STATE; PROVIDING FOR DISQUALIFICATION OF JUDGES TO SIT IN CERTAIN CASES; 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. 2534, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "A".

Senator Johnson (19th) appeared in the Senate chamber and requested to be recorded as present.

Senator Pearce moved that Committee Substitute for Committee Substitute for Senate Bill No. 72 be withdrawn from the Committee on Finance and Taxation and placed on the Calendar.

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

Senator Pearce requested unanimous consent of the Senate to take up and consider Committee Substitute for Committee Substitute for Senate Bill No. 72.

Unanimous consent was granted, and—

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.

Was taken up and read by title, together with the following pending House amendments:

House Amendment No. 1—

In Section 5, Sub-section 212.08, following the words "by this chapter of Florida Statutes" insert the following:

"(2) EXEMPTIONS, MEDICAL.—There shall be exempt from the tax imposed by this chapter medicine compounded in a retail establishment by a pharmacist licensed by the state according to an individual prescription or prescriptions written by a practitioner of the healing arts licensed by the state, and common household remedies recommended and generally sold for the relief of pain, ailments, distress or disorders of the human body, according to a list prescribed and approved by the state board of health, which said list shall be certified to the comptroller from time to time and be included in the rules promulgated by the comptroller; artificial eyes and limbs, eyeglasses, dentures, hearing aids, crutches, prosthetic and orthopedic appliances and funerals. Funeral directors shall pay tax on all tangible personal property used by them in their business. This subsection shall be strictly construed and enforced."

House Amendment No. 2—

In Title following the words "RENTAL OF TANGIBLE PERSONAL PROPERTY;" insert the following: "AMENDING SECTION 212.08(2) PROVIDING TAXATION OF PERSONAL PROPERTY USED BY FUNERAL DIRECTORS;"

House Amendment No. 3—

In Section 5, Page 7, Line 1, following the word "sub-sections" insert the following: "(2),"

House Amendment No. 4—

In Section 3, following the words "shall be subject to a tax for the exercise of such privilege." strike out: "There shall be exempt all admissions to places of amusement operating under the supervision of the state racing commission."

House Amendment No. 5—

In Section 3, Sub-section 212.04, Page 6, following the words "levy an excise tax on admissions." insert the following: "The taxes imposed by this Section shall be collected in addition to the admission tax collected pursuant to Florida Statutes Section 550.09, but the amount collected under Section 550.09 shall not be subject to taxation under this chapter."

House Amendment No. 6—

In Section 5, sub-section (6), strike out: entire subsection and insert the following in lieu thereof:

"(6) Exemptions; partial exemptions; account of use.

There shall be exempt from the tax imposed by this chapter so much of such tax as shall exceed two per cent (2%) on the sale of farm machinery and equipment used exclusively in the production and harvesting of crops. There shall be exempt from the tax imposed by this chapter nets and ships designed for and exclusively used by commercial fisheries; feeds for raising poultry and livestock on farms and for feeding dairy cows; fertilizers, insecticides and fungicides used for application on crops or groves; containers used for processing farm products; field and garden seeds; cheesecloth for shading tobacco and seed beds. Such exemptions and partial exemptions here provided shall not be allowed unless the purchaser signs a certificate stating that the item to be exempted is for the exclusive use designated herein."

House Amendment No. 7—

In Section 5, sub-section 3, following the words "state of motor vehicles" strike out: ", which term shall include self-propelled motor vehicles used exclusively by a farmer on a farm owned, leased or share-cropped by him in plowing, planting, cultivating and harvesting crops"

House Amendment No. 8—

In Section 1, after paragraph beginning "212.02", following the words "a different meaning:" insert the following:

"(2) "Sale" means (a) any transfer of title or possession, or both, exchange, barter, lease or rental, conditional or otherwise, in any manner or by any means whatsoever of tangible personal property for a consideration, and (b) shall include the rental of living quarters, sleeping or housekeeping accommodations in hotels, apartment houses or rooming houses, tourist or trailer camps, as hereinafter defined in this chapter, and (c) includes the producing, fabricating, processing, printing or imprinting of tangible personal property for a consideration for consumers who furnish either directly or indirectly the materials used in the producing, fabricating, processing, printing or imprinting, and (d) the furnishing, preparing or serving for a consideration of any tangible personal property consumed on the premises of the person furnishing, preparing, or serving such tangible personal property, and (e) the furnishing of advertising, space or time in or by a newspaper, magazine, circular, handbill, free distribution publication, brochure or the yellow pages in telephone directories, radio and television stations, billboards, signs, airplane sky-writing, portable signs on taxicabs and other public conveyances, including card advertising in buses, advertising calendars and other novelties which carry advertising."

House Amendment No. 9—

In Section 2, Sub-section (4), following the last sentence add the following: "It is further provided, however, that any person, who, upon the effective date of this act, shall have resided continuously for six months at any one place enumerated above and shall have paid the tax levied by this section for said six months, or who previously resided for a period of six months in living accommodations heretofore exempt, shall be deemed to qualify fully for the exemption set forth herein so long as such person shall remain at said place."

House Amendment No. 10—

In Section 5, Sub-section (7), at the beginning of line 2 identify present sub-section as paragraph (a) and add a new paragraph (b) to read as follows:

"(b) The exemption herein provided for newspapers and communications media shall extend only to the sale of such newspaper itself or charges made for the listening to or viewing of radio and television communication, but shall not extend to the sale of advertising space or time in such media."

House Amendment No. 11—

In Section 1, following the words "Section 1. Sub-sections" add the following: "(2),"

House Amendment No. 12—

In the 2nd line of Title, following the words "AMENDING SECTIONS 212.0" strike out: "(3), (4), (6) AND (16), FLORIDA STATUTES, PROVIDING FOR DEFINITIONS;" and insert the following in lieu thereof: "(2), (3), (4), (6) AND (16), FLORIDA STATUTES, PROVIDING FOR DEFINITIONS AND TAXATION ON CERTAIN ADVERTISING SERVICES;"

House Amendment No. 13—

In Section 3, at the end of Sub-section (2), add a new paragraph to read as follows:

"Provided that this section shall not become effective as to admissions to athletic events engaged in by elementary, junior high, high schools, and institutions of higher education in the State until January 1, 1964."

House Amendment No. 14—

In the Title, line 24, following the words "INTERSTATE OR FOREIGN COMMERCE" strike out: semicolon ";" and add: "AND REMOVING SALE OF ADVERTISING SPACE AND TIME IN NEWSPAPERS, RADIO AND TELEVISION FROM EXEMPTION;"

House Amendment No. 15—

In Title, line 10, following the words "PLACES OF AMUSEMENT" strike out: "SUPERVISED BY THE STATE RACING COMMISSION;" and insert the following in lieu thereof: "AND PROVIDING AN EFFECTIVE DATE FOR THE ADMISSIONS TAX;"

House Amendment No. 16—

In Section 5, Sub-section (3), following the words "(including occasional or isolated sales)" strike out: "or rental to"

House Amendment No. 17—

In Section 1, Sub-section 16, following the words "greens fees," insert the following: "all dues paid to private clubs providing recreational facilities, including but not limited to golf, tennis, swimming, yachting and boating facilities; but specifically excluding civic, fraternal and religious clubs and organizations,"

House Amendment No. 18—

In Section 3, Introductory Paragraph of Section 212.04 F. S., Page 6, Line 6, following the word "privilege." insert the following: "There shall be exempt all admissions to athletic events held by elementary, junior high schools, deaf and blind school and state correctional institutions."

House Amendment No. 19—

In Section 2, Sub-section 4, following the words "tourist or trailer camp." insert the following: "Notwithstanding other provisions of this Act, no tax shall be imposed upon rooms provided guests where there is no consideration involved between guest and the public lodging establishment."

House Amendment No. 20—

In Section 5, in line 7 of page 9, following the words "fuels used or consumed" strike out: "in airplanes or other aeronautical devices or used or consumed"

House Amendment No. 21—

Following Section 7 add a new Section numbered 8:

"Section 8. A sufficient amount, not to exceed \$250,000, subject to the Budget Commission determination of need, shall be retained by the Comptroller in a special account in the State Treasury to be used in the proper enforcing and collection of the additional taxes imposed under this chapter."

—and renumber the remaining sections accordingly.

House Amendment No. 22—

In Title, strike out: the Period at the end thereof and insert the following: "; PROVIDING FOR EXPENSES OF COLLECTION."

House Amendment No. 23—

In Section 4, page 6, following the words "Section 4. Sub-section" add "(1) and" and following the words: "levied as follows:" add the following: "(1) At the rate of three percent of the sales price of each item or article of tangible personal property when sold at retail in this state; provided however that the sales tax on cigars, chewing tobacco, snuff and all other tobacco products other than cigarettes, as defined in Chapter 210, section 210.01, subsection one (1), shall be fifteen (15) percent of the retail price; the tax to be computed on gross sales for the purpose of remitting the amount of tax due the state, and to include

each and every retail sale. This section shall not however in any way change the present taxation of cigarettes."

House Amendment No. 24—

After Section 4, Page 6, add a new Section 5, and renumber subsequent Sections.

"Section 5. Subsection (2) paragraph (e) of Section 212.06 Florida Statutes, is amended to read:

212.06(2)(e) The term "dealer" is further defined to mean any person, including any person engaged in the trading stamp business as used in this chapter, who leases or rents tangible personal property, as defined in this chapter, for a consideration, permitting the use or possession of said property without transferring title thereto, except as expressly provided for to the contrary herein, shall be collected at the rate of eight per cent of the value of the stamps as determined by the amount in money or kind paid to the trading stamp company for the use of such stamps."

House Amendment No. 25—

In Title, line 13 (of the amended bill), following the words "SECTION 212.05" add "(1) AND"

Senator Cross moved that the rules be waived and the time of adjournment be extended until final disposition of Committee Substitute for Committee Substitute for Senate Bill No. 72.

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

Senator Herrell moved that the Senate concur in House Amendment No. 1 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—24.

Mr. President	Cleveland	Henderson	Pearce
Aske	Covington	Herrell	Pope
Barron	Davis	Hollahan	Roberts
Blank	Edwards	McCarty	Ryan
Bronson	Friday	Mathews	Whitaker
Clarke	Gautier	Parrish	Young

Nays—17.

Barber	Galloway	Mapoles	Williams (27th)
Campbell	Gibson	Melton	Williams (4th)
Connor	Johns	Spottswood	
Cross	Johnson (19th)	Stratton	
Fraser	Johnson (6th)	Usher	

So the Senate concurred in House Amendment No. 1 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Herrell moved that the Senate concur in House Amendment No. 2 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate concurred in House Amendment No. 2 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Herrell moved that the Senate concur in House Amendment No. 3 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate concurred in House Amendment No. 3 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Herrell moved that the Senate concur in House Amendment No. 4 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate concurred in House Amendment No. 4 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Herrell moved that the Senate concur in House Amendment No. 5 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate concurred in House Amendment No. 5 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Pearce moved that the Senate do not concur in House Amendment No. 6 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate refused to concur in House Amendment No. 6 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Pearce moved that the Senate do not concur in House Amendment No. 7 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate refused to concur in House Amendment No. 7 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Whitaker moved that the Senate concur in House Amendment No. 8 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Which was not agreed to, and the Senate refused to concur in House Amendment No. 8 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Herrell moved that the Senate do not concur in House Amendment No. 9 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate refused to concur in House Amendment No. 9 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Mathews moved that the Senate do not concur in House Amendment No. 10 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate refused to concur in House Amendment No. 10 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Mathews moved that the Senate do not concur in House Amendment No. 11 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate refused to concur in House Amendment No. 11 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Mathews moved that the Senate do not concur in House Amendment No. 12 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate refused to concur in House Amendment No. 12 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Pearce moved that the Senate do not concur in House Amendment No. 13 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate refused to concur in House Amendment No. 13 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Pearce moved that the Senate do not concur in House Amendment No. 14 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate refused to concur in House Amendment No. 14 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Pearce moved that the Senate do not concur in House Amendment No. 15 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate refused to concur in House Amendment No. 15 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Pearce moved that the Senate do not concur in House Amendment No. 16 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Sen-

ate refused to concur in House Amendment No. 16 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Ryan moved that the Senate reconsider the vote by which the Senate refused to concur in House Amendment No. 16 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

The President put the question: "Will the Senate reconsider the vote by which the Senate refused to concur in House Amendment No. 16 to Committee Substitute for Committee Substitute for Senate Bill No. 72 this day?"

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

Yeas—27.

Barron	Cross	Johnson (19th)	Spottswood
Blank	Davis	Kelly	Stratton
Eronson	Fraser	McCarty	Usher
Campbell	Friday	Mathews	Whitaker
Cleveland	Gautier	Pope	Williams (27th)
Connor	Henderson	Price	Young
Covington	Hollahan	Ryan	

Nays—13.

Mr. President	Edwards	Mapoles	Willams (4th)
Askew	Galloway	Melton	
Barber	Herrell	Parrish	
Clarke	Johnson (6th)	Pearce	

So the Senate reconsidered the vote by which the Senate refused to concur in House Amendment No. 16 to Committee Substitute for Committee Substitute for Senate Bill No. 72, this day.

The question recurred on the adoption of House Amendment No. 16 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Ryan moved that the Senate concur in House Amendment No. 16 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate concurred in House Amendment No. 16 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Hollahan moved that the Senate concur in House Amendment No. 17 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate concurred in House Amendment No. 17 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Pearce moved that the Senate do not concur in House Amendment No. 18 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate refused to concur in House Amendment No. 18 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Pearce moved that the Senate do not concur in House Amendment No. 19 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate refused to concur in House Amendment No. 19 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Herrell moved that the Senate do not concur in House Amendment No. 20 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate refused to concur in House Amendment No. 20 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Pearce moved that the Senate concur in House Amendment No. 21 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate concurred in House Amendment No. 21 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Pearce moved that the Senate concur in House Amendment No. 22 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate concurred in House Amendment No. 22 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Pearce moved that the Senate do not concur in House Amendment No. 23 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate refused to concur in House Amendment No. 23 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Pearce moved that the Senate do not concur in House Amendment No. 24 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—29.

Mr. President	Edwards	Kelly	Spottswood
Farber	Friday	McCarty	Stratton
Blank	Galloway	Mapoles	Usher
Bronson	Gautier	Mathews	Whitaker
Clarke	Henderson	Melton	Williams (4th)
Cleveland	Herrell	Pearce	
Cross	Hollahan	Price	
Davis	Johnson (6th)	Ryan	

Nays—11.

Askew	Covington	Johns	Williams (27th)
Barron	Fraser	Parrish	Young
Campbell	Gibson	Pope	

So the Senate refused to concur in House Amendment No. 24 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Pearce moved that the Senate do not concur in House Amendment No. 25 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and the Senate refused to concur in House Amendment No. 25 to Committee Substitute for Committee Substitute for Senate Bill No. 72.

Senator Pearce moved that the House of Representatives be respectfully requested to recede from House Amendments Nos. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 18, 19, 20, 23, 24, and 25 to Committee Substitute for Committee Substitute for Senate Bill No. 72, and in the event the House of Representatives does not see fit to recede therefrom that the Speaker of the House of Representatives is respectfully requested to appoint a conference committee on the part of the House of Representatives to confer with a like committee to be appointed by the President on the part of the Senate to adjust the differences existing between the two Bodies on the House Amendments to Committee Substitute for Committee Substitute for Senate Bill No. 72.

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

Senator Cross moved that when the Senate adjourns at this Session it adjourn to reconvene at 4:00 o'clock P. M., Monday, June 17, 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 5:58 o'clock P. M., until 4:00 o'clock P. M., Monday, June 17, 1963.