

# JOURNAL OF THE SENATE

Friday, April 7, 1967

The Senate was called to order by the President at 11:00 a.m. The following Senators were recorded present:

Mr. President	de la Parte	Horne	Shevin
Askew	Edwards	Johnson	Slade
Bafalis	Elrod	Knopke	Spencer
Barron	Fincher	Lane	Stockton
Barrow	Fisher	McClain	Stolzenburg
Bell	Friday	Mathews	Stone
Boyd	Gibson	O'Grady	Thomas
Broxson	Gong	Ott	Weber
Chiles	Griffin	Plante	Weissenborn
Clayton	Gunter	Poston	Wilson
Cross	Henderson	Reuter	Young
Deeb	Hollahan	Sayler	

47. A quorum present.

Excused: Senator Haverfield.

Prayer by Dr. W. W. Roughton, District Superintendent of the Methodist Church, Tallahassee.

Almighty God, our heavenly Father, we thank Thee for the greatness of our heritage and the opportunities which come with each new day.

We humbly confess that we have not always sought thy guidance as we should. We have felt the frustration of a confused sense of values. We have been torn with the tension of indecision. We have been caught in the pressure of conflicting influences.

We pray not only for ourselves, but for all who carry heavy responsibilities in the government of our state, our nation, and our world.

We acknowledge our need of divine guidance. Grant to us clarity of thought, a deep sense of dedication in the search for truth, wisdom, justice, and integrity. Create in us an attitude of gratitude that manifests itself in constructive service to our fellow man. Fill our souls with genuine enthusiasm for that which is Godly. Give us an unwavering determination to live each day according to the highest ideals we know. In the name of our Lord, we pray. Amen.

The reading of the Journal was dispensed with.

The Journal of April 6 was corrected and approved as follows:

Page 25, counting from the bottom of column 1, line 15, strike the period and add first.

Page 25, counting from the bottom of column 1, line 24, strike "Business" and insert Businesses

Page 26, counting from the bottom of column 1, line 32, strike "licenses" and insert licensees

Page 26, counting from the bottom of column 2, line 20, strike "282," and insert 282.

Page 27, column 2, line 5, between "Gibson," and "Mathews" insert Horne,

Page 27, counting from the bottom of column 2, line 35, strike "Horne,"

The Journal of April 4 was further corrected and approved as follows:

Page 10, column 1, strike line 27 and insert the following: Ethics and Privileged Businesses

Page 10, column 1, strike line 29

Page 10, counting from the bottom of column 1, between lines 6 and 7 insert the following:

Anti-Crime

Urban Affairs and Local Government

Page 10, counting from the bottom of column 1, strike lines 27 and 28 and insert the following: Congressional Liaison, Intergovernmental and Veterans Affairs and Communications

On motion by Senator Askew, by two-thirds vote, SB 4 was also referred to the Committee on Appropriations.

## REPORT OF COMMITTEE

The Committee on Governmental Reorganization recommends the following pass:

SB 4

The bill was referred to the Committee on Appropriations.

## INTRODUCTION

By Senator Poston—

SB 33—A bill to be entitled An act relating to the definition of the word road and adding thereto water storage areas; amending section 334.03 (13), Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committees on Public Roads and Highways; and Judiciary "B".

By Senator Poston—

SB 34—A bill to be entitled An act relating to the chairman and members of the state road board; creation of the office of state road commissioner; defining the powers and duties of said board and commissioner; repealing sections 334.06 and 334.09, Florida Statutes; enacting sections 334.061, 334.062 and 334.091, Florida Statutes; amending sections 334.10, 334.11 and 334.18, Florida Statutes; and providing an effective date.

Was read the first time by title and referred to the Committees on Public Roads and Highways; and Governmental Reorganization.

By Senator Poston—

SB 35—A bill to be entitled An act relating to eminent domain proceedings providing that enhancement of value of remaining property be offset against value of the property appropriated as well as against severance damage; amending section 73.071(4), Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary "A".

By Senators Poston and Sayler—

SB 36—A bill to be entitled An act relating to preparation of road department budget; amending section 334.21, Florida Statutes; providing for a five year plan; repealing subsections 9(a)(5) and 9(b) of section 334.21, Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committee on Public Roads and Highways.

By Senator Poston—

SB 37—A bill to be entitled An act relating to excise taxes on documents; eliminating the need for documentary stamps on all deeds to public agencies; amending section 201.02, Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committee on Finance and Taxation.

By Senator Poston—

SB 38—A bill to be entitled An act relating to trash on public highways; prohibiting the dumping of household garbage in roadside trash receptacles; amending section 339.29, Florida Statutes; providing a penalty for violation of this act; providing an effective date.

Was read the first time by title and referred to the Committees on Public Roads and Highways; and Judiciary "A".

By Senator Poston—

SB 39—A bill to be entitled An act relating to receiving or depositing passengers from automobiles on limited access facilities; amending section 339.30, Florida Statutes, by adding (j); providing an effective date.

Was read the first time by title and referred to the Committees on Transportation and Safety; and Judiciary "A".

By Senator Poston—

SB 40—A bill to be entitled An act relating to the classification of roads in the state highway system; amending section 335.04(3), Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committee on Public Roads and Highways.

By Senator Poston—

SB 41—A bill to be entitled An act relating to subdivisions abutting state highways; requiring approval by the state road department; amending chapter 317, Florida Statutes, by adding 317.0114; providing an effective date.

Was read the first time by title and referred to the Committees on Public Roads and Highways; and Judiciary "A".

By Senator Poston—

SB 42—A bill to be entitled An act relating to wayside parks; giving the State Road Board authority to name wayside parks; amending section 335.16, Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committee on Public Roads and Highways.

By Senators Stockton, Mathews, Friday, Slade, Elrod, Horne, Lane, Bell, Reuter, Clayton, O'Grady, Henderson, Deeb, McClain, Young, Fisher, Johnson and Askew—

SB 43—A bill to be entitled An act relating to elections; amending subsection (1) of section 99.021, Florida Statutes, relating to candidates oath; providing for the repeal of the requirement that a candidate swear under oath that he was not a registered member of any other political party during the two (2) years immediately preceding the date of execution of his oath or affirmation; providing that candidate shall swear under oath that he was not a registered member of any other political party during the six (6) months immediately preceding the date of execution of this oath or affirmation; providing for an effective date.

Was read the first time by title and referred to the Committee on Judiciary "B".

By Senator Knopke—

SB 44—A bill to be entitled An act relating to municipalities; extending home rule powers to all municipalities within the state; providing for a referendum.

Was read the first time by title and referred to the Committees on Urban Affairs and Local Government; and Judiciary "B".

By Senators Barrow and Saylor—

SB 45—A bill to be entitled An act relating to juveniles; amending chapter 39, Florida Statutes, by adding section 39.031, allowing the names of juvenile offenders and their parents to be published; granting publishers same immunity as provided in the state constitution.

Was read the first time by title and referred to the Committee on Judiciary "A".

By Senators Shevin, Wilson, Spencer and Weissenborn—

SB 46—A bill to be entitled An act relating to capital offense; amending sections 782.04, 790.16, 790.161(1), 794.01, 805.02 and 919.23, all Florida Statutes; prescribing conditions under which the death penalty may be imposed.

Was read the first time by title and referred to the Committees on Anti-Crime and Judiciary "A".

By Senators Horne and Cross—

SB 47—A bill to be entitled An act relating to county de-

tion facilities; defining said term and the term "county prisoners"; authorizing the board of commissioners of state institutions to adopt rules and regulations prescribing standards and requirements for the construction, equipment, maintenance and operation of county detention facilities; providing for the enforcement of such rules and regulations by the director of the division of corrections and the designation of necessary personnel for such enforcement; providing for injunction proceedings to prohibit the confinement in facilities not meeting requirements and standards prescribed by the board; providing procedure in circuit court for removal of prisoners from non-complying facilities to facilities complying with said rules and regulations; providing for the payment of expense of maintenance of prisoners so removed; providing for furnishing of copies of circuit court order of removal to appropriate officials; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary "A".

By Senator Deeb—

SB 48—A bill to be entitled An act relating to elections; amending section 101.62(3), Florida Statutes, by including the supervisor of elections and deputy supervisor of elections with those eligible for application for absent elector's ballot; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary "B".

By Senator Deeb—

SB 49—A bill to be entitled An act relating to elections; amending section 97.021(6), Florida Statutes, by redefining "absent elector" to include supervisor of elections and deputy supervisors; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary "B".

By Senator Deeb—

SB 50—A bill to be entitled An act relating to elections; amending section 101.63, Florida Statutes; providing for records of applicants for absentee ballots to be kept upon a list or card file; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary "B".

By Senators Henderson and Weissenborn—

SB 51—A bill to be entitled An act relating to tax assessments and tax sales; amending section 193.41, Florida Statutes, by designating present section as subsection (1) and adding subsection (2) to provide alternative method for payment of taxes on a quarterly basis; providing an effective date.

Was read the first time by title and referred to the Committee on Finance and Taxation.

By Senators Henderson and Thomas—

SB 52—A bill to be entitled An act relating to state agencies; authorizing such agencies to pay the cost of securing notary public commissions for employees; providing for an effective date.

Was read the first time by title and referred to the Committee on Appropriations.

By Senators Henderson and Fincher—

SB 53—A bill to be entitled An act relating to taxation; amending chapter 192, Florida Statutes, by adding section 192.114, to exempt from taxation real estate owned and used as a homestead by blind ex-servicemen; providing method of claiming exemption; providing for real estate tax exemption benefits for widows of blind veterans; providing an effective date.

Was read the first time by title and referred to the Committee on Finance and Taxation.

By Senator Henderson—

SB 54—A bill to be entitled An act relating to institutions of higher learning; authorizing a study to be made to determine the feasibility of establishing a two-year degree granting institution in Sarasota county.

Was read the first time by title and referred to the Committees on Education—Higher Learning and Appropriations.

By Senators Edwards, Horne and Weissenborn—

SB 55—A bill to be entitled An act relating to the Florida highway patrol; amending section 321.04, Florida Statutes, relating to the employment and assignment of patrol officers; relating to number and type of rank classifications; providing an effective date.

Was read the first time by title and referred to the Committees on Transportation and Safety; and Appropriations.

By Senator Edwards—

SB 56—A bill to be entitled An act relating to the legislature, method of enrolling bills; amending Section 11.07, Florida Statutes, by deleting the requirement for the secretary of state to prescribe the size, style and quality of paper to be used in the enrolling process and to furnish such paper; providing an effective date.

Was read the first time by title and referred to the Committee on Rules and Calendar.

By Senator Edwards—

SB 57—A bill to be entitled An act relating to the Florida session laws; amending subsection (8) of section 283.25, Florida Statutes, to reduce the number of sets required to be retained by the secretary of state; authorizing the destruction and sale of obsolete volumes; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary "B".

By Senator Edwards—

SB 58—A bill to be entitled An act relating to secured transactions; amending section 679.9-206(1), Florida Statutes, to provide that agreements not to assert defenses against an assignee is enforceable subject to any statute which establishes a different rule for buyers or lessees of consumer goods; and providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary "A".

By Senator Edwards—

SB 59—A bill to be entitled An act relating to the time when an item is finally paid by a payor bank; amending section 674.4-213(1), Florida Statutes, specifying certain circumstances when an item is finally paid; and providing an effective date.

Was read the first time by title and referred to the Committees on Banking, Securities and Loans; and Judiciary "A".

By Senator Edwards—

SB 60—A bill to be entitled An act relating to administrative boards, generally; amending section 455.06(1), Florida Statutes, to provide that personal injury or property damage by livestock may be included under liability insurance coverage; providing an effective date.

Was read the first time by title and referred to the Committee on Insurance.

By Senator Edwards—

SB 61—A bill to be entitled An act relating to the time for holding annual meetings of stockholders of state banks and trust companies; amending section 659.051, Florida Statutes, to add an additional month to the time when annual meetings of stockholders shall be held; and providing an effective date.

Was read the first time by title and referred to the Committee on Banking, Securities and Loans.

By Senators Hollahan, Haverfield and Weissenborn—

SB 62—A bill to be entitled An act relating to the Florida criminal laws revision commission, creation and establishment; providing for the appointment of twenty-one (21) members; providing for an executive committee; providing for the duties and responsibilities of said commission with respect to the revision of the criminal laws of Florida;

providing for public hearings throughout the state; providing an appropriation; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary "A".

By Senators Hollahan and Haverfield—

SB 63—A bill to be entitled An act relating to the secretary of state; amending Chapter 15, Florida Statutes; providing authority for the reproduction of records by photographic process; providing for the admissibility of copies of records reproduced by photographic process in evidence; providing for an effective date.

Was read the first time by title and referred to the Committees on Judiciary "A" and Appropriations.

By Senator de la Parte—

SB 64—A bill to be entitled An act relating to the division of corrections; providing for extending limits of confinement of prisoners; providing for furlough of prisoners under certain conditions; providing for adoption of regulations by the board of commissioners of state institutions governing such furloughs granted to prisoners.

Was read the first time by title and referred to the Committee on Judiciary "A".

By Senators de la Parte, Thomas, Friday and Henderson—

SB 65—A bill to be entitled An act relating to the division of child training schools; changing the name of the division to the division of youth services; amending section 965.01(2), Florida Statutes, providing for the administration, supervision, jurisdiction and powers of the division and the qualifications, powers and duties of the director; providing for the creation of departments of statistics and research and community services; prescribing the function and responsibility of each said department; amending section 965.13, Florida Statutes, relating to the advisory committee to the director of the division by changing its membership and fixing terms of office; amending section 965.14, Florida Statutes, relating to procedures for termination of furlough granted child in aftercare program and final discharge from training school; amending section 965.03, Florida Statutes, relating to the qualifications of director of division; amending sections 965.10, 965.15 and 965.17, Florida Statutes, to change the designation of the division.

Was read the first time by title and referred to the Committee on Governmental Reorganization.

By Senators de la Parte, Thomas and Friday—

SB 66—A bill to be entitled An act relating to juvenile courts; amending section 39.02(6), Florida Statutes, providing for the transfer of children of certain ages to courts having jurisdiction of adults upon being charged with the commission of certain crimes; requiring hearings and other safeguards prior to transfer in certain instances; providing that a child shall be handled as if he were an adult when indicted by a grand jury for violation of laws punishable by death; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary "A".

By Senators de la Parte, Thomas and Friday—

SB 67—A bill to be entitled An act relating to juvenile courts; amending section 39.12(2), Florida Statutes, to require judges of juvenile courts to furnish certain statistical data to the department of statistics and research of the division of youth services; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary "A".

By Senators de la Parte, Thomas and Friday—

SB 68—A bill to be entitled An act relating to juvenile courts and dependent and delinquent children; amending section 39.11(1)(e), Florida Statutes, prescribing the powers of said courts with reference to children adjudicated to be delinquent or dependent by removing the provision which excludes industrial schools for boys and girls as institutions to which payments are to be made for care, support and maintenance.

Was read the first time by title and referred to the Committee on Judiciary "A".

By Senators de la Parte, Ott and Knopke—

SB 69—A bill to be entitled An act relating to city of Tampa, Hillsborough county, municipal elections; amending section 17 of chapter 15533, Laws of Florida, 1931, as amended by chapter 65-2302, Laws of Florida, providing new dates for municipal elections and assumption of offices by elected officials; amending section 34 of chapter 15533, Laws of Florida, 1931, to include the use of voting machines; amending section 11 of chapter 31315, Laws of Florida, 1955, by authorizing further campaign expenditures; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 69.

Was read the first time by title and referred to the Committee on Rules and Calendar.

By Senators Poston, Hollahan, Knopke, Haverfield, Shevin, Gong, Thomas, Broxson, Spencer, Deeb, de la Parte, Bafalis, Edwards, Ott, Griffin, Stone, Elrod, McClain, Fincher, Askew, Barron, Barrow, Boyd, Slade, Sayler, Friday, Henderson, Gunter, Mathews, Fisher and Weber—

SB 70—A bill to be entitled An act defining and regulating the business of building construction and contracting in this state; creating the Florida Construction Industry Licensing Board; fixing qualifications of members and providing powers and duties of such Board; fixing registration and certification procedures and fees therefor; providing exemptions; providing penalties; providing effective date.

Was read the first time by title and referred to the Committee on Governmental Reorganization and Judiciary "A".

By Senators Sayler, Young, Deeb and Wilson—

SB 71—A bill to be entitled An act creating and establishing the Pinellas county expressway authority; defining terms; providing for membership; providing purposes and powers; providing for the issuance of bonds and remedies of bondholders; providing an effective date.

Was read the first time by title and referred to the Committee on Public Roads and Highways; Governmental Reorganization; and Finance and Taxation.

By Senators Chiles, Boyd, Fincher, Horne, Barrow, Barron, Hollahan and Gong—

SB 72—A bill to be entitled An act relating to taxation; providing limitation with respect to ad valorem tax millage; providing an effective date.

Was read the first time by title and referred to the Committee on Finance and Taxation.

#### CO-INTRODUCERS

By permission, Senator Deeb was recorded as a co-introducer of SB 4.

By permission, Senator Weissenborn was recorded as a co-introducer of SB 21.

On motion by Senator Shevin, by two-thirds vote, SB 30 was withdrawn from the Committee on Judiciary "B" and referred to the Committee on Appropriations.

On motion by Senator Mathews, the Senate adjourned at 11:34 a. m. to reconvene at 11:00 a.m. April 10, 1967.