

JOURNAL OF THE SENATE

Wednesday, April 26, 1967

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

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

48. A quorum present.

Prayer by Reverend John C. Updegraff, President, The Florida Council of Churches and Executive Minister of the Florida Christian Churches, Ocala.

Our Eternal Father, we come to thee this day with hearts full of gratitude for our heritage of freedom. We come overwhelmed by the immensity of the responsibilities that free men share. Teach us humility, that high honor may not be misunderstood; teach us courage, that temptations may not defeat us; teach us awareness, that thine eternal laws of morality and justice may not be forgotten. Bless thou these servants of thine who give creative leadership to our beloved state; walk with them through sunshine and shadow; lift them above pettiness and fill each with a sense of thy noble purposes. Through Jesus Christ, our Lord. Amen.

The reading of the Journal was dispensed with.

The Journal of April 25 was corrected and approved as follows:

Page 173, counting from the bottom of column 2, line 32, strike "Barrow" and insert Barron

The Journal of April 24 was further corrected and approved as follows:

Page 158, column 1, between lines 4 and 5 insert the following: Evidence of notice and publication was established by the Senate as to HB 374.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends that HB 493 be referred to the Committee on Ethics and Privileged Businesses.

The Committee on Rules and Calendar recommends the following bills be placed on the Local Calendar:

HB 484	HB 448	HB 326
HB 482	HB 478	HB 488
HB 481	HB 479	HB 570
HB 374	HB 325	HB 571
HB 445		

The Committee reports were adopted.

The Committee on Banking, Securities and Loans recommends the following pass:

SB 316

The bill was referred to the Committee on Judiciary "B" under the original reference.

The Committee on Education—Higher Learning recommends the following pass:

SB 8 with 2 amendments

The bill was placed on the Calendar.

The Committee on Education—Higher Learning recommends the following pass:

SB 27 with 3 amendments SB 229

The bills were referred to the Committee on Appropriations under the original reference.

The Committee on Governmental Reorganization recommends the following pass:

SB 494 SB 495

The bills were placed on the Calendar.

The Committee on Governmental Reorganization recommends the following pass:

SB 371 with 4 amendments SB 373 with 10 amendments
SB 372 with 4 amendments

The bills were referred to the Committee on Rules and Calendar.

Unanimous consent was granted Senator Barrow to take up out of order—

HB 325—A bill to be entitled An act relating to Okaloosa county, construction; empowering the county board of public instruction to construct athletic stadiums and buildings and to issue and sell revenue certificates payable from receipts for admissions to events in said stadiums and buildings; providing an effective date.

On motions by Senator Barrow, the rules were waived and HB 325 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—48 Nays—None

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

The bill was certified to the House.

Unanimous consent was granted Senator Barrow to take up out of order—

HB 326—A bill to be entitled An act relating to Okaloosa county, purchases; empowering the county board of public instruction to enter into and make contracts for purchases of any item for a sum not to exceed one thousand dollars (\$1,000.00) without requiring competitive bidding thereon; providing an effective date.

On motions by Senator Barrow, the rules were waived and HB 326 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—48 Nays—None

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

The bill was certified to the House.

Unanimous consent was granted Senator Deeb to take up out of order—

HB 488—A bill to be entitled An act providing for the establishment of sick leave for employees of Pinellas County;

authorizing and empowering the elected public officials of said county to establish rules and regulations with regard to sick leave for said employees; authorizing the payment of salaries to said employees during periods of sickness within the terms and conditions of said rules and regulations; repealing Chapter 29429, Laws of Florida, 1953; providing an effective date.

On motions by Senator Deeb, the rules were waived and HB 488 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—48 Nays—None

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

The bill was certified to the House.

Unanimous consent was granted Senators Clayton and O'Grady to take up out of order—

HB 570—A bill to be entitled An act authorizing Lake County to reimburse the members of the Board of County Commissioners for office and traveling expenses incurred during certain months in the year 1965.

On motions by Senators Clayton and O'Grady, the rules were waived and HB 570 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—48 Nays—None

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

The bill was certified to the House.

Unanimous consent was granted Senators Clayton and O'Grady to take up out of order—

HB 571—A bill to be entitled An act authorizing the Board of County Commissioners of Lake County to assess a sufficient millage to produce the sum of \$4,000.00 to pay one-half the cost of additional pilot seining in Lake Griffin; and providing an effective date.

On motions by Senators Clayton and O'Grady, the rules were waived and HB 571 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—48 Nays—None

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

The bill was certified to the House.

INTRODUCTION

By Senators Cross, Haverfield, Hollahan, Shevin, Young and Weissenborn—

SB 586—A bill to be entitled An act relating to retirement facilities; providing for their licensing and inspection by the

Florida commission on aging and the state board of health; providing for license fees; providing for penalties for violations of the act; repealing chapter 651, Florida Statutes, relating to life care contracts; providing an effective date.

Was read the first time by title and referred to the Committees on Health and Welfare; and Governmental Reorganization.

By Senator Knopke—

SB 587—A bill to be entitled An act relating to offenses concerning territorial waters of this state; amending section 861.10(1), Florida Statutes, making it unlawful to dump or permit trash upon highways, by enlarging the scope so as to make it unlawful to dump or permit such trash upon or along certain territorial waters; providing an effective date.

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

By Senator Weber—

SB 588—A bill to be entitled An act relating to primary elections, amending sections 100.061 and 100.091(1), Florida Statutes, to provide that the first and second primary elections take place respectively on the second and fourth Tuesdays in September; providing an effective date.

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

By Senator Shevin—

SB 589—A bill to be entitled An act for the relief of Joseph F. Shea for damages caused by the unlawful conviction and imprisonment of said individual, including attorneys' fees, expenses and costs incurred in securing his release; providing an appropriation; providing an effective date.

Was read the first time by title and referred to the Committees on Retirement and Claims; and Appropriations.

By Senators Knopke and Fisher—

SB 590—A bill to be entitled An act relating to minimum standards for school building construction; amending section 235.26(1) and (2), Florida Statutes, providing that standards be cumulative to those of governmental entity in which located.

Was read the first time by title and referred to the Committee on Education—Public Schools and Junior Colleges.

By Senator Spencer—

SB 591—A bill to be entitled An act relating to drivers' licenses; amending section 322.211, Florida Statutes; providing for the appointment of sub-agents to issue drivers' licenses; providing an effective date.

Was read the first time by title and referred to the Committees on Governmental Reorganization; and Finance and Taxation.

By Senators Horne, Young, Deeb, Hollahan, Reuter, Mathews, Barrow, Fincher, Weber, Slade, Friday, Stone, Gunter and Sayler—

SB 592—A bill to be entitled An act to create and establish the commission on marine sciences and technology; providing for the terms, appointment and qualification of its members; prescribing duties and powers; providing for the employment of an executive director and other personnel; providing for payment of expenses of members of the commission; providing for an appropriation; providing an effective date.

Was read the first time by title and referred to the Committees on Water Conservation, Salt Water and Natural Resources; and Appropriations.

By Senators Poston, Weissenborn and Haverfield—

SB 593—A bill to be entitled An act relating to graduate study of oceanography at the institute of marine science of the university of Miami; authorizing the board of control to pay to the university of Miami for its institute of marine science the sum of four thousand dollars (\$4,000.00) per year for each Florida student, up to but not to exceed sixty (60), pursuing graduate study at the institute; defining the necessary qualifications for receipt of benefits; regulating the expenditure of the

funds; providing appropriation to the board of regents; and providing an effective date.

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

By Senators Poston and Weissenborn—

SB 594—A bill to be entitled An act to create and establish an oceanographic commission; providing for its membership; providing its powers and duties; providing for collecting and assembling information; providing an appropriation; providing a severability clause; providing an effective date.

Was read the first time by title and referred to the Committees on Water Conservation, Salt Water and Natural Resources; and Appropriations.

By Senators Pope and Weissenborn—

SB 595—A bill to be entitled An act to authorize the trustees of the internal improvement fund to exercise the right of eminent domain to obtain easements or other interests in land as access roads or waterways to publicly owned lands used for public recreation.

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

By Senators Spencer, Weissenborn, Hollahan, Haverfield, Stone, Fincher, Thomas, Poston and Gong—

SCR 596—A concurrent resolution providing for the creation of a joint interim committee to study the feasibility of establishing a mandatory state-wide traffic code.

Was read the first time in full and referred to the Committee on Rules and Calendar.

By Senator Stolzenburg—

SB 597—A bill to be entitled An act relating to tax assessment, equalization; creating county boards of tax equalization; providing for board membership, qualifications and compensation; providing for board meetings and functions; providing for notice to certain property owners; amending sections 193.25; 193.27; subsections (1) (a) and (2) of 193.271; 193.28; 193.29, Florida Statutes; providing an effective date.

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

By Senator Hollahan—

SB 598—A bill to be entitled An act relating to port facilities; amending chapter 315, Florida Statutes, by adding section 315.031; providing additional powers covering promotional activities; providing an effective date.

Was read the first time by title and referred to the Committee on Urban Affairs and Local Government.

By Senator Hollahan—

SB 599—A bill to be entitled An act relating to port facilities financing laws; amending chapter 315, Florida Statutes, by adding section 315.061; providing for promotional activities; providing an effective date.

Was read the first time by title and referred to the Committee on Urban Affairs and Local Government.

By Senator Hollahan—

SB 600—A bill to be entitled An act relating to motor carriers, for hire transportation companies; amending section 323.05(1), (2), (3), (5) and (6), Florida Statutes, restricting issuance of for-hire permits to one (1) motor vehicle per fifteen hundred (1500) population; requiring hearing before issuance; providing an effective date.

Was read the first time by title and referred to the Committees on Judiciary "B"; Ethics and Privileged Businesses; and Finance and Taxation.

By Senator Hollahan—

SB 601—A bill to be entitled An act relating to port facilities financing laws; amending section 315.15, Florida Statutes,

providing additional and alternative method; providing an effective date.

Was read the first time by title and referred to the Committee on Urban Affairs and Local Government.

By Senators Stone, Haverfield, Slade, Hollahan, Fincher, Gong, Spencer and Poston—

SB 602—A bill to be entitled An act relating to education, minimum foundation program; amending section 236.071(2)(b), Florida Statutes, by changing the factors by which various percentages are to be multiplied; providing an effective date.

Was read the first time by title and referred to the Committees on Education—Public Schools and Junior Colleges; and Appropriations.

By Senator Stone—

SB 603—A bill to be entitled An act relating to state department of public welfare; requiring licenses for child care facilities; providing standards for licensing such facilities; providing for appointment of advisory committee; providing for issuance of license and payment of fee and procedure for licensing; providing for renewal of license; providing for provisional licenses; providing for revocation of licenses; providing for hearing on revocation; providing for records to be kept; providing exemptions to license requirements; providing penalty; providing effective date.

Was read the first time by title and referred to the Committees on Health and Welfare; Governmental Reorganization; and Judiciary "B".

By Senator Chiles—

SB 604—A bill to be entitled An act relating to guardianship law, burial expenses for ward; amending chapter 744, Florida Statutes, by adding section 744.68, authorizing guardian to pay reasonable funeral expenses for ward where ward's estate does not exceed seven hundred fifty dollars (\$750.00); providing an effective date.

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

By Senator Thomas—

SB 605—A bill to be entitled An act relating to securities commission; amending section 517.11(2), Florida Statutes, to provide that the violation of commission rules will be grounds for revocation; providing an effective date.

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

By Senator Thomas—

SB 606—A bill to be entitled An act relating to Florida securities commission, registration by qualification of securities; amending section 517.09(3)(d), Florida Statutes, to extend date for balance sheet required by registration by qualification; providing effective date.

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

By Senator Thomas—

SB 607—A bill to be entitled An act relating to Florida securities commission, registration by qualification of securities; amending section 517.02(3) to provide that circulation of prospectus shall not be deemed a "sale," provided that an application to register securities is pending before the commission; providing effective date.

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

By Senator Thomas—

SB 608—A bill to be entitled An act relating to sale of exempt securities; amending section 517.05(5), Florida Statutes, by adding a requirement for submission of a written report on feasibility; providing an effective date.

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

By Senator Thomas—

SB 609—A bill to be entitled An act relating to the Florida

Department of Agriculture, amending Chapter 570, Florida Statutes; by adding section 570.281 to provide for the office of director of consumer services, creation of the Florida consumers council; providing for the membership, powers, and duties thereof; providing an effective date.

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

By Senator Thomas—

SB 610—A bill to be entitled An act relating to sale of securities; amending section 517.06(11), Florida Statutes, to provide for debt as well as equity securities, and to include sales made under subsection (10) of section 517.06, Florida Statutes; providing an effective date.

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

By Senator Thomas—

SB 611—A bill to be entitled An act relating to game and fresh water fish; amending chapter 372, Florida statutes, by adding section 372.99; providing for the licensing and regulation of the exhibition of certain wildlife; providing for the establishment and duties of a wildlife exhibitors criteria committee; providing for certain fees and penalty; providing for exemptions; providing an effective date.

Was read the first time by title and referred to the Committees on Game and Fish; and Judiciary "B".

By Senator Gunter—

SB 612—A bill to be entitled An act amending section 167.431(1) of the Laws of Florida by adding thereto the requirement that the city or town shall notify the seller of utility service, as therein defined, of any change in the boundaries of the municipality or in the rate applicable to any tax levied by ordinance pursuant to such section.

Was read the first time by title and referred to the Committee on Urban Affairs and Local Government.

By Senator Broxson—

SB 613—A bill to be entitled An act relating to schools, amending section 236.07(3), Florida Statutes; increasing salaries for certain ranks of teachers; providing an effective date.

Was read the first time by title and referred to the Committees on Education—Public Schools and Junior Colleges; and Appropriations.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Chiles, by two-thirds vote, SB 432 was withdrawn from the Committee on Judiciary "B" and referred to the Committee on Ethics and Privileged Businesses.

On motion by Senator Ott, by two-thirds vote, SB 456 was withdrawn from the Committee on Judiciary "B" and re-referred to the Committee on Anti-Crime.

On motion by Senator Poston, by two-thirds vote, SB 391 was withdrawn from the Committee on Labor and Industry and re-referred to the Committee on Public Roads and Highways.

On motion by Senator Askew, by two-thirds vote, SB 567 was also referred to the Committee on Appropriations.

On motion by Senator Chiles, the Committee on Ethics and Privileged Businesses was granted an additional 10 days for the consideration of SB 142.

On motion by Senator Friday, by two-thirds vote, SB 339 was withdrawn from the Committee on Judiciary "B" and referred to the Committee on Water Conservation, Salt Water and Natural Resources.

On motion by Senator Hollahan, by two-thirds vote, SB 548 was withdrawn from the Committee on Education—Public Schools and Junior Colleges and from the Senate.

On motion by Senator Poston, the Committee on Public Roads and Highways was granted an additional 15 days for the consideration of Senate Bills 129, 363, 81, 88, 92, 114 and 115 and House Bills 25, 78 and 113.

On motion by Senator Mathews, the Committee on Rules and Calendar was granted an additional 15 days for the consideration of Senate Bills 223, 20, 76, 143 and 150; Senate Joint Resolutions 31 and 232; and HB 175.

MESSAGES FROM THE GOVERNOR

The Honorable Verle A. Pope
President of the Senate
The Capitol
Tallahassee, Florida

April 24, 1967

Dear Sir:

I have today filed with the office of the Secretary of State the following act which originated in the Senate, Regular Session, 1967, and which I approved on April 24, 1967, at 2:30 P.M.:

SCR 320

Respectfully,
CLAUDE R. KIRK, JR.
Governor

The Honorable Verle A. Pope
President of the Senate
The Capitol
Tallahassee, Florida

April 26, 1967

Dear Sir:

I have filed in the office of the Secretary of State the following acts which originated in the Senate, Regular Session, 1967, same having remained in my office for the full constitutional period of five days and will become law without my approval:

SB 69	SB 110
SB 105	SB 111
SB 106	SB 112
SB 108	SB 116
SB 109	

Respectfully,
CLAUDE R. KIRK, JR.
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages were read:

The Honorable Verle A. Pope
President of the Senate

April 26, 1967

Sir:

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

SB 100

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The bill, contained in the above message, was ordered enrolled.

The Honorable Verle A. Pope
President of the Senate

April 26, 1967

Sir:

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

SB 187 SB 188

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The bills, contained in the above message, were ordered enrolled.

The Honorable Verle A. Pope
President of the Senate

April 26, 1967

Sir:

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

SB 362

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The bill, contained in the above message, was ordered enrolled.

The Honorable Verle A. Pope
President of the Senate

April 26, 1967

Sir:

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

By Representative Reedy and others—

HB 335—A bill to be entitled An act relating to traffic-control signal devices, turns on red; amending section 317.061(3) (a), Florida Statutes; providing for certain turns on red; authorizing local authorities to prohibit such turns; and providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 335, contained in the above message, was read the first time by title and referred to the Committees on Transportation and Safety; and Judiciary "B".

The Honorable Verle A. Pope
President of the Senate

April 25, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all members elected to the House of Representatives—

By Representative Rowell—

HB 229—A bill to be entitled An act for the relief of L. L. Giddens growing out of loss sustained as a result of property damage caused as a result of the escape of inmates from the Division of Corrections road prison at Floral City; making an appropriation therefor; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 229, contained in the above message, was read the first time by title and referred to the Committee on Retirement and Claims.

The Honorable Verle A. Pope
President of the Senate

April 26, 1967

Sir:

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

By Representative Reedy and others—

HB 333—A bill to be entitled An act relating to regulation of traffic on the highway; amending subsection 317.291(1), Florida Statutes, relating to overtaking on the left; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 333, contained in the above message, was read the first time by title and referred to the Committees on Transportation and Safety; and Judiciary "B".

The Honorable Verle A. Pope
President of the Senate

April 25, 1967

Sir:

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

By the Committee on Ad Valorem Taxation—

CS for HB 63—A bill to be entitled An act relating to home-

stead exemption; providing that a lien shall be placed upon property in estate of deceased person who claimed exemption for homestead when not a bona fide resident of the state; providing for satisfaction of said lien by payment of amount due plus six per cent (6%) interest per annum; providing when the lien shall attach; providing that no lien can attach after the purchase of the subject property for value.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 63, contained in the above message, was read the first time by title and referred to the Committee on Finance and Taxation.

The Honorable Verle A. Pope
President of the Senate

April 25, 1967

Sir:

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

By Representatives Crider and Nichols—

HB 236—A bill to be entitled An act relating to tax on cigarettes; amending section 210.01, Florida Statutes, defining certain terms used in connection with law imposing and providing for collection of tax on cigarettes by adding subsection (17) to define term "exporters"; amending section 210.15(1), (4), Florida Statutes, to require the acquisition of permits by exporters as defined in this act and to delete provision relating to disposition of excise tax on sales to traveling locations; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 236, contained in the above message, was read the first time by title and referred to the Committee on Finance and Taxation.

The Honorable Verle A. Pope
President of the Senate

April 25, 1967

Sir:

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

By Representative Reeves and others—

HM 47—A memorial to the congress of the United States, urging congress to amend the constitution to provide that the Constitution shall not abridge the right of persons lawfully assembled, in any public building which is supported in whole or in part through the expenditure of public funds, to participate in non-denominational prayer.

WHEREAS, the Supreme Court of the United States has ruled that prayer within any school supported by public funds is prohibited, and

WHEREAS, the motto of the United States and many of our states carry the phrase, "In God We Trust," and

WHEREAS, the abolition of prayer has taken out of the schools character training for our people where training includes physical, mental and character development, and

WHEREAS, the use of non-sectarian prayers has a devout and lasting influence on the young people of our nation, and

WHEREAS, a Joint Resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in the public schools is now pending before Congress, NOW, THEREFORE,

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

That the Florida legislature respectfully petitions Congress to provide the necessary legislative procedure whereby the states may vote upon a constitutional amendment to provide as follows:

ARTICLE

Section 1. Nothing contained in this Constitution shall abridge the right of persons lawfully assembled, in any public building which is supported in whole or in part through the expenditure of public funds, to participate in non-denominational prayer.

BE IT FURTHER RESOLVED that a copy of this memorial be spread upon the journals of the House of Representatives and Senate of the State of Florida and that copies be forwarded to the President of the United States, President of the United States Senate and Speaker of the United States House of Representatives and to all members of the Florida delegation in the Senate and House of Representatives in Washington.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HM 47, contained in the above message, was read the first time in full and referred to the Committee on Apportionment, Resolutions and Memorials.

The Honorable Verle A. Pope April 25, 1967
President of the Senate

Sir:

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

By Representative Osborne and others—

HB 158—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.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 158, contained in the above message, was read the first time by title and referred to the Committee on Finance and Taxation.

The Honorable Verle A. Pope April 25, 1967
President of the Senate

Sir:

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

By Representative Featherstone and others—

HB 199—A bill to be entitled An act relating to free motor vehicle license plates; amending section 320.084, Florida Statutes, to provide free license plates to disabled veterans; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 199, contained in the above message, was read the first time by title and referred to the Committee on Finance and Taxation.

On motion by Senator Hollahan, by two-thirds vote, HB 199 was withdrawn from the Committee on Finance and Taxation and placed on the Calendar.

The Honorable Verle A. Pope April 25, 1967
President of the Senate

Sir:

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

By Representatives Blalock and Scarborough—

HB 657—A bill to be entitled An act repealing chapter 61-1624, Laws of Florida, Acts of 1961, entitled an act to re-

quire the publication of notice of intention to apply to the circuit court for a change of name under section 69.02, Florida Statutes, in all counties having a population of more than 450,000, according to the last official census.

By Representative Crabtree—

HB 667—A bill to be entitled An act relating to Sarasota county, county judge; authorizing sale of copies of certain records; fixing the cost thereof; determining the application of income from sale; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 657, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

Evidence of notice and publication was established by the Senate as to HB 667.

HB 667, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Verle A. Pope April 25, 1967
President of the Senate

Sir:

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

By Representative Stafford and others—

HB 679—A bill to be entitled An act relating to the clerk of small claims court, compensation, in any county of the state having a population of not less than three hundred fifty thousand (350,000) nor more than three hundred eighty-five thousand (385,000) inhabitants according to the latest official decennial census; providing compensation for said clerk, prescribing the filing fees for filing cases in such court, repealing Chapter 2449, Laws of Florida, Acts 1965; providing an effective date.

By Representative Stafford and others—

HB 693—A bill to be entitled An act amending Chapter 10335 Special Laws of Florida 1925, being the Charter of the Town of Belleair, Florida, as previously amended by Chapter 13917 Special Laws of Florida 1929, and by Chapters 30582 and 30583 Special Laws of Florida 1955, by redefining the Town Officers authorized to be appointed by the Board of Commissioners of the Town of Belleair and providing for their duties and authorities and terms of office and compensations and by providing authority of the Board of Commissioners to remove weeds, debris, trash, overgrowth of property within the town and to assess the cost of such against the property affected; providing for the effective date of said provisions and for the severability of said provisions thereof; providing for the repeal of all laws in conflict.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 679, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

Evidence of notice and publication was established by the Senate as to HB 693.

HB 693, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Verle A. Pope April 25, 1967
President of the Senate

Sir:

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

By Representative Crabtree—

HB 668—A bill to be entitled An act relating to Sarasota county, county judge; fixing the filing fees, costs, charges and court expenses in estates having a value of less than five hundred dollars (\$500); determining the application of income from such fees, costs, charges and court expenses; providing an effective date.

Proof of Publication attached.

By Representative Elmore and others—

HB 669—A bill to be entitled An act relating to the city of Fort Walton Beach, Okaloosa county; authorizing creation of a pension plan and retirement plan including all city employees; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 668.

Evidence of notice and publication was established by the Senate as to HB 669.

House Bills 668 and 669, contained in the above message, were read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Verle A. Pope
President of the Senate

April 25, 1967

Sir:

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

By Representative Stafford and others—

HB 670—A bill to be entitled An act relating to fees to be received by the clerk of the circuit court for the filing of circuit civil suits in each county having a population of not less than three hundred fifty thousand (350,000) and not more than three hundred eighty-five thousand (385,000) inhabitants, according to the latest official decennial census, providing that the clerk's fee for such services shall be in the sum of seventeen dollars, twelve dollars of which shall be the exclusive fee of the clerk and five dollars of which shall be the sum provided for in Section 1, Chapter 2668, Laws of Florida, Acts 1961; providing an effective date.

By Representative Rainey and others—

HB 673—A bill to be entitled An act amending chapter 18,890, laws of Florida, 1937, as amended, which is the civil service act of the City of St. Petersburg; amending sections 12 and 24, of said act; providing that the city manager may suspend an employee for a period not to exceed fifteen days; providing for thirty day suspension when charges are filed; providing for preservation of testimony and limiting the use of said testimony; providing for the dismissal of employees absent without leave, subject to the right to petition for a hearing; providing for compelling the attendance of witnesses to testify and to produce records; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 670, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

Evidence of notice and publication was established by the Senate as to HB 673.

HB 673, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Verle A. Pope
President of the Senate

April 25, 1967

Sir:

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

By Representative De Young and others—

HB 688—A bill to be entitled An act to amend section 9, chapter 24537, laws of Florida, acts of 1947, being the municipal charter of the Town of Greenacres City, Florida, relating to municipal elections, by changing the date therefor and by adding provisions relating to recall of elected officials.

Proof of Publication attached.

By Representative De Young and others—

HB 689—A bill to be entitled An act to amend section 3, chapter 24537, laws of Florida, acts of 1947, relating to the municipal limits of the Town of Greenacres City, Florida.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 688.

Evidence of notice and publication was established by the Senate as to HB 689.

House Bills 688 and 689, contained in the above message, were read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Verle A. Pope
President of the Senate

April 25, 1967

Sir:

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

By Representative Rainey and others—

HB 680—A bill to be entitled An act relating to the City of St. Petersburg; providing that the city manager may designate one or more employees to execute instruments in his behalf; and providing an effective date.

Proof of Publication attached.

By Representative Fleece and others—

HB 681—A bill to be entitled An act amending chapter 15183, laws of Florida, special acts of 1931, being the charter of the city of Dunedin, Florida by the addition of section 7-B providing a procedure whereby the city of Dunedin may annex property into its corporate limits upon written petition by the owners requesting such annexation; providing for the severability of the provisions thereof; providing for the repeal of all laws in conflict herewith and providing for the effective date thereof.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 680.

Evidence of notice and publication was established by the Senate as to HB 681.

House Bills 680 and 681, contained in the above message, were read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Verle A. Pope
President of the Senate

April 25, 1967

Sir:

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

By Representative Stafford and others—

HB 607—A bill to be entitled An act amending subsection (d) section 7, chapter 15,505, Laws of Florida, 1931, as amended by chapter 65-2200, Laws of Florida, which is the charter of the city of St. Petersburg; providing for applications by candidates for nomination to city council; providing for a qualifying fee or in lieu thereof a petition to accompany said application; and providing an effective date.

Proof of Publication attached.

By Representative Stafford and others—

HB 622—A bill to be entitled An act amending section 9 of chapter 15183, laws of Florida, special acts of 1931, being the charter of the city of Dunedin, Florida by providing that the mayor commissioner shall receive a salary of not more than one hundred and fifty dollars (\$150.00) per month, and each of the city commissioners shall receive a salary of not more than one hundred dollars (\$100.00) per month, and providing for the effective date thereof.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 607.

Evidence of notice and publication was established by the Senate as to HB 622.

House Bills 607 and 622, contained in the above message, were read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Verle A. Pope April 25, 1967
President of the Senate

Sir:

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

By Representative Craig—

HB 483—A bill to be entitled An act authorizing the Board of County Commissioners of St. Johns County, Florida, to consolidate any or all of its separate budgetary funds into a single general fund, providing that the millage shall not be affected by such consolidation, and providing an effective date.

Proof of Publication attached.

By Representative Stafford and others—

HB 606—A bill to be entitled An act amending chapter 18,890, laws of Florida, 1937, as amended by chapter 29,507, laws of Florida, 1953, relating to civil service of the City of St. Petersburg; amending subsection C of section 11, providing that employees of the hospital and bayfront center shall be exempt from the classified service; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 483.

Evidence of notice and publication was established by the Senate as to HB 606.

House Bills 483 and 606, contained in the above message, were read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Verle A. Pope April 25, 1967
President of the Senate

Sir:

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

By Representative Crabtree—

HB 674—A bill to be entitled An act relating to Sarasota county; providing for the establishment of a special lighting district to be known as the South Gate lighting district; providing for an election of freeholders on the creation of such district upon petition of residents within the district; describing the district boundaries; providing a governing board for the district and prescribing their powers and duties; providing for the assessment and levy of district taxes; authorizing the district to do all things necessary to provide for said lighting within the district; providing an effective date.

By Representative Whitson and others—

HB 675—A bill to be entitled An act relating to fees to be received by the clerk of the civil and criminal court of record for the filing of civil suits, in each county having a population of not less than three hundred fifty thousand (350,000) and not more than three hundred eight-five thousand (385,000) inhabitants, according to the latest official decennial census, providing that the clerk's fee for such services shall be in the sum of thirteen dollars, ten dollars of which shall be the exclusive fee of the clerk and three dollars of which shall be the sum provided for in Section 2, Chapter 2668, Laws of Florida, Acts 1961; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

House Bills 674 and 675, contained in the above message, were read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Verle A. Pope
President of the Senate

April 25, 1967

Sir:

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

By Representative Robinson and others—

HB 683—A bill to be entitled An act amending chapter 15,505, laws of Florida, 1931, which is the charter act of the City of St. Petersburg; amending subsection (c) and subsection (d) of section 13 of said act; providing for the preparation of the annual budget estimate for said city; providing for the adoption of the appropriation ordinance for said city; and providing an effective date.

Proof of Publication attached.

By Representative De Young and others—

HB 687—A bill to be entitled An act amending Section 1 of Article II (territorial boundaries) of Chapter 59-1782, Special Acts of the Legislature of 1959, being House Bill No. 2016, entitled: "An Act providing for the establishment and creation of a municipality to be known as the Village of Royal Palm Beach, Florida; defining its territorial boundaries; providing for its government, jurisdiction and powers, including the power and procedure for annexing contiguous territory by ordinance; prescribing the powers, duties and authority of its officers;" repealing all laws or parts of laws in conflict herewith; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 683.

Evidence of notice and publication was established by the Senate as to HB 687.

House Bills 683 and 687, contained in the above message, were read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Verle A. Pope
President of the Senate

April 25, 1967

SCR 438, the first order of business on the Calendar, was in the category of Petitions and Memorials, therefore, the Calendar was in violation of the Rule.

The Chair ruled that the point of order raised by Senator Weissenborn was not well taken.

Sir:

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

**SENATE CONCURRENT RESOLUTION ON
SECOND READING**

By Representative Savage and others—

HB 678—A bill to be entitled An act relating to the municipal employees' retirement system of the City of St. Petersburg; providing that pensions when granted shall be effective on the date of termination of employment; and providing an effective date.

SCR 438—A concurrent resolution directing the capital center planning committee, board of administration and the board of commissioners of state institutions to proceed towards the development and creation of legislative facilities in the capitol building.

Proof of Publication attached.

WHEREAS, the legislature of Florida has authorized the capital center planning committee to provide appropriate housing facilities for the Florida legislature and related services, and

By Representative Stafford and others—

HB 677—A bill to be entitled An act relating to Pinellas County small claims court; amending and republishing Chapter 65-1218, Laws of Florida, in its entirety; providing for compensation of the clerk; prescribing the filing fee for filing cases in such court; repealing Chapter 65-2449, Laws of Florida; providing an effective date.

WHEREAS, there is a growing sentiment for constructing such additional and improved facilities as a part of the capitol itself, and

Proof of Publication attached.

WHEREAS, it is the sense of the legislature to provide necessary legislative facilities without destroying the architectural or aesthetic design of the capital center, and

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

WHEREAS, said capital center planning committee over a period in excess of eight (8) years has invested tremendous study and research into the problem of providing proper legislative facilities, and

Evidence of notice and publication was established by the Senate as to HB 678.

WHEREAS, it would lend greatly to the continuity of the overall plan for capital center development to provide for adequate and properly landscaped areas surrounding the capitol, NOW, THEREFORE,

Evidence of notice and publication was established by the Senate as to HB 677.

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

House Bills 678 and 677, contained in the above message, were read the first time by title and referred to the Committee on Rules and Calendar.

That the Senate and House of Representatives do direct the capital center planning committee to provide appropriate chambers, offices and other facilities for the Florida legislature and related services in the capitol.

The Honorable Verle A. Pope
President of the Senate

April 25, 1967

Sir:

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

Was taken up and read the second time in full.

By Representative Stafford and others—

HB 672—A bill to be entitled An Act amending Chapter 6715 Special Laws of Florida 1913 being the Charter of the Town of Largo, Florida, as previously amended by Chapter 7191 Special Laws of Florida 1915; by Chapter 18648 Special Laws of Florida 1937; Chapter 25967 Special Laws of Florida 1949; Chapter 591485 Special Laws of Florida 1959; House Bill No. 856 (65-1806 Special Act) and House Bill No. 1058 (65-1807 Special Act) Special Laws of Florida 1965 by redefining the boundaries and limits of the Town in Section 30 thereof; by providing for procedures whereby the Town of Largo may annex contiguous properties; amending Section 11 thereof to provide more specific authority for removal of weeds, debris and other materials on property which constitute a hazard to health, safety or fire control and providing authority to assess the costs thereof against the property affected; providing for the severability of the provisions thereof; providing for the repeal of all laws in conflict herewith and providing for the effective date thereof.

The President presiding.

On motion by Senator Horne, SCR 438 was adopted and immediately certified to the House.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Senator Haverfield was recorded as voting "nay."

SENATE BILLS ON SECOND READING

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 taken up, having been amended and temporarily deferred on April 25.

Senator Friday offered the following amendment which was adopted on motion by Senator Poston:

In Section 6, Subsection 4, lines 5 and 6, page 7, strike: "the issuance or renewal of"

Senator Poston offered the following amendment which was adopted:

In Section 5(2)(b), line 10, page 6, strike: the period at the end of the subsection and insert the following: , unless the applicant can furnish proof satisfactory to the Board that he has been engaged in the business of contracting in the state of Florida for at least two (2) out of the three (3) years next preceding the effective date of this act, in which event the applicant shall be entitled to register with the Board in accordance with the provision of subsection (1)(a) above.

HB 672, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

Senator Poston also offered the following amendment which was adopted:

Senator Weissenborn raised a point of order and stated that Rule 7.2 provided for the daily order of business and

In Section 12(1), line 6, page 11, strike: the remainder of the subsection following the words "Florida Statutes;" and insert the following: provided, however, when any complaint involves a contractor certified or registered under this chapter for acts or omissions occurring in any area of the state which has a local board, the Board shall forward the complaint to the municipality, city, or county where the alleged violation occurred for its action.

Where no local board exists, the Board shall take jurisdiction. In such cases, the Board may take appropriate disciplinary action if the contractor is found to be guilty of or has committed any one or more of the acts or omissions constituting cause for disciplinary action set out herein or adopted as rules or regulations by the Board.

Senator Poston also offered the following amendment which was adopted:

In Section 14, line 22, page 16, strike: the period and the remainder of the subsection after the words "offered for sale" and insert the following: , nor does it apply to persons who build or improve not more than four (4) one (1) or two (2) family residences in any twelve months period under contract for or for resale to others.

Senators Pope, Edwards, O'Grady and Clayton offered the following amendment:

Add a new section to read: The provisions of this act shall not apply to St. Johns County, Clay, Flagler, Putnam, Marion, Citrus, Hernando, Lake, Sumter, Volusia.

Senator Cross presiding.

On motion by Senator Poston, the rules were waived and further consideration of SB 70 as amended, with pending amendment, was deferred, the bill retaining its place on the Calendar.

SB 300—A bill to be entitled An act amending subsection (2) of section 232.45, Florida statutes, 1965, relating to eye protection devices required in certain vocational and chemical laboratory courses to provide that boards of public instruction shall not purchase, furnish, or dispense prescription glasses or lenses.

Was taken up. On motions by Senator Hollahan, the rules were waived and SB 300 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—46 Nays—None

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

The bill was certified to the House.

SB 280—A bill to be entitled An act relating to the capitol center planning committee; amending section 272.122, Florida Statutes; providing for title to any lands acquired to be taken in the name of the trustees of the internal improvement fund for the use and benefit of the state of Florida; providing an effective date.

Was taken up. On motions by Senator Thomas, the rules were waived and SB 280 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—45 Nays—None

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

Stone Weber Young
Thomas Wilson

The bill was certified to the House.

By direction of the President, the following communication from the Justices of the Supreme Court of Florida was spread upon the Journal:

SUPREME COURT OF FLORIDA
Tallahassee

April 25, 1967

Honorable Claude Kirk
Governor of Florida

Honorable Verle Pope
President, Senate of Florida

Honorable Ralph Turlington
Speaker, House of Representatives

The Capitol
Tallahassee, Florida

Gentlemen:

In the interest of the prompt administration of justice, we feel impelled to call to your attention a situation which is developing in the workload of the Supreme Court of Florida, which, in our opinion, requires some immediate action.

In 1953 the filings in this court reached 1,277 cases. At that time the court operated in two divisions, of three judges each, which, from a practical standpoint, was almost the equivalent of two courts. This load was running far ahead of the national average with resulting delays, and the Legislature created the Judicial Council for the purpose of taking the leadership in judicial reform.

In 1955 the Legislature, by resolution, submitted to the electorate a revision of the Judiciary Article of the Florida Constitution and it was adopted in November, 1956. It provided for the creation of three district courts of appeal, limited to three judges each, to become activated July 1, 1957. From that date this court has had the added responsibility for admission and disciplining of attorneys, promulgation of rules for, and assignment of judges to, all courts. At that time the division system was eliminated because of general dissatisfaction of the bench, bar, and public. Since July 1, 1957 the Constitution has required a quorum of five Justices.

In 1960 the Constitution was amended to authorize an increase in the size of the district courts from three to five judges, and again in 1965 the limitation was completely removed by constitutional amendment and also a fourth district court of appeal was added.

The 1956 revision of Article V, among other things, provided in Section 26: "Until otherwise provided by the legislature, orders of the Florida Industrial Commission shall be subject to review only by petition to the district courts of appeal for writ of certiorari". This includes all Workmens Compensation cases. In 1959, pursuant to this authority, the Legislature transferred review of orders of the Commission to the Supreme Court.

During 1958 there were filed in this Court 482 cases, and because of that temporary decline in filings, the Supreme Court agreed to the passage of the 1959 Act transferring workmens compensation review to it on a temporary basis.

However, with the rapid growth of the State and the constant increase in litigation, the workload of the Supreme Court has now reached a point that it can no longer review workmens compensation cases without delaying and postponing the type of litigation intended that it should decide in the 1956 amendment. There has been a constant increase in cases filed from 482 in 1958 to 1,125 in 1966, of which 228 in 1966 were workmens compensation cases. Even if the 228 compensation cases had been deducted from the 1966 caseload of 1,125, there would still have been 897 cases for that year. This alone is far above the national average for state courts of last resort. When we consider that in 1955 the caseload was handled by two separate divisions of this Court, whereas now we have no such divisions, the actual working caseload of this Court, not counting workmens compensation cases, is far greater than

in 1955, which was the year of emergency in which legislative and constitutional relief were deemed vital to the efficient administration of justice.

In making an analysis of the workload and planning a solution, we must consider the source and kind of cases which we are now handling. Attached is a summary which shows there has been a steady increase in all different kinds of cases, but the greatest has been in conflict certiorari to review conflicting decisions of the district courts of appeal, and cases coming from the Florida Industrial Commission. One of our important judicial functions now is maintaining harmony and uniformity in the case law of this State by reviewing conflicting decisions of the four existing district courts of appeal and those decisions certified by those courts as involving questions of great public interest.

The district courts of appeal have performed with excellence in the discharge of their duties, but they, too, are working under the strain of heavy litigation resulting from the rapid growth of this State. Furthermore, because of the population increase and resulting litigation it has been necessary to increase in this State the circuit court bench from 57 circuit judges in 1955 to 120 in 1966. The decisions of all of these circuit judges, except those coming directly to this Court, are subject to review by the district courts of appeal. This condition obviously, results in potentially more conflicts between the decisions of the four district courts and a corresponding increase of the workload here.

In 1960 the Supreme Court reviewed 123 workmens compensation cases, with the number increasing each year until it reached 228 filings in 1966. These cases are important since the awards of the Commission represent the loss of family income due to industrial accidents, and it is necessary that the cases be disposed of promptly, and that the proceeds of awards be paid to the injured employees or their dependents as rapidly as possible.

As Florida becomes more industrialized there will be an increase in industrial accidents resulting in additional litigation in the field of workmens compensation. We have made diligent effort to accommodate the handling of these cases, and to that end and for that purpose have reduced the argument time from 45 minutes per side in 1959 to 30 minutes, to 15 minutes per side in 1966. In the interest of expediency, we denied argument in approximately 60% of the cases in order to use the argument-time to study the record and briefs.

It is significant that the mandated jurisdiction of the Supreme Court under the Constitution includes cases involving the death penalty, from decisions passing upon the validity of a state statute or a federal statute or treaty, or construing a controlling provision of the Florida or federal constitutions, or involving the validation of bonds and certificates of indebtedness.

Also the issuance of writs of mandamus and quo warranto when a state officer, board or commission authorized to represent the public generally is involved, and writs of prohibition to commissions established by law, to the district courts of appeal and trial courts when questions are involved upon which a direct appeal to the Supreme Court is allowed as a matter of right. Habeas Corpus jurisdiction is also imposed. Added to this, as previously stated, is the responsibility to reconcile conflicting opinions of the district courts and decisions certified by them as involving a question of great public interest. Therefore, it can be seen, it was the intent in revised Article V that this Court should handle only major cases, and while workmens compensation cases are important, they certainly fall into a different category.

In order to continue our performance of the prompt administration of justice, it is now necessary that this Court have some form of relief and that it come now. The review of workmens compensation cases is the only jurisdiction we have that is controlled exclusively by the Legislature, and for that reason we respectfully request that some form of appellate review of workmens compensation cases, other than the Supreme Court, be provided by the 1967 session of the Florida Legislature. Further, we direct your attention to the possibility that a new constitution will be adopted in Florida either in 1967 or 1968, and it is normal to expect a substantial increase in litigation following that, seeking judicial interpretation of the many changes made in the existing constitution. Presently, there is no room on our docket for any new cases.

We believe that the prompt administration of justice is the hand-maiden to progress of a state. Our present and prospective citizens, both personal and corporate, are entitled to feel that their litigation can be promptly disposed of.

We have now advised you of the problem and the urgency. We do not propose a solution as we consider that a matter of legislative discretion and wisdom. It is our understanding that The Florida Bar and the Judicial Council stand ready to give assistance in arriving at an appropriate solution.

For the reasons above stated, your assistance is earnestly solicited, and in our opinion will be in the public interest.

Respectfully,
CAMPBELL THORNAL
Chief Justice

ELWYN THOMAS
B. K. ROBERTS
E. HARRIS DREW
STEPHEN C. O'CONNELL
MILLARD CALDWELL
RICHARD W. ERVIN
Justices

SUMMARY OF CASELOAD
SUPREME COURT OF FLORIDA 1957 THROUGH 1966

KIND OF CASES:	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966
APPEALS:										
common law	276	131	21	27	23	24	18	30	17	24
equity	491	156	66	52	45	53	47	66	69	52
criminal	127	45	25	24	27	20	34	32	63	51
ORIGINAL JURISDICTION:										
mandamus	16	12	12	12	15	13	14	14	12	29
prohibition	10	10	12	8	8	8	7	11	8	18
habeas corpus	50	69	96	169	182	299	248	111	195	140
petitions for rules										2
petitions relating to admission of attorneys	1	4		12	12	8	10	8	7	13
petitions relating to discipline of attorneys	10	16	23	12	18	17	24	27	35	33

CERTIORARI FROM:	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966
district court of appeal		129	274	225	214	274	289	337	370	466
Florida industrial commission	66	1	11	123	132	174	160	170	189	263
Florida public service commission	8	8	8	12	10	15	22	17	11	15
other courts and state agency	7		3		5	6	2	1	6	5
CERTIFIED QUESTIONS:	2	1	3		1		4	3	2	1
TOTAL DISPOSITIONS:	1064	582	554	676	692	911	879	827	984	1112
CASES FILED:	*1611	482	553	748	749	895	892	861	1056	1125

*525 CASES WERE TRANSFERRED TO THE DISTRICT COURTS OF APPEAL IN 1957.

**It is estimated that the caseload will increase by 10% per year for the next two years (1967-1968). Dispositions by the Court should increase slightly more than 10% per year during this period.

CO-INTRODUCERS

By permission, Senator Saylor was recorded as a co-introducer of Senate Bills 5, 32, 249, 277, 383, 395, and 386.

By permission, Senator Bell was recorded as a co-introducer of SB 346.

By permission, Senator Johnson was recorded as a co-introducer of Senate Bills 485, 43, 448 and 522.

By permission, Senator Weissenborn was recorded as a co-introducer of SCR 438.

By permission, Senator Weber was recorded as a co-introducer of SB 70.

By permission, Senator Barron withdrew his name as a co-introducer of SB 70.

By permission, Senator Poston was recorded as a co-introducer of SB 542.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 1:08 p. m. to reconvene at 11:00 a. m., April 27, 1967.