

JOURNAL OF THE SENATE

Tuesday, June 6, 1967

The Senate was called to order by the President at 10:30 a.m. The following Senators were recorded present:

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

48. A quorum present.

Prayer by Senator W. D. (Bill) Gunter, Jr. of the Eighteenth Senatorial District:

Our Father in Heaven, give us the long view of our work in this Senate and in the world. Help us to see that it is far better to fail in a cause that will ultimately succeed than it is to succeed in a cause that will ultimately fail. Put on us the bifocals of faith that we may clearly recognize the needs around us, yet also see, further on, the power and patience of God working out his will on this globe. May we not make it difficult to be led of thee, and may thy program be carried out in our dynamic state above party and personality, beyond partisanship and politics, for the good of Florida and all mankind. In thy holy name we pray. Amen.

The reading of the Journal was dispensed with.

The Journal of June 5 was corrected and approved.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends:

House Bills 1883, 1477, 1785 and 1875 be referred to the Committee on Finance and Taxation.

House Bills 1486, 1472, 1884, 1954, 1994 and 1554 be referred to the Committee on Judiciary "A".

House Bills 1660, 1821 and 2000 be referred to the Committee on Public Roads and Highways.

House Bills 2161, 2215 and 2214 be referred to the Committee on Ethics and Privileged Businesses.

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

HB 2018	HB 1112	HB 1995	HB 1881
HB 1343	HB 2040	HB 1999	HB 1874
HB 2002	HB 2039	HB 1987	HB 1873
HB 2192	HB 1905	HB 2136	HB 1224
HB 2017	HB 1872	HB 1990	HB 1642
HB 1447	HB 1871	HB 1985	HB 2030
HB 1161	HB 1867	HB 1908	SB 1395
HB 1221	HB 1761	HB 1910	SB 1344
HB 1989	HB 2037	HB 1909	SB 1383
HB 2154	HB 1117	HB 1622	SB 1355
HB 2148	HB 1081	HB 1784	SB 1354
HB 1986	HB 2013	HB 1982	SB 1353
HB 1996	HB 2012	HB 1511	SB 1352
HB 2089	HB 2011	HB 1779	SB 1351
HB 2046	HB 1984	HB 1353	SB 1350
HB 2045	HB 1955	HB 1768	SB 1349
HB 2036	HB 1951	HB 1661	SB 1346
HB 2035	HB 1854	HB 1950	SB 1345
HB 2034	HB 1801	HB 1799	
HB 2033	HB 2004	HB 1468	
HB 1696	HB 1993	HB 1879	

The Committee reports were adopted.

*The Honorable Verle A. Pope
President of the Senate*

June 5, 1967

Sir:

Your Committee on Rules and Calendar herewith submits as Special and Continuing Order pursuant to Rule 7.2 for Tues-

day, June 6, 1967, immediately following consideration of Unfinished Business, the consideration of the following bills:

- SB 283—By Senator Hollahan et al.—Relating to state board of architecture.
- SB 284—By Senator Hollahan et al.—Relating to disposition of licenses, fees, etc.
- SB 285—By Senator Hollahan et al.—Relating to state board of funeral directors and embalmers.
- SB 288—By Senator Hollahan et al.—Relating to financial matters.
- SB 1013—By Senator Chiles—Relating to insurance code.
- SB 335—By Senators de la Parte and Weissenborn—Relating to rehabilitation of alcoholics.
- SB 547—By Senators Horne and Weissenborn—Relating to milk and milk products.
- SB 792—By Senators Boyd and Chiles—Relating to game and fresh water fish commission.
- SB 75—By Senators Stolzenburg and Bell—Relating to harness horse racing.
- SB 672—By Senator Spencer et al.—Relating to sentences in capital criminal cases.
- SB 378—By Senator Thomas et al.—Relating to liens, trees and shrubs.
- SB 682—By Senator Mathews—Relating to common trust funds.
- SB 442—By Senator Mathews et al.—Relating to office building construction.
- SB 765—By Senator Hollahan et al.—Relating to Organization of American States.
- SB 705—By Senator Barron—Relating to conservation.
- SB 964—By Senator Askew—Relating to barbering schools.
- SB 690—By Senator Sayler et al.—Relating to abortion.
- CS for
HB 1—By the Committee on Public Roads and Highways—Relating to taxes on gasoline and like products.
- SB 957—By Senator Chiles—Relating to application fees, etc.
- HB 1732—By Representative Mattox et al.—Relating to citrus.
- HB 769—By Representative Stevens—Relating to banks and banking.
- HB 591—By Representative Williams—Relating to unemployment compensation.
- CS for
HB 135—By the Committee on Insurance and Workmen's Compensation—Relating to workmen's compensation.
- HB 342—By Representative Reedy et al.—Relating to regulation of traffic on highways.
- HB 589—By Representative Graham et al.—Relating to select council on post-high-school education.
- SB 18—By Senator Shevin et al.—Relating to prisoners, releases.
- SB 1025—By Senator Cross—Relating to state attorney and assistant state attorneys, eighth judicial circuit.
- SB 1139—By Senator Thomas—Relating to beverage law.
- SB 683—By Senator Mathews—Relating to definition of the term "dealer".
- SB 981—By Senator Gunter—Relating to unfair commercial discrimination.

- SB 1236—By Senator Gunter—Relating to section 323.29, Florida Statutes, regulation by the Florida public service commission.
- SB 1197—By Senators Askew and Mathews—Relating to legislative spending philosophy.
- SB 707—By Senators Ott and Mathews—Relating to sale of gasoline.
- SB 894—By Senator Gunter—Relating to power of county commissioners.
- SB 520—By Senators Griffin and Stone—Relating to control, regulation and prohibition of pollution of the environment of this state.
- SB 698—By Senator Weissenborn et al.—Relating to taxation, assessors, etc.
- SB 398—By Senator Hollahan et al.—Relating to state budget and planning commission.
- SB 316—By Senator Mathews—Relating to common trust funds.
- SB 491—By Senator Knopke—Relating to state fire marshal.
- SB 726—By Senator Friday—Relating to uniform commercial code.
- SB 784—By Senator Horne—Relating to conservation.
- HB 961—By the Committee on Retirement and Personnel and Representative Tyre—Relating to supplemental benefits.
- HB 848—By Representative Mattox et al.—Relating to game and fresh water fish commission.
- HB 1309—By Representative Brower et al.—Relating to state attorneys, powers, duties and compensation.
- SB 620—By Senator Griffin—Relating to Robert LaMar Watson, relief of.
- HB 936—By Representative Turlington et al.—Relating to animal disease diagnostic laboratories.
- SB 1230—By Senator Gong et al.—Relating to establishing standards of conduct for state officers and employees.
- SB 319—By Senators Haverfield and Hollahan—Relating to specialized state educational institutions.
- SB 758—By Senator Barron—Relating to the deleting of references to rate filings in part VI of Chapter 626, Florida Statutes.
- SB 1190—By Senator Elrod et al.—Relating to instruments to be recorded in the office of the clerk of the circuit court.
- SB 394—By Senator Shevin—Relating to public officers and employees.
- SB 177—By Senators Young and Fincher—Relating to regulation of traffic on highways.
- SB 178—By Senator Young et al.—Relating to regulation of traffic on highways.
- SB 526—By Senator Friday—Relating to division of water resources and conservation of the state board of conservation.
- SB 844—By Senator Horne—Relating to state retirement.
- SB 1141—By Senator Thomas et al.—Relating to tax assessments.

Respectfully submitted,
JOHN E. MATHEWS, JR., Chairman
 Committee on Rules and Calendar

The Committee on Finance and Taxation recommends the following pass:

- SB 180 with 2 amendments HB 826 HB 452
- SB 1004 HB 824

The Committee on Judiciary "B" recommends the following pass:

- SB 1000 with 1 amendment HB 627 with 3 amendments
- SB 1048

The Committee on Water Conservation, Salt Water and Natural Resources recommends the following pass:

CS for HB 1207 with 12 amendments

The Committee on Transportation and Safety recommends the following pass:

SB 1162 HB 1100 with 1 amendment

The Committee on Agriculture and Livestock recommends the following pass:

SB 1255

The Committee on Appropriations recommends the following pass:

- HB 19 with 2 amendments SB 592 with 2 amendments
- SB 150 SB 712
- SB 270 with 2 amendments

The Committee on Urban Affairs and Local Government recommends the following pass:

HB 916

The Committee on Health and Welfare recommends the following pass:

HB 257 HB 9

The bills contained in the foregoing reports were placed on the Calendar of the Committee on Rules and Calendar.

The Committee on Appropriations recommends the Committee Substitute for

SB 30 as recommended by the Committee on Anti-Crime pass with 1 amendment.

The Committee on Appropriations recommends the Committee Substitute for

SB 593 as recommended by the Committee on Education—Higher Learning pass.

The Committee on Judiciary "B" recommends the Committee Substitute for SB 681 as recommended by the Committee on Insurance pass with 5 amendments.

The Committee on Judiciary "B" recommends a Committee Substitute for the following:

SB 898 SB 787

The bills with Committee Substitutes attached, were placed on the Calendar of the Committee on Rules and Calendar.

The Committee on Finance and Taxation recommends the following not pass:

SB 670

The Committee on Judiciary "B" recommends the following not pass:

SB 1034

The Committee on Transportation and Safety recommends the following not pass:

SB 974

The Committee on Health and Welfare recommends the following not pass:

SB 990 SB 1060 SB 1326

The bills contained in the foregoing reports were laid on the table.

The Committee on Agriculture and Livestock recommends the following pass:

SB 1203 with 3 amendments

The Committee on Urban Affairs and Local Government recommends the following pass:

SB 1021 with 2 amendments

The bills contained in the foregoing reports were referred to the Committee on Finance and Taxation under the original reference.

The Committee on Transportation and Safety recommends the following pass:

SB 1220

The Committee on Agriculture and Livestock recommends the following pass:

SB 1240 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

The Committee on Health and Welfare recommends the following pass:

HB 726

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

The Committee on Agriculture and Livestock recommends the following pass:

SB 1233 with 1 amendment

The bill was referred to the Committee on Health and Welfare under the original reference.

The Committee on Urban Affairs and Local Government recommends the following pass:

SB 993 with 1 amendment

The bill was referred to the Committee on Transportation and Safety under the original reference.

ENGROSSING REPORT

Your Engrossing Clerk to whom was referred—

SCR 1517 with 1 amendment

—reports that the House amendment has been incorporated and the concurrent resolution is returned herewith.

EDWIN G. FRASER
Secretary of the Senate

The concurrent resolution was ordered enrolled.

ENROLLING REPORTS

Your Enrolling Clerk to whom was referred—

SB 43	SB 348	SB 802
SB 179	SB 375	SB 909
SB 223	SB 383	SB 1078
SB 282	SB 497	CS for SB 77

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on June 6, 1967.

EDWIN G. FRASER
Secretary of the Senate

Your Enrolling Clerk to whom was referred—

SB 55	SB 499	SB 1077
SB 230	SB 744	SB 1079
SB 328	SB 883	SB 1104
SB 486	SB 1066	

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on June 6, 1967.

EDWIN G. FRASER
Secretary of the Senate

Your Enrolling Clerk to whom was referred—

SCR 1517

—reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on June 2, 1967.

EDWIN G. FRASER
Secretary of the Senate

On motion by Senator Mathews, it was agreed that when the Senate adjourns it adjourn to reconvene for an afternoon session, pursuant to the rules.

INTRODUCTION

By the required Constitutional two-thirds vote of the Senate the following bills were admitted for introduction and consideration:

By Senator Bell—

SB 1520—A bill to be entitled An act relating to circuit courts; providing for appointment by governor of a census committee pursuant to section 26.011, Florida Statutes, to determine population of the seventeenth judicial circuit; providing for the expenditure of county funds for the conduct of such census; providing an effective date.

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

By Senators Pope and Mathews—

SB 1521—A bill to be entitled An act relating to insurance company license tax amending subsection (3) of section 624.0300, Florida Statutes, providing a reduction in license tax for certain fraternal benefit societies; providing an effective date.

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

By Senators Horne and Knopke—

SB 1522—A bill to be entitled An act relating to free motor vehicle license plates; amending chapter 67-47, Laws of Florida, by adding new section 3 to provide that disabled veterans be entitled to free license plates for the year 1967 and directing the motor vehicle department to refund all moneys to said person having purchased 1967 tags, renumbering present section 3 as 4; providing an effective date.

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

On motion by Senator Horne, by two-thirds vote, SB 1522 was withdrawn from the Committee on Finance and Taxation and placed on the Calendar.

Unanimous consent was granted Senator Horne to take up SB 1522 out of order.

On motions by Senator Horne, the rules were waived and SB 1522 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.

On motion by Senator Reuter, the Senate reconsidered the vote by which SB 1519 passed on June 5. By permission, Senator Reuter withdrew SB 1519 from the Senate.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Chiles, by two-thirds vote, SB 1420 was withdrawn from the Committee on Ethics and Privileged Businesses and from the Senate.

On motion by Senator Young, by two-thirds vote, HB 341 was withdrawn from the Committee on Transportation and Safety and placed on the Calendar of the Committee on Rules and Calendar.

On motion by Senator Chiles, by two-thirds vote, HB 1902 was withdrawn from the Committee on Ethics and Privileged Businesses and placed on the Calendar of the Committee on Rules and Calendar.

A point of order was raised by Senator Askew, and SB 1191 was also referred to the Committee on Appropriations.

On motion by Senator Knopke, by two-thirds vote, Senate Bills 1353 and 1383 were removed from the Local Calendar and referred to the Committee on Urban Affairs and Local Government.

On motion by Senator Poston, by two-thirds vote, HB 685 was withdrawn from the Committee on Appropriations and placed on the Calendar of the Committee on Rules and Calendar.

On motion by Senator Fincher, by two-thirds vote, SB 1401 was also referred to the Committee on Labor and Industry.

On motion by Senator Friday, by two-thirds vote, SB 444 was withdrawn from the Committee on Water Conservation, Salt Water and Natural Resources.

On motion by Senator Friday, by two-thirds vote, House Bills 1477, 1875 and 1883 were withdrawn from the Committee on Finance and Taxation and placed on the Local Calendar.

On motions by Senator Gong, by two-thirds vote, Senate Bills 1047 and 1050 were withdrawn from the Committee on Judiciary "B" and from the Senate.

On motion by Senator Friday, the Committee on Water Conservation, Salt Water and Natural Resources was granted an additional 7 Legislative days for the consideration of Senate Bills 1174, 1176, 1177 and 1216 and HB 1587.

On motion by Senator Horne, the Committee on Judiciary "B" was granted an additional 10 days for the consideration of all Bills now in the Committee.

On motion by Senator Griffin, the Committee on Finance and Taxation was granted an additional 10 days for the consideration of Senate Bills 10, 396, 540, 749, 542, 761 and 906.

On motion by Senator O'Grady, the House was requested to return HB 767.

MESSAGE FROM THE GOVERNOR

The Honorable Verle A. Pope June 5, 1967
President of the Senate
The Capitol
Tallahassee, Florida

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 June 5, 1967, at 1:00 P.M.:

SB 1041

Respectfully,
 CLAUDE KIRK
 Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages were read:

The Honorable Verle A. Pope June 5, 1967
President of the Senate

Sir:

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

SB 3

Respectfully,
 ALLEN MORRIS
 Clerk, House of Representatives

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

The Honorable Verle A. Pope June 5, 1967
President of the Senate

Sir:

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

SB 776

Respectfully,
 ALLEN MORRIS
 Clerk, House of Representatives

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

The Honorable Verle A. Pope June 5, 1967
President of the Senate

Sir:

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

HB 767

Respectfully,
 ALLEN MORRIS
 Clerk, House of Representatives

The Honorable Verle A. Pope June 5, 1967
President of the Senate

Sir:

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

By Representative McDonald—

HB 2152—A bill to be entitled An act relating to Suwannee county, disposal of school property; permitting the county board of public instruction to dispose of surplus school property by public sale at less than appraised value for the highest and best price offered; providing an effective date.

Proof of Publication attached.

By Representative Beck—

HB 2165—A bill to be entitled An act relating to Putnam county; authorizing the board of public instruction to enter into contracts for purchase of materials, supplies, or services without requiring competitive bidding when the amount does not exceed one thousand dollars (\$1,000.00); 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 2152.

Evidence of notice and publication was established by the Senate as to HB 2165.

House Bills 2152 and 2165, 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 June 5, 1967
President of the Senate

Sir:

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

By Representative E. M. Fortune and others—

HB 1853—A bill to be entitled An act relating to Santa Rosa county; providing board of public instruction may pay for unused sick leave of certain teachers; providing an effective date.

Proof of Publication attached.

By Representative McDonald—

HB 2150—A bill to be entitled An act authorizing the board of public instruction of Suwannee County, Florida, to issue and deliver interest bearing promissory notes in an amount not to exceed fifty thousand dollars (\$50,000.00) principal for the purpose of supplementing its 1966-67 operating funds; providing for the repayment of the obligation; providing for cessation of the borrowing power under this act; 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 1853.

Evidence of notice and publication was established by the Senate as to HB 2150.

House Bills 1853 and 2150, 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

June 5, 1967

Sir:

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

By Representative Sweeny and others—

HB 2787—A bill to be entitled An act for the relief of Thomas P. Daugherty; providing an appropriation to pay a certain sum of money to Thomas P. Daugherty for damages sustained by the theft of a model cannon from Daytona Beach junior college; 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 2787.

HB 2787, 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

June 5, 1967

Sir:

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

By Representative Stevens—

HB 2225—A bill to be entitled An act authorizing the Pasco County Health Department to establish, charge and collect fees for the issuance of health certificates, certified copies of vital records and for other services and providing for the accounting and disposition of such fees; and providing for an effective date.

Proof of Publication attached.

By Representative Beck—

HB 2168—A bill to be entitled An act relating to Putnam county; authorizing the board of public instruction to arrange for the construction of school facilities on a day labor basis in excess of the provisions of section 235.31, Florida Statutes; providing an effective date.

Proof of Publication attached.

By Representative Beck—

HB 2379—A bill to be entitled An act providing that the City of Palatka, Florida, may pass reasonable regulations for the control of and prevention of air pollution within the corporate limits of the City of Palatka, Florida, 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 2225.

Evidence of notice and publication was established by the Senate as to HB 2168.

Evidence of notice and publication was established by the Senate as to HB 2379.

House Bills 2225, 2168 and 2379, 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

June 5, 1967

Sir:

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

By Representative Williams—

HB 1755—A bill to be entitled An act relating to Gulf county, Highland View gas district; providing for creation, government, jurisdiction, powers and duties of the district; 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 1755.

HB 1755, 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

June 5, 1967

Sir:

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

By the Committee on Education Public Schools and Junior Colleges—

CS for SB 434—A bill to be entitled An act relating to public education; amending section 228.041 by adding subsection (25), defining school lunch personnel to mean all school food service personnel; amending section 230.232, removing from the pupil assignment law certain technical administrative requirements and removing possible conflicts with federal law; amending subsection (2) of section 231.10, adding the chairman of the Florida education association committee of teacher education and professional standards to membership on the teacher education advisory council and deleting reference to the Florida state teachers' association; amending sections 231.14 and 231.15 and 231.36, Florida Statutes, removing requirement that administrative personnel hold certificate to teach; repealing subsection (2) of section 230.302, Florida Statutes; amending 231.36 by altering conditions under which continuing contracts may be issued; amending section 231.17, permitting issuance of a teaching certificate to a refugee or to a resident alien from Cuba legally admitted to the United States; amending the introductory paragraph of section 231.36, removing requirement of examination score for continuing contract, defining the effective date of a continuing contract; amending the introductory paragraph and subsection (1) of section 231.39, authorizing a county board to grant professional leave with partial compensation and eliminating the present requirement of at least seven (7) years of service in the county to be eligible for professional leave; amending section 232.01, removing reference to the commingling of races in the public schools; amending chapter 233 by adding section 233.50, authorizing the purchase of text related materials in the same manner as textbooks; amending paragraph (a) of subsection (2) of section 234.16, removing reference to race in licensing requirements for school bus drivers; adding paragraph (e) to subsection (4) and amending paragraph (a) of subsection (10) of section 236.04, permitting the use of duly qualified teachers to provide instructional services to homebound and hospitalized pupils by allowing an instruction unit for each nine hundred (900) hours of instruction; providing for determining equivalent instructional positions on the basis of periodic reports each year; amending subsection (9) of section 236.07, deleting the present requirement that allocations for each rank must be paid, personnel in that rank; repealing subsection (4) of section 236.58, removing obsolete provision relating to individual school district tax levy; amending section 237.01, requiring that all expenditures be charged to fiscal year in which incurred; amending subsections (1), (2), (4) and (6)

of section 237.02, raising bid requirements for purchases by county school boards from three hundred dollars (\$300.00) to one thousand dollars (\$1,000.00); removing obsolete provision for use of district current school fund by supervising principal; authorizing state board to prescribe details of uniform accounting system; amending section 237.12, clarifying references to controls on school millages; amending subsection (1) of section 237.19, providing for regulations of the state board; amending subsection (3) of section 237.26, prescribing procedure for repayment of borrowed funds; amending subsection (2) of section 239.371, permitting scholarship grants to teachers in child training centers; amending section 239.43, eliminating the word trimester; amending section 239.52, requiring that a nursing scholarship holder agree to practice in Florida one (1) year for each year of scholarship assistance, all Florida Statutes; providing an effective date.

Amendment 1

In Section 2, page 4, strike: "All of Section 2" and renumber following sections.

Amendment 2

In Title, page 1, line 5, strike: "amending section 230.232, removing from the pupil assignment law certain technical administrative requirements and removing possible conflicts with federal law;"

Amendment 3

In Section 23, page 29, line 26, insert the following: "Section 23. All laws and parts of laws in conflict herewith are hereby repealed."

Renumber Section 23 as 24

Amendment 4

Page 11, line 15, strike: "administrative or"

Amendment 5

In title, page 1, lines 15 & 16, strike: "231.14 and 231.15" and insert the following: "231.14, 231.15, 231.17"

Amendment 6

In Section 7, page 12, line 30, following the words "is amended to read:" Strike: the balance of Section 7. and insert the following:

231.36 Contracts with instructional staff.—Each person employed as a member of the instructional staff, including employment as an instructional supervisor or principal, in any county school system shall be properly certified and shall be entitled to and shall receive a written contract as specified in chapter 230, Florida Statutes; provided, that any person so employed who shall violate the terms of his contract by leaving his position without first being released from his contract by the county board of the county in which he is employed shall be ineligible for employment in the school system of the state or any county therein for the period of one (1) year from the date of such violation; provided, that the school board shall take official action on such violation and furnish a copy of the proceedings to the certification section of the state department of education, whereupon the certificate of the violator shall be considered as invalid for the period of one (1) year from the date of violation; provided, also, that the county board of each county shall provide continuing contracts as prescribed herein. Each member of the instructional staff in each county school system, who holds a regular certificate based at least on graduation from a standard four (4) year college, or as otherwise provided by law, who has completed two (2) years of satisfactory service in the state may be issued a continuing contract in such form as may be prescribed by regulations of the state board; provided, however, that for determining eligibility for continuing contract status the county board may administer tests in the subject in which the teacher is to be assigned. Each person to whom a continuing contract has been issued as provided herein shall be entitled to continue as a member of the instructional staff at the salary schedule authorized by the county board applicable to his rank and years of service without the necessity for annual nomination or reappointment until such time as the position is discontinued, the person resigns or his contractual status is changed as prescribed below:

Amendment 7

In title, page 1, line 18, strike: ";

and insert the following: "and providing for issuance of continuing contracts under certain conditions;"

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Ott, the Senate concurred in House amendments 1, 2, 3, 4 and 5 to CS for SB 434.

A motion by Senator Boyd was adopted that CS for SB 434 and the message from the House of Representatives relative thereto be referred to an appropriate committee. The message and the bill were referred to the Committee on Education-Public Schools and Junior Colleges.

The Honorable Verle A. Pope
President of the Senate

June 5, 1967

Sir:

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

By Senator Cross and others—

SB 9—A bill to be entitled An act relating to public meetings and records; formal actions to be taken in open meetings; requiring records to be open to public inspection; providing penalty; providing an effective date.

Amendment 1

In Section 1, on page 1, line 22, add the following: "The circuit courts of this state shall have jurisdiction to issue injunctions to enforce the purposes of this section upon application by any citizens of this state."

Amendment 2

In Section 1, on page 1, lines 8 & 9, After the words "at such meeting," add the following: "This act shall not apply to hearings involving individuals charged with violation of law or regulations respecting employment."

Amendment 3

In Title, page 1, Before the words "providing an effective date." insert the following: "providing for enforcement through injunctive proceedings, excepting individuals charged with violation of law or regulations respecting employment;"

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Cross, the Senate concurred in House amendment 1 to SB 9.

Senator Cross moved that the Senate concur in House amendment 2 to SB 9 and the Senate refused to concur. The vote was:

Yeas—17

Askew	Deeb	Henderson	Stockton
Barron	Fincher	Lane	Wilson
Boyd	Friday	Mathews	
Broxson	Gibson	Reuter	
Clayton	Gunter	Saylor	

Nays—30

Mr. President	Fisher	McClain	Stolzenburg
Bafalis	Gong	O'Grady	Stone
Bell	Griffin	Ott	Thomas
Chiles	Haverfield	Plante	Weber
Cross	Hollahan	Poston	Weissenborn
de la Parte	Horne	Shevin	Young
Edwards	Johnson	Slade	
Elrod	Knopke	Spencer	

The House was requested to recede therefrom.

On motions by Senator Cross, the Senate refused to concur in House amendment 3 to SB 9, and the House was requested to recede therefrom. The action of the Senate was certified to the House.

The Honorable Verle A. Pope
President of the Senate

June 5, 1967

Sir:

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

By Representative Arnold—

HB 81—A bill to be entitled An act relating to the preparation of state road department budget; amending section 334.21 (4) (a) and (5), Florida Statutes; providing for a five-year plan; repealing subsection (8) (b), paragraph numbered 5 of subsection (9) (a), and subsection (9) (b), of section 334.21, Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 81, contained in the above message, was read the first time by title and referred to the Committee on Public Roads and Highways.

The Honorable Verle A. Pope
President of the Senate

June 5, 1967

Sir:

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

By Representative Smith—

HB 1647—A bill to be entitled An act relating to public schools, minimum age; repealing chapter 65-398, Laws of Florida, amending section 232.01, Florida Statutes, which law will become effective July 1, 1972; fixing the minimum age for admission to the first grade; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 1647, contained in the above message, was read the first time by title and referred to the Committee on Education—Public Schools and Junior Colleges.

The Honorable Verle A. Pope
President of the Senate

June 5, 1967

Sir:

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

By Representative Wolfson—

HB 519—A bill to be entitled An act relating to the board of cosmetology; amending the following sections of Chapter 477, Florida Statutes; section 477.06 by adding subsection (4) providing for the issuance of certificates of registration to practice as specialist in the various skills of cosmetology; prescribing requirements for issuance of such certificates to out-of-state specialists; section 477.09 (2) requiring that applicant submit signed photograph with application; section 477.17 (1), (3), (5), (6) increasing fees for examinations given by the board and certificates of registration and permits issued by the board; repealing subsection (2) of section 477.17 relating to costs of examinations for resident cosmetologists and renumbering subsections (3) through (6) accordingly; amending section 477.27 (2), (14) by declaring the permitting of a specialist employee to practice as such without a certificate of registration, and the failure of a specialist to display a health certificate, each to constitute a misdemeanor; providing an effective date.

By Representative Reedy and others—

HB 555—A bill to be entitled An act relating to game and fresh water fish commission; amending chapter 372, Florida Statutes, by adding section 372.576; providing archery permit for hunting; providing a fee for such permit.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 519, contained in the above message, was read the first time by title and referred to the Committee on Health and Welfare.

HB 555, contained in the above message, was read the first time by title. On motion by Senator Boyd, the rules were waived and the bill was placed on the Calendar.

The Honorable Verle A. Pope
President of the Senate

June 5, 1967

Sir:

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

By Representative Arnold—

HB 83—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.

By Representatives Reed and Rust—

HB 1217—A bill to be entitled An act relating to boating safety; amending section 371.54, Florida Statutes, by adding paragraph (5); providing for flags to be used by skin and scuba divers; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 83, contained in the above message, was read the first time by title and referred to the Committee on Public Roads and Highways.

HB 1217, contained in the above message, was read the first time by title and referred to the Committee on Water Conservation, Salt Water and Natural Resources.

The Honorable Verle A. Pope
President of the Senate

June 5, 1967

Sir:

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

By Representative Wells and others—

HB 469—A bill to be entitled An act relating to investment of funds by state board of administration; amending section 215.44, Florida Statutes, to authorize the board of administration only to invest agency funds and trust funds as limited by any trust agreement; amending section 215.47, Florida Statutes, to revise and broaden the types of securities in which investments may be made; amending section 215.48, Florida Statutes, by deleting the requirement of subsequent ratification by an agency on whose behalf the board of administration has acted; amending section 215.49, Florida Statutes, to require each agency to transfer funds to the board of administration for investment and to notify board of securities in each fund; amending section 215.50, Florida Statutes, relating to custody of securities, collection of income thereon, and deleting reference to prorating income; amending sections 215.52 and 215.53, Florida Statutes, by deleting the reference to section 215.54, Florida Statutes; amending sections 239.34 and 529.072, Florida Statutes, relating to investment of the ex-confederate soldiers' and sailors' home endowment trust fund and state park moneys; repealing sections 122.14, 215.54, 253.64, 234.09, 321.16, 339.01, 339.02, 339.03, 344.27 and subsection 236.601(6), Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 469, contained in the above message, was read the first time by title and referred to the Committee on Finance and Taxation.

SPECIAL AND CONTINUING ORDER

SB 283—A bill to be entitled An act relating to the Florida state board of architecture; amending section 467.04, Florida Statutes, relating to board expenses; disposition of fees; compensation of secretary-treasurer; providing for an effective date.

Was taken up. On motion by Senator Hollahan, the rules were waived and SB 283 was read the second time by title.

The Committee on Governmental Reorganization offered the following amendment which was adopted on motion by Senator Hollahan:

In Section 2, line 3, page 2, strike all of Section 2. and insert the following: Section 2. This act shall take effect immediately upon becoming a law.

On motion by Senator Hollahan, the rules were waived and SB 283 as amended was read the third time in full and passed. The vote was:

Yeas—35

Mr. President	de la Parte	Hollahan	Shevin
Askew	Elrod	Horne	Spencer
Bafalis	Fincher	Knopke	Stockton
Barrow	Fisher	McClain	Stone
Bell	Gibson	Mathews	Thomas
Boyd	Gong	Ott	Weissenborn
Clayton	Griffin	Poston	Wilson
Cross	Haverfield	Reuter	Young
Deeb	Henderson	Sayler	

Nays—10

Broxson	Gunter	O'Grady	Weber
Chiles	Johnson	Plante	
Friday	Lane	Stolzenburg	

The bill was ordered engrossed.

SB 284—A bill to be entitled An act relating to the disposition of any licenses, fees, taxes, commissions or charges of any sort authorized to be made under the laws of the state by the state board of accountancy, Florida state board of architecture, Florida barbers sanitary commission, board of examiners in the basic sciences, state board of cosmetology, Florida state board of chiropractic examiners, Florida board of dental examiners, Florida state board of engineer examiners, state board of registration of foresters, state board of funeral directors, installment land sales board, state board of examiners of landscape architects, Florida board of massage, state board of medical examiners, state board of naturopathic examiners, Florida state board of nursing, state board of dispensing opticians, Florida state board of optometry, state board of osteopathic medical examiners, Florida board of pharmacy, board of podiatry examiners, Florida state board of examiners of psychology, Florida real estate commission, sanitarians' registration board, pest control commission of Florida, Florida state board of veterinary medicine, Florida watchmakers' commission; relating to section 473.21, Florida Statutes, section 467.04, Florida Statutes, section 476.19, Florida Statutes, section 456.17, Florida Statutes, section 483.14, Florida Statutes, section 477.21, Florida Statutes, section 460.21(1), Florida Statutes, section 466.20(4), Florida Statutes, section 471.29, Florida Statutes, section 472.04(5), Florida Statutes, section 492.09, Florida Statutes, section 470.16, Florida Statutes, section 470.19, Florida Statutes, section 478.101, Florida Statutes, section 481.041(2), Florida Statutes, section 480.16, Florida Statutes, section 458.10(2), Florida Statutes, section 486.072, Florida Statutes, section 462.09, Florida Statutes, section 464.171, Florida Statutes, section 484.08, Florida Statutes, section 463.18, Florida Statutes, section 459.06, Florida Statutes, section 465.121(2), Florida Statutes, section 465.171, Florida Statutes, section 461.15, Florida Statutes, section 490.10, Florida Statutes, section 475.11, Florida Statutes, section 491.16, Florida Statutes, section 432.111(8), Florida Statutes, section 474.111(1), Florida Statutes, section 489.03(3), Florida Statutes, by amending said sections to provide for the deposit of all funds collected by said examining and licensing boards and commissions to be paid over and to be accounted for by the state treasurer and the comptroller pursuant to this law; by repealing the provisions of said sections establishing in the state treasury of a state agencies fund or trust fund; providing for all funds on deposit with the state agencies fund or other trust fund to the credit of examining and licensing boards and commissions, as of July 1, 1967, to be transferred to the general revenue fund; creating an operating fund for the examining and licensing boards and commissions; providing an effective date.

Was taken up. On motion by Senator Hollahan, the rules were waived and SB 284 was read the second time by title.

The Committee on Governmental Reorganization offered the following amendment which was adopted on motion by Senator Hollahan:

In Section 8, line 24, on page 6, strike: all of Section 8 and insert the following: Section 8. This act shall become effective immediately upon its becoming a law.

On motion by Senator Hollahan, the rules were waived and SB 284 as amended was read the third time in full and passed. The vote was:

Yeas—33

Mr. President	Elrod	Knopke	Spencer
Askew	Fincher	McClain	Stone
Bafalis	Gibson	Mathews	Thomas
Bell	Gong	Ott	Weissenborn
Boyd	Griffin	Poston	Wilson
Clayton	Haverfield	Reuter	Young
Cross	Henderson	Sayler	
Deeb	Hollahan	Shevin	
de la Parte	Horne	Slade	

Nays—13

Barrow	Friday	O'Grady	Weber
Broxson	Gunter	Plante	
Chiles	Johnson	Stockton	
Fisher	Lane	Stolzenburg	

The bill was ordered engrossed.

SB 285—A bill to be entitled An act relating to the state board of funeral directors and embalmers and license fee paid to said board as qualification fees; repealing section 470.16, Florida Statutes; providing an effective date.

Was taken up. On motion by Senator Hollahan, the rules were waived and SB 285 was read the second time by title.

The Committee on Governmental Reorganization offered the following amendment which was adopted on motion by Senator Hollahan:

In Section 2, line 9, on page 1, strike: all of Section 2 and insert the following: Section 2. This act shall take effect immediately upon becoming a law.

On motion by Senator Hollahan, the rules were waived and SB 285 as amended was read the third time in full and passed. The vote was:

Yeas—32

Mr. President	Deeb	Horne	Shevin
Askew	de la Parte	Knopke	Spencer
Bafalis	Elrod	McClain	Stockton
Barrow	Fisher	Mathews	Stone
Bell	Gong	Ott	Thomas
Boyd	Griffin	Poston	Weissenborn
Clayton	Henderson	Reuter	Wilson
Cross	Hollahan	Sayler	Young

Nays—11

Broxson	Gibson	Lane	Stolzenburg
Chiles	Gunter	O'Grady	Weber
Friday	Johnson	Plante	

The bill was ordered engrossed.

SB 288—A bill to be entitled An act relating to financial matters; amending, revising or repealing certain subsections of Section 215.37, Florida Statutes, relating to examining and licensing boards to be financed from fees collected, moneys deposited in trust funds, legislative budgets and operating budgets of the examining and licensing boards; repealing section 215.37(2), Florida Statutes, relating to deposit of funds of examining and licensing boards; amending section 215.37(3), Florida Statutes, relating to financing of examining and licensing boards; amending section 215.37(5), Florida Statutes, relating to the biennial legislative budget and operating budgets of examining and licensing boards; amending section 215.32(2) (b) 1., Florida Statutes, relating to trust funds established by the budget commission; providing an effective date.

Was taken up. On motion by Senator Hollahan, the rules were waived and SB 288 was read the second time by title.

The Committee on Governmental Reorganization offered the following amendment which was adopted on motion by Senator Hollahan:

In Section 5, line 25, page 2, strike: all of Section 5 and insert the following: Section 5. This act shall take effect immediately upon becoming a law.

On motion by Senator Hollahan, the rules were waived and SB 288 as amended was read the third time in full and passed. The vote was:

Yeas—32

Mr. President	de la Parte	Knopke	Slade
Askew	Elrod	McClain	Spencer
Bafalis	Fincher	Mathews	Stockton
Barron	Gong	Ott	Stone
Bell	Griffin	Poston	Thomas
Boyd	Henderson	Reuter	Weissenborn
Cross	Hollahan	Sayler	Wilson
Deeb	Horne	Shevin	Young

Nays—13

Barrow	Friday	Lane	Weber
Broxson	Gibson	O'Grady	
Chiles	Gunter	Plante	
Fisher	Johnson	Stolzenburg	

The bill was ordered engrossed.

SB 1013—A bill to be entitled An act relating to insurance code, attorney fees; amending section 627.0127, Florida Statutes, providing attorney fees for services in appellate courts; providing an effective date.

Was taken up, having been read the second time on June 2, together with an amendment offered by Senators Barron and Horne and an amendment to that amendment offered by Senator Wilson.

By permission, Senator Wilson withdrew the amendment to the amendment.

Senators Wilson and Stone offered the following substitute amendment which was adopted on motion by Senator Wilson:

In Section 1, line 29, page 1, after the words "in the case" add the following: In the event the judgment or decree exclusive of interest and costs does not exceed a good faith offer of settlement in writing which remained open until commencement of suit and thereafter until final judgment or decree which is entered, no attorney fee shall be awarded or included in the decree, except upon good cause shown, which justifies the insured's failure to accept such good faith offer.

On motion by Senator Chiles, the rules were waived and SB 1013 as amended was read the third time in full and passed. The vote was:

Yeas—44

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

Nays—4

Mr. President	Cross	McClain	Spencer
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The bill was ordered engrossed.

Unanimous consent was granted Senator de la Parte to take up out of order—

HB 283—A bill to be entitled An act relating to the rehabilitation of alcoholics; amending section 396.071, Florida Statutes, to provide for the advisory council furnishing advice to the administrator on the adoption of rules and regulations; amending section 396.101, Florida Statutes, to provide that the advisory council should advise and consult with the admin-

istrator; amending section 396.111, Florida Statutes, relating to the duties of the advisory council; amending section 396.121(2)(a), Florida Statutes, to delete the advisory council from those agencies that are required to approve grants to governmental units for the development of educational and treatment services for alcoholism in the state; providing an effective date.

On motions by Senator de la Parte, the rules were waived and HB 283 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.

SB 335 was laid on the table.

SB 547—A bill to be entitled An act relating to milk and milk products; repealing sections 502.01, 502.011, 502.02—502.35, Florida Statutes; revising and amending chapter 502, Florida Statutes; providing definitions; permits; labeling; inspection of dairy farms and milk plants; examination of milk and milk products; standards for milk and milk products; building, equipment and sanitary standards for the production, processing and packaging of milk and milk products; animal health; prohibiting sale of filled milk; regulating the sale of imitation milk; providing purpose; rules; penalties and injunction; and effective date.

Was taken up. On motion by Senator Horne, the rules were waived and SB 547 was read the second time by title.

The Committee on Judiciary "B" offered the following amendment which was adopted on motion by Senator Horne:

Lines 1 through 25, page 52, strike: all of subsection (4) of section 502.161, Florida Statutes and insert the following:

(4) It is unlawful to package or sell imitation milk or milk product not properly labeled.

Senator O'Grady offered the following amendment which was adopted:

Page 32, strike: entire Section 502.121 and insert the following: 502.121 Future Dairy Farms and Milk Plants—

All milkhouses, milking barns, stables, parlors, transfer stations, and milk plants regulated under this law which are hereafter constructed, reconstructed, or extensively altered, must meet certain minimum specifications and requirements which the Commissioner of Agriculture shall from time to time establish and keep on file in his office in Tallahassee. Anyone desiring to make such construction shall give written notification to the Commissioner of Agriculture in which he states that he is going to construct, re-construct, or extensively alter his milkhouse, milking barns, stables, parlors, transfer stations, or milk plants, the date he intends to begin said construction, and the legal description of the property on which such construction is planned.

The minimum specifications which shall apply are those on file at the date of the original notification. If the construction does not meet the current requirements and specifications, then the Commissioner of Agriculture shall direct the owner to alter the construction to conform to such specifications.

On motion by Senator Horne, the rules were waived and SB 547 as amended was read the third time in full and passed. The vote was: Yeas—48 Nays—None

Mr. President	Boyd	de la Parte	Gibson
Askew	Broxson	Edwards	Gong
Bafalis	Chiles	Elrod	Griffin
Barron	Clayton	Fincher	Gunter
Barrow	Cross	Fisher	Haverfield
Bell	Deeb	Friday	Henderson

Hollahan	Mathews	Sayler	Stone
Horne	O'Grady	Shevin	Thomas
Johnson	Ott	Slade	Weber
Knopke	Plante	Spencer	Weissenborn
Lane	Poston	Stockton	Wilson
McClain	Reuter	Stolzenburg	Young

The bill was ordered engrossed.

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

HB 555—A bill to be entitled An act relating to game and fresh water fish commission; amending chapter 372, Florida Statutes, by adding section 372.576; providing archery permit for hunting; providing a fee for such permit.

On motions by Senator Boyd, the rules were waived and HB 555 was read the second time by title, the third time in full and passed, title as stated. The vote was:

Yeas—35

Bafalis	de la Parte	Horne	Sayler
Barron	Edwards	Johnson	Shevin
Barrow	Friday	Knopke	Spencer
Bell	Gibson	McClain	Stolzenburg
Boyd	Gong	Mathews	Stone
Chiles	Griffin	Ott	Thomas
Clayton	Gunter	Plante	Weber
Cross	Haverfield	Poston	Wilson
Deeb	Henderson	Reuter	

Nays—10

Mr. President	Elrod	O'Grady	Young
Askew	Fisher	Slade	
Broxson	Lane	Stockton	

The bill was certified to the House.

SB 792 was laid on the table.

Senator Askew presiding.

SB 75—A bill to be entitled An act relating to harness horse racing permittees amending Florida statutes 550.069 and providing for the payment of a fixed daily license fee in lieu of the payment of taxes by such harness horse race track where the average daily pari-mutuel pool is less than three hundred thousand dollars (\$300,000.00) per day; repealing all laws and parts of laws in conflict with this act and fixing the effective date of this act.

Was taken up. On motion by Senator Stolzenburg, the rules were waived and SB 75 was read the second time by title.

The Committee on Finance and Taxation offered the following amendment which was adopted on motion by Senator Stolzenburg:

In Section 1, strike: subsection (2) and insert the following new subsection (2):

(2) Whenever any harness horse track has an average daily pari-mutuel pool of more than three hundred thousand dollars (\$300,000.00) computed on a weekly basis, such harness track shall be taxed as provided by other general laws.

The Committee on Finance and Taxation also offered the following amendment which was adopted on motion by Senator Stolzenburg:

In Section 1, line 1, after "Any duly licensed harness horse race track having an average daily pari-mutuel pool of less than Three Hundred Thousand Dollars (\$300,000.00) per day" insert the following: computed on a weekly basis.

The Committee on Finance and Taxation also offered the following amendment which was adopted on motion by Senator Stolzenburg:

In Section 3, line 9, page 2, change section 3 to read:

The provision of this act shall expire at the end of the next regular session of the legislature, at which time the provision of section 555.069 as it existed on May 1, 1967, shall be reenacted and shall become the new section 555.069.

The Committee on Ethics and Privileged Businesses offered the following amendment which was moved by Senator Chiles and failed:

In Section 3, line 9, page 2, change section 3 to read: The provisions of this act shall expire at the end of the next regular session of the Legislature.

The Committee on Ethics and Privileged Businesses also offered the following amendment which was adopted on motion by Senator Stolzenburg:

In Section 3, line 1, page 2, strike: all after the words "take effect" and insert the following: on September 1, 1967.

The Committee on Ethics and Privileged Businesses also offered the following amendment which was adopted on motion by Senator Stolzenburg:

In Section 1, sub-section (1) following "following schedule:" strike remainder of sub-section. and insert the following: up to one hundred thousand dollars (\$100,000.00) per day the fee shall be three thousand dollars (\$3,000.00) per day; over one hundred thousand dollars (\$100,000.00) per day but not exceeding one hundred seventy-five thousand dollars (\$175,000.00) per day the fee shall be five thousand dollars (\$5,000.00) per day; over one hundred seventy-five thousand dollars (\$175,000.00) per day but not exceeding two hundred fifty thousand dollars (\$250,000.00) per day the fee shall be seven thousand dollars (\$7,000.00) per day; over two hundred fifty thousand dollars (\$250,000.00) per day but not exceeding three hundred thousand dollars (\$300,000.00) per day the fee shall be ten thousand dollars (\$10,000.00); three-fourths of which daily license fee shall be distributed equally to the 67 counties of the state and the remaining one-fourth to the state's general revenue fund.

The Committee on Ethics and Privileged Businesses also offered the following amendment which was adopted on motion by Senator Stolzenburg:

In Section 1 (1), line 4, page 1, strike: "payment of the taxes imposed upon such track as now provided by law." and insert the following: payment of the tax on pari-mutuel pools for harness tracks as now provided by law.

Senator Griffin offered the following amendment which failed:

In Section 1, at the end of the section add: The provisions of this act shall apply only so long as the track operates in the county where the physical plant owned by it is located.

The vote was:

Yeas—18

Askew	Clayton	McClain	Stockton
Barrow	Elrod	Plante	Weissenborn
Boyd	Gong	Poston	Young
Broxson	Griffin	Slade	
Chiles	Gunter	Spencer	

Nays—30

Mr. President	Fincher	Johnson	Shevin
Bafalis	Fisher	Knopke	Stolzenburg
Barron	Friday	Lane	Stone
Bell	Gibson	Mathews	Thomas
Cross	Haverfield	O'Grady	Weber
Deeb	Henderson	Ott	Wilson
de la Parte	Hollahan	Reuter	
Edwards	Horne	Sayler	

On motion by Senator Stolzenburg, the rules were waived and SB 75 as amended was read the third time in full.

Senator Stolzenburg moved that the rules be waived and time of adjournment be extended until final action on SB 75.

Senator Gibson moved as a substitute motion that the Senate do now adjourn.

Pending consideration of the substitute motion, a point of order was called and the Senate recessed at 1:00 p. m. until 3:00 p. m.

AFTERNOON SESSION

The Senate was called to order by the President at 3:00 p. m.

The following Senators were recorded present:

Mr. President	Barron	Boyd	Clayton
Askew	Barrow	Broxson	Cross
Bafalis	Bell	Chiles	Deeb

de la Parte	Gunter	Mathews	Spencer
Edwards	Haverfield	O'Grady	Stockton
Elrod	Henderson	Ott	Stolzenburg
Fincher	Hollahan	Plante	Stone
Fisher	Horne	Poston	Thomas
Friday	Johnson	Reuter	Weber
Gibson	Knopke	Sayler	Weissenborn
Gong	Lane	Shevin	Wilson
Griffin	McClain	Slade	Young

48. A quorum present.

SB 75—A bill to be entitled An act relating to harness horse racing permittees amending Florida statutes 550.069 and providing for the payment of a fixed daily license fee in lieu of the payment of taxes by such harness horse race track where the average daily pari-mutuel pool is less than three hundred thousand dollars (\$300,000.00) per day; repealing all laws and parts of laws in conflict with this act and fixing the effective date of this act.

Was taken up pending roll call.

SB 75 as amended failed to pass. The vote was:

Yeas—20

Bafalis	Fisher	McClain	Shevin
Bell	Friday	O'Grady	Slade
Deeb	Horne	Ott	Stolzenburg
de la Parte	Knopke	Reuter	Thomas
Fincher	Lane	Sayler	Weber

Nays—26

Mr. President	Clayton	Haverfield	Stockton
Askew	Cross	Henderson	Stone
Barron	Elrod	Hollahan	Weissenborn
Barrow	Gibson	Johnson	Wilson
Boyd	Gong	Mathews	Young
Broxson	Griffin	Poston	
Chiles	Gunter	Spencer	

Senator Henderson moved that the Senate reconsider the vote by which SB 75 as amended failed to pass this day. The motion went over under the rule.

On motion by Senator Horne, the rules were waived and the Senate reverted to the consideration of Messages from the House of Representatives.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages were read:

The Honorable Verle A. Pope June 6, 1967
President of the Senate

Sir:

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

By Representative Mattox—

HB 1361—A bill to be entitled An act relating to milk and milk products; repealing sections 502.01, 502.011, 502.02-502.35, Florida Statutes; providing definitions; permits; labeling; inspection of dairy farms and milk plants; examination of milk and milk products; standards for milk and milk products; building, equipment and sanitary standards for the production, processing and packaging of milk and milk products; animal health; prohibiting sale of filled milk; regulating the sale of imitation milk; providing purpose; rules; penalties and injunction; and effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 1361, contained in the above message, was read the first time by title. On motion by Senator Horne, the rules were waived and the bill was placed on the Calendar.

Unanimous consent was granted Senator Horne to take up HB 1361 out of order.

On motion by Senator Horne, the rules were waived and HB 1361 was read the second time by title.

Senator O'Grady offered the following amendment which was adopted:

Strike: Section 502.121 in its entirety and insert the following: 502.121 Future Dairy Farms and Milk Plants—

All milkhouses, milking barns, stables, parlors, transfer stations, and milk plants regulated under this law which are hereafter constructed, reconstructed, or extensively altered, must meet certain minimum specifications and requirements which the Commissioner of Agriculture shall from time to time establish and keep on file in his office in Tallahassee. Anyone desiring to make such construction shall give written notification to the Commissioner of Agriculture in which he states that he is going to construct, re-construct, or extensively alter his milkhouse, milking barns, stables, parlors, transfer stations, or milk plants, the date he intends to begin said construction, and the legal description of the property on which such construction is planned.

The minimum specifications which shall apply are those on file at the date of the original notification. If the construction does not meet the current requirements and specifications, then the Commissioner of Agriculture shall direct the owner to alter the construction to conform to such specifications.

On motion by Senator Horne, the rules were waived and HB 1361 as amended was read the third time in full and passed. 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 as amended was certified to the House.

On motion by Senator Horne, the rules were waived and the Senate immediately reconsidered the vote by which SB 547 as amended passed this day. By permission, Senator Horne withdrew SB 547 from the Senate.

The Honorable Verle A. Pope
President of the Senate

June 6, 1967

Sir:

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

By the Committee on Agriculture—

HB 1482—A bill to be entitled An act relating to liens, trees, shrubs; amending chapter 85, Florida Statutes, by adding section 85.191 to provide liens in favor of any person, firm or corporation who furnishes trees, shrubs, bushes or other plants, agricultural or ornamental, upon such trees, shrubs etc., so planted and upon the land upon which they are situated; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 1482, contained in the above message, was read the first time by title. On motion by Senator Thomas, the rules were waived and the bill was placed on the Calendar.

The Honorable Verle A. Pope
President of the Senate

June 2, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has returned as requested—

By Representatives Tucker and Miers—

HB 1332—A bill to be entitled An act relating to Franklin county; creating a special water and sewer district in the area of the unincorporated community of Eastpoint which will be a special taxing district; defining its boundaries; providing for a

water or sewer system or both; providing for issuance of revenue bonds or certificates to be repaid from the revenues of said systems; prescribing the powers of the district including the power to contract with any municipality or governmental agency for water distribution and sewage collection; defining powers, franchises and privileges; providing for governing body of said district; authorizing the district for purpose of carrying on its operations to acquire by gift, purchase or by eminent domain lands and title to rights of way over lands and under navigable waters within and without said district necessary in operation of system; providing for a fire department; providing for garbage and trash collection and disposal; providing an effective date.

Respectfully,
ALLEN MORRIS
 Clerk, House of Representatives

On motion by Senator Gibson, the rules were waived and the Senate immediately reconsidered the vote by which HB 1332, contained in the above message, passed on May 31.

By consent of the Senate, Senator Gibson offered the following amendment which was adopted by two-thirds vote:

In Section 7, line 16, page 6, after the word "thereof." add the following: All disbursements of the funds of the district shall be made pursuant to warrants or checks signed by the chairman and countersigned by the Treasurer of the Board.

By consent of the Senate, Senator Gibson also offered the following amendment which was adopted by two-thirds vote:

In line 29, page 6, strike: "otherwise" and insert the following: other revenues of the district.

By consent of the Senate, Senator Gibson also offered the following amendment which was adopted by two-thirds vote:

In Section 8, after line 3, page 10, insert the following:

- (16) To approve all accounts or claims against the Board
- (17) To keep appropriate records and accounts.
- (18) To advertise for bids for all purchases of goods, materials, and supplies or contracts for capital improvements where the price to be paid therefor is in excess of \$1,000.00.
- (19) To have a seal.
- (20) To prepare a budget for anticipated revenues and expenditures each fiscal year and adopt it pursuant to advertising and public hearing.

By consent of the Senate, Senator Gibson also offered the following amendment which was adopted by two-thirds vote:

In Section 14, line 15, page 15, strike: entire Section 14 and insert the following: Section 14. The accounts and records of the Board shall be postaudited annually, at the expense of the board, by the state auditor.

Section 15. This act shall take effect immediately upon becoming a law.

On motion by Senator Gibson, HB 1332 as amended was read in full and passed. 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 as amended was certified to the House.

The Senate resumed consideration of the Special and Continuing Order Calendar.

SB 672 was taken up, together with:

By the Committee on Judiciary "B"—

CS for SB 672—A bill to be entitled An act relating to the punishment for capital offenses, death penalty; amending sec-

tions 779.07, 782.04, 790.16, 790.161(1), 794.01, 805.02, and 919.23, respectively, all Florida Statutes; prescribing conditions under which the death penalty may be imposed; providing an effective date.

—which was read the first time by title and SB 672 was laid on the table.

Senator Barrow raised a point of order that CS for SB 672 was identical to SB 46 which was amended in the Committee on Judiciary "A" and reported unfavorably, therefore CS for SB 672 was improperly before the Senate.

Senator Mathews moved that the President appoint a Special Parliamentary Committee to examine the Bills to determine if SB 46 and CS for SB 672 were identical; and if CS for SB 672 were germane to SB 672.

The President appointed Senators Mathews, Friday and Barron.

The Committee reported that the bills had been examined and SB 46 and CS for SB 672 were not identical; further, CS for SB 672 dealt with the same general matter as did SB 672.

The President ruled that Senate Bills 46 and CS for SB 672 were not identical, and that the Committee Substitute could properly be considered.

On motion by Senator Spencer, the rules were waived and CS for SB 672 was read the second time by title.

Senator Fisher offered the following amendment which failed:

In Section 2, line 17, page 2, strike: "unless a majority of the jurors trying said cause shall recommend the death penalty, in which event the punishment shall be death." and insert the following: . (period)

Senator Deeb offered the following amendment which was adopted:

In Section 2, line 17, page 2, after the words "in the state penitentiary for life" and before "unless a majority of jurors —" insert the words: without right of parole for not less than 15 years

On motion by Senator Spencer, the rules were waived and CS for SB 672 as amended was read the third time in full and passed. The vote was:

Yeas—28

Mr. President	Deeb	Haverfield	Poston
Bafalis	Elrod	Hollahan	Shevin
Barron	Fincher	Horne	Spencer
Boyd	Fisher	Johnson	Stone
Broxson	Gibson	Mathews	Thomas
Chiles	Griffin	O'Grady	Weissenborn
Clayton	Gunter	Ott	Wilson

Nays—16

Askew	de la Parte	Knopke	Saylor
Barrow	Edwards	Lane	Stockton
Bell	Gong	McClain	Weber
Cross	Henderson	Reuter	Young

CS for SB 672 was ordered engrossed.

PAIR

The following Pair was announced by the Secretary in accordance with Senate Rule 8.4:

I am paired with Senator Slade on CS for SB 672. If he were present he would vote "Yea" and I would vote "Nay."

CHESTER W. STOLZENBURG
 Senator, 39th District

Dated June 6, 1967

SB 378 was taken up, together with:

By the Committee on Judiciary "A"—

CS for SB 378—A bill to be entitled An act relating to liens, trees, shrubs; amending chapter 85, Florida Statutes, by adding section 85.191 to provide liens in favor of any person, firm or corporation who furnishes trees, shrubs, bushes or other plants, agricultural or ornamental, upon such trees, shrubs, etc. so planted and upon the land upon which they are situated; providing an effective date,

—which was read the first time by title and SB 378 was laid on the table.

On motion by Senator Thomas, the rules were waived and CS for SB 378 was read the second time by title.

The Committee on Judiciary "A" offered the following amendment which was adopted on motion by Senator Thomas:

In Section 1, line 21, page 1, strike: the period (.) and insert the following: provided however, this section shall apply only where the claim is for trees, shrubs, bushes or other plants furnished having a value of \$300.00 or more.

Pending further consideration of CS for SB 378, as amended, unanimous consent was granted Senator Thomas to take up out of order—

HB 1482—A bill to be entitled An act relating to liens, trees, shrubs; amending chapter 85, Florida Statutes, by adding section 85.191 to provide liens in favor of any person, firm or corporation who furnishes trees, shrubs, bushes or other plants, agricultural or ornamental, upon such trees, shrubs etc., so planted and upon the land upon which they are situated; providing an effective date.

On motions by Senator Thomas, the rules were waived and HB 1482 was read the second time by title, the third time in full and passed, title as stated. The vote was:

Yeas—47

Mr. President	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
de la Parte	Hollahan	Sayler	

Nays—1

Asked

The bill was certified to the House.

CS for SB 378 as amended was laid on the table.

SB 682—A bill to be entitled An act relating to common trust funds established by banks and trust companies and investments of such common trust funds and mingling of funds; amending section 660.12, Florida Statutes, to eliminate the prohibition against investment of common trust funds in mortgages; and providing an effective date.

Was taken up. On motions by Senator Mathews, the rules were waived and SB 682 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
Asked	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.

SB 442—A bill to be entitled An act relating to office building construction; authorizing state department of public welfare to construct office building in Duval county, pursuant to section 288.17, Florida Statutes; authorizing the Florida development commission to issue revenue certificates for payment thereof; providing an effective date.

Was taken up. On motions by Senator Mathews, the rules were waived and SB 442 was read the second time by title, the third time in full and passed, title as stated. The vote was:

Yeas—46

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

Nays—2

Stolzenburg Wilson

The bill was certified to the House.

On motion by Senator Mathews, it was agreed by two-thirds vote that when the Senate adjourns it adjourn to reconvene at 10:30 a. m., June 7, 1967.

SB 765—A bill to be entitled An act authorizing assistance to the Organization of American States in establishing and maintaining a regional headquarters in the state of Florida; providing an effective date.

Was taken up. On motions by Senator Hollahan, the rules were waived and SB 765 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
Asked	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.

SB 964—A bill to be entitled An act relating to barbering schools; amending section 476.071(1)(g), (2)(h), Florida Statutes, prescribing performance bond requirements; providing exceptions to certain provisions of said section; repealing paragraph (h) of subsection (1) of section 476.071, Florida Statutes; providing an effective date.

Was taken up. On motion by Senator Askew, the rules were waived and SB 964 was read the second time by title.

Senator Askew offered the following amendment which was adopted:

In Section 1, line 9, page 3, strike: "and regularly employed and teaching in any approved school or college of barbering"

Senator Askew also offered the following amendment which was adopted:

In Section 1, lines 12 and 13, page 1, strike: "Section 1, Section 476.071, Florida Statutes, is amended to read:" and insert the following: Section 1. Paragraph (g) of subsection (1) and paragraph (h) of subsection (2) of section 476.071, Florida Statutes, are amended to read:

Senator Askew also offered the following amendment which was adopted:

In Section 1, line 15, page 1, immediately after the words "College of barbering" insert the following: not a part of the public school system.

On motion by Senator Askew, the rules were waived and SB 964 as amended was read the third time in full and passed. The vote was: Yeas—48 Nays—None

Mr. President	Bell	Cross	Fincher
Asked	Boyd	Deeb	Fisher
Bafalis	Broxson	de la Parte	Friday
Barron	Chiles	Edwards	Gibson
Barrow	Clayton	Elrod	Gong

Griffin	Knopke	Poston	Stolzenburg
Gunter	Lane	Reuter	Stone
Haverfield	McClain	Sayler	Thomas
Henderson	Mathews	Shevin	Weber
Hollahan	O'Grady	Slade	Weissenborn
Horne	Ott	Spencer	Wilson
Johnson	Plante	Stockton	Young

The bill was ordered engrossed.

SB 705—A bill to be entitled An act relating to conservation; amending section 370.16(14), Florida Statutes; changing the season; providing an effective date.

Was taken up. On motions by Senator Barron, the rules were waived and SB 705 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.

On motion by Senator Mathews, the rules were waived and the Senate reverted to the order of receiving messages from the Governor.

MESSAGE FROM THE GOVERNOR

By direction of the President, the Secretary of the Senate read the following communication from Honorable Claude R. Kirk, Jr., Governor of Florida:

The Honorable Verle A. Pope June 6, 1967
President, Florida State Senate
The Capitol
Tallahassee, Florida

Sir:

Under Section 15 of Article IV of the State Constitution the Governor is granted the power to suspend public officials, not liable to impeachment, for certain causes specified. Any such suspension is required to be submitted to your Honorable Body for the consideration of whether the official charged should be removed or reinstated. While the Legislature is in session the Governor does not have the power to suspend, but only to recommend to the Senate the removal of officials who have violated Article IV, Section 15.

By virtue of this authority, I hereby respectfully advise your Honorable Body that Ralph P. Witt has been serving in the capacity of Sheriff of Columbia County, Florida, from January 5, 1965 to the date of this letter. This past weekend, information was communicated to me by several residents of Lake City, Florida reflecting malfeasance, misfeasance, neglect of duty and incompetency in office by Sheriff Witt in the performance of his duties as Sheriff of Columbia County. This information was communicated by individuals who indicated that they were fearful of bodily harm to themselves and their families as a result of communicating this information to me. The information reflects the following:

1. **Condoning prostitution**—On March 11, 1967, a deputy sheriff of the Columbia County Sheriff's Department investigated a call received from a female indicating she was being held captive against her will at Ray's Truck Stop 4 miles north of Lake City on Highway 41. The deputy proceeded to investigate and was advised by another deputy, Roy Thomas, that the truck stop had been checked and that nothing was found. The deputy, nevertheless, proceeded to make his own independent investigation and found a female locked in one of the buildings at the truck stop. The deputy took the female and the owner, Ray Edge, into custody and proceeded to the county jail to book them. As they started to the jail, Sheriff Witt radioed an order to have Edge and the girl released. No charges were preferred. The deputy stated that he had received a report on February 5, 1967 that another female, age 15, was being held against her will and being used as a prostitute at Ray's Truck

Stop. A search of the truck stop at that time did not reveal anything. It is alleged that the owner of the truck stop has been known to be involved with prostitution activities.

2. **Condoning gambling and related violations of the law**—(a) On February 19, 1967, a deputy sheriff of the Columbia County Sheriff's Department observed gambling activities at the Streeter Rewis Grocery in Lake City. With the assistance of several members of the Lake City Police Department, the deputy entered the building and placed Rewis under arrest. Rewis struck the deputy knocking him to the ground. After Rewis was subdued, Sheriff Witt arrived. Sheriff Witt instructed the deputy to charge Rewis with drunk and fighting and not with gambling and resisting arrest. The deputy, however, signed an affidavit for drunk and fighting and resisting arrest with violence. It is alleged by two deputies that Streeter Rewis is alleged to have stated that Sheriff Witt permits him to conduct card games and that Rewis pays the Sheriff for protection for such purpose.

It should be noted that the Grand Jury of Columbia County returned 5 Indictments against Streeter Rewis charging him with the following:

- (1) May 31, 1967—unlawfully having and maintaining a table in rooms for gaming and gambling for money on February 18, 1967;
- (2) May 31, 1967—unlawfully gambling at cards for money;
- (3) May 31, 1967—unlawfully resisting arrest by deputy sheriff and offering to do violence to his person on February 18, 1967;
- (4) June 1, 1967—Unlawfully selling a chance bet, sharing in a lottery on May 12, 1967;
- (5) June 1, 1967—Unlawfully selling a chance bet, sharing in a lottery and unlawfully receiving money for same and wagering by and for another person on March 5, 1967.

(b) On April 22, 1967, a deputy of the Columbia County Sheriff's Department accompanied by beverage agents of the State of Florida raided the El Chico Club where a card game and dice playing were in progress. Arrests were made of three persons, Richard Lee, Wesley Jernigan and Robert Simmons. Lee was booked with gambling and carrying a concealed weapon; Jernigan and Simmons were booked with gambling and bond was set at \$100 each. Sheriff Witt instructed the deputy to sign affidavits for gambling which is declared by Florida Statutes to be a misdemeanor; however, Sheriff Witt instructed the deputy not to charge the house operator with keeping a gambling house which is declared by Section 849.01, F. S., to be a felony. All subjects were later released on a \$25 bond and gambling charges against Lee were dropped. (c) On July 29, 1966 a deputy sheriff of the Columbia County Sheriff's Department discovered a gambling house 1 mile north on SR 25 of city limits. The deputy observed cards and money on the table and also observed approximately 35 to 50 people present. This information was communicated to Sheriff Witt on July 30, 1966 and Sheriff Witt instructed the deputy not to raid the place. (d) On September 3, 1965 a deputy of the Columbia County Sheriff's Department at the call of the manager of the Holiday Inn on U. S. 90 West apprehended three subjects who had in their possession stolen credit cards. The deputy arrested the three subjects who were taken to the county jail where a charge of attempt to defraud was placed against one of the three subjects, one, William Robert Chester, with a cash bond set at \$250. The two other subjects, Clinnie Buchanan and Timmy William Hardy, were released for lack of evidence. Eleven credit cards were found in the possession of these subjects; all had been reported and verified to have been stolen. No further action appears to have been taken, notwithstanding the fact that a felony may have been committed under Sections 817.481 and 831.01 of Florida Statutes. At the time of Buchanan's arrest, he indicated to the deputy sheriff that he would be released. It is alleged by the deputy that Buchanan was, in fact, released and advised to leave Columbia County with no further action taken. It should be noted that there is no provision of law which authorizes a sheriff to either set amount of bail or set the bond on making an arrest without a warrant. The appropriate procedure to be followed is to take the arrested person without unnecessary delay before the nearest and most accessible magistrate in the county in which the arrest is made (see Attorney General's Opinion 060-146).

3. Grand jury tampering—(a) On May 8, 1967 the deputy of the Columbia County Sheriff's Department who had participated in the arrest of Streeter Rewis was instructed by Sheriff Witt not to tell the grand jury anything about this incident. The deputy alleges that Sheriff Witt instructed the deputy to answer questions with "yes" or "no". Again on May 15, 1967, the deputy alleged that Sheriff Witt again cautioned the deputy about saying too much before the grand jury. The deputy did appear before the grand jury on May 15, 1967. Subsequently, Sheriff Witt directed the deputy to advise him of what he had testified to. (b) An employee of the Columbia County Sheriff's Department alleges that she has observed members of the grand jury frequenting Sheriff Witt's office and meeting with him behind closed doors. These incidents occurred during the recent grand jury proceedings of May, 1967. The said employee of the Sheriff's Department alleges that the Sheriff advised her of the circumstances surrounding a grand jury investigation of her husband. It is alleged that the Sheriff knew the reason why the employee's husband had been called before the grand jury as well as knowledge of the testimony given by the employee's husband and that Sheriff Witt told the employee that if her husband would resign the grand jury would not indict him. It is alleged by both the employee and her husband that the Sheriff is aware of what transpired in the grand jury room.

5. Misuse of county funds and property.—(a) It is alleged by an employee of the Columbia County Sheriff's Department that Sheriff Witt employed on his payroll on a regular basis between July 11, 1955 and July 30, 1966 one, Lucille Milligan Spivey, at a salary ranging between \$90 and \$165 per month. It is alleged that said Lucille Milligan Spivey has never been with the Sheriff's Office nor worked in any capacity for

the Sheriff. (b) It is alleged by an employee of the Sheriff's Department of Columbia County that Sheriff Witt intermittently for a period of 6 years ordered disinfectant and payed for same with funds of the Sheriff's Office, such disinfectant being later delivered to Paul Witt, a veterinarian and son of Sheriff Witt.

Further allegations have been received by this office to the effect that there are numerous warrants dating back to 1965 which Sheriff Witt has either refused or been unwilling to serve in the proper performance of his duties as Sheriff.

Now, therefore, I, Claude R. Kirk, Jr., Governor of the State of Florida, by virtue of the power and authority vested in me by Article IV, Section 15, of the Constitution of the State of Florida, do hereby notify the Florida Senate of the facts above set forth and do hereby recommend that the Senate forthwith permanently remove from office the said Ralph P. Witt.

Respectfully,
CLAUDE R. KIRK, JR.
 Governor

Pursuant to the provisions of Senate Rule 15.2, the President appointed the following Select Committee: Senators de la Parte, Gibson, McClain and Bafalis.

CO-INTRODUCER

By permission, Senator Lane was recorded as a co-introducer of SJR 1493.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 5:04 p.m. to reconvene at 10:30 a.m., June 7, 1967.