

JOURNAL OF THE SENATE

Monday, April 17, 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	Horne	Shevin
Askew	Elrod	Johnson	Slade
Bafalis	Fincher	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	Weissenborn
Clayton	Haverfield	Poston	Wilson
Cross	Henderson	Reuter	Young
Deeb	Hollahan	Saylor	

47. A quorum present.

Excused: Senator Edwards.

Prayer by the Senate Chaplain, Reverend T. Newton Wise:

Eternal God, our Heavenly Father, give us faith to believe in the ultimate triumph of righteousness, no matter how dark and uncertain the skies are today. Help us not only to see the need and despair of the hour, but may we also be able to see the long distance ahead and the patience of God at work in the world. Grant unto us, O God, the discipline of patience. Where we are wrong, give us humility to acknowledge our error and when we know we are right, help us to be firm and yet pleasant to live with. Through Jesus Christ, our Lord. Amen.

The pledge of allegiance to the flag of the United States of America pursuant to Senate Rule 7.2:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The reading of the Journal was dispensed with.

The Journal of April 14 was corrected and approved as follows:

Page 77, column 2, strike lines 8 and 9 and insert the following: The bill was placed on the Calendar.

The President presiding.

REPORTS OF COMMITTEES

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

SB 86

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

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

SB 128

The bill was referred to the Committee on Finance and Taxation under the original reference.

ENGROSSING REPORT

Your Engrossing Clerk to whom was referred—

SB 9 with 2 amendments

—reports that the Senate amendments have been incorporated and the bill is returned herewith.

EDWIN G. FRASER
Secretary of the Senate

The bill was certified to the House.

INTRODUCTION

By Senators Gunter, Johnson, Griffin and Plante—

SB 251—A bill to be entitled An act relating to citrus; amending chapter 601, Florida Statutes, by adding a new section to be designated as section 601.0117; authorizing the commission to issue permits for the processing, shipping and sale of frozen concentrated orange juice or concentrated orange juice for manufacturing to which nutritive sweetening ingredients have been added, subject to certain conditions; and providing an effective date, and an expiration date.

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

By Senators Gunter, Johnson, Griffin and Plante—

SB 252—A bill to be entitled An act relating to citrus; amending chapter 601, Florida Statutes, by adding a new section to be designated as section 601.0116; authorizing the commission to issue experimental permits for the processing, shipping, and sale of any processed citrus product to which non-deleterious ingredients have been added, subject to certain conditions; and providing an effective date and an expiration date.

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

By Senators Gunter, Johnson, Griffin and Plante—

SB 253—A bill to be entitled An act relating to citrus; amending section 601.981, Florida Statutes, to authorize the Florida citrus commission to issue permits during each shipping season permitting grapefruit and oranges grown in Florida, other than temple oranges, to be exported when the maturity standards thereof are within a tolerance not exceeding ten per cent of the standards established by law; and providing an effective date.

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

By Senators Gunter, Johnson, Griffin and Plante—

SB 254—A bill to be entitled An act relating to citrus; amending portions of subparagraphs 1, 2 and 4 of section 601.18, Florida Statutes; establishing minimum juice content of the juice of the respective sizes of grapefruit; and providing an effective date.

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

By Senators Gunter, Johnson, Griffin and Plante—

SB 255—A bill to be entitled An act relating to citrus; establishing minimum ratios of the total soluble solids of the juice of oranges to the anhydrous citric acid; repealing subsection 32 through 41 of chapter 601.20, both inclusive, providing an effective date.

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

By Senators Gunter, Johnson, Griffin and Plante—

SB 256—A bill to be entitled An act relating to citrus; amending section 601.28, Florida Statutes, by providing that the commissioner of agriculture may fix an assessment or fee for the inspection fees levied upon citrus fruit required to be inspected by the Florida department of agriculture, said fee to be based upon citrus crop estimates of the United States department of agriculture; levying one mill per standard packed box or equivalent thereof on all citrus fruit to be canned, concentrated, or otherwise processed, or offered for shipment in fresh form, to be deposited in a trust fund of the state department of agriculture to be used for citrus crop estimates service; levying one mill per standard packed box or the equivalent thereof on all citrus fruit to be canned, concentrated, or otherwise processed, or offered for shipment in fresh form, to be deposited in a trust fund of the Florida department of agriculture to be used to assist in defraying the costs of operating road guard, road checking, or road

inspection stations operated by the Florida department of agriculture; and providing an effective date.

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

By Senators Gunter, Johnson, Griffin and Plante—

SB 257—A bill to be entitled An act relating to the department of agriculture; amending subsection (5) of section 570.07, Florida Statutes, to provide for the payment of compensation to agricultural inspectors of the department of agriculture for overtime work in excess of forty hours per week at the same rate of pay given for the normal work week.

Was read the first time by title and referred to the Committees on Labor and Industry; and Appropriations.

By Senators Gunter, Johnson, Griffin and Plante—

SB 258—A bill to be entitled An act relating to citrus; amending section 601.10, Florida Statutes, by adding a new subsection (8) to empower the commission to determine when the tax revenues collected pursuant to chapter 601, Florida Statutes, are not immediately needed for the purpose for which such funds are provided and to authorize the board of administration to invest such funds, to pay the principal and interest collected into the Florida citrus advertising trust fund, and providing for an effective date.

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

By Senators Gunter, Johnson, Griffin and Plante—

SB 259—A bill to be entitled An act relating to citrus; amending section 601.50, Florida Statutes, relating to shipment of citrus for certain purposes so as to provide that shipments under subparagraphs (1) and (4) of said section shall meet such minimum grade standards as established by the Florida citrus commission; and providing an effective date.

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

By Senators Gunter, Johnson, Griffin and Plante—

SB 260—A bill to be entitled An act relating to citrus; amending chapter 216.19, Florida Statutes, by removing requirement of budget commission approval of Florida citrus commission budget made under section 601.10.

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

By Senators Gunter, Johnson, Griffin and Plante—

SB 261—A bill to be entitled An act relating to citrus; amending subsection (3) of section 601.10, Florida Statutes, authorizing the commission to pay, or participate in the payment of, the premiums for health, accident and life insurance for its full-time employees in addition to the regular salaries paid to such full-time employees, and providing an effective date.

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

By Senators Gunter, Johnson, Griffin and Plante—

SB 262—A bill to be entitled An act relating to citrus; amending subsection (9) of section 601.153, by removing the requirement that the informational return filed by the persons required to pay the processed orange products excise tax be filed under oath; providing that the return be certified as true and correct by the person filing; and providing an effective date.

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

By Senators Gunter, Johnson, Griffin and Plante—

SB 263—A bill to be entitled An act relating to citrus; amending subsection (5) of section 601.15, by removing the requirement that the informational return filed by the handler of citrus fruit be filed under oath; providing that the informational return be certified as true and correct by the handler; and providing an effective date.

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

By Senators Gunter, Johnson, Griffin and Plante—

SB 264—A bill to be entitled An act relating to stamped or marked bottles and boxes; amending section 506.20, Florida Statutes, by transferring the duties imposed by sections 506.19 through 506.28, Florida Statutes, from the secretary of state to the commissioner of agriculture; providing for transfer of books and records in hands of secretary of state to commissioner of agriculture; and providing an effective date.

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

By Senators Gunter, Johnson, Griffin and Plante—

SB 265—A bill to be entitled An act relating to citrus; amending subsection (1) of section 601.59, Florida Statutes, by removing the increased license fee penalty requirement for applicants qualifying for citrus fruit dealer's license after August 31; and providing an effective date.

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

By Senators Gunter, Johnson, Griffin and Plante—

SB 266—A bill to be entitled An act relating to citrus; amending section 601.12, Florida Statutes, by providing that the effective date of the rules, regulations, and orders promulgated by the commission shall not be stayed by the filing with the commission of written protest; and providing an effective date.

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

By Senators Gunter, Johnson, Griffin and Plante—

SB 267—A bill to be entitled An act relating to citrus; amending chapter 601.0109, Florida Statutes; a legislative finding of fact regarding the maturity of citrus fruit; providing for minimum requirements in determining maturity of citrus fruit; a declaration of legislative policy; a policy of strict enforcement of maturity standards in the public interest; and providing an effective date.

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

By Senators Gunter, Johnson, Griffin and Plante—

SB 268—A bill to be entitled An act relating to citrus; amending subsections (6) and (14) of section 601.153, Florida Statutes, changing the time period permitted for customers of taxpayers to file claims from 90 to 180 days; changing the time period permitted for a taxpayer to file claim on funds not claimed by his customer from 90 to 180 days; providing that the termination date shall apply only to the imposition of the tax imposed by this section; and providing an effective date.

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

By Senators Gunter, Johnson, Griffin and Plante—

SB 269—A bill to be entitled An act relating to citrus; amending section 601.152, Florida Statutes, concerning special campaigns of advertising and sales promotion or market and product research and development, authorizing special campaigns of advertising and sales promotion to include brand advertising rebate promotions, relating to time during which funds may be expended, procedure for amendments, imposition of assessments, and providing an effective date.

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

By Senators Young, Fincher, Henderson, Hollahan, Poston, Stone, Weissenborn, Mathews, Friday, Johnson, Reuter, Haverfield, Edwards, Chiles, de la Parte, Gong, Barrow, Spencer, Cross, Horne and Shevin—

SB 270—A bill to be entitled An act relating to police officers; creating a police standard council and providing its membership, powers and duties; prescribing minimum qualifications for police officers; providing for police training schools and inservice training programs; providing for issuance of certificates; providing for the financing of the activities of the council and training programs; providing an effective date.

Was read the first time by title and referred to the Committees on Anti-Crime and Governmental Reorganization.

By Senators Haverfield, Shevin and Stone—

SB 271—A bill to be entitled An act relating to hours of work and consecutive working days of female employees in certain pursuits; providing emergency exceptions asking violations unlawful; providing penalties; and providing an effective date.

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

By Senators Shevin, Johnson, Poston, Cross, McClain, Elrod, Pope, Stone, Weissenborn, Gong, Spencer, Haverfield, Fincher, Young, Griffin, Boyd, Friday, Askew, Ott, de la Parte, Horne, Thomas, Wilson, Saylor, Chiles, Gunter, Clayton, Bell, Edwards and Mathews—

SB 272—A bill to be entitled An act relating to teachers' retirement; amending section 238.07(15A)(a), Florida Statutes, increasing monthly service retirement allowance; deleting provisions for subtracting social security benefits from amount of monthly retirement allowance; providing an effective date.

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

By Senators Barron, Barrow and Horne—

SB 273—A bill to be entitled An act relating to facilities in the capitol center; authorizing appropriation of ten million dollars (\$10,000,000.00) from the state general revenue fund to be used in construction of new legislative building; providing an effective date.

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

By Senator Horne—

SB 274—A bill to be entitled An act relating to compensation of county officials; amending sections 145.051, 145.061, 145.071, 145.08, 145.10 and 145.11, Florida Statutes, providing for uniform compensation, based on population, of clerks of circuit court, county judges, sheriffs, superintendents of public instruction, tax assessors, and tax collectors; providing an effective date.

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

By Senators Barron, Barrow and Horne—

SB 275—A bill to be entitled An act relating to office building construction; authorizing the state department of public welfare to construct an addition to an office building in Marianna, Jackson 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 read the first time by title and referred to the Committees on Health and Welfare; Mental Health, Retardation and State Institutions; and Appropriations.

By Senators Poston and Hollahan—

SB 276—A bill to be entitled An act relating to motor vehicle registration; amending sections 320.07(1),(3), 320.14 and 320.18, Florida Statutes; providing certain annual registration periods; deleting a proviso relating to registration of vehicles after certain periods of nonoperation; providing an effective date.

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

By Senators Stockton, O'Grady, Mathews, Horne and Saylor—

SB 277—A bill to be entitled An act relating to elections; amending section 97.111, Florida Statutes, by deleting the restriction that a person may change party affiliation only between a general election and thirty days before the next succeeding primary election; providing an effective date.

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

By Senators Shevin, Thomas, Ott, Edwards, Griffin, Gunter, Poston, Fincher, Hollahan, Stone, Gong, Spencer and Haverfield—

SB 278—A bill to be entitled An act relating to taxation; amending section 192.05, Florida Statutes, to provide for assessment of stock in trade at twenty-five per cent (25%) of just valuation; defining just valuation; providing penalty for failure to return stock in trade; providing an effective date.

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

By Senators Hollahan, Thomas, Griffin and Horne—

SB 279—A bill to be entitled An act relating to the trustees of the internal improvement fund; amending section 253.02, Florida Statutes, to increase the trustees to seven (7); amending section 253.02, Florida Statutes, to require inspection of submerged lands and filing of report thereon by the board of conservation to the trustees concerning the effect of the development of submerged lands on established conservation practices prior to sale or transfer of such lands; amending chapter 253, Florida Statutes, by adding a new section to require that at least five (5) of the trustees must vote to transfer or sell lands title to which is vested in the trustees; providing an effective date.

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

By Senators Hollahan, Griffin, Thomas and Horne—

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 read the first time by title and referred to the Committees on Mental Health, Retardation and State Institutions; and Finance and Taxation.

By Senators Hollahan, Griffin, Thomas and Horne—

SB 281—A bill to be entitled An act relating to osteopathic physicians; amending section 459.06, Florida Statutes, relating to requirements for applicants for examination; removing the requirement that applicants for examination possess a certificate of proficiency from the Florida board of examiners in the basic sciences; providing for an effective date.

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

By Senators Hollahan, Griffin, Thomas and Horne—

SB 282—A bill to be entitled An act relating to chiropractors; amending section 460.07(1), Florida Statutes, relating to requirements for applicants for examination; removing the requirement that applicants for examination possess a certificate of proficiency from the Florida board of examiners in the basic sciences; providing for an effective date.

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

By Senators Hollahan, Griffin, Thomas and Horne—

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

By Senators Hollahan, Griffin, Thomas and Horne—

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 482.111(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 read the first time by title and referred to the Committees on Governmental Reorganization; Judiciary "A"; and Finance and Taxation.

By Senators Hollahan, Griffin, Thomas and Horne—

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

By Senators Hollahan, Griffin, Thomas and Horne—

SB 286—A bill to be entitled An act relating to the practice of dentistry; amending section 466.17, Florida Statutes; providing for the submission of proof of completion of post graduate studies, or seminars prior to the issuance of renewal or conditional renewal certificate; providing for an effective date.

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

By Senators Hollahan, Griffin, Thomas and Horne—

SB 287—A bill to be entitled An act relating to the hotel and restaurant commission; amending chapter 509, Florida Statutes, authorizing the commission to assume exclusive authority to conduct and perform sanitation and health inspections of public food service establishments; providing an effective date.

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

By Senators Hollahan, Griffin, Thomas and Horne—

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 licens-

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

By Senators Hollahan, Griffin, Thomas and Horne—

SB 289—A bill to be entitled An act relating to the Florida basic science law; repealing part 1 of chapter 456, Florida Statutes, sections 456.01-22, Florida Statutes; providing for an effective date.

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

By Senators Hollahan, Griffin, Thomas and Horne—

SB 290—A bill to be entitled An act relating to sanitation and health inspections of public food service establishments; amending section 381.031, Florida Statutes, creating a new section authorizing the hotel and restaurant commission to conduct sanitation and health inspections of public food service establishments; providing for the elimination of duplication; providing an effective date.

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

By Senators Hollahan, Griffin, Thomas and Horne—

SB 291—A bill to be entitled An act relating to state purchasing and contracts; creating the state purchasing commission of Florida, providing for its membership; providing powers and duties; providing for the adoption of rules and regulations; providing for consolidation of estimates, bids; awarding of contracts; providing for purchase in emergencies; providing for the employment of a director and other employees; providing for other administrative duties and powers; providing for exceptions; providing for preference to be given Florida products; providing for a standardization committee, providing for its membership; providing for exceptions, exemptions; providing penalty for violation; repealing Section 283.10, Florida Statutes, Section 283.11, Florida Statutes, Section 283.21, Florida Statutes; providing an effective date.

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

By Senators Hollahan, Griffin, Thomas and Horne—

SB 292—A bill to be entitled An act designed to promote uniformity in the regulation of promotional real estate offerings; amending section 478.011, Florida Statutes, section 478.021, Florida Statutes, section 478.031, Florida Statutes, section 478.041, Florida Statutes, section 478.061, Florida Statutes, section 478.071, Florida Statutes, section 478.081, Florida Statutes, section 478.091, Florida Statutes, section 478.101, Florida Statutes, section 478.111, Florida Statutes, section 478.121, Florida Statutes, section 478.131, Florida Statutes, section 478.141, Florida Statutes, section 478.151, Florida Statutes, section 478.161, Florida Statutes, section 478.171, Florida Statutes, section 478.191, Florida Statutes, section 478.211, Florida Statutes; dissolving the Florida installment land sales board and creating a state agency to be known as the Florida land sales commission; providing for the appointment and terms of its members; the designation of the place of its executive offices, time and place of meeting; compensation of members; employment of personnel; adoption of a seal; disposition of moneys received; payment of expenses; requirements for the registration of land to be offered for sale to the public; establishing exemptions to registrations; making it unlawful to dispose of certain lands prior to registration; detailing the requisites of an application for registration; describing a public offering statement; providing for inquiry and examination into the operations of subdividers; enabling the commission to reject certain lands from registration; requiring an annual report; establishing general powers and duties; providing a method of investigation; providing for cease and desist orders; providing for revocation of registration; providing penalties and a civil remedy; establishing jurisdiction; providing for interstate rendition and service of process; providing for uniformity of interpretation; providing for severability; providing for the transfer of functions of the Florida installment land sales board

to the Florida land sales commission; repealing section 478.051, Florida Statutes, pertaining to privileges and immunities; repealing section 478.181, Florida Statutes, pertaining to conspiracy to publish; repealing section 478.201, Florida Statutes, pertaining to substitution of parties; establishing an effective date.

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

By Senators Hollahan, Griffin, Thomas, Boyd, Askew and Spencer—

SB 293—A bill to be entitled An act relating to electronic data processing; creating the Florida electronic data processing management board; providing for its membership; providing for the employment of an executive director; providing for powers and duties; providing for an effective date.

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

By Senators Hollahan, Griffin, Thomas and Horne—

SB 294—A bill to be entitled An act relating to public records; relating to all state, county and municipal records; providing definitions; providing for the keeping of records; providing for the destruction and disposition of records; providing for the inspection and examination of records; providing exemptions; providing photocopying; providing assistance of the Florida Board of Archives and History; providing penalty for violation; providing an effective date.

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

By Senators Hollahan, Griffin, Thomas and Horne—

SB 295—A bill to be entitled An act relating to general and miscellaneous appropriations and disposition of all funds collected by all officials, officers, commissions, departments, boards, bureaus, divisions or other agencies of the state government from taxes, licenses, fees and other sources whatsoever; repealing subsections (1), (2), (3) of section 282.001, Florida Statutes; repealing subsections (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (27), (28), (29) of section 282.002, Florida Statutes; providing an effective date.

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

By Senators Griffin, Hollahan, Thomas and Horne—

SB 296—A bill to be entitled An act relating to the trustees of the internal improvement fund; amending section 253.02, Florida Statutes, relating to membership; providing for an increase in membership to seven persons; amending section 253.03, Florida Statutes, adding a new subsection vesting authority in the trustees of the internal improvement fund over all state owned lands excluding lands held for road and canal rights-of-way; providing for the transfer of title of all land presently held by the state or any of its agencies to the trustees of the internal improvement fund; providing additional duties and powers; repealing section 253.50, Florida Statutes, relating to conveyances between state agencies; providing for an effective date.

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

By Senators Hollahan, Griffin, Thomas, Horne, Barron, Askew and Spencer—

SB 297—A bill to be entitled An act relating to history, archives and public records; creating the Florida board of archives and history, providing for its membership, establishing divisions of said board; providing for the creation of an advisory commission; relating to all state, county or municipal officers, departments, divisions, boards, bureaus and commissions; providing powers and duties of the divisions; providing for the adoption of rules and regulations; providing for other administrative duties and powers, providing for the employment of a director and other employees; providing for the administration and management of public records; creating the Florida state archives; providing for an archaeologist; repealing sections 267.01, 267.02, 267.03, 267.04, 267.05, 267.06, 267.07, 267.08, Florida Statutes, relating to the state board of antiquities; repealing sections 376.01, 376.02, 376.03, 376.04,

376.05, Florida Statutes, relating to a state archaeologist; providing for severability; providing for an effective date.

Was read the first time by title and referred to the Committees on Governmental Reorganization; Urban Affairs and Local Government; and Appropriations.

By Senators Hollahan, Griffin, Thomas and Horne—

SB 298—A bill to be entitled An act relating to medical technologists; amending chapter 483, Florida Statutes, providing for the regulation of the science, art or technique of medical technology by the state board of health; amending section 483.02 (4), Florida Statutes, defining the word "board"; repealing sections 483.05 and 483.06, Florida Statutes; amending section 483.07, Florida Statutes, providing for the powers and duties of the board; amending section 483.14, Florida Statutes, relating to fees collected by and expenses of the board; repealing section 483.15, Florida Statutes; amending section 483.17, Florida Statutes, relating to the registration of medical technologists deleting the requirement that the board of health transmit all fees for such registration to the board of examiners in the basic sciences; changing the phrase "board of examiners in basic sciences" to mean state board of health wherever same appears in the chapter; providing for an effective date.

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

By Senator Hollahan—

SB 299—A bill to be entitled An act providing for and regulating the incorporation and licensing of corporations not for profit to maintain and operate non-profit optometric service plan or plans in the state of Florida; providing for the supervision and regulation of such corporations by the insurance commissioner of the state of Florida, exempting such corporations from insurance laws in conflict with this act, providing for the licensing and taxation of such corporations, providing for the qualification of existing corporations, providing penalties for the violation of the provisions of this act, repealing all laws and parts of laws in conflict with this act, and providing an effective date.

Was read the first time by title and referred to the Committees on Health and Welfare; Insurance; and Finance and Taxation.

By Senator Hollahan—

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

By Senators Hollahan and Barrow—

SB 301—A bill to be entitled An act to establish the office of ombudsman in Florida; providing for the creation of the office of ombudsman; setting the qualifications and term of office and salary; providing for the organization and powers of the office; setting the immunities of the office and allowing recommendations; requiring an annual report; providing an appropriation; providing an effective date for the office.

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

By Senator de la Parte—

SB 302—A bill to be entitled An act amending section 92.05, Florida Statutes, relating to proof of the entry and validity of final judgments and decrees rendered and entered by the circuit courts of this state, by making the same applicable to final judgments and decrees of all courts of record in this state; defining courts of record; and prescribing an effective date.

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

By Senator de la Parte—

SB 303—A bill to be entitled An act amending section 940.02, Florida Statutes, relating to notice of application to the board of pardons for pardon or other relief, by requiring that the applicant cause notice of such application to be given by mail to the prosecuting attorney and judge of the court in which the applicant was convicted; amending section 940.03, Florida Statutes, relating to the form of such application, by requiring

that each application be accompanied by affidavit that such notice was mailed to such prosecuting attorney and judge on a date stated therein; and prescribing an effective date.

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

By Senator de la Parte—

SB 304—A bill to be entitled An act amending section 933.18, Florida Statutes, relating to the issuance of search warrants for the search of private dwellings, so as to permit the issuance of a search warrant for the search of a private dwelling for a weapon, instrumentality or means by which a felony has been committed; and prescribing the effective date hereof.

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

By Senator de la Parte—

SB 305—A bill to be entitled An act requiring that every judgment of guilty or not guilty of a felony be in writing, signed by the judge and recorded; prescribing that the judge shall require to be affixed to every written judgment of guilty of a felony, in open court and in the judge's presence, the fingerprints of the defendant against whom such judgment is rendered and requiring the judge to place on such written judgment a certificate, signed by him as judge, authenticating such fingerprints as the fingerprints of such defendant; providing that any such written judgment of guilty of a felony bearing the fingerprints of the defendant as herein required, or a certified copy thereof, shall be admissible in evidence as prima facie evidence that the fingerprints appearing thereon, and authenticated as aforesaid, are the fingerprints of the defendant against whom such judgment of guilty of a felony was rendered; and prescribing an effective date.

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

By Senators McClain, Spencer, Poston, Hollahan, Cross, Fincher, Gong, Haverfield, Weissenborn, Barrow, Griffin, Elrod, Horne, Johnson, Thomas, Friday, Stone, Shevin, Gunter and Mathews—

SB 306—A bill to be entitled An act relating to junior colleges; amending section 230.0117(1) and (2)(a) and (b), Florida Statutes, changing the classifications by ranks of teachers; increasing the value of instruction units; establishing additional increases based on years of teaching service; 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 Senators Spencer, McClain, Hollahan, Poston, Stone, Cross, Elrod, Weissenborn, Johnson, Gong, Shevin, Haverfield, Fincher, Barrow, Griffin, Horne, Thomas, Friday, Gunter and Mathews—

SB 307—A bill to be entitled An act relating to schools; amending sections 236.07(1) and (3)(a), (b) and (c), and 236.02(6)(a) 1. and 2., Florida Statutes; changing the classifications by ranks of teachers; increasing salaries for certain ranks of teachers; establishing additional increases based on years of teaching service; increasing required minimum salaries; 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 Ott—

SB 308—A bill to be entitled An act relating to motor vehicles, financial responsibility; amending section 324.021(7), Florida Statutes, redefining "proof of financial responsibility."

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

By Senator Haverfield—

SB 309—A bill to be entitled An act relating to private or individual water supply systems, granting authority to the State Board of Health to regulate drinking water accessible to individuals, and operation or maintenance of private water supply wells; requiring private water supply systems to be approved by the State Board of Health; and providing an effective date.

Was read the first time by title and referred to the Committees on Health and Welfare; and Urban Affairs and Local Government.

By Senator Haverfield—(By request)—

SB 310—A bill to be entitled An act amending chapter 382, Florida Statutes, relative to the bureau of vital statistics; providing new sections relative to registration districts, burial-transit permits, death and fetal death registration, extension of filing time on vital records; amending subsection 382.17 (1) Florida Statutes, relative to birth certificates; adding a new subsection 382.35 (9), Florida Statutes, prohibiting unauthorized certified copies of vital records; repealing sections 382.03, 382.06, 382.07, 382.08, 382.09, 382.11, 382.12, and 382.13, all Florida Statutes; and providing an effective date.

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

By Senator Weissenborn—

SB 311—A bill to be entitled An act relating to hours of work and consecutive working days of female employees in certain pursuits; providing emergency exceptions; making violations unlawful; providing penalties; and providing an effective date.

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

By Senators Johnson and Reuter—

SB 312—A bill to be entitled An act relating to elections; adding new subsection (6) and renumbering present subsections (6) through (16) as subsections (7) through (17), Florida Statutes, by adding business or occupation to the information required; providing an effective date.

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

By Senators de la Parte, Thomas and Friday—

SB 313—A bill to be entitled An act relating to juvenile courts; amending section 39.03(6), Florida Statutes, relating to the fingerprinting of children taken into custody by providing for the fingerprints of children adjudicated delinquent by said court and the department of the county sheriff to be filed with the Florida sheriffs' bureau, restricting the use of said fingerprints by the bureau for identification purposes only and providing for the destruction thereof; providing an effective date.

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

By Senators Young, Poston, McClain, Stone, Cross, Johnson, Ott, Elrod, Weissenborn, Gong, Shevin, Spencer, Haverfield, Fincher, Griffin, Horne, Barrow, Chiles, Saylor, Gunter, Broxson, Clayton, Friday, Plante and Mathews—

SB 314—A bill to be entitled An act relating to education, instruction units; amending section 236.04(2)(b) and (c), Florida Statutes, by changing the procedure for determining the number of instruction units; providing that the number of instruction units for grades two (2) through twelve (12) shall be computed on a basis of a divisor reduced from twenty-six (26) and twenty-seven (27) to twenty-five (25); 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 Senators Mathews, Boyd and Friday—

SB 315—A bill to be entitled An act relating to junior colleges; amending section 230.0117(7), Florida Statutes; limiting the required local share of the junior college minimum foundation program; 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 Mathews—

SB 316—A bill to be entitled An act relating to common trust funds of banks and trust companies and the investment authority in connection therewith; amending section 660.11, Florida Statutes, to authorize a bank or trust company to invest managing agency funds in a common trust fund established by the bank or trust company; and providing an effective date.

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

The President Pro Tempore presiding.

By Senators Boyd, Chiles, Mathews and Friday—

SB 317—A bill to be entitled An act relating to education, transportation; amending sections 236.05 and 236.07(4), Florida Statutes; prescribing a method for determining the apportionment of funds to each county for transportation for kindergarten through grade twelve (12); providing for the apportionment of transportation funds to county boards; providing an appropriation; 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 Senators Barrow and Weissenborn—

SM 318—A memorial to the congress of the United States requesting a constitutional amendment providing that 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.

Was read the first time in full and referred to the Committee on Apportionment, Resolutions and Memorials.

By Senators Haverfield and Hollahan—

SB 319—A bill to be entitled An act relating to specialized state educational institutions; amending section 242.62, Florida Statutes, by providing that the number of Florida students in the first-year medical school class be increased to ninety-five (95); providing an effective date.

Was read the first time by title and referred to the Committee on Apportionment, Resolutions and Memorials.

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

SCR 320—A concurrent resolution to recognize the distinguished contribution made by Charles Tom Henderson to the state and legislature of Florida.

Was read the first time in full and referred to the Committee on Apportionment, Resolutions and Memorials.

On motion by Senator Thomas, by two-thirds vote, SCR 320 was withdrawn from the Committee on Apportionment, Resolutions and Memorials and placed on the Calendar.

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

SCR 320—A concurrent resolution to recognize the distinguished contribution made by Charles Tom Henderson to the state and legislature of Florida.

WHEREAS, the legislature of the state of Florida since 1949 has had the benefit of a continuous revision system of its laws and of a trained and informed bill drafting department under the direction of Charles Tom Henderson, who has made of these services an invaluable part of the legislative process, and

WHEREAS, Charles Tom Henderson on March 31, 1967, voluntarily retired after thirty-four years of service to the state, of which the last eighteen years were devoted to directing and organizing the statutory revision department of the attorney general's office, and

WHEREAS, Charles Tom Henderson as a former state representative from Volusia county brought to statutory revision a dedication unequalled in the long history of service to the legislatures of the past, together with an informed mind sharpened by experience in the practice of law and in its teaching as a professor at Stetson University, and

WHEREAS, results of this service remain in the "Manual for Drafting Laws in Florida," of which Charles Tom Henderson is the author, and

WHEREAS, numerous law graduates have been taught bill drafting by this teacher, and

WHEREAS, he has served long and faithfully on state and national committees on the subject of revision of laws, preparation of bills and interstate cooperation for solving legislative difficulties, adoption of uniform laws, and in many other areas where the work product of Charles Tom Henderson remains to assist and to benefit this and succeeding legislatures, NOW, THEREFORE,

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

That this 1967 legislature of Florida recognize and pay tribute to the record of service made by Charles Tom Henderson in the long years he has devoted himself to improving the ability of this and future legislatures to effect the will of the people in the revision of their laws.

BE IT FURTHER RESOLVED that this legislature commend to the students of government everywhere a recognition of the fact that unselfish public service as typified in the record of Charles Tom Henderson may inspire men and women of ability to devote time and thought to serving the public for the rewards of a better society under the orderly rule of law.

BE IT FURTHER RESOLVED that copies of this Concurrent Resolution shall be sent not only to Charles Tom Henderson as a witness of the gratitude of this legislature, but to the schools and colleges of law in Florida as an inspiration to their students and faculties.

On motions by Senator Thomas, SCR 320 was read the second time in full, unanimously adopted and certified to the House.

On motion by Senator Thomas that a committee be appointed to escort the Honorable Charles Tom Henderson and Mrs. Henderson to the rostrum, the President appointed Senators Thomas, Cross and Mathews.

The Committee escorted the Honorable and Mrs. Henderson to the rostrum where they received a standing ovation and Mr. Henderson addressed the Senate briefly.

The President presiding.

By Senator Thomas—

SB 321—A bill to be entitled An act relating to beaches and shores, coastal construction; adding section 161.052, Florida Statutes, to provide a set-back line for construction on high energy beaches; providing for identification of such beaches and granting of permits by the board of conservation; providing penalties; providing an effective date.

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

By Senators Thomas and Weissenborn—

SB 322—A bill to be entitled An act relating to submerged lands, biological surveys; amending section 253.12; providing that prior to the sale of sovereignty tidal and submerged lands by the trustees of the internal improvement trust fund, the board of conservation shall make a study and recommendations which shall be binding on the trustees; amending sections 253.122 and 253.124, Florida Statutes, to provide a similar procedure pursuant to the setting of bulkhead lines and the granting of fill permits; providing that the trustee may approve or reject applications approved by local governing bodies; amending section 253.123 to prohibit the removal of sand, rock or earth from navigable waters and submerged lands channelward of bulkhead lines with certain exceptions; providing penalties; providing an effective date.

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

By Senators Thomas and Cross—

SB 323—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 Committees on Governmental Reorganization; Agriculture and Livestock; and Judiciary "B".

By Senator Thomas—

SB 324—A bill to be entitled An act relating to beaches and shores, removal of fill; amending Section 161.061; Florida Statutes; providing for removal of illegal fill upon state-owned submerged lands; providing for deposit of material by inlet districts and port authorities; 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 Judiciary "B".

By Senators Mathews and Friday—

SB 325—A bill to be entitled An act relating to the supreme court, powers; vesting in the supreme court the power to prescribe the time within which and the method by which the jurisdiction of any court in this state exercising appellate jurisdiction may be invoked and the manner in which such time may be computed; providing that failure to invoke the jurisdiction of such appellate court within the time prescribed by such rule shall divest such court of jurisdiction to entertain said cause; repealing all statutes of this state fixing the time within which review by appeal or other process shall be filed and prescribing the effective time of such repeal; repealing all laws in conflict herewith; providing an effective date.

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

By Senators Mathews and Friday—

SB 326—A bill to be entitled An act relating to judicial qualifications commission; providing for selection, terms of office and compensation; providing an effective date.

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

By Senator Thomas—

SB 327—A bill to be entitled An act relating to beach preservation, removal of solid material from inlets; amending section 161.041, Florida Statutes, to provide that a permit must be granted by the board of conservation prior to the removal and deposit of solid material from harbors, inlets and channels; 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 Judiciary "B".

By Senator Mathews—

SB 328—A bill to be entitled An act relating to credit unions; amending section 657.04(7), Florida Statutes, by removing requirement of unanimous approval of credit union board for certain actions; amending section 657.06, Florida Statutes, by increasing credit union examination fees payable to the comptroller; amending section 657.07, Florida Statutes, by removing requirement that bylaw amendments be approved by three fourths (3/4) of members present; amending section 657.09(4), Florida Statutes, by removing requirement of transmitting recommended bylaw amendments to all members; providing an effective date.

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

By Senator Knopke—

SB 329—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.

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

By Senators Pope, Askew, Bafalis, Barron, Barrow, Bell, Boyd, Broxson, Chiles, Clayton, Cross, Deeb, de la Parte, Edwards, Elrod, Fincher, Fisher, Friday, Gibson, Gong, Griffin, Gunter, Haverfield, Henderson, Hollahan, Horne, Johnson, Knopke, Lane, McClain, Mathews, O'Grady, Ott, Plante, Poston,

Reuter, Saylor, Shevin, Slade, Spencer, Stockton, Stolzenburg, Stone, Thomas, Weber, Weissenborn, Wilson and Young—

SCR 330—A concurrent resolution in Memoriam Abram Otto Kanner.

Was read the first time in full and referred to the Committee on Apportionment, Resolutions and Memorials.

On motion by Senator Barron, by two-thirds vote, SCR 330 was withdrawn from the Committee on Apportionment, Resolutions and Memorials and placed on the Calendar.

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

SCR 330—A concurrent resolution in Memoriam Abram Otto Kanner.

WHEREAS, on the 13th day of April, 1967, in the death of "Abe Kanner", as he was known to his host of friends, there was lost to Florida one who had long been an able and faithful servant in the legislative and judicial branches of government, a brilliant asset to civic and fraternal circles, and a gentleman of distinction in all walks of life where ability and integrity mark the man; and

WHEREAS, the contributions made by this truly great man to the betterment of government and humanity in general are such that the members of the Florida Legislature would record an expression of recognition, appreciation and bereavement, NOW, THEREFORE,

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

That there is hereby recorded this testimonial to him who so nobly lived and so graciously and unstintingly gave of his time and talents for the benefit of his fellow man.

IN MEMORIAM
ABRAM OTTO KANNER

Abram Otto Kanner was born in the city of Sanford, Florida, on November 2, 1893, the son of Charles and Pauline (Abram) Kanner. He was a student at the University of North Carolina, 1911-1912 and received a LL.B. degree from John B. Stetson University in 1915. He was admitted to the Florida bar in 1915 and was engaged in the practice of law with the firm of Alexander and Martin in Jacksonville, 1921-1925; with Smith and Kanner, Stuart, Florida, 1925-1939 and in private practice, 1939-1941. He was attorney for the Martin County School Board 1925-1941; City attorney of Stuart during the years 1930-1940; State Attorney 21st Judicial Circuit of Florida 1925; served as a member of the House of Representatives from 1927 to 1935 and in the Senate from 1937 to 1941. During the latter year he was appointed by then Governor Spessard L. Holland to serve on the bench of the 9th Judicial Circuit in which capacity he continued without opposition until 1957. He was appointed by former Governor LeRoy Collins to serve on the District Court of Appeal upon its creation in 1957, and was Chief Judge from 1957 to 1959. He retired from service on the court but continued active as an associate judge in the Fourth District Court of Appeal at Vero Beach. He was Chairman of the Martin County Council of the Boy Scouts of America, 1939-1948; member Board of Directors Martin County Hospital, 1939-1959; Chairman Childrens Society of Florida 1939—; member committee Florida Appellate Rules, 1957-1959; American and Martin County Bar Associations and the Florida State Bar Association.

He was a World War I veteran and helped organize the American Legion post at Stuart.

On July 13, 1949, he was married to Mary Alice Linch of Dadeville, Alabama, and they resided in Stuart. As his parents before him, he was of the Jewish faith. He was a Democrat; a Mason, Worshipful Master in 1948; Elk, Exalted Ruler in 1953; Rotarian, President in 1930; and a member of Phi Alpha Delta.

BE IT FURTHER RESOLVED that a copy of this Concurrent Resolution be spread upon the Journals of the Senate and the House of Representatives and that copies be forwarded to his wife Mary, Stuart, Florida; sisters Mrs. Lee Samuel, Sanford, Florida and Mrs. S. A. Sandler, West Englewood, New Jersey and brother Dr. Harry M. Kanner, Sacramento, California, by the Secretary of State under the Great Seal

of the State of Florida, with the condolences of the respective bodies of this Legislature.

On motions by Senator Mathews, SCR 330 was read the second time by title, unanimously adopted, and certified to the House.

MOTION RELATING TO COMMITTEE REFERENCE

On motion by Senator Hollahan, SB 62 was removed from the Calendar and re-referred to the Committee on Appropriations.

MESSAGES FROM THE GOVERNOR

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

*Honorable Verle A. Pope
President, Florida State Senate
The Capitol Building
Tallahassee, Florida*

April 14, 1967

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 have the power and duty 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 J. Kenneth Gross has been serving in the capacity of Sheriff of Manatee County, Florida, from January 5, 1965, to the date of this letter. As a result of numerous complaints and inquiries concerning the operation of the Sheriff's Department of Manatee County, an investigation was conducted with the results of such investigation being turned over to the Honorable Frank Schaub, State Attorney in and for the Twelfth Judicial Circuit.

Upon presentation of such matters to the grand jury by State Attorney Schaub, an Interim Report of the grand jury was issued on March 31, 1967, a copy of which is attached hereto. The Interim Report made numerous findings of misuse of the office of sheriff as well as misconduct in office.

The findings made by the grand jury are set forth in part as follows:

1. "An apparent lack of interest evidenced by Sheriff Gross in the work of the Manatee County Sheriff's Department. He appears to be generally uninformed concerning the functioning and problems of his department."

2. Although many suggestions were made in good faith to improve the functioning of the department, "We have found no real effort upon the Sheriff's part to either follow these well intentioned suggestions or determine for himself what action to take.

3. Although there was no intentional or malicious motivation on the part of Sheriff Gross, "We have found inertia, an inability to make decisions, a continual refusal to face problems, an inability to impose discipline or obtain respect within the department, and a lack of desire to determine the true facts.

4. A "deplorable mess" exists in the county jail. "It appears that no effort has been made to establish any degree of security at the jail . . . As a result, hacksaw blades were widely distributed among the prisoners, escaped prisoners were sometimes not missed for several days and went in and out of jail undetected, and letters were sent and received from and to prisoners which contained advice and plans of escape . . . Department representatives pleaded inability to cope with the infiltration of contraband into the jail upon lax procedures during the prisoners visiting day. We find no effort to correct this problem . . ."

5. "We have found that certain prisoners in the county jail have received special treatment from the Sheriff's Department.

Among the special privileges extended these favored prisoners were:

(1) Allowing certain male prisoners, who were not trustees, to visit female prisoners inside their cells.

(2) The furnishing of alcoholic beverages by a jailer to certain prisoners."

6. "The Sheriff's Department failed to fingerprint certain felons and followed no clear policy in determining which misdemeanants were fingerprinted."

7. "The quality and extent of criminal investigations has diminished and deteriorated apparently in direct proportion to the rapid decline of departmental moral during the past year or two. It appears that little or no effort is being made to properly investigate and locate evidence concerning many of the most serious crimes committed in Manatee County.

8. "A baby was recently found dead in an automobile with its windows closed. Although the child had apparently been left neglected in the vehicle for several hours, only a perfunctory inquiry was made, in which the officer concluded the cause of death to be accidental, without the benefit of any medical information or an autopsy. We find that standard procedures for 'Safe-cracking' investigations were ignored when a local store's safe was recently burglarized. A possible lead from another law enforcement department was ignored.

9. "Although we have indicted one deputy sheriff for perjury, we continue to be handicapped by a complete lack of cooperation and recollection of the work, activities and details of the department by most of the deputies we have questioned."

10. "Although the Florida law provides that a report of all weapons and arms confiscated by Sheriff's Departments should be sent to the Adjutant General each year, and such weapons, upon their confiscation, must be forwarded to him, we find no effort to comply with this law. We find it of even greater importance that no accurate accounting of the disposal of such weapons is maintained."

11. With regard to the Sheriff's Department's Investigative Fund, "It is apparent that many of the amounts represented to have been paid out in these sketchy records have been altered to make the totals coincide with the sums withdrawn from the operational account for supposed investigations.

We find that an airplane was purchased several years ago by the Sheriff's Posse for the Manatee County Sheriff's Department. It was later traded in upon a newer plane. Title to this replacement airplane was put into Kenneth Gross' individual name and it is used for personal, nonbusiness purposes."

12. "We have found so many credit cards to have been issued upon the department's charge accounts that we cannot understand how any sort of accounting of their use can be made. We find one deputy charging his purchases to the name of other deputies."

13. "Although some deputies are fingerprinted when employed, others are not. Numerous persons were appointed as special deputies and designated as simply "honorary" deputies, although the Sheriff is required to show in his register the terms and circumstances of all such appointments."

14. "A person with an extensive criminal background was appointed a deputy sheriff in 1964 . . . and authorized to carry a pistol. This subject was a convicted felon and . . . This subject gave the Sheriff and departmental personnel cash and many other gifts . . ." A detailed investigation was conducted on this individual with considerable expense to the department. "This expense could have been eliminated had the subject originally been fingerprinted and his fingerprints submitted to the F. B. I. as is done with other deputy sheriffs before they are appointed."

The grand jury continued to pursue its investigation into other phases of the Sheriff's Department's operation.

I have been officially advised that as a result of its investigation, the grand jury on the 11th day of April, 1967 returned six Indictments against J. Kenneth Gross, copies of which are attached hereto, charging the said J. Kenneth Gross with the following:

1. Malfeasance and failure to perform duties—specifically

charging that J. Kenneth Gross as Sheriff of Manatee County, with failure to fingerprint persons charged with the commission of felonies in Manatee County, Florida and received by him in his custody and failing to submit said fingerprints to the F. B. I. as required by F.S.A. 30.31; authorizing the removal of a prisoner committed to his custody without authorization or approval from the judge of the court; failing to make necessary and needed changes in the improvements of the operation of the Manatee County Jail with respect to security precautions, reducing the flow of contraband into the jail and eliminating special favors and treatment for certain prisoners; appointing one, William Newell, as a deputy sheriff without the posting of a bond for such deputy as provided in F.S.A. 30.39.

2. Embezzlement by a county officer—specifically charging that J. Kenneth Gross as Sheriff of Manatee County, on June 9 and June 18, 1966 did collect and receive \$200.00 from the Manatee County Sheriff's Department with intent to convert to his own use contrary to law.

3. Embezzlement by a county officer—specifically charging that J. Kenneth Gross as Sheriff of Manatee County, on March 31 and April 10, 1966 did collect and receive \$200.00 from the Manatee County Sheriff's Department with intent to convert to his own use contrary to law.

4. Embezzlement by a county officer—specifically charging that J. Kenneth Gross as Sheriff of Manatee County, on January 17 and February 1, 1966 did collect and receive \$125.00 from the Manatee County Sheriff's Department with intent to convert to his own use contrary to law.

5. Embezzlement by a county officer—specifically charging that J. Kenneth Gross as Sheriff of Manatee County on April 8, 1966 did collect and receive \$62.00 from the State Beverage Department with intent to convert to his own use contrary to law.

6. Embezzlement by a county officer—specifically charging that J. Kenneth Gross as Sheriff of Manatee County, on March 21, 1966 did collect and receive \$20.00 from the Manatee County Sheriff's Department with intent to convert to his own use contrary to law.

A public official is held to a high standard of legal and moral conduct in order for him to properly perform the responsibilities of his office. As a result of the foregoing, doubt has been raised as to the integrity and ability of J. Kenneth Gross to perform the duties of Sheriff of Manatee County.

The foregoing evidence reflects misuse of the office of Sheriff, misconduct in office, malfeasance, misfeasance, neglect of duties and incompetency.

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 J. Kenneth Gross.

Respectfully,
CLAUDE R. KIRK, JR.
Governor

Senator Boyd moved that pursuant to the provisions of Senate Rule 15.2 the President appoint a select committee to make inquiry and give the Sheriff of Manatee County, J. Kenneth Gross, an opportunity to be heard either in or out of Executive Session, whichever he may desire. Which motion was adopted.

The President appointed Senators Friday, Boyd, Henderson and Young as the Committee.

Honorable Verle A. Pope
President, Florida State Senate
The Capitol Building
Tallahassee, Florida

April 14, 1967

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 have the power and duty 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 Marvin Holland has been serving in the capacity of Constable of Jefferson County, Florida, District #8, from January 5, 1965, to the date of this letter. I have been officially advised by the State Attorney of the Third Judicial Circuit of Florida, that on March 30, 1967, an Information was filed against the said Marvin Holland charging him with the commission of a felony, specifically that the said Marvin Holland did unlawfully receive and aid in the concealment of personal property belonging to another. A copy of the Information is attached.

A public official is held to a high standard of legal and moral conduct in order for him to properly perform the responsibilities of his office. As a result of the above mentioned Information, doubt has been raised as to the integrity and ability of Marvin Holland to perform the duties of Constable of Jefferson County, Florida, District #8.

The evidence contained in said Information reflects misfeasance, malfeasance and incompetency in office.

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 Marvin Holland.

Respectfully,
CLAUDE R. KIRK, JR.
Governor

Senator Gibson moved that pursuant to the provisions of Senate Rule 15.2 the President appoint a select committee to make inquiry and that the Constable, Marvin Holland, be given an opportunity to present himself before the Committee either in or out of Executive Session. Which motion was adopted.

The President appointed Senators Broxson, Gibson, Plante and Clayton as the Committee.

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

April 13, 1967

Dear President Pope:

Pursuant to Article IV, Section 15, of the Constitution of the State of Florida, I have the honor to transmit for the consideration of your Honorable Body an Executive Order of Suspension in the case of Woodrow J. Darden, member of Board of Regents of Florida.

I hereby recommend the removal of the above named official.

Respectfully submitted,
CLAUDE R. KIRK, JR.
Governor

Senator Johnson moved that pursuant to the provisions of Senate Rule 15.2 the President appoint a select committee to make inquiry into the Executive Order of Suspension in the case of Woodrow J. Darden, member of the Board of Regents of Florida. Which motion was adopted.

The President appointed Senators Stockton, Johnson, Fincher and Chiles as the Committee.

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

April 13, 1967

Dear President Pope:

Pursuant to Article IV, Section 15, of the Constitution of the State of Florida, I have the honor to transmit for the consideration of your Honorable Body an Executive Order of Suspension in the case of James L. Greco, member of Hillsborough County Civil Service Board.

I hereby recommend the removal of the above named official.

Respectfully submitted,
CLAUDE R. KIRK, JR.
Governor

Senator Ott moved that pursuant to the provisions of Senate Rule 15.2 the President appoint a select committee to make inquiry into the Executive Order of Suspension in the case of James L. Greco, member of the Hillsborough County Civil Service Board. Which motion was adopted.

The President appointed Senators Ott, Gunter, Fisher and Slade as the Committee.

Honorable Verle A. Pope April 13, 1967
President of the Senate
 Capitol
 Tallahassee, Florida

Dear President Pope:

Pursuant to Article IV, Section 15, of the Constitution of the State of Florida, I have the honor to transmit for the consideration of your Honorable Body an Executive Order of Suspension in the case of Anna M. Denhan (Denham) Snider, member of Hillsborough County Civil Service Board.

I hereby recommend the removal of the above named official.

Respectfully submitted,
 CLAUDE R. KIRK, JR.
 Governor

Senator Ott moved that pursuant to the provisions of Senate Rule 15.2 the President appoint a select committee to inquire into the Executive Order of Suspension in the case of Anna M. Denhan (Denham) Snider, member of the Hillsborough County Civil Service Board. Which motion was adopted.

The President appointed Senators Ott, Gunter, Fisher and Slade as the Committee.

Honorable Verle A. Pope April 13, 1967
President of the Senate
 Capitol
 Tallahassee, Florida

Dear President Pope:

Pursuant to Article IV, Section 15, of the Constitution of the State of Florida, I have the honor to transmit for the consideration of your Honorable Body an Executive Order of Suspension in the case of Jack W. Jernigan, County Surveyor of Marion County, Florida.

I hereby recommend the removal of the above named official.

Respectfully submitted,
 CLAUDE R. KIRK, JR.
 Governor

On motion by Senator Mathews, consideration of the Executive Order of Suspension contained in the foregoing communication was temporarily deferred.

Honorable Verle A. Pope April 13, 1967
President of the Senate
 Capitol
 Tallahassee, Florida

Dear President Pope:

Pursuant to Article IV, Section 15, of the Constitution of the State of Florida, I have the honor to transmit for the consideration of your Honorable Body an Executive Order of Suspension in the case of Lonnie McClelland, Constable, District #1, Polk County, Florida.

I hereby recommend the removal of the above named official.

Respectfully submitted,
 CLAUDE R. KIRK, JR.
 Governor

Senator Chiles moved that pursuant to the provisions of Senate Rule 15.2 the President appoint a select committee to make inquiry into the Executive Order of Suspension in the case of Lonnie McClelland, Constable, District 1, Polk County, Florida. Which motion was adopted.

The President appointed Senators Griffin, Chiles, Elrod and Deeb as the Committee.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages were read:

The Honorable Verle A. Pope
President of the Senate

April 14, 1967

Sir:

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

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

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 14, 1967

Sir:

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

By Representative Rainey and others—

HB 263—A bill to be entitled An Act relating to Pinellas County empowering the Board of County Commissioners to adopt regulations to prescribe practices for the safeguarding to a reasonable degree of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the use or occupancy of buildings or premises; providing funds for the administration of such regulations; providing that the actual expense of accomplishing corrections of hazards in violation of such regulations, if done with public funds, shall become a lien against the property, real or personal, so improved; providing for enforcement; providing an effective date.

Proof of Publication attached.

By Representative Rainey and others—

HB 265—A bill to be entitled An Act to amend Section 39 of the Municipal Charter of the City of Clearwater, Pinellas County, Florida, being Chapter 9710, Special Acts of Florida, 1923, by providing that bonds or security for appearance before the municipal court shall be for no more than \$500.00; providing for the severability of the provisions hereof; providing for the repeal of all laws in conflict herewith and providing for the effective date hereof.

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 263.

Evidence of notice and publication was established by the Senate as to HB 265.

House Bills 263 and 265, 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 14, 1967

Sir:

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

By Representative Rainey and others—

HB 266—A bill to be entitled An Act to amend Section 37 of the Municipal Charter of the City of Clearwater, Pinellas County, Florida, being Chapter 9710, Special Acts of Florida, 1923, as amended by Chapter 24432, Special Acts of Florida, 1947, by providing for the appointment of a Clerk of the Municipal Court and defining his duties and

powers; providing for the procedure for the appointment of Deputy Clerks of the Municipal Court and defining their powers and duties; and to amend Section 42 of the Municipal Charter of the City of Clearwater, Pinellas County, Florida, being Chapter 9710, Special Acts of Florida, 1923, by providing for the procedure for the report of arrests and committals; providing for the severability of the provisions hereof; providing for the repeal of all laws in conflict herewith and providing for the effective date hereof.

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 266.

HB 266, 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 14, 1967
President of the Senate

Sir:

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

By Representative Prominski and others—

HB 223—A bill to be entitled An act amending chapter 29609, special laws of Florida, 1953, as amended, being the charter of the city of Wilton Manors, Florida, by limiting the bonds of the city which require a freeholder election to bonds payable from ad valorem taxes; by increasing the amount of said bonds which may be issued and outstanding at any time from \$2,000,000 to \$5,000,000; by providing that said bonds may be authorized by a majority of the votes cast in an election in which a majority of the freeholders who are qualified electors residing in the city shall participate; by providing for the manner of execution of said bonds; by providing that revenue bonds and certificates may be additionally secured by any revenue sources of the city pledged therefor except ad valorem taxes; and repealing the requirement that the levy of ad valorem taxes against real property shall be subject to freeholder approval; 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 223.

HB 223, 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 14, 1967
President of the Senate

Sir:

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

By Representative Rainey and others—

HB 171—A bill to be entitled An act relating to payment of fees and commissions to the clerk of the circuit court 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 that the clerk of the circuit court in such counties may accept checks for payment of any fees or commissions provided by any law for compensation for services rendered by his office in connection with any of his official duties or functions; providing that the clerk of the circuit court in such counties may deduct from his excess fees paid to the board of county commissioners the amount of any checks so received in payment of fees or commissions which

shall remain uncollected after exercise of due diligence by the clerk to collect such checks and thereupon the county may institute suit to recover the amount of such checks; repealing all laws or parts of laws in conflict herewith; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 171, 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 14, 1967
President of the Senate

Sir:

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

By Representative Craig and others—

HB 177—A bill to be entitled An act to amend chapter 28-955, laws of Florida, special acts of 1953, the same being "an act creating and establishing a municipality to be known as City of Bunnell, Flagler County, Florida;" by adding a new Section 138 and renumbering present Section 138-140 inclusive to Section 139-141 inclusive, said Section to provide that the City of Bunnell expend for advertising purposes a sum not to exceed ONE THOUSAND FIVE HUNDRED and no/100 (\$1,500.00) DOLLARS per year from General Revenues of the City; repealing all laws that conflict herewith; providing when this act shall take effect.

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 177.

HB 177, 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 17, 1967
President of the Senate

Sir:

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

By Representative Ashler—

HB 38—A bill to be entitled An act relating to civil defense; amending section 252.04, Florida Statutes, by adding subsection (5) requiring that the state civil defense agency submit a biennial report; amending section 252.05 (2), Florida Statutes, to allow appointment and designation of additional members to the civil defense advisory board; amending section 252.09 (1) (a), Florida Statutes, to include combined county-city government; providing an effective date.

By Representative Arnold—

HB 73—A bill to be entitled An act relating to the definition of the word road and adding thereto water storage areas; amending section 334.03(13), Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 38, contained in the above message, was read the first time by title and referred to the Committees on Urban Affairs and Local Government; and Judiciary "A".

HB 73, contained in the above message, was read the first

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

The Honorable Verle A. Pope
President of the Senate

April 17, 1967

Sir:

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

By Representative Wells—

HB 99—A bill to be entitled An act relating to the official Florida Statutes, 1965; amending sections 16.19, 16.20, 16.22, 16.23 and 16.24 by adopting and enacting all the statutory laws included in the officially published Florida Statutes, 1965, together with corrections, changes and amendments to and repeals of provisions of Florida Statutes, 1965, as the official Florida Statutes, 1967; authorizing the inclusion of general laws of state-wide application in statutory form enacted by the regular, special or extraordinary sessions of the legislature of 1967, as prima facie evidence of such laws; authorizing the revision and reprinting of material contained therein; providing for the enactment of additional reviser's bills by the 1967 legislature; providing an effective date.

(Accompanied by Volumes 1, 2 and 3 of the 1965 Florida Statutes).

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 99, contained in the above message, was read the first time by title and referred to the Committee on Judiciary "B".

On motion by Senator Mathews, by two-thirds vote, HB 99 was withdrawn from the Committee on Judiciary "B" and placed on the Calendar.

Unanimous consent was granted Senator Mathews to take up HB 99 out of order.

On motions by Senator Mathews, the rules were waived and HB 99 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—44 Nays—None

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

The bill was certified to the House immediately, by waiver of the rules.

The Honorable Verle A. Pope
President of the Senate

April 17, 1967

Sir:

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

By Representative Ashler—

HB 36—A bill to be entitled An act relating to public school plants; amending section 235.26, Florida Statutes, relating to minimum standards for school buildings by adding subsection (21) providing that shelter slanting and cost-reduction techniques be considered in the initial plan and design of any public school to be constructed after the effective date of this law; authorizing modification of existing schools to provide shelter and for participation in federal programs for this purpose; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 36, contained in the above message, was read the first

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

The Honorable Verle A. Pope
President of the Senate

April 14, 1967

Sir:

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

By Representative Brower and others—

HB 25—A bill to be entitled An act designating and naming a certain highway in Dade County as Interama Boulevard; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 25, 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

April 14, 1967

Sir:

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

By Representatives Tyre and Shaw—

HB 113—A bill to be entitled An act designating and naming a portion of state road 10 (U.S. 90) in Columbia county as the James A. Brewer highway; providing for suitable plaques to be erected thereon by the state road department; providing an effective date.

By Representative Rainey and others—

HB 173—A bill to be entitled An act relating to clerks of circuit court, fees and fee accounts; validating the fees and fee accounts in civil cases of clerks of the circuit court in counties with 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 an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 113, contained in the above message, was read the first time by title and referred to the Committee on Public Roads and Highways.

HB 173, 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 17, 1967

Sir:

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

By Representative Matthews—

HB 70—A bill to be entitled An act relating to offenses concerning motor vehicles; amending section 860.01, Florida Statutes; providing for the elimination of the requirement that any of the described vehicles be propelled by gasoline, gas, vapor, electricity, steam or other power; providing an effective date.

By Representative Arnold—

HB 78—A bill to be entitled An act relating to the classification of roads in the state highway system; amending section 335.04(3), Florida Statutes; providing an effective date.

By Representative Arnold—

HB 85—A bill to be entitled An act relating to the Florida highway patrol; amending section 321.04, Florida Statutes, to delete the provision for the assignment of one patrolman to the office of the chairman of the state road department; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 70, contained in the above message, was read the first time by title and referred to the Committees on Transportation and Safety; and Judiciary "A".

HB 78, contained in the above message, was read the first time by title and referred to the Committee on Public Roads and Highways.

HB 85, contained in the above message, was read the first time by title and referred to the Committee on Transportation and Safety.

CONSIDERATION OF SENATE AND OTHER RESOLUTIONS

SCR 89—A concurrent resolution directing the legislative council to make a study of administrative appeals; providing for appointment of a study committee; and providing for the payment of expenses.

WHEREAS, concern has been expressed by several study committees and interested persons as to the present procedures relating to the appeal of administrative rulings, and

WHEREAS, several possible re-organizations of administrative appellate procedure have been suggested, and

WHEREAS, it is the desire of the Florida Legislature to thoroughly explore and co-ordinate the thinking of the several interested groups and agencies concerned, now therefore,

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

Section 1. The legislative council shall make an immediate and thorough study of the appellate procedure from rulings of administrative agencies of the state. A study committee shall be appointed to be composed of not less than three (3) members of the House of Representatives and not less than three (3) members of the Senate and one (1) additional member of either the House of Representatives or the Senate who shall be chairman.

Section 2. In carrying on such study the council shall confer with all persons, organizations and agencies interested in the subject matter of the study. The committee is authorized to require such papers and information from any officer or agency of the state of Florida as is required for the proper performance of its duties.

Section 3. The members of the committee appointed hereunder shall receive no compensation, but shall be paid their necessary expenses incurred in performing the duties required, as provided in §112.061.

Section 4. The committee shall particularly inquire into the need for an administrative tribunal to handle appeals from administrative agencies of the state and whether or not the tribunal shall be a court created under the constitution and whether or not the District Court of Appeal, First District, shall be increased in size to enable it to handle such appeals.

Section 5. The legislative council shall report its findings and recommendations to the 1969 regular session of the legislature, or to such other earlier session as may be practicable.

Was taken up and read the second time in full. On motion by Senator Poston, SCR 89 was adopted.

On motion by Senator Askew, the rules were waived and the Senate immediately reconsidered the vote by which SCR 89 passed this day.

On motion by Senator Askew, by two-thirds vote, SCR 89 was re-referred to the Committee on Appropriations.

SENATE BILLS ON SECOND READING

On motion by Senator Barron, the rules were waived and consideration of SB 134 was deferred, the bill retaining its place on the Calendar.

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

Was taken up. On motions by Senator Deeb, the rules were waived and SB 50 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	Johnson	Slade
Askew	Elrod	Knopke	Spencer
Bafalis	Fincher	Lane	Stockton
Barron	Fisher	McClain	Stolzenburg
Barrow	Friday	Mathews	Stone
Bell	Gibson	O'Grady	Thomas
Boyd	Gong	Ott	Weber
Broxson	Gunter	Plante	Weissenborn
Chiles	Haverfield	Poston	Wilson
Clayton	Henderson	Reuter	Young
Cross	Hollahan	Sayler	
Deeb	Horne	Shevin	

The bill was certified to the House.

SB 91—A bill to be entitled An act relating to rule making under the administrative procedure act; amending subsection (3) of section 120.041, Florida Statutes, relating to the filing and taking effect of rules; providing for adoption of rules at public meetings of state agencies after notice to interested parties; providing an effective date.

Was taken up. On motion by Senator Poston, the rules were waived and SB 91 was read the second time by title.

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

In Section 1, line 1, on page 2, strike: . (the period) and insert the following: , provided that failure to receive a notice shall not exempt anyone from the effect of a rule otherwise valid.

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

In Section 2, lines 2 and 3, on page 2, strike: upon becoming a law. and insert the following: on September 1, 1967.

On motion by Senator Poston, the rules were waived and SB 91 as amended was read the third time in full and passed. The vote was: Yeas—46 Nays—None

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

The bill was ordered engrossed.

SB 121—A bill to be entitled An act relating to district court of appeal; amending section 35.05, Florida Statutes, to provide for the location of the headquarters of the fourth appellate district; providing for the acquisition of court's quarters by board of commissioners of state institutions; providing that nothing herein shall affect court's jurisdiction; providing an effective date.

Was taken up. On motions by Senator Thomas, the rules were waived and SB 121 was read the second time by title, the third time in full and passed, title as stated. The vote was:

Yeas—39

Mr. President	Barrow	Chiles	Fincher
Askew	Bell	Cross	Fisher
Bafalis	Boyd	Deeb	Friday
Barron	Broxson	de la Parte	Gibson

Gong	Knopke	Saylor	Thomas
Gunter	Lane	Shevin	Weber
Haverfield	McClain	Slade	Weissenborn
Henderson	Mathews	Spencer	Wilson
Hollahan	Ott	Stolzenburg	Young
Horne	Poston	Stone	

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

Nays—8

Clayton	Griffin	O'Grady	Reuter
Elrod	Johnson	Plante	Stockton

The bill was certified to the House immediately by waiver of the rules.

On motion by Senator Mathews, the rules were waived and time of adjournment was extended until completion of all bills on the Calendar.

On motion by Senator Wilson, the rules were waived and consideration of SB 130 was deferred, the bill retaining its place on the Calendar.

SB 100—A bill to be entitled An act relating to outdoor recreation and conservation; amending section 375.021(3), Florida Statutes, defining the responsibility of the outdoor recreational development council in reviewing the comprehensive outdoor recreational development plan for the state prepared by the outdoor recreational planning committee; providing an effective date.

Was taken up. On motion by Senator Fincher, the rules were waived and SB 100 was read the second time by title.

Senator Fincher moved that the rules be waived and SB 100 be read the third time in full. The vote was:

Yeas—26

Mr. President	Cross	Haverfield	Shevin
Askew	de la Parte	Hollahan	Spencer
Barron	Fincher	Horne	Stone
Barrow	Friday	Knopke	Thomas
Boyd	Gibson	Mathews	Weissenborn
Broxson	Gong	Ott	
Chiles	Gunter	Poston	

Nays—20

Bafalis	Fisher	O'Grady	Stockton
Bell	Henderson	Plante	Stolzenburg
Clayton	Johnson	Reuter	Weber
Deeb	Lane	Saylor	Wilson
Elrod	McClain	Slade	Young

The motion failed to receive the required two-thirds vote.

SB 25—A bill to be entitled An act relating to the powers, duties and personnel of the board of regents; amending section 240.042, Florida Statutes, to incorporate therein the provisions of section 240.151, Florida Statutes; to eliminate the supervision and approval of the board of education in establishing policies, rules, regulations and powers exercised by the board of regents under chapters 239-243, Florida Statutes, to delete the required concurrence of the board of education in the appointment and tenure of a chancellor, of institution or agency heads and of other university personnel including compensation and conditions of employment; repealing subsection (3) of section 240.031 and section 240.151, Florida Statutes; and providing an effective date.

Was taken up. On motion by Senator Mathews, the rules were waived and SB 25 was read the second time by title.

Senator Mathews offered the following amendment which was adopted:

In Section 1, line 16, page 2, strike: "chancellor" and insert the following: chancellor

On motion by Senator Mathews, the rules were waived and SB 25 as amended was read the third time in full and passed. The vote was:

Yeas—45

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

Nays—1

Elrod

The bill was ordered engrossed.

SB 78—A bill to be entitled An act relating to public schools, compulsory attendance, minimum age; amending chapter 65-398, Laws of Florida, omitting exemptions therefrom; providing an effective date.

Was taken up. On motion by Senator Spencer, the rules were waived and SB 78 was read the second time by title.

The Committee on Education—Public Schools and Junior Colleges offered the following amendment which was adopted on motion by Senator Spencer:

Page 2, Add Section 4 to read as follows:

Section 4. If any Section, phrase or word of this act is determined to be unconstitutional, such determination shall not affect the remainder of this act.

The Committee on Education—Public Schools and Junior Colleges also offered the following amendment which was adopted on motion by Senator Spencer:

In title, line 4, page 1, strike: . (the period) and insert the following: ; providing a severability clause.

On motion by Senator Spencer, the rules were waived and SB 78 as amended was read the third time in full and passed. The vote was:

Yeas—40

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

Nays—5

Bell	Henderson	O'Grady	Stockton
Chiles			

The bill was ordered engrossed and immediately certified to the House by waiver of the rules.

SB 79—A bill to be entitled An act relating to public schools, compulsory attendance; amending section 232.01, Florida Statutes; removing therefrom certain exemptions; providing an effective date.

Was taken up. On motion by Senator Spencer, the rules were waived and SB 79 was read the second time by title.

The Committee on Education—Public Schools and Junior Colleges offered the following amendment which was adopted on motion by Senator Spencer:

Page 2, Add Section 3 to read as follows:

Section 3. If any section, phrase or word of this act is determined to be unconstitutional, such determination shall not affect the remainder of this act.

The Committee on Education—Public Schools and Junior Colleges also offered the following amendment which was adopted on motion by Senator Spencer:

In title, line 4, page 1, strike: . (the period) and insert the following: ; providing a severability clause.

On motion by Senator Spencer, the rules were waived and SB 79 as amended was read the third time in full and passed. The vote was:

Yeas—40

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

Nays—4

Bell	Henderson	O'Grady	Stockton
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The bill was ordered engrossed and immediately certified to the House by waiver of the rules.

Consideration of SB 58 was deferred, the bill retaining its place on the Calendar.

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

Was taken up. On motions by Senator de la Parte, the rules were waived and SB 67 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	Johnson	Slade
Askew	Elrod	Knopke	Spencer
Bafalis	Fisher	Lane	Stockton
Barron	Friday	McClain	Stolzenburg
Barrow	Gibson	Mathews	Stone
Bell	Gong	O'Grady	Thomas
Boyd	Griffin	Ott	Weber
Broxson	Gunter	Plante	Weissenborn
Chiles	Haverfield	Poston	Wilson
Clayton	Henderson	Reuter	Young
Cross	Hollahan	Sayler	
Deeb	Horne	Shevin	

The bill was certified to the House.

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

Was taken up. On motions by Senator de la Parte, the rules were waived and SB 68 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	Johnson	Slade
Askew	Elrod	Knopke	Spencer
Bafalis	Fisher	Lane	Stockton
Barron	Friday	McClain	Stolzenburg
Barrow	Gibson	Mathews	Stone
Bell	Gong	O'Grady	Thomas
Boyd	Griffin	Ott	Weber
Broxson	Gunter	Plante	Weissenborn
Chiles	Haverfield	Poston	Wilson
Clayton	Henderson	Reuter	Young
Cross	Hollahan	Sayler	
Deeb	Horne	Shevin	

The bill was certified to the House.

On motion by Senator Thomas, by two-thirds vote, SB 225 was withdrawn from the Committee on Appropriations.

SB 19—A bill to be entitled An act relating to bail; amending section 903.03, Florida Statutes, relating to the jurisdiction of a trial court to admit an accused to bail by authorizing the Florida probation and parole commission to determine if an accused in a noncapital crime or bailable offense is indigent and providing for reports to the court; providing an effective date.

Was taken up. On motion by Senator Shevin, the rules were waived and SB 19 was read the second time by title.

The Committee on Judiciary "A" offered the following amendment which was moved by Senator Shevin:

In Section 1, line 7, page 1, strike: entire subsection (2) and insert the following: (2) The Florida probation and parole commission shall have the authority and upon the request of the judicial officer in whose court a person charged with a noncapital crime or bailable offense is held, shall, through its supervisors, make an investigation and report to said judicial officer, the circumstances of the accused's family ties, employment, financial resources, character and mental condition, the length of residence in the community, his record of convictions and his record of appearance at court proceedings or record of flight to avoid prosecution or failure to appear at court proceedings and of such other facts as may be needed to assist the court in its determination of the indigency of the accused and whether he should be released on his own recognizance. The judicial officer shall not be bound by such recommendations.

On motion by Senator Shevin, the rules were waived and further consideration of SB 19 with pending amendment was deferred, the bill retaining its place on the Calendar.

By permission, the following Reports were received:

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

SB 78 with 2 amendments SB 79 with 2 amendments

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

EDWIN G. FRASER
Secretary of the Senate

The bills were immediately certified to the House.

Your Engrossing Clerk to whom was referred—

SB 25 with 1 amendment SB 91 with 2 amendments

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

EDWIN G. FRASER
Secretary of the Senate

The bills were certified to the House.

CO-INTRODUCERS

By permission, Senator Fincher was recorded as a co-introducer of Senate Bills 151, 152, 153, 154, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178 and 179.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 1:45 p. m. to reconvene at 11:00 a. m., April 18, 1967.