

JOURNAL OF THE SENATE

Tuesday, April 18, 1967

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

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

48. A quorum present.

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

O God, our Heavenly Father, we thank thee for the young people who honor us as our visitors today, for the enthusiasm of their youth and for the strength of their characters. Grant to each of us a sacred moment of quiet as we begin the duties of today. Give wisdom to these good Senators in their decisions; understanding in their thinking, love in their attitudes, and mercy in their judgments. We know that thou dost see the innermost parts of our minds. If our intentions are good, help us to make them live in good deeds. If what we intend or desire makes us uncomfortable in thy presence, take it away from us and create a right spirit within us. Through Jesus Christ, our Lord. Amen.

The President presiding.

The reading of the Journal was dispensed with.

The Journal of April 17 was corrected and approved as follows:

Page 96, column 1, at the end of line 26 strike the period and insert the following:

, 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.

REPORTS OF COMMITTEES

The Honorable Verle A. Pope
President of the Senate

Sir:

Your Committee on Rules and Calendar begs leave to report and recommends the adoption of the following rule, to be numbered 6.14:

6.14 *Form of bills—printing after April 21, 1967:*

The sections of bills filed for introduction on or after April 21, 1967, which propose to amend existing provisions of the Florida Statutes or of the Florida Constitution shall show the words to be added with underlining, i.e., *new material*, and the words to be deleted shall be shown in regular type lined through with hyphens, i.e., [deleted material]. Printed bills shall show the words to be added in italics, and the words to be deleted shall be enclosed in brackets. Such bills shall be prepared on bill paper furnished for this purpose.

This requirement shall apply only to amendments to the Flor-

ida Constitution and the official statute law of the state as contained in Florida Statutes pursuant to Section 16.19, F.S. It shall not apply to any section of a bill that contains only new material. When the rewording of a provision is so substantial that to follow the above procedures would fail to serve the convenience of the members in understanding the proposed amendment, it shall not be necessary to follow said procedures but in lieu thereof, a notation similar or equivalent to the following shall be entered preceding the provision: "Substantial rewording of section. See Section....., F.S., for present text."

The words to be deleted and the above-described indicators of such words and of new material are for the convenience of the members only and shall not be considered to constitute a part of the bill under consideration. The words to be deleted and the indicators of new and deleted material shall be removed upon enrolling of the act.

Section catch lines shall not be typed with underlining, nor shall any other portion of a bill covered by this rule other than new material.

This Rule shall take effect as of 12:00 O'Clock Noon, on April 21, 1967 at which time any rules or portion of rules in conflict herewith stand repealed.

Respectfully submitted,
JOHN E. MATHEWS, JR.
Chairman

On motion by Senator Mathews, the foregoing report was adopted.

The Committee on Rules and Calendar recommends that SB 231 be placed on the local calendar.

The bill was placed on the local calendar.

The Committee on Rules and Calendar recommends that SB 230 be re-referred to the Committee on Finance and Taxation.

The bill was re-referred to the Committee on Finance and Taxation.

The Committee on Education—Public Schools and Junior Colleges recommends the following pass:

SB 120

The bill was placed on the Calendar.

The Committee on Education—Public Schools and Junior Colleges recommends the following pass:

SB 211

The bill was referred to the Committee on Appropriations under the original reference.

INTRODUCTION

By Senators Fisher, Slade and Stockton—

SR 331—A resolution providing for the appointment of a special Senate committee to investigate legal and economic relationships between distilleries, wholesale distributors, and vendors of spirituous beverages providing said committee shall recommend such remedial legislation as necessary.

Was read the first time by title and referred to the Committees on Ethics and Privileged Businesses; and Apportionment, Resolutions and Memorials.

By Senators Spencer and Hollahan—

SB 332—A bill to be entitled An act relating to pilot commissioners and pilots amending section 310.03, Florida Statutes, to provide that there shall be six pilots for the port of Miami; providing an effective date.

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

By Senator de la Parte—

SB 333—A bill to be entitled An act relating to railroad

crossings; amending chapter 357, Florida Statutes, by adding section 357.08; requiring trains switching or stopped and blocking highways during darkness to place lighted fuseses or warning devices to warn approaching motorists; not to apply to crossings with automatic warning devices; making violation a misdemeanor; providing an effective date.

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

By Senators de la Parte, Ott, Knopke and McClain—

SB 334—A bill to be entitled An act relating to pugilistic exhibitions; amending chapter 548, Florida Statutes, by adding section 548.031 to define an exhibition or fight between a man and animal; providing an effective date.

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

By Senators de la Parte and Weissenborn—

SB 335—A bill to be entitled An act relating to the rehabilitation of alcoholics; amending section 396.071, Florida Statutes, to provide for the advisory council furnishing advice to the administrator on the adoption of rules and regulations; amending section 396.101, Florida Statutes, to provide that the advisory council should advise and consult with the administrator; amending section 396.111, Florida Statutes, relating to the duties of the advisory council; amending section 396.121(2)(a), Florida Statutes, to delete the advisory council from those agencies that are required to approve grants to governmental units for the development of educational and treatment services for alcoholism in the state; providing an effective date.

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

By Senator Friday—

SB 336—A bill to be entitled An act relating to guardianship law; amending section 744.20, Florida Statutes, to provide that county judge may, at his discretion, appoint an attorney as guardian ad litem for property of an alleged incompetent non-resident.

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

By Senator Friday—

SB 337—A bill to be entitled An act relating to flood control; amending section 378.28(4), Florida Statutes; to enable flood control district to make budget transfers after budget adoption by action of the governing board; providing an effective date.

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

By Senator Friday—

SB 338—A bill to be entitled An act relating to probate law; amending section 733.16(2), Florida Statutes, providing additional limitations on claims which must be presented to county judge.

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

By Senator Friday—

SB 339—A bill to be entitled An act relating to flood control; amending section 378.16(3), Florida Statutes, limiting the use of eminent domain power for recreational planning and development to lands that are also necessary for water storage purposes; providing an effective date.

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

By Senator Friday—

SB 340—A bill to be entitled An act relating to small estates, administration unnecessary; amending section 735.04(2), Florida Statutes, to provide that the county judge may dispense with the administration of certain estates which do not exceed ten thousand dollars (\$10,000.00) in value; providing an effective date.

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

By Senator Friday—

SB 341—A bill to be entitled An act relating to guardianship law; amending section 745.15(1), Florida Statutes, providing that county judge may authorize guardian to transfer separate property of incompetent wife without joinder of husband under certain conditions.

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

By Senator Friday—

SB 342—A bill to be entitled An act relating to guardianship law; amending section 745.03(2), Florida Statutes, providing that county judge may authorize reinvestment of proceeds acquired by married incompetent ward from sale of home held by the entireties into purchase of another home held by the entireties.

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

By Senators Friday and Thomas—

SB 343—A bill to be entitled An act relating to seafood dealers, amending subsection (2) of 370.07, Florida Statutes, declaring the amount of license fees to be paid by seafood dealers; earmarking a percentage of fees to be paid by resident and nonresident wholesale seafood dealers for deposit into a special trust fund to promote salt water products produced in this state; ratifying and confirming prior deposits; 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 Finance and Taxation.

By Senator Thomas—

SB 344—A bill to be entitled An act relating to license fees for public lodging establishments and public food service establishments; providing for an increase in fees; amending subsection (1) of 509.251, and subsection (3) of 509.251 Florida Statutes; providing an effective date.

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

By Senator Friday—

SB 345—A bill to be entitled An act relating to guardianship law; amending section 744.64, Florida Statutes, to provide that county judge may authorize use of ward's funds for final illness and burial or cremation of ward's dependents, where equitably and morally permissible; defining dependents.

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

By Senators Friday (By Request) and Bell—

SB 346—A bill to be entitled An act relating to drivers' licenses; amending section 322.14, Florida Statutes, to provide that color photographs of the licensee be placed on license.

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

By Senator Boyd—

SM 347—A Memorial to the Congress of the United States to provide for a Constitutional Amendment establishing qualifications of Federal judges, retirement, and elections for Federal judges.

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

By Senators Griffin, Thomas, Friday, Horne, Edwards, Fisher, Gibson and Weissenborn—

SB 348—A bill to be entitled An act relating to cruelty to animals; amending chapter 828, Florida Statutes, by adding section 828.161, prohibiting the artificial coloring of certain animals and fowls; prohibiting the giving away of certain animals or fowls under a certain age as pets, toys or otherwise; making violation a misdemeanor; providing an effective date.

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

Senator Henderson presiding.

By Senators Griffin, Thomas, Edwards, Horne, Fisher and Gibson—

SB 349—A bill to be entitled An act relating to larceny of domestic animals; amending section 811.19, Florida Statutes, by including all domestic animals; providing an effective date.

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

By Senator Hollahan—

SB 350—A bill to be entitled An act to amend section 112.061, Florida Statutes, relating to per diem and expenses for official travel, by increasing subsistence allowances for meals; allowing expenditures for promotion as an incident of travel; authorizing advancement of anticipated expenses for certain travel; and providing an effective date.

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

By Senator Hollahan—

SB 351—A bill to be entitled An act relating to offense of attempted breaking and entering with intent to commit a misdemeanor; amending section 810.05, Florida Statutes, to provide a penalty for attempted breaking and entering with intent to commit a misdemeanor; providing an effective date.

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

By Senator Hollahan—

SB 352—A bill to be entitled An act amending subsections 2, 3 and 4 of subsection (a) of subsection (6) and subsections 2, 3 and 4 of subsection b of subsection (6) of section 112.061, Florida Statutes; providing for an alternative method to travelers to charge for travel expenses; providing for effective date.

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

By Senators Griffin, Poston, Johnson, Deeb, Shevin and Barrow—

SB 353—A bill to be entitled An act relating to the board of cosmetology; amending the following sections of chapter 477, Florida Statutes; section 477.06 by adding subsection (4) providing for the issuance of certificates of registration to practice as specialist in the various skills of cosmetology; prescribing requirements for issuance of such certificates to out-of-state specialists; section 477.09(2) requiring that applicant submit signed photograph with application; section 477.17(1), (3), (5), (6) increasing fees for examinations given by the board and certificates of registration and permits issued by the board; repealing subsection (2) of section 477.17 relating to costs of examinations for resident cosmetologists and renumbering subsections (3) through (6) accordingly; amending section 477.27(2), (14) by declaring the permitting of a specialist employee to practice as such without a certificate of registration, and the failure of a specialist to display a health certificate, each to constitute a misdemeanor; providing an effective date.

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

By Senators Griffin, Poston, Johnson, Deeb and Shevin—

SB 354—A bill to be entitled An act relating to cosmetology; amending the introductory paragraph of subsection (1) of section 477.08, Florida Statutes, increasing the minimum number of hours of instruction and fixing the minimum and maximum periods within which to complete such instruction in schools of cosmetology; providing an effective date.

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

By Senators Griffin, Poston, Johnson, Deeb, Shevin and Barrow—

SB 355—A bill to be entitled An act relating to cosmetology, permit or certificate to practice; amending sections 477.02(6), 477.10(1) and 477.12(1),(2), Florida Statutes, deleting the

authority to issue certain permits and certificates; repealing section 477.07(3), Florida Statutes, relating to interim permits to practice when applicants fail to pass examination.

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

By Senators Griffin, Poston, Johnson, Deeb, Shevin and Barrow—

SB 356—A bill to be entitled An act relating to cosmetology law; amending section 477.18(1), Florida Statutes, providing the number, method of selection, terms and qualifications of members of the state board of cosmetology; providing an effective date.

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

By Senators Griffin, Poston, Johnson, Deeb, Shevin and Barrow—

SB 357—A bill to be entitled An act relating to cosmetology; amending subsection (7) of section 477.08, Florida Statutes, and adding subsection (8) thereto; providing exception to requirement of a surety bond for schools of cosmetology in certain instances; providing an effective date.

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

By Senators Griffin, Thomas, Horne, Edwards, Fisher, Gibson and Weissenborn—

SB 358—A bill to be entitled An act relating to cruelty to animals; amending chapter 828, Florida Statutes, by adding section 828.121, making it unlawful to leave the scene of injury to certain animals without reporting same; providing a penalty; providing an effective date.

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

By Senators Griffin, Thomas, Edwards, Horne, Fisher, Gibson and Weissenborn—

SB 359—A bill to be entitled An act relating to cruelty to animals; amending sections 828.02, 828.07, 828.12 and 828.17, Florida Statutes, by redefining the terms "animals" and "torture to animals;" increasing the penalty for certain violation; redefining the scope of cruelty to animals; authorizing additional persons to arrest without warrant; repealing section 828.09, Florida Statutes, providing penalty for wanton killing of animals; providing an effective date.

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

By Senators Griffin, Thomas, Edwards, Horne, Fisher, Gibson and Weissenborn—

SB 360—A bill to be entitled An act relating to cruelty to animals; amending chapter 828, Florida Statutes, by adding section 828.131, making it unlawful to harbor a lost or stray animal after a certain period; providing a penalty; providing an effective date.

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

By Senators Ott, de la Parte, McClain and Knopke—

SB 361—A bill to be entitled An act relating to the Florida state hospital, west coast branch; amending chapter 65-145, acts of 1965, appearing as section 394.014, Florida Statutes, 1965; authorizing and directing the board of commissioners of state institutions to establish a branch of Florida state hospital at a place to be designated by the said board of commissioners of state institutions; repealing all laws in conflict herewith; and providing an effective date.

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

By Senators Horne, Reuter and Johnson—

SB 362—A bill to be entitled An act relating to corporations, consolidation, merger; amending sections 608.20(1) and 608.21(1), Florida Statutes, providing for additional means of pay-

ment in certain consolidation and merger agreements; providing an effective date.

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

By Senator Horne—

SB 363—A bill to be entitled An act relating to motor vehicles; amending subsection (4) of section 323.08, Florida Statutes; exempting carriers of roadbuilding and construction aggregates from the provisions of sections 323.08(1) and (2), 323.03(1)(e), and 323.19, Florida Statutes; and providing an effective date.

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

By Senators Lane, Stolzenburg, Reuter, Henderson, Stone, Poston, Bell, McClain, Weber, Deeb and Weissenborn—

SJR 364—A joint resolution proposing an amendment to section 7 of Article X of the State Constitution, relating to exemption of homesteads from taxation; providing an exemption up to assessed valuation of five thousand dollars (\$5,000.00) on each owner-occupied condominium parcel and on each apartment occupied by tenant-stockholder or member of cooperative apartment corporation; defining cooperative apartment corporation and tenant-stockholder; providing that beneficial title in equity shall include interest of tenant-stockholder or member of cooperative apartment corporation.

Was read the first time in full and referred to the Committees on Rules and Calendar; and Finance and Taxation.

By Senators Lane, Stone, Weber, Henderson, Stolzenburg, Deeb and Weissenborn—

SB 365—A bill to be entitled An act relating to exemption of homesteads from taxation; amending sections 192.12 and 192.13, Florida Statutes; providing an exemption up to assessed valuation of five thousand dollars (\$5,000.00) on each owner-occupied condominium parcel and on each apartment occupied by tenant-stockholder or member of cooperative apartment corporation; defining cooperative apartment corporation and tenant-stockholder or member; providing that beneficial title in equity shall include interest of tenant-stockholder or member of cooperative apartment corporation; providing an effective date.

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

The President presiding.

By Senators Poston, Pope and Askew—

SB 366—A bill to be entitled An act designating and naming the intersection of the north-south expressway and the east-west expressway in Miami, Dade County, as the Chelsie J. Senerchia interchange; providing for suitable plaques to be erected thereon by the state road department; providing an effective date.

Was read the first time by title and placed on the Calendar without reference by waiver of the rules.

Unanimous consent was granted Senator Hollahan to take up SB 366 out of order.

On motions by Senator Hollahan, the rules were waived and SB 366 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—48 Nays—None

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

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

By Senators Poston and Weissenborn—

SB 367—A bill to be entitled An act relating to tax on sales, use and other transactions; amending subsection (7) of section 212.08, Florida Statutes, by exempting counties and municipalities from tax on the purchase of tangible personal property used in the construction of public works; providing for effective date.

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

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

SB 368—A bill to be entitled An act relating to state and county retirement; amending section 122.34, Florida Statutes, providing special provisions for high hazard sheriffs and full-time deputy sheriffs by adding subsection (6) to provide pensions for wives of such deceased sheriffs and deputy sheriffs; providing a formula for determining the amount of such pensions; providing an effective date.

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

By Senators Chiles, Boyd and Weissenborn—

SB 369—A bill to be entitled An act relating to elections; creating a committee to make a comprehensive study of the election laws of the state of Florida relating to the disclosure of contributions to candidates for nomination or election to public office, the costs of or the limitations on spending, voter participation; providing for reporting to the next general session of the legislature; providing an effective date.

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

By Senators Spencer, Fincher, Shevin and Weissenborn—

SB 370—A bill to be entitled An act relating to inspection of motor vehicles; establishing minimum inspection requirements, establishing powers and duty of state department of public safety, directing counties to implement the act by establishment of motor vehicle inspection stations and to enforce provisions of the act, authorizing county to promulgate and enforce more stringent inspection requirements, establishing minimum inspection fees, providing for distribution of funds collected, exempting counties with population of less than ten thousand (10,000) from provisions of act, and providing penalty for violation of act.

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

By Senators Plante, Chiles, Griffin, Elrod, Gunter, Slade, Clayton, Askew, Hollahan and Friday—

SB 371—A bill to be entitled An Act establishing the City of Bay Lake in Orange County; setting forth the territorial boundaries of the City; providing a council-manager form of government for the City; providing powers and duties of the city council; providing powers and duties of the City, among them the ownership, acquisition, mortgage, lease and disposal of property and facilities, the exercise of the power of eminent domain, the levy of ad valorem taxes, the investment of surplus funds, the borrowing of money, the licensing and taxing of professions and occupations, the regulation of water use and of sewers and other sanitary facilities subject to penalties for noncompliance, pest controls, the providing of police and fire protection and the exercise of police powers, the adoption of traffic regulations, the prevention of nuisances, advertising, the establishment of conservation areas and sanctuaries, the licensing and regulation of the manufacture and sale of alcoholic beverages, the furnishing of proprietary services and facilities of all kinds, among them water and sewer systems, waste collection and disposal systems, airport facilities, communication, cultural, recreational and educational facilities, parking facilities and meters, hospitals, public utilities and transportation, streets, toll roads and bridges, sidewalks, street lighting and related facilities, drainage, reclamation, irrigation, water and flood control, erosion control, cemeteries, and other projects and experimental projects, and the financing of city projects and activities through bonds and other obligations; authorizing the City to provide telephonic and other communications services and to exercise the rights of telephone companies, radio common carriers and other persons under Chapter 364, Florida Statutes;

authorizing the issuance of licenses for the sale of alcoholic beverages and to social clubs without limitation as to number under Chapter 561, Florida Statutes; authorizing the City to maintain its projects and provide proprietary services and facilities outside its City limits subject to certain limitations; authorizing the City to furnish fire and police protection, exercise police powers, regulate traffic and exercise jurisdiction over offenses and misdemeanors within the Reedy Creek Improvement District subject to certain limitations; authorizing the City by agreement with certain other municipalities to exercise jurisdiction over offenses and misdemeanors committed in such municipalities; authorizing the City to exercise exclusive regulatory jurisdiction and authority within the Reedy Creek Improvement District over carriers of all kinds and exempting carriers within said District from the jurisdiction and regulation of other public agencies; providing independent authority for City projects and exempting City projects from the jurisdiction of other regulatory agencies; authorizing the City to grant franchises and regulate public utilities; providing for cooperative agreements with the Reedy Creek Improvement District and other municipalities and for the joint discharge of common functions and the joint undertaking and financing of projects; authorizing cooperative agreements with Federal and State governments, agencies, subdivisions and others with respect to the exercise of City functions and powers, financial and other contributions and loans to the City and the furnishing of facilities and services by or to the City; providing for election, qualification, organization, term of office and compensation of the city council; providing for the filling of vacancies; providing for meetings of the city council and other procedures; providing for the election of a mayor; providing powers of the city council; specifying acts to be performed by ordinance and the procedure for enacting ordinances; providing for a city manager and other city departments and officers and their powers and duties; providing for municipal elections, the qualification of electors, registration of voters, and election procedures; providing for recall of city council members; authorizing the city council to adopt and revise a comprehensive general plan for physical development of the area within the City, building codes and other safety and sanitary codes and to require building permits; requiring approval by the city council and the recording of plats and making failure to comply with such requirements a misdemeanor and subject to other penalties; authorizing the city council to adopt rules and regulations with respect to platting; authorizing the city council to vacate plats; requiring subdivision plans to be approved by the city council and authorizing the city council to adopt subdivision regulations; authorizing the city council to adopt zoning regulations; authorizing the city council to grant variances and waivers with respect to subdivision, platting, recording, zoning and other regulations; authorizing the city council to set up a planning and zoning commission and a zoning board of adjustment and to prescribe the powers, duties, organization and procedures of the same; providing for a municipal court and the designation of municipal judges, city prosecutor and city attorney and their powers and duties; authorizing under certain circumstances misdemeanors and offenses to be tried in courts of other municipalities; providing the fiscal year of the City; providing with respect to the adoption of an annual city budget, appropriations and prohibited contracts and expenditures; providing with respect to the assessment, levy and collection of taxes and penalties for failure to make returns of taxable property; providing for correction of assessments and a city board of equalization; providing for tax discounts and tax and assessment liens; providing power to issue general obligation bonds, revenue bonds, utility service, license, excise and privilege tax bonds, and refunding bonds; providing for the pledge of taxes, assessments, revenues, and other properties as security to the payment of bonds; providing for the lien of pledged revenues, taxes and assessments; providing for the making of special assessments for improvements and the procedure to be followed in connection therewith; providing for the collection of special assessments and the foreclosure of delinquent assessments or installments, including acceleration of payment and recovery of attorney's fees and costs; providing power to issue assessment certificates and bonds; providing power to issue bond anticipation notes; providing power to make short-term borrowings and to issue certificates of indebtedness; providing authority for making trust agreements; providing for sale of bonds; providing with respect to the authorization and form of bonds; providing for increase in maximum allowable interest on City bonds above six (6) per cent per annum under certain circumstances; providing for interim and replacement certificates and negotiability; providing for bond

defeasance; providing for bonds as legal investment or security; authorizing agreements with Florida Development Commission and others; providing authority to make bond covenants and to provide for the rights, remedies and security of bondholders; providing for validation of bonds by publication of notice of issuance and by validation proceedings under Chapter 75, Florida Statutes; providing independent authority to issue bonds; safeguarding bondholders and agreements with the Federal government against impairment of rights; providing for tax exemption of city bonds, revenues and properties; authorizing maintenance of city projects across rights-of-way within and without the City; providing authority to set rates, fees, rentals, tolls, fares and other charges, subject to certain requirements with respect to the sufficiency of revenues, and to make agreements and contracts for services and pledge the same as security for city bonds; providing authority to recover delinquent charges, together with attorney's fees, expenses and penalties, and to discontinue services; authorizing agreements with private or public persons or agencies concerning the furnishing of facilities and services and the inclusion of other utility plants or systems as part of city projects; providing for the construction of city projects with or without competitive bidding; providing for the extension and contraction of city limits and the procedures to be followed in connection therewith; providing for the holding of more than one city office by the same person and the qualifications of office holders; permitting city councilmen and other city officials to approve contracts in which such councilmen and officials have an interest subject to certain limitations and providing criminal penalties; providing for investigations by the city council; providing for official bonds and oath of office; providing statute of limitations on claims, suits and actions against the City; providing exemption of city property from execution; providing for the defrayment of city expenses during the first year; providing for posting of notices in lieu of publication under certain circumstances; designating the city councilmen to hold office until the first regular municipal election; authorizing change of name of the City; providing severability; providing effective date.

Evidence of notice and publication was established by the Senate as to SB 371.

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

By Senators Gunter, Chiles, Elrod, Plante, Griffin, Slade, Askew, Clayton, Hollahan and Friday—

SB 372—A bill to be entitled An Act establishing the City of Reedy Creek in Orange and Osceola Counties; setting forth the territorial boundaries of the City; providing a council-manager form of government for the City; providing powers and duties of the city council; providing powers and duties of the City, among them the ownership, acquisition, mortgage, lease and disposal of property and facilities, the exercise of the power of eminent domain, the levy of ad valorem taxes, the investment of surplus funds, the borrowing of money, the licensing and taxing of professions and occupations, the regulation of water use and of sewers and other sanitary facilities subject to penalties for noncompliance, pest controls, the providing of police and fire protection and the exercise of police powers, the adoption of traffic regulations, the prevention of nuisances, advertising, the establishment of conservation areas and sanctuaries, the licensing and regulation of the manufacture and sale of alcoholic beverages, the furnishing of proprietary services and facilities of all kinds, among them water and sewer systems, waste collection and disposal systems, airport facilities, communication, cultural, recreational and educational facilities, parking facilities and meters, hospitals, public utilities and transportation, streets, toll roads and bridges, sidewalks, street lighting and related facilities, drainage, reclamation, irrigation, water and flood control, erosion control, cemeteries, and other projects and experimental projects, and the financing of city projects and activities through bonds and other obligations; authorizing the City to provide telephonic and other communications services and to exercise the rights of telephone companies, radio common carriers and other persons under chapter 364, Florida Statutes; authorizing the issuance of licenses for the sale of alcoholic beverages and to social clubs without limitation as to number under chapter 561, Florida Statutes; authorizing the City to maintain its projects and provide proprietary services and facilities outside its City limits subject to certain limitations; empowering the City to authorize the City of Bay Lake to exercise police powers, regulate traffic and exercise jurisdiction

over offenses and misdemeanors within the City of Reedy Creek; providing independent authority for City projects and exempting City projects from the jurisdiction of other regulatory agencies; authorizing the City to grant franchises and regulate public utilities; providing for cooperative agreements with the Reedy Creek Improvement District and other municipalities and for the joint discharge of common functions and the joint undertaking and financing of projects; authorizing cooperative agreements with Federal and State governments, agencies, subdivisions and others with respect to the exercise of City functions and powers, financial and other contributions and loans to the City and the furnishing of facilities and services by or to the City; providing for election, qualification, organization, term of office and compensation of the city council; providing for the filling of vacancies; providing for meetings of the city council and other procedures; providing for the election of a mayor; providing powers of the city council; specifying acts to be performed by ordinance and the procedure for enacting ordinances; providing for a city manager and other city departments and officers and their powers and duties; providing for municipal elections, the qualification of electors, registration of voters, and election procedures; providing for recall of city council members; authorizing the city council to adopt and revise a comprehensive general plan for physical development of the area within the City, building codes and other safety and sanitary codes and to require building permits; requiring approval by the city council and the recording of plats and making failure to comply with such requirements a misdemeanor and subject to other penalties; authorizing the city council to adopt rules and regulations with respect to platting; authorizing the city council to vacate plats; requiring subdivision plans to be approved by the city council and authorizing the city council to adopt subdivision regulations; authorizing the city council to adopt zoning regulations; authorizing the city council to grant variances and waivers with respect to subdivision, platting, recording, zoning and other regulations; authorizing the city council to set up a planning and zoning commission and a zoning board of adjustment and to prescribe the powers, duties, organization and procedures of the same; providing for a municipal court and the designation of municipal judges, city prosecutor and city attorney and their powers and duties; authorizing under certain circumstances misdemeanors and offenses to be tried in courts of other municipalities; providing the fiscal year of the City; providing with respect to the adoption of an annual city budget, appropriations and prohibited contracts and expenditures; providing with respect to the assessment, levy and collection of taxes and penalties for failure to make returns of taxable property; providing for correction of assessments and a city board of equalization; providing for tax discounts and tax and assessment liens; providing power to issue general obligation bonds, revenue bonds, utility service, license, excise and privilege tax bonds, and refunding bonds; providing for the pledge of taxes, assessments, revenues, and other properties as security to the payment of bonds; providing for the lien of pledged revenues, taxes and assessments; providing for the making of special assessments for improvements and the procedure to be followed in connection therewith; providing for the collection of special assessments and the foreclosure of delinquent assessments or installments, including acceleration of payment and recovery of attorney's fees and costs; providing power to issue assessment certificates and bonds; providing power to issue bond anticipation notes; providing power to make short-term borrowings and to issue certificates of indebtedness; providing authority for making trust agreements; providing for sale of bonds; providing with respect to the authorization and form of bonds; providing for increase in maximum allowable interest on city bonds above six (6) per cent per annum under certain circumstances; providing for interim and replacement certificates and negotiability; providing for bond defeasance; providing for bonds as legal investment or security; authorizing agreements with Florida Development Commission and others; providing authority to make bond covenants and to provide for the rights, remedies and security of bondholders; providing for validation of bonds by publication of notice of issuance and by validation proceedings under chapter 75, Florida Statutes; providing independent authority to issue bonds; safeguarding bondholders and agreements with the Federal government against impairment of rights; providing for tax exemption of city bonds, revenues and properties; authorizing maintenance of city projects across rights-of-way within and without the City; providing authority to set rates, fees, rentals, tolls, fares and other charges, subject to certain requirements with respect to the sufficiency of revenues, and to make agreements and contracts for services and pledge the same as security for city bonds;

providing authority to recover delinquent charges, together with attorney's fees, expenses and penalties, and to discontinue services; authorizing agreements with private or public persons or agencies concerning the furnishing of facilities and services and the inclusion of other utility plants or systems as part of city projects; providing for the construction of city projects with or without competitive bidding; providing for the extension and contraction of city limits and the procedures to be followed in connection therewith; providing for the holding of more than one city office by the same person and the qualifications of office holders; permitting city councilmen and other city officials to approve contracts in which such councilmen and officials have an interest subject to certain limitations and providing criminal penalties; providing for investigations by the city council; providing for official bonds and oath of office; providing statute of limitations on claims, suits and actions against the City; providing exemption of City property from execution; providing for the defrayment of city expenses during the first year; providing for posting of notices in lieu of publication under certain circumstances; designating the city councilmen to hold office until the first regular municipal election; authorizing change of name of the City; providing severability; providing effective date.

Evidence of notice and publication was established by the Senate as to SB 372.

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

By Senators Elrod, Griffin, Chiles, Plante, Gunter, Slade, Askew, Clayton, Hollahan and Friday—

SB 373—A bill to be entitled An act relating to the establishment, powers and functions of the Reedy Creek Improvement District; changing the name of the Reedy Creek Drainage District created under authority of Chapter 298, Florida Statutes, to the Reedy Creek Improvement District; setting forth new territorial boundaries of the District in Orange and Osceola Counties and excluding certain lands from said boundaries; assuming all lawful debts and other obligations and continuing all proceedings for the construction of improvements and the condemnation of land and for tax levies; providing for refund of taxes heretofore levied on lands excluded from the District; making powers and authorities conferred by Chapter 298, Florida Statutes, applicable to the Reedy Creek Improvement District except provisions of sections 298.07, 298.11, 298.12, 298.14, 298.15, 298.17, 298.18, 298.20, 298.23-298.25, 298.35, 298.37-298.40, 298.401, 298.41, 298.42, 298.44-298.46, 298.48, 298.52, 298.56, 298.57, 298.61, 298.69-298.74, Florida Statutes, and amendments thereto; providing for the election of a Board of Supervisors by the landowners within the District and for membership, term of office, qualification, organization and compensation of the Board of Supervisors and the filling of vacancies; providing for meetings of the landowners and supervisors and other procedures relating to the management and operation of the District; providing for appointment of a treasurer, depositories, fiscal agent and other officers and their qualifications, powers and duties; providing powers and duties of the Board of Supervisors; providing additional powers and duties of the Reedy Creek Improvement District including the ownership, acquisition, mortgage, lease and disposal of property and facilities, and the furnishing of proprietary services and facilities of all kinds, among them reclamation, drainage, irrigation, water and flood control, erosion control, water and sewer systems, waste control and disposal systems, airport facilities, communication, cultural, recreational and educational facilities of all kinds, parking facilities and meters, public transportation and utilities, streets, toll roads and bridges, sidewalks, street lighting and related facilities, and other projects and experimental projects; authorizing the District to control mosquitos and other pests within and without the District, subject to certain limitations to exercise exclusive jurisdiction within the District to regulate water supply and water levels and to divert waters from one area or body of water to another, to regulate sewers and other sanitary facilities and to impose penalties for noncompliance with District regulations, to provide fire protection, to advertise, to establish conservation areas and sanctuaries, to exercise the power of eminent domain, and to finance the projects and activities of the District through bonds and other obligations; exempting properties, easements and rights of the District from eminent domain by other public or private bodies or agencies except with concurrence of the Board of Supervisors; making the District eligible for state assistance to flood control and water management districts, navigation districts and agencies, and mosquito or pest control districts and for gasoline tax or other gasoline or fuel tax funds available

for road construction; granting the District the benefits and privileges of special road and special road and bridge districts; subject to certain exceptions, granting the Board of Supervisors exclusive authority with respect to the construction of public roads within the District and the maintenance, franchizing and regulation of toll roads; authorizing the Board of Supervisors to enter sale, lease or other agreements with the State Road Department concerning the construction of roads within the District and the joint determination with the State Road Department of certain access and connecting roads and extensions within the District; authorizing the adoption, revision and revocation of plans of reclamation, subject to existing cooperative arrangements with Orange County; authorizing the division of the District into units for purposes of drainage and reclamation and providing the procedures to be followed in connection with the establishment and operation of a unit system of drainage and reclamation; authorizing the creation of subdistricts; authorizing the District to exercise its rights, powers, privileges and authorities in municipalities located within the District; authorizing the District to construct and furnish proprietary facilities and services to persons and property outside the District boundaries subject to certain limitations; providing authority to require use of certain District facilities and services and prohibiting the construction or operation of like facilities or services without consent and approval of the Board of Supervisors subject to criminal penalties; authorizing the District to maintain projects across rights-of-way within or without the District; providing authority to set rates, fees, rentals, tolls, fares and charges, subject to certain requirements concerning public hearings and the sufficiency of revenues, and to make agreements and contracts for services without public hearing and pledge the same as security for District bonds; providing authority to recover delinquent charges, together with attorney's fees, expenses and penalties, and to discontinue services; authorizing agreements with private or public persons or agencies concerning the furnishing of facilities and services and the inclusion of other utility plants or systems as part of District projects; granting the District exclusive authority over District projects and budgets and providing exemption of District projects and activities and the District budget and finances from other regulatory laws and authorities, subject to certain limitations; exempting the area of the District from county zoning, building and construction, platting, subdivision, safety, sanitary and like codes and regulations and from state law pertaining to land use regulation, zoning and building codes, except to the extent that the Board of Supervisors may designate District areas subject to county codes and regulations; authorizing the District to adopt zoning, building and construction, platting, subdivision, safety, sanitary and like codes and regulations with respect to areas within the District including incorporated municipalities, subject to certain limitations; authorizing the District to adopt and revise a comprehensive general plan for physical development of the area within the District, building codes and other safety and sanitary codes, and to require building permits; requiring the approval by the Board of Supervisors and recording of plats, and making the failure to comply with such requirements a misdemeanor and subject to other penalties; authorizing the Board of Supervisors to adopt rules and regulations with respect to platting; authorizing the Board of Supervisors to vacate plats; requiring subdivision plans to be approved by the Board of Supervisors and authorizing the Board to adopt subdivision regulations; authorizing the Board of Supervisors to adopt zoning regulations; authorizing the Board of Supervisors to grant variances and waivers with respect to subdivision, platting, recording, zoning and other regulations; authorizing the Board of Supervisors to set up a planning and zoning commission and a zoning board of adjustment and to prescribe the powers, duties, organization and functioning of the same; providing power and authority to levy ad valorem taxes based on county assessed valuation not to exceed thirty (30) mills on the dollar per annum; providing power and authority to levy a maintenance tax under section 298.54, Florida Statutes, and a special ad valorem maintenance tax not to exceed ten (10) mills on the dollar per annum; providing power and authority to levy utility taxes not to exceed ten per cent (10%) of the payments received by the seller, the method of collection of the same, and criminal and other penalties for violation of District regulations pertaining thereto; providing for determination of annual installments of drainage taxes; providing for collection of taxes by certification to the respective boards of county commissioners of Orange and Osceola Counties and assessment and collection of taxes by county tax assessors and collectors or as otherwise directed by the Board of Supervisors; providing for tax discounts and penalties; establishing tax and other liens and procedures for the foreclosure of liens; authorizing the District to pay taxes and redeem tax sales cer-

tificates with respect to property in the District and to participate in the proceeds of tax sales; providing power to issue general obligation bonds, revenue bonds, utility service tax bonds and refunding bonds; providing for the pledge of taxes, assessments, revenues and other properties as security to the payment of bonds; providing for the lien of pledges of revenues, taxes and assessments; providing for the making of special assessments for improvements and the procedure to be followed in connection therewith; providing for the collection of special assessments and the foreclosure of delinquent assessments or installments, including acceleration of payment and recovery of attorney's fees and costs; providing power to issue assessment certificates and bonds; providing power to issue bond anticipation notes; providing power to make short-term borrowings and to issue certificates of indebtedness; providing authority for making trust agreements; providing for the sale of bonds; providing with respect to the authorization and form of bonds; providing for increase in maximum allowable interest on District bonds above six (6) per cent per annum under certain circumstances; providing for interim and replacement certificates and negotiability; providing for bond defeasance; making District bonds legal investment or security for other public and private bodies; authorizing agreements with the Florida Development Commission and others; providing authority to make bond covenants and to provide for the rights, remedies and security of bondholders; providing for validation of bonds by publication of notice of issuance and by validation proceedings under Chapter 75, Florida Statutes; providing independent authority to issue bonds and authorizing the issuance of District bonds without approval of the board of drainage commissioners or other public authorities; extending pledge to bondholders and safeguarding agreements with the Federal government against impairment of rights; providing for cooperation agreements with municipalities and for the joint discharge of common functions and the joint undertaking and financing of projects; authorizing cooperative agreements with Federal and State governments, agencies, subdivisions and others with respect to financial and other contributions and loans to the District, the furnishing of facilities and services by or to the District, and fire and police protection; providing for tax exemption of District properties, bonds and revenues; providing statute of limitations on claims, suits or actions against the District; providing exemption for District properties from execution; providing for posting of notices in lieu of publication under certain circumstances; providing for annexation of lands to and exclusion from the District and revision of the District boundaries; authorizing the withdrawal of lands from the District within sixty (60) days after the effective date of the Act; limiting the establishment of municipalities within the area of the District and the annexation of land within the District by municipalities; providing for construction of District projects with or without competitive bidding; subject to certain conditions, permitting supervisors to have an interest in corporations contracting with the District; providing power of injunction and other relief for violation of District by-laws, regulations, resolutions, rules, codes and orders; providing criminal and other penalties; providing for investment of funds by the District; providing for fiscal year of the District; providing severability; providing effective date.

Evidence of notice and publication was established by the Senate as to SB 373.

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

By Senators Chiles, Askew, Bafalis, Barron, Barrow, Bell, Boyd, Broxson, 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, Pope, Poston, Reuter, Saylor, Shevin, Slade, Spencer, Stockton, Stolzenburg, Stone, Thomas, Weber, Weissenborn, Wilson and Young—

SCR 374—A concurrent resolution in Memoriam FREDERICK O'NEAL LEVY, JR.

Was read the first time in full. On motion by Senator Chiles, SCR 374 was placed on the Calendar.

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

SCR 374—A concurrent resolution in Memoriam FREDERICK O'NEAL LEVY, JR.

WHEREAS, "in shuffling off this mortal coil" on February 5, 1967, O'Neal Levy left a peculiar void in Tallahassee scenes, in her business and political circles, that can never be filled, and

WHEREAS, O'Neal did not hold his place of eminence in the hearts of those who knew him by reason of any higher estate than his innate honesty, wholehearted dedication to any given task and fearless loyalty to what he conceived to be the right of a matter, and

WHEREAS, to young and old alike, to merchant, lawmaker, state official—no matter by whom importuned or how significant or insignificant the task—once it became O'Neal's objective to execute, it was one with "A Message to Garcia", and

WHEREAS, O'Neal read his own titles clear, stood in his own right, and commanded the admiration and respect of all who knew him to a degree probably never excelled by any other member of Tallahassee's populace, and

WHEREAS, O'Neal's life was such an exemplification of laudable traits of character, strict attention to duty, loyalty to an espoused cause and unflagging energy in the pursuit thereof that the members of this Legislature, many of whom he served on occasion, would record this testimonial in appreciation, in recognition, in bereavement, NOW, THEREFORE,

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

**IN MEMORIAM
FREDERICK O'NEAL LEVY**

O'Neal was born in the shadow of the Capitol fifty-eight years ago. He veritably spent his life within the realms of the Capitol dome, which seemed to be to him what The Great Stone Face was to Ernest. While he worked at many other jobs and with other state departments and agencies, he was always in evidence at Legislative sessions.

O'Neal came of one of Florida's oldest and most respected pioneer families. His brother is a highly respected servant of the City of Tallahassee, holding a place of great importance to the people, but O'Neal always moved on his own initiative. He never drew on his family for backing in his various pursuits. His was an honesty, industriousness, earnest attention to duty that merited him the confidence and respect of all who knew him. He enjoyed not only the acclaim of his lesser friends but upon his demise, he received from the illimitable pen of the matchless columnist, Malcolm Johnson, a word picture of his life and a tribute that might be envied by a crown head.

O'Neal was a member of the Baptist Church, to which he was a faithful adherent.

BE IT FURTHER RESOLVED that a copy of this Resolution be recorded upon the pages of the Senate and House Journals and that copies be forwarded to his sisters, Mrs. W. O. Arnold and Mrs. J. O. McGlamory, and to his brother, Fire Chief Earl Levy, all of Tallahassee, by the Secretary of State under the Great Seal of the State, with the condolences of the Legislature of the State of Florida.

On motions by Senator Chiles, SCR 374 was read the second time by title, unanimously adopted and certified to the House.

By Senator Pope—

SB 375—A bill to be entitled An act relating to banks and banking; amending Chapter 659, Florida Statutes, adding Section 659.581, providing that any bank employing five (5) or less employees excluding janitorial help shall submit to an internal audit once each year; providing an effective date.

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Gunter, by two-thirds vote, SB 257 was withdrawn from the Committee on Labor and Industry and re-referred to the Committee on Citrus.

On motion by Senator Hollahan, by two-thirds vote, SB 319 was withdrawn from the Committee on Apportionment, Resolutions and Memorials and re-referred to the Committee on Appropriations.

On motion by Senator Henderson, by two-thirds vote, SB 125 was withdrawn from the Committee on Public Roads and Highways and placed on the Calendar.

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

SB 125—A bill to be entitled An act designating the Venice Avenue Bridge as the "Colonel George Kumpe Bridge"; providing for suitable plaques to be erected thereon by the State Road Department.

On motions by Senator Henderson, the rules were waived and SB 125 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—48 Nays—None

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

The bill was certified to the House.

MESSAGE FROM THE GOVERNOR

The following communication from the Governor which was read and temporarily deferred in open Session on April 17, 1967, was taken up:

*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 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

Senator Edwards 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 Jack W. Jernigan, County Surveyor of Marion County, Florida. Which motion was adopted.

The President appointed Senators Edwards, Fincher, Gunter and Henderson as the Committee.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages were read:

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

April 18, 1967

Sir:

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

SB 234

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

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

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

April 17, 1967

Sir:

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

By Representative Redman—

HCR 231—A concurrent resolution saluting the Federal Land Bank of Columbia, South Carolina, and the Federal Land Bank Associations of Florida for their meritorious service to the agricultural and business communities and congratulating them on the observance of their Fiftieth Anniversary.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 231, contained in the above message, was read the first time in full and referred to the Committee on Apportionment, Resolutions and Memorials.

On motion by Senator Mathews, by two-thirds vote, HCR 231 was withdrawn from the Committee on Apportionment, Resolutions and Memorials and placed on the Calendar.

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

HCR 231—A concurrent resolution saluting the Federal Land Bank of Columbia, South Carolina, and the Federal Land Bank Associations of Florida for their meritorious service to the agricultural and business communities and congratulating them on the observance of their Fiftieth Anniversary.

WHEREAS, the members of the Legislature of the State of Florida have common cause with all who are striving for the advancement of agriculture; and

WHEREAS, our nation's food producing capacity promises to become a major weapon for world peace and freedom; and

WHEREAS, the availability and sound use of agricultural credit, already having done much to contribute to the progress of agriculture in Florida and the nation during the past half century, will strengthen our potential for the future; and

WHEREAS, the establishment of the Federal Land Banks in 1917 created the cornerstone of a farm credit system which stands as a unique example of farmers, government and the business community cooperating for the advancement of agricultural productivity and abundance; and

WHEREAS, the Federal Land Bank of Columbia, South Carolina, serving the long-term credit needs of farmers in Florida, North Carolina, Georgia and South Carolina, and the seven (7) Federal Land Bank Associations in Florida have contributed significantly toward efficiency and progress of our state's agriculture, NOW, THEREFORE,

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

That the Legislature of the State of Florida salutes the Federal Land Bank of Columbia, South Carolina, and the Federal Land Bank Associations in Florida in recognition of their Fiftieth Anniversary during 1967 and joins with them in this golden anniversary observance which has been dedicated to America's Farmers, Providers of Plenty.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Federal Land Bank of Columbia, South Carolina, and the seven (7) Federal Land Bank Associations serving farmers, growers and ranchers throughout the State of Florida.

On motions by Senator Mathews, HCR 231 was read the second time by title, unanimously adopted and certified to the House.

The Honorable Verle A. Pope
President of the Senate

April 18, 1967

Sir:

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

By Representative Turlington and others—

HB 373—A bill to be entitled An act to adopt orange juice as the official State beverage; and, providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Mathews, consideration of HB 373 was indefinitely postponed.

The Honorable Verle A. Pope
President of the Senate

April 18, 1967

Sir:

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

By Representative Reedy—

HB 10—A bill to be entitled An act amending chapter 125, Florida Statutes, relating to powers, duties, and compensation of county commissioners by adding section 125.441, Florida Statutes, declaring the operation and maintenance of ambulance service to be a county purpose; authorizing the use of county funds to carry out such purpose; authorizing the several boards of county commissioners to enter into agreements with other governmental agencies or other agencies or entities within the county for the operation and maintenance of ambulance service and make payment therefor with county funds; authorizing the making of a charge; ratifying and confirming contracts entered into prior to effective date of this act; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 10, contained in the above message, was read the first time by title and referred to the Committee on Urban Affairs and Local Government.

The Honorable Verle A. Pope
President of the Senate

April 18, 1967

Sir:

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

By Representative Reedy—

HB 11—A bill to be entitled An act relating to regulation of traffic on highways; amending subsection (1) of section 317.453, Florida Statutes, relating to vehicles stopping at all railroad crossings; providing exception as to passenger vehicles pulling trailers; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 11, contained in the above message, was read the first time by title and referred to the Committee on Transportation and Safety.

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 adopted—

By Representatives Myers and Graham—

HCR 3—A concurrent resolution ratifying the proposed amendment to the Constitution of the United States relating to succession to Presidency and Vice Presidency; disability of President.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 3, contained in the above message, was read the first time in full and referred to the Committee on Apportionment, Resolutions and Memorials.

The Honorable Verle A. Pope
President of the Senate

April 17, 1967

Sir:

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

By Representative Firestone and others—

HB 89—A bill to be entitled an Act relating to larceny, grand; amending section 811.021(2), Florida Statutes, redefining grand larceny to include any property taken which aggregates two hundred dollars (\$200.00) or more in any twelve (12) consecutive month period.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 89, contained in the above message, was read the first time by title and referred to the Committee on Judiciary "A".

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 Murphy and others—

HB 292—A bill to be entitled An Act to amend Section 7, of the Municipal Charter of the City of Clearwater, Pinellas County, Florida, being Chapter 9710, Special Acts of Florida, 1923, as amended by Chapter 30659, Special Acts of Florida, 1955, by Chapter 61-2011, Special Acts of Florida, 1961, and by Chapter 63-1224, Special Acts of Florida, 1963, by providing for the enlargement of the powers of the City of Clearwater to establish a supplementary retirement plan and fund for firemen of the City of Clearwater and to provide for the effective administration thereof; providing for the severability of the provisions thereof; providing for the repeal of all laws in conflict herewith and providing for the effective date hereof.

Proof of Publication attached.

By Representative Rainey and others—

HB 264—A bill to be entitled An act providing for a medical examiner and assistant medical examiners for Pinellas County; providing for their compensation and prescribing their duties; and providing for 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 292.

Evidence of notice and publication was established by the Senate as to HB 264.

House Bills 292 and 264, 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 17, 1967

Sir:

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

By Representative Rainey and others—

HB 291—A bill to be entitled An act relating to the amount of and collection of notary fees, and the expense of becoming and continuing to be notaries public, by certain county officers and their employees in certain instances in counties having a population of not less than three hundred fifty thousand (350,000) and not more than three hundred eighty-five thousand (385,000) inhabitants according to the latest decennial census; providing that any elective county officer and his employees may perform public services for the public for compensation in the office of the officer; provided that fees received for service as notaries public by the officer or his employees shall be fee receipts of the office of the county officer; establishing fee rates for performing services as notaries public; providing that expenses incurred in becoming and continuing to be notaries public by the county officer and his employees shall be an expense of

the office; providing for certain instances where no notary fee shall be charged by the county officer or his employees; providing for an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 291, 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 Rainey and others—

HB 267—A bill to be entitled An act authorizing the Board of County commissioners of Pinellas County to acquire or construct and furnish county buildings for the use of county agencies, officials and departments of the Board of County Commissioners; authorizing the issuance of revenue bonds to finance the acquisition or construction of such county buildings repealing Chapter 24819, Special Acts of 1947; 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 267.

HB 267, 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 Myers and others—

HB 22—A bill to be entitled An act relating to hospitalization of the mentally ill; providing definitions; providing criminal penalties for wrongfully causing hospitalization; protecting good faith actions; extending voluntary procedures to facilities other than state hospitals; providing emergency and non-emergency procedures for involuntary hospitalization of the mentally ill in facilities other than the state hospitals; providing for release of involuntary patients and protection of rights of patients; providing for payment of care for patients; and providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 22, contained in the above message, was read the first time by title and referred to the Committees on Health and Welfare; and Appropriations.

SENATE BILLS ON THIRD READING

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 and read the third time in full and passed. The vote was:

Yeas—24

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

Nays—21

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

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

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.

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

Was taken up. On motions by Senator Friday, the rules were waived and SB 58 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	Horne	Sayler
Askew	Elrod	Johnson	Shevin
Bafalis	Fincher	Knopke	Slade
Barron	Fisher	Lane	Spencer
Barrow	Friday	McClain	Stockton
Bell	Gong	Mathews	Stolzenburg
Boyd	Griffin	O'Grady	Stone
Broxson	Gunter	Ott	Thomas
Chiles	Haverfield	Plante	Weissenborn
Cross	Henderson	Poston	Wilson
Deeb	Hollahan	Reuter	Young

The bill was certified to the House.

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 together with the following pending amendment, offered by the Committee on Judiciary "A", Senator Shevin having moved the adoption thereof:

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 non-capital 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.

Senator Shevin offered the following amendment to the amendment which was adopted:

In Section 1, line 2, page 1, following: "the judicial officer" insert the following: , of courts of record ,

Senator Shevin also offered the following amendment to the amendment which was adopted:

In Section 1, subsection 4, page 1, strike: "shall through its supervisors, make an investigation and report to said judicial officer," and insert the following: shall be authorized, through its supervisors, to make an investigation and report to said judicial officer, which may include the following:

On motion by Senator Shevin, the amendment as amended was adopted.

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

In title, line 5, page 1, strike: "determine if an accused in a noncapital crime or bailable offense is indigent" and insert the following: assist in determining if an accused in a non-capital crime or bailable offense is indigent and whether he should be released on his own recognizance

Senator Friday offered the following amendment which was adopted:

Page 2, strike all of section 2 and insert the following: Section 2. This act shall be effective on September 1, 1967.

On motion by Senator Mathews, the rules were waived and time of adjournment was extended until final action on SB 19.

On motion by Senator Shevin, the rules were waived and SB 19 as amended was read the third time in full and passed. The vote was:

Yeas—25

Askew	Fisher	Horne	Stolzenburg
Barrow	Friday	Knopke	Stone
Broxson	Gong	Mathews	Thomas
Chiles	Griffin	Ott	Weissenborn
de la Parte	Gunter	Poston	
Edwards	Haverfield	Shevin	
Fincher	Hollahan	Spencer	

Nays—20

Mr. President	Clayton	Lane	Sayler
Bafalis	Deeb	McClain	Slade
Barron	Elrod	O'Grady	Stockton
Bell	Henderson	Plante	Wilson
Boyd	Johnson	Reuter	Young

The bill was ordered engrossed.

PAIR

The following Pair was announced by the Secretary:

I am paired with Senator Weber on SB 19. If he were present he would vote "Nay" and I would vote "Yea".

J. EMORY CROSS
Senator, 7th District

Dated April 18, 1967

The motion by Senator Shevin that SB 19 be immediately certified to the House after engrossing failed.

COMMITTEES—EXTENSION OF TIME

On motion by Senator Mathews, the Committee on Rules and Calendar was granted an additional 15 days for the consideration of SCR 6 and SJR 232.

CO-INTRODUCERS

By permission, Senator Weissenborn was recorded as a co-introducer of SM 318 and Senate Bills 4, 10, 32, 51, 55, 62, 76, 80, 84, 136, 143, 151, 154, 155, 170, 172, 173, 175, 176, 178, 179, 189, 191, 193, 217, 218, 250 and 322.

By permission, Senator Griffin was recorded as a co-introducer of SB 208.

By permission, Senator Sayler was recorded as a co-introducer of SB 9.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 1:05 p. m. to reconvene at 11:00 a. m., April 19, 1967.