

JOURNAL OF THE SENATE

Friday, May 5, 1967

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

Mr. President	de la Parte	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	Weber
Chiles	Griffin	Ott	Weissenborn
Clayton	Gunter	Plante	Wilson
Cross	Haverfield	Poston	Young
Deeb	Henderson	Reuter	

47. A quorum present.

Excused: Senator Thomas, Senator Hollahan after 11:45 a.m.

Prayer by Senator Ralph R. Poston of the Forty-sixth Senatorial District:

Dear Heavenly Father, in these trying times help us to keep on trying and after all is said and done, we pray that there will not be more said than done. Amen.

The reading of the Journal was dispensed with.

The Journal of May 4 was corrected and approved as follows:

Page 252, column 2, between lines 33 and 34 insert the following:

The vote was: Yeas—48 Nays—None

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

Page 252, counting from the bottom of column 2, between lines 32 and 33 insert the following: The vote was: Yeas—48 Nays—None

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

Page 252, counting from the bottom of column 2, between lines 8 and 9 insert the following: The vote was: Yeas—48 Nays—None

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

REPORTS OF COMMITTEES

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

HB 657	HB 675	HB 934
HB 446	HB 879	SB 223
HB 447	HB 878	SB 648
HB 670		

The Committee on Rules and Calendar recommends that CS for SB 680 be referred to the Committee on Judiciary "B".

The Committee on Rules and Calendar recommends that HB 605 be referred to the Committee on Ethics and Privileged Businesses.

The Committee reports were adopted.

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

SB 386 with 1 amendment

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

SB 506

The bills with Committee Substitutes attached were placed on the Calendar.

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

SB 714	HB 707
SB 716	HB 708

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

SB 441	HB 26
SB 455	HB 45 with 3 amendments

The Committee on Mental Health, Retardation and State Institutions recommends the following pass:

HB 196

The Committee on Finance and Taxation recommends the following pass:

SB 511	SB 199 with 3 amendments
SB 512	SB 343 with 1 amendment
SB 513 with 1 amendment	SB 195 with 1 amendment
SB 642	

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

SB 340 with 1 amendment	SB 193 with 1 amendment
SB 349 with 3 amendments	SB 153 with 2 amendments
SB 486 with 1 amendment	SB 170 with 2 amendments
SB 490 with 1 amendment	SB 394 with 4 amendments
SB 549 with 1 amendment	SB 635 with 1 amendment
SB 577 with 1 amendment	SB 636 with 1 amendment
SB 581 with 4 amendments	HB 17 with 1 amendment
SB 101 with 2 amendments	

The Committee on Health and Welfare recommends the following pass:

SB 408

The Committee on Transportation and Safety recommends the following pass:

SB 346 with 2 amendments SB 692

The bills contained in the foregoing reports were placed on the Calendar.

The Committee on Anti-Crime recommends the following not pass:

SB 505 SB 508

mittees on Rules and Calendar; and Ethics and Privileged Businesses.

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

SB 797—A bill to be entitled An act relating to port facilities financing law; amending section 315.02, Florida Statutes, by including Hillsborough county in said financing law; providing effective date.

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

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

SB 798—A bill to be entitled An act relating to the city of Tampa, Hillsborough county, commercial fishing regulations; declaring certain bodies of water within the corporate limits of the city to be entirely salt water and inhabited only by salt water fish; empowering the city to enact ordinances controlling the use of nets or seines in such waters; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 798.

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

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

SB 799—A bill to be entitled An act relating to the Tampa sports authority; amending subsection (j) of section 4 and section 9 of chapter 65-2307, Laws of Florida, to require public notice, bids and hearing and consent by the mayor and city council of Tampa and the board of county commissioners only with respect to long term leases, rentals or contracts of the Tampa sports authority; defining long term leases or contracts; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 799.

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

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

SB 800—A bill to be entitled An act relating to the Tampa port authority; amending section 17, chapter 23338, Laws of Florida, 1945, to provide for maintenance of locomotives, cranes and other heavy equipment; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 800.

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

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

SB 801—A bill to be entitled An act relating to uniform commercial code, secured transactions; amending section 679.9-302, Florida Statutes, by adding new subsection (5); exempting certain security interests from filing requirement; providing an effective date.

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

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

SB 802—A bill to be entitled An act relating to the Hillsborough county port district; amending section 7(b) of chapter 23338, Laws of Florida, 1945, increasing the lease term with an additional option period of forty (40) years; increasing the easements of right-of-way period with option period of forty (40) years; providing for hearing of objections to proposed sales or leases; repealing chapter 63-1397, Laws of Florida; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 802.

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

By Senator Henderson—

SB 803—A bill to be entitled An act relating to beverage law; amending section 562.11 (3), Florida Statutes, to provide

that a minor may, at discretion of prosecuting officer, be given immunity from prosecution when testifying in a proceeding involving beverage law violation.

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

By Senators Henderson and Weissenborn—

SB 804—A bill to be entitled An act relating to alcoholic beverages; creating section 561.292, Florida Statutes, requiring a thirty (30) day suspension of license for each determination subsequent to the first that licensee has violated section 562.11(1), Florida Statutes.

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

By Senators Clayton and O'Grady—

SB 805—A bill to be entitled An act for the relief of Mr. H. E. Harris; providing an appropriation to pay Mr. Harris for damages sustained from a fall into an open manhole in a sidewalk; providing an effective date.

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

By Senator Edwards—

SB 806—A bill to be entitled An act relating to tax on sales, use and other transactions amending subsection (5) of section 212.07, Florida Statutes, to provide an exemption from sales, storage and use tax on livestock, poultry, and other farm products sold by a bona fide producer.

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

By Senators Barron, Chiles, Pope, Mathews, Horne, Fincher, Barrow, Poston, Griffin, Friday, Gibson, Broxson, Haverfield, Cross, Gong, Stone, Shevin, Gunter and Clayton—

SB 807—A bill to be entitled An act providing for relief from oppressive taxation by providing a limitation on the amount of ad valorem taxes which may be collected annually by the counties of this state on homestead property and on other land and improvements, except for educational purposes and certain existing obligations as provided by the constitution of the state of Florida; and providing an effective date.

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

By Senator Cross—

SB 808—A bill to be entitled An act relating to the powers, duties and compensation of state attorneys; revising part I of chapter 27, Florida Statutes; amending sections 27.15, 27.19, 27.20, 27.21, 27.25 and 27.271(1), (2); adding section 27.232, relating to salaries of state attorneys and assistant state attorneys; repealing obsolete sections 27.22, 27.222, 27.223, 27.231, 27.29, 27.30, 27.31, 27.32 and subsections (3) and (4) of section 27.271; providing an effective date.

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

By Senators Elrod, Hollahan, Gunter, Weber, Horne, Plante, O'Grady, Reuter, de la Parte, Bafalis, Stone, Thomas, Slade, Lane, Friday, Barrow, Johnson, Wilson, Fincher, Henderson, Sayler, Broxson, McClain, Gibson, Fisher, Cross, Clayton, Poston and Stolzenburg—

SB 809—A bill to be entitled An act relating to the Florida state turnpike authority, powers; amending sections 340.02, 340.04 (2) (a), 340.04 (3) (a) and 340.06 (5), Florida Statutes; amending chapter 340, Florida Statutes, by adding new section 340.032; amending chapter 340, Florida Statutes, by adding new section 340.033; authorizing acquisition of turnpike project or projects; authorizing feasibility study and construction of any part of any turnpike project or projects found feasible or suitable; providing for feasibility studies and construction in certain counties; providing an effective date.

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

By Senators Fincher, Spencer, Shevin, Weissenborn, Hollahan and Haverfield—

SB 810—A bill to be entitled An act relating to statutes which apply discriminately on the basis of race, color, creed or national origin; specifically repealing sections 1.01(6), 350.21, 352.03, 352.04, 352.05, 352.06, 352.07, 352.08, 352.09, 352.10, 352.11, 352.12, 352.13, 352.14, 352.15, 352.16, 352.17, 352.18, 731.32, 741.11, 741.12, 741.13, 741.14, 741.15, 741.16, 741.17, 741.19, 741.20, 798.04, 798.05 and 955.12, all Florida Statutes; providing an effective date.

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

By Senators Chiles, Horne, Edwards, Clayton, and O'Grady—

SB 811—A bill to be entitled An act relating to game and fresh water fish; repealing paragraph (a) of subsection (4) and subsection (18) of section 372.57, Florida Statutes, by removing the license exemption required for residents of the state fishing with poles or lines for noncommercial purposes; removing the license exemption of persons fishing in a fish management area; designating present paragraphs (b) and (c), as paragraphs (a) and (b) of said subsection.

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

By Senators Mathews, Slade, Pope, Fisher and Stockton—

SB 812—A bill to be entitled An act for the relief of Jeanne I. Rowland whose minor daughter was allegedly negligently injured in a Duval county playground in May 1965; authorizing and empowering the board of county commissioners of Duval county, Florida, to investigate said claim and if found meritorious, to award the claimant an amount not to exceed seven hundred dollars (\$700.00); providing for an effective date.

Evidence of notice and publication was established by the Senate as to SB 812.

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

By Senators Stone, Poston, Gong, Lane and Bell—

SB 813—A bill to be entitled An act relating to social welfare, old age assistance, aid to the blind, aid to permanently and totally disabled; amending the introductory paragraphs to sections 409.16, 409.17 and 409.40, Florida Statutes, by increasing monthly assistance in certain cases determined to be exceptional by the state department of public welfare; providing an effective date.

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

By Senator Gong—

SB 814—A bill to be entitled An act relating to search warrants, private dwellings; amending section 933.18, Florida Statutes, to provide that violations of Florida barbiturate law, chapter 404, Florida Statutes, shall be a basis for issuance of search warrants; providing an effective date.

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

By Senators Weissenborn and Hollahan—

SB 815—A bill to be entitled An act relating to legislation, fiscal notes; amending chapter 216, Florida Statutes, by adding section 216.131; providing that fiscal notes shall be attached to certain bills and resolutions; providing an effective date.

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

By Senators Weissenborn, Hollahan, Shevin, Spencer, Poston and Stone—

SB 816—A bill to be entitled An act relating to amendments of Section 449.05 of Chapter 449, Florida Statutes, on employment agencies, by extending from fourteen days to thirty days the period in which an employee is entitled to a refund or a partial refund if discharged from his job and extending from fourteen days to thirty days the period in which an employer

is entitled to a refund or a partial refund of the employment agency fee paid by him, if the employee does not remain on the job, and reducing the percentage of the total salary the employment agency may be entitled to retain as a fee in the event of job termination or employee failing to remain on the job, and the creation of a Subsection (10), providing for triple damages to the applicant, and attorney's fees if the applicant sues for refund.

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

By Senators Weissenborn, Hollahan, Shevin, Spencer, Poston and Stone—

SB 817—A bill to be entitled An act amending Chapter 449.025, Florida Statutes, relating to fees to be charged by employment agencies; rates; to furnish job applicant with rates and written copy of employment contract.

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

By Senators Weissenborn, Hollahan, Poston, Stone, Gong, Haverfield, Mathews, Pope, Barrow, Spencer, Friday and Gibson—

SR 818—A resolution expressing deep sympathy and regret over the passing of Paul R. Scott.

Was read the first time by title. On motion by Senator Weissenborn, the rules were waived and SR 818 was placed on the Calendar.

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

SR 818—A resolution expressing deep sympathy and regret over the passing of Paul R. Scott.

WHEREAS, so much of Florida's history and progress can be put to the credit of single individuals, and

WHEREAS, a succession of visionary and dedicated men stamped their personalities on Florida, and

WHEREAS, Paul R. Scott was such a man, and

WHEREAS, Paul R. Scott hastened his death at the age of 71, on April 27, 1967, by devoting so much of his time and energy for the development and planning of his community and his state, and

WHEREAS, Paul R. Scott served as a lieutenant in the 17th Field Artillery, Second Division, United States Army during the First World War, and

WHEREAS, Paul R. Scott practiced law in Miami, Florida since the year 1919, and has nobly served his profession and his bar association through the years, and

WHEREAS, Paul R. Scott was the chairman of the Miami Dade County Junior College Advisory Committee since its establishment in the year 1960, and was a leader in the drive to establish a junior college in Dade County, Florida, and

WHEREAS, Paul R. Scott was in the past a president of the Dade County United Fund drive, a trustee of the public library of the City of Miami, a member of the original Committee of 21, and the original Government Research Council of the Miami-Dade Chamber of Commerce, and

WHEREAS, Paul R. Scott was a trustee of the American Heritage Foundation and a member of the American College of Probate Counsel, and

WHEREAS, Paul R. Scott served his state through the Democratic party and his interest in the government and politics of state for his active life, and

WHEREAS, Paul R. Scott was a leader in business and industry, served as a bank director, a director of a bottling company of Florida, and a director of a nationally known airline, and

WHEREAS, Paul R. Scott was a member of the Miami Club, the Bath Club, and the Biscayne Bay Yacht Club, and was listed in Who's Who in America, NOW, THEREFORE,

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

That the Senate express deep sympathy and regret for the passing of Paul R. Scott.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to his widow, Dorothy Seymour Scott and to the other members of the family.

Approved by the Governor

Filed in Office Secretary of State

Was taken up and read the second time in full. On motion by Senator Weissenborn, SR 818 was unanimously adopted.

On motion by Senator Mathews, the rules were waived and it was ordered that upon reaching the Order of the Day the Senate proceed to the consideration of House Bills on the Calendar.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Saylor, by two-thirds vote, SB 210 was withdrawn from the Committee on Health and Welfare and from the Senate.

On motion by Senator Askew, by two-thirds vote, Senate Bills 543, 161 and 346 were also referred to the Committee on Appropriations.

On motion by Senator Boyd, by two-thirds vote, SB 435 was withdrawn from the Committee on Retirement and Claims and placed on the Calendar.

On motion by Senator Stone, by two-thirds vote, SM 393 was withdrawn from the Committees on Apportionment, Resolutions and Memorials; and Congressional Liaison, Intergovernmental and Veterans Affairs and Communications and placed on the Calendar.

On motions by Senator Fisher, by two-thirds vote, SB 197 was withdrawn from the Committee on Finance and Taxation and from the Senate.

A point of order was raised by Senator Askew, and HB 19 was ordered removed from the Calendar and referred to the Committee on Appropriations.

On motion by Senator Cross, the Committee on Health and Welfare was granted an additional 7 days for the consideration of Senate Bills 467, 586 and 95.

On motions by Senator Griffin, the Committee on Finance and Taxation was granted an additional 15 days for the consideration of SB 75 and 7 days for the consideration of Senate Bills 158, 540 and 493; and HB 63.

On motion by Senator Chiles, the Committee on Ethics and Privileged Businesses was granted an additional 7 days for the consideration of Senate Bills 113, 118 and 142.

MESSAGES FROM THE GOVERNOR

Honorable Verle A. Pope May 4, 1967
President of the Senate
The Capitol
Tallahassee, Florida

Dear Sir:

I have today filed with the office of the Secretary of State the following acts which originated in the Senate, Regular Session, 1967, and which I approved on May 4, 1967, at 4:00 P.M.:

SB 187 SB 188

Respectfully,
CLAUDE KIRK
Governor

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

Dear Sir:

I have today filed with the office of the Secretary of State the following acts which originated in the Senate, Regular

Session, 1967, and which I approved on May 5, 1967, at 10:00 A.M.:

SB 47	SB 254	SB 267
SB 251	SB 255	SB 366
SB 252	SB 259	SB 460
SB 253	SB 264	

Respectfully,
CLAUDE KIRK
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages were read:

The Honorable Verle A. Pope May 4, 1967
President of the Senate

Sir:

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

SCR 330	SCR 374	SCR 519
SM 558		

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

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

The Honorable Verle A. Pope May 4, 1967
President of the Senate

Sir:

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

SB 201

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

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

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

Sir:

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

SB 280	SB 1	SB 65	SB 67	SB 68
SB 148	SB 239	SB 332	SB 485	

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

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

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

Sir:

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

HB 485	HB 486	HB 487
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Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Verle A. Pope May 4, 1967
President of the Senate

Sir:

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

SB 40	SB 33
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Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Verle A. Pope
President of the Senate

May 4, 1967

Sir:

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

By Representative Conway and others—

HB 980—A bill to be entitled An act relating to the city of Ormond Beach; amending the charter of the city of Ormond Beach by amending chapter 15401, Laws of Florida, special acts of 1931, as amended, to amend section 6-A to divide the city of Ormond Beach into four (4) zones and to authorize the city commission to change the boundaries thereof; to amend section 8 to create a city commission of five (5) electors with a mayor at large and four (4) commissioners; to amend section 10 to prescribe the qualifications for members of the city commission; to amend section 14 pertaining to the election of the mayor at large; to amend section 130 to prescribe the times for elections and the resolution of tie votes; to amend section 140 pertaining to the nominations for candidates for commissioners and mayor; and to amend section 141 pertaining to the placement of the names of candidates on the ballots; providing for the repeal of all laws in conflict and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 980.

HB 980, 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

May 4, 1967

Sir:

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

By Representative Land—

HB 1043—A bill to be entitled An act designating and naming an interstate rest facility on interstate 4 in Seminole county as the Richey Green interstate rest facility; providing for suitable plaques to be erected thereon by the state road department; providing an effective date.

By Representative Davis and others—

HB 1111—A bill to be entitled An act relating to Osceola county; authorizing establishment and maintenance of a fire control unit; authorizing board of county commissioners to enter agreement with state board of forestry; authorizing powers; authorizing tax and appropriation; providing method for discontinuance of said unit; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 1043, contained in the above message, was read the first time by title and referred to the Committee on Public Roads and Highways.

Evidence of notice and publication was established by the Senate as to HB 1111.

HB 1111, contained in the above message, was read the first time by title and referred to the Committees on Rules and Calendar; and Agriculture and Livestock.

The Honorable Verle A. Pope
President of the Senate

May 4, 1967

Sir:

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

By Representative Wells and others—

HM 180—A memorial to the congress of the United States to provide for the retention of five per cent (5%) of all federal income taxes collected within the several states to be used by said states for general state purposes.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HM 180, 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

May 4, 1967

Sir:

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

By Representative Fleece and others—

HB 676—A bill to be entitled An act relating to Pinellas County authorizing and empowering the clerk of the circuit court of Pinellas County, Florida, to divide equally between the county commissioners and board of public instruction of Pinellas County the proceeds obtained from the sale of county land for delinquent taxes; providing that no part of said proceeds shall go to any other county, state or municipal agency or body; and repealing all laws in conflict therewith; providing an effective date.

Proof of Publication attached.

By Representative Williams—

HB 938—A bill to be entitled An act to name a certain way-side park on State Road No. 22-A for George Gaskin, a pioneer of the Apalachicola river valley; providing an effective date.

By Representative Williams—

HB 939—A bill to be entitled An act to name a certain state road the Tupelo parkway; providing an effective date.

—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 676.

HB 676, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

House Bills 938 and 939, contained in the above message, were 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

May 3, 1967

Sir:

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

By Senator Gibson—

SB 139—A bill to be entitled An act relating to election records; amending chapter 98, Florida Statutes, by adding section 98.182; authorizing the supervisors of elections to destroy certain election records which have been kept more than one (1) year; providing an effective date.

Amendment 1—

In Section 1, on page 1, line 1, strike: "everything after the enacting clause" and insert the following: "Section 1. Chapter 98, Florida Statutes, is amended by adding section 98.182, to read:

98.182 Destruction of certain records.—The supervisors are authorized to destroy individual precinct election returns (but

not county canvassing board tally sheets), identification slips, poll lists, affidavits used at polls, applications for absentee ballots, envelopes in which said applications for absentee ballots have been returned and all paper ballots which are more than five (5) years old, provided, that this applies to election materials only and not to registration records and further provided that in the event a law suit is filed no record pertaining thereto may thereafter be destroyed regardless of age until such time as the suit and all appeals therefrom are disposed of with finality.

Section 2. This act shall take effect immediately upon becoming a law."

Amendment 2—

In Title, on page 1, strike: "entire title" and insert the following: "An act relating to election records; amending chapter 98, Florida Statutes, by adding section 98.182; authorizing the supervisors of elections to destroy certain election records which have been kept more than five (5) years; providing an effective date."

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Gibson, the rules were waived and the Senate immediately reconsidered the vote by which SB 139 as amended, contained in the above message, passed on April 24. By permission, Senator Gibson withdrew SB 139 from the Senate.

HOUSE BILLS ON SECOND READING

HB 332—A bill to be entitled An act relating to regulation of traffic on highways; amending subsection 317.371(4), Florida Statutes, relating to use of directional signals when starting from a parked position; repealing subsection 317.291(3), Florida Statutes; providing an effective date.

Was taken up. On motion by Senator Young, the rules were waived and HB 332 was read the second time by title.

Senator Young offered the following amendment which was adopted:

In Section 1, line 5, page 1, after the words "to turn" strike "or change lanes and" insert the following: and

Senator Young also offered the following amendment which was adopted:

In the Title, line 4, page 1, strike: "when starting from a parked position; repealing subsection 317.291(3), Florida Statutes; providing an effective date." and insert the following: when changing lanes or starting from a parked position; repealing subsection 317.291(3), Florida Statutes; providing an effective date.

On motion by Senator Young, the rules were waived and HB 332 as amended was read the third time in full and passed. The vote was:

Yeas—41

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

Nays—2

Shevin Weissenborn

The bill as amended was certified to the House.

Consideration of HB 125 was deferred, the bill retaining its place on the Calendar.

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.

Was taken up. On motions by Senator Young, the rules were waived and HB 11 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—46 Nays—None

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

The bill was certified to the House.

Consideration of HB 36 was deferred, the bill retaining its place on the Calendar.

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.

Was taken up. On motions by Senator Poston, the rules were waived and HB 85 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—46 Nays—None

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

The bill was certified to the House.

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

SB 39—A bill to be entitled An act relating to receiving or depositing passengers from automobiles on limited access facilities; amending section 339.30, Florida Statutes, by adding (1) (j); providing an effective date.

On motion by Senator Poston, the rules were waived and SB 39 was read the second time by title.

Senator Friday offered the following amendment which was adopted:

In Section 2 strike: all after "effect" and insert the following: on September 1, 1967.

Senator Cross offered the following amendment which was adopted:

In Section 1, line 3, page 1, strike: line 3 and insert the following: (1)(i) to read:

On motion by Senator Poston, the rules were waived and SB 39 as amended was read the third time in full and passed. The vote was: Yeas—46 Nays—None

Mr. President	Chiles	Fisher	Horne
Askew	Clayton	Friday	Johnson
Bafalis	Cross	Gibson	Knopke
Barron	Deeb	Gong	Lane
Barrow	de la Parte	Griffin	McClain
Bell	Edwards	Gunter	Mathews
Boyd	Elrod	Haverfield	O'Grady
Broxson	Fincher	Henderson	Ott

Plante	Shevin	Stolzenburg	Wilson
Poston	Slade	Stone	Young
Reuter	Spencer	Weber	
Sayler	Stockton	Weissenborn	

The bill was ordered engrossed.

HB 77—A bill to be entitled An act relating to receiving or depositing passengers from automobiles on limited access facilities; amending section 339.30, Florida Statutes, by adding (1)(j); providing an effective date.

Was taken up. On motion by Senator Poston, the rules were waived and HB 77 was read the second time by title.

Senator Friday offered the following amendment which was adopted:

In Section 2 strike: all after "effect" and insert the following: on September 1, 1967.

Senator Cross offered the following amendment which was adopted:

In Section 1, line 3, page 1, strike: line 3 and insert the following: (1)(i) to read:

On motion by Senator Poston, the rules were waived and HB 77 as amended was read the third time in full and passed. The vote was: Yeas—46 Nays—None

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

The bill as amended was certified to the House.

On motion by Senator Poston, the rules were waived and the Senate immediately reconsidered the vote by which SB 39 as amended passed this day.

By permission, Senator Poston withdrew SB 39 from the Senate.

Senator Mathews presiding.

CS for HB 220—A bill to be entitled An act relating to the division of corrections and the probation and parole commission; amending chapter 945, Florida Statutes, by adding section 945.091, providing for extending limits of confinement of prisoners; providing for furlough of prisoners under certain conditions; providing for adoption of regulations by the board of commissioners of state institutions governing such furloughs granted to prisoners; authorizing investigations and recommendations by the probation and parole commission; providing an effective date.

Was taken up. On motions by Senator de la Parte, the rules were waived and CS for HB 220 was read the second time by title, the third time in full and passed, title as stated. The vote was:

Yeas—37

Mr. President	Deeb	Henderson	Reuter
Askew	de la Parte	Horne	Spencer
Bafalis	Edwards	Knopke	Stockton
Barron	Fisher	Lane	Stolzenburg
Barrow	Friday	McClain	Stone
Bell	Gibson	Mathews	Weber
Boyd	Gong	O'Grady	Weissenborn
Broxson	Griffin	Ott	
Chiles	Gunter	Plante	
Cross	Haverfield	Poston	

Nays—7

Clayton	Johnson	Slade	Young
Elrod	Shevin	Wilson	

The bill was certified to the House.

SB 64 was laid on the table.

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.

Was taken up. On motions by Senator Poston, the rules were waived and HB 73 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—46 Nays—None

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

The bill was certified to the House.

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

Was taken up. On motion by Senator Fisher, the rules were waived and HB 236 was read the second time by title.

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

In Section 2, on page 5, line 12, strike: "only at permanent locations." and insert the following: from any location for which a general retailer's license has been issued. The excise tax on sales made to any traveling location, such as an itinerant store or industrial caterer, shall be paid into the general revenue fund unallocated.

Senator Mathews offered the following amendment which was adopted on motion by Senator Fisher:

In title, page 1, strike: all words in lines 9 and 10 and insert the following: ; after the word "act"

On motion by Senator Fisher, the rules were waived and HB 236 as amended was read the third time in full and passed. The vote was: Yeas—46 Nays—None

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

The bill as amended was certified to the House.

HB 201—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 taken up. On motion by Senator Friday, the rules were waived and HB 201 was read the second time by title.

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

After Section 1, line 18, page 1, insert the following: Section 2. This act shall take effect on September 1, 1967.

On motion by Senator Friday, the rules were waived and HB 201 as amended was read the third time in full and passed. The vote was: Yeas—44 Nays—None

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

The bill as amended was certified to the House.

SB 336 was laid on the table.

HB 202—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 taken up. On motion by Senator Friday, the rules were waived and HB 202 was read the second time by title.

Senator Friday offered the following amendment which was adopted:

At the end of Section 1 insert the following: Section 2. This act shall take effect on September 1, 1967.

On motion by Senator Friday, the rules were waived and HB 202 as amended was read the third time in full and passed. The vote was: Yeas—43 Nays—None

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

The bill as amended was certified to the House.

SB 341 was laid on the table.

The President presiding.

HB 205—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 taken up. On motion by Senator Friday, the rules were waived and HB 205 was read the second time by title.

Senator Friday offered the following amendment which was adopted:

At the end of Section 1 insert the following: Section 2. This act shall take effect September 1, 1967.

The motion by Senator Wilson that HB 205 as amended be re-referred to an appropriate committee failed.

On motion by Senator Friday, the rules were waived and HB 205 as amended was read the third time in full and passed. The vote was: Yeas—46 Nays—None

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

de la Parte	Gunter	O'Grady
Edwards	Haverfield	Ott
Elrod	Henderson	Plante
Fincher	Horne	Poston
Fisher	Johnson	Reuter
Friday	Knopke	Sayler
Gibson	Lane	Shevin
Gong	McClain	Slade
Griffin	Mathews	Spencer

Stockton
Stolzenburg
Stone
Weber
Weissenborn
Wilson
Young

The bill as amended was certified to the House.

SB 342 was laid on the table.

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.

Was taken up. On motions by Senator Poston, the rules were waived and HB 25 was read the second time by title, the third time in full and passed, title as stated. The vote was: Yeas—46 Nays—None

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

The bill was certified to the House.

On motion by Senator Mathews, the rules were waived and the time of adjournment was extended until final action on HB 229.

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

Was taken up. On motions by Senator Slade, the rules were waived and HB 229 was read the second time by title, the third time in full and passed, title as stated, by the required Constitutional two-thirds vote of all members elected to the Senate. The vote was: Yeas—46 Nays—None

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

The bill was certified to the House.

CO-INTRODUCERS

By permission, Senator Bell was recorded as co-introducer of Senate Bills 216, 217 and 218.

By permission, Senator Gibson was recorded as a co-introducer of Senate Bill 780.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 1:03 p.m. to reconvene at 11:00 a.m., May 8, 1967.