

JOURNAL OF THE SENATE

Monday, August 14, 1967

The Senate was called to order by the President at 1:00 p. m. The following Senators were recorded present:

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

39. A quorum present.

Excused: Senators Barrow, Chiles, Deeb, Gibson, Gong, Hollahan, Lane, Sayler, and Slade.

Prayer by the Secretary of the Senate:

Unchanging God, cause each of us to recognize the value of time. Cause us to measure and weigh well the remaining moments afforded us in this responsibility. We believe that we have accomplished much but we need added counsel of the Holy Spirit so that we will effect other contributions to that which is good. It is our desire to toil in an experience of faith, love and purity and ask that the residue be acceptable gifts to thee. In Jesus' name, we do praise and thank thee. Amen.

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

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

The reading of the Journal was dispensed with.

The Journal of August 11 was corrected and approved as follows:

Page 63, counting from the bottom of column 2, line 5, strike "section 8" and insert section 10

Page 65, counting from the bottom of column 1, between lines 20 and 21 insert the following: Amendment 48 was adopted.

Page 65, column 2, between lines 25 and 26 insert the following: Amendment 136 failed.

ENROLLING REPORT

Your Enrolling Clerk to whom was referred—

SB 3-XXX (67) SCR 6-XXX (67)

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on August 14, 1967.

EDWIN G. FRASER  
Secretary of the Senate

On motion by Senator Mathews, pursuant to Rule 5.12, the Senate resolved itself into a Committee of the Whole for the purpose of further consideration of SJR 2-XXX(67).

COMMITTEE OF THE WHOLE

Senator Boyd offered the following amendment which was adopted:

Amendment 171—Article IV, Section 1, Subsection (a), on page 22, beginning at line 4, strike subsection (a) and insert in lieu thereof the following:

(a) The supreme executive power shall be vested in a governor. He shall be commander-in-chief of all [armed] military forces of the state not in active service of the United States. He shall take care that the laws be faithfully executed,

commission all officers of the state and counties, and transact all necessary business with the officers of government. He may require information in writing from all executive or administrative state or county officers upon any subject relating to the duties of their respective offices.

Senator Shevin offered the following amendment which failed:

Amendment 35—Article IV, Section 2, Subsection (b), on page 23, beginning at line 30, strike Section 2, subsection (b) and insert in lieu thereof the following:

(b) The attorney general shall be the chief state legal officer[,] and, except as may be otherwise provided by law, shall provide the state, it's officers and agencies, with all legal assistance and representation.

On motion by Senator Clayton that a committee be appointed to escort a delegation from the South Carolina Legislature into the Chamber, the Chairman appointed Senators Mathews, Clayton and Edwards.

The Committee escorted the South Carolina legislators into the Chamber where they were greeted by a standing ovation and seated.

The Steering Committee offered the following amendment which was moved by Senator Mathews:

Amendment 140—Article IV, Section 3, on page 24, beginning at line 14, strike Section 3 and insert in lieu thereof the following:

Section 3. ELECTION OF GOVERNOR AND CABINET.—At a state-wide general election in each calendar year the number of which is even but not a multiple of four, the qualified electors shall choose a governor and members of the cabinet each for a term of four years beginning at noon on the first Tuesday after the first Monday in January of the succeeding year. When elected, each must be a qualified elector not less than thirty years of age who has been a citizen and resident of the state for the preceding ten years. No person who has, or but for resignation would have, served as governor or acting governor for more than [two] six years in [a term] two consecutive terms shall be elected to [that] this office for the succeeding term.

Senator Askew presiding.

Senator Stockton offered the following amendment to Amendment 140 which failed:

In line 11, strike "ten" and insert five

The vote was:

Yeas—18

Mr. President	Fisher	McClain	Stolzenburg
Bafalis	Gunter	O'Grady	Weber
Bell	Henderson	Plante	Wilson
Clayton	Horne	Reuter	
Elrod	Johnson	Stockton	

Nays—20

Askew	Edwards	Knopke	Spencer
Boyd	Fincher	Mathews	Stone
Broxson	Friday	Ott	Thomas
Cross	Griffin	Poston	Weissenborn
de la Parte	Haverfield	Shevin	Young

Senator Pope presiding.

Senator Broxson offered the following amendment to Amendment 140 which failed:

Beginning at line 11, after "ten years" insert after 1970

Senator Cross presiding.

Amendment 140 was adopted. The vote was:

Yeas—31

Mr. President	Fisher	Mathews	Stolzenburg
Bafalis	Gunter	O'Grady	Stone
Bell	Haverfield	Plante	Thomas
Clayton	Henderson	Poston	Weber
Cross	Horne	Reuter	Weissenborn
de la Parte	Johnson	Shevin	Wilson
Elrod	Knopke	Spencer	Young
Fincher	McClain	Stockton	

Nays—8

Askew	Boyd	Edwards	Griffin
Barron	Broxson	Friday	Ott

Senator Bell offered the following amendment which failed:

**Amendment 40**—Article IV, Section 3, on page 24, beginning at line 14, strike present Section 3 and insert in lieu thereof the following:

**Section 3. ELECTION OF GOVERNOR AND CABINET.**—At a state-wide general election in each calendar year the number of which is even but not a multiple of four, the qualified electors shall choose a governor and members of the cabinet each for a term of four years beginning at noon on the first Tuesday after the first Monday in January of the succeeding year. When elected, each must be a qualified elector not less than thirty years of age who has been a citizen and resident of the state for the preceding ten years. [No person who has, or but for resignation would have, served as governor or acting governor for more than two years in a term shall be elected to that office for the succeeding term.] The governor and all members of the cabinet may file for and be elected to the same office for two successive terms of four years each. Any person who serves as governor or as a member of the cabinet for a period of more than two years, either by election, succession or appointment, may file for re-election for only one succeeding four year term.

The vote was:

Yeas—15

Bell	Johnson	Stolzenburg	Young
Clayton	McClain	Weber	
Elrod	Plante	Weissenborn	
Fisher	Reuter	Wilson	
Henderson	Stockton		

Nays—18

Askew	Edwards	Haverfield	Shevin
Barron	Fincher	Horne	Spencer
Boyd	Friday	Mathews	Stone
Broxson	Griffin	Ott	
Cross	Gunter	Poston	

Senator Bell also offered the following amendment which was adopted:

**Amendment 42**—Article IV, Section 3, on page 24, beginning at line 14, strike present section 3 and insert in lieu thereof the following:

**SECTION 3. ELECTION OF GOVERNOR AND CABINET.**—At a state-wide general election in each calendar year the number of which is even but not a multiple of four, the qualified electors shall choose a governor and members of the cabinet each for a term of four years beginning at noon on the first Tuesday after the first Monday in January of the succeeding year. When elected, each must be a qualified elector not less than thirty years of age who has been a citizen and resident of the state for the preceding ten years. No person who has, or but for resignation would have, served as governor or acting governor for more than two years in a term shall be elected to that office for the succeeding term. The attorney general must have been a member of the Florida Bar for at least five (5) years prior to assuming the office.

Senators Shevin and Hollahan offered the following amendment which was moved by Senator Shevin:

**Amendment 73**—Article IV, Section 3, on page 24, beginning at line 14, strike all of Section 3 and insert in lieu thereof the new wording as follows:

**SECTION 3. ELECTION OF GOVERNOR, LIEUTENANT GOVERNOR AND CABINET MEMBERS—QUALIFICATIONS**

**—LENGTH OF TERM.**—At a statewide general election in a calendar year the number of which is even but not evenly divisible by four, the qualified electors shall choose a governor and a lieutenant governor and other members of the Cabinet each for a term of four years beginning at noon on the first Tuesday after the first Monday in January of the succeeding year. The lieutenant governor shall run with the governor and the electors shall cast a single ballot for governor and lieutenant governor. Any candidate for governor seeking nomination in any party primary shall, at the time he qualified therefor, file his designation of a candidate for lieutenant governor together with such candidate's acceptance and the qualification papers prescribed by law. Electors in the primary shall cast a single ballot for candidates for nomination for the office of governor and lieutenant governor. When elected, both the governor and lieutenant governor and each cabinet member must be qualified electors not less than 30 years of age and must have been citizens and residents of the state for the preceding 10 years.

Senator Fisher offered the following amendment to Amendment 73 which failed:

In Section 3, line 14, page 1, strike: everything after the period.

Senator Shevin offered the following amendment to Amendment 73 which was adopted:

In Section 3, line 7, page 1, strike: "other"

Senator Pope presiding.

Amendment 73 as amended was adopted. The vote was:

Yeas—23

Bafalis	Fisher	O'Grady	Stolzenburg
Bell	Gunter	Plante	Weber
Clayton	Haverfield	Poston	Weissenborn
Cross	Henderson	Reuter	Wilson
Elrod	Johnson	Shevin	Young
Fincher	McClain	Spencer	

Nays—15

Askew	de la Parte	Horne	Stockton
Barron	Edwards	Knopke	Stone
Boyd	Friday	Mathews	Thomas
Broxson	Griffin	Ott	

Senator Barron presiding.

Senator Fisher moved that the Committee of the Whole reconsider the vote by which the amendment to amendment 73 failed.

A motion by Senator Weissenborn that the time of adjournment be extended until final action on the motion to reconsider failed.

The question recurred on the motion by Senator Fisher. The vote was:

Yeas—20

Askew	de la Parte	Knopke	Shevin
Barron	Fisher	McClain	Spencer
Bell	Friday	Mathews	Stone
Boyd	Gunter	O'Grady	Weissenborn
Broxson	Haverfield	Poston	Wilson

Nays—16

Bafalis	Elrod	Ott	Stolzenburg
Clayton	Griffin	Plante	Thomas
Cross	Horne	Reuter	Weber
Edwards	Johnson	Stockton	Young

Further consideration of Amendment 73 as amended was temporarily deferred.

Senator Mathews moved that the Committee of the Whole rise. Which was agreed to.

The Senate was called to order by the President Pro Tempore at 5:03 p. m. A quorum present.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 5:04 p. m. to reconvene at 9:30 a. m., August 15, 1967.

**REGISTRATIONS UNDER SENATE RULE TWELVE  
FROM AUGUST 7 THROUGH AUGUST 11, 1967**

<i>Name and Address</i>	<i>Entity Represented and Address</i>	<i>Duration of Representation</i>	<i>Particular Legislation Involved</i>	<i>Direct Business Association or Partnership with Legislator</i>
Nohe, Steven 951 W. Jefferson Tallahassee	Fla. Youth Advisory Council Office of Sec. of State Tallahassee	Session	Constitutional Revision	None