

SPECIAL SESSION

JOURNAL OF THE SENATE

Thursday, August 24, 1967

The Senate was called to order by Senator Mathews at 9:30 a. m. The following Senators were recorded present:

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

42. A quorum present.

Excused: Senators Haverfield, de la Parte, Plante and Friday. Senator Barron for the Morning Session. Senator Cross until 3:30 p.m.

Prayer by the Secretary of the Senate:

Heavenly Father, most holy and just, who exalteth a person that follows righteousness, we pray for our state and its people, that we may become worthy of thy favor. Deliver us from any gain suffered because of greed, from all prejudice and ill-feeling, from all discontent and strife. We would ask that you inspire in each of us that measure of love for our neighbor and may we be possessed of great concern for one another's welfare. Let us work together for a common goal—seeking equal opportunity and reward for all. In our Master's name, we pray. Amen.

The Journal of August 23 was corrected and approved.

ENROLLING REPORT

Your Enrolling Clerk to whom was referred—

SCR 8-4X(67)

—reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on August 24, 1967.

EDWIN G. FRASER
Secretary of the Senate

INTRODUCTION

By Senators Henderson, Stone, Lane and Gunter—

SJR 10-4X(67)—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 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.

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

That the amendment to Section 7 of Article X of the State Constitution as set forth below is agreed to and shall be submitted to the electors of the state for ratification or rejection at the general election of November, 1968:

SECTION 7. Exemption of homestead from taxation.—

(1) Every person who has the legal title or beneficial title in equity to real property in this State and who resides thereon and in good faith makes the same his or her permanent home, or the permanent home of another or others legally or naturally dependent upon said person shall be entitled to an exemption from all taxation, except for assessments for special benefits, up to the assessed valuation of five thousand dollars on

the said home and contiguous real property, as defined in Section 1, Article X, of the Constitution. Said title may be held by the entireties, jointly, or in common with others, and said exemption may be apportioned among such of the owners as shall reside thereon, as their respective interests shall appear, but no such exemption of more than five thousand dollars shall be allowed to any one person or on any one dwelling house, except that an exemption up to the assessed valuation of five thousand dollars may be allowed on each apartment occupied by a tenant-stockholder or member of a cooperative apartment corporation and on each condominium parcel occupied by its owner, nor shall the amount of the exemption allowed any person exceed the proportionate assessed valuation based on the interest owned by such person. The legislature may prescribe appropriate and reasonable laws regulating the manner of establishing the right to said exemption.

(2) As used in Subsection (1), cooperative apartment corporation means a corporation, whether for profit or not for profit, organized for the purpose of owning, maintaining and operating an apartment building or apartment buildings to be occupied by its stockholders or members, and tenant-stockholder or member means an individual who is entitled, solely by reason of his ownership of stock or membership in a cooperative apartment corporation, to occupy for dwelling purposes an apartment in a building owned by such corporation. A corporation leasing land for a term of ninety-eight years or more for the purpose of maintaining and operating a cooperative apartment thereon shall be deemed the owner for purposes of this exemption.

(3) Beneficial title in equity is deemed to include the interest of a tenant-stockholder or member of a cooperative apartment corporation in the apartment which he occupies and a proportionate share of the land on which the apartment building is situated.

Which was read the first time in full and referred to the Committee on Rules and Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message was read:

The Honorable Verle A. Pope
President of the Senate

August 24, 1967

Sir:

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote and adopted—

SCR 9-4X(67)

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The concurrent resolution, contained in the above message, was ordered enrolled.

The President presiding.

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 2-4X(67).

COMMITTEE OF THE WHOLE

Senator Boyd offered the following amendment which was adopted:

Amendment 261—Article VIII, Section 8, on page 50, beginning at line 5, strike Section 8 and insert in lieu thereof the following:

Section 8. AID TO LOCAL GOVERNMENTS.—State funds may be appropriated to the several counties, [county

and] district school boards, municipalities or special districts upon such conditions as may be provided by general law.

On motion by Senator Mathews, Mr. Richard H. Judy, Comptroller, State Road Department, was accorded the privileges of the floor for the purpose of expounding certain technicalities of specific taxation under consideration.

Senators Poston and Weissenborn offered the following amendment:

Amendment 275—Article VIII, Section 15, on page 51, beginning at line 30, following Section 14, add a new Section and number accordingly:

Section 15. MOTOR VEHICLE FUEL TAXES.—

(a) Motor Vehicle Fuel Taxes.—

(1) A tax consisting of at least two cents per gallon shall be and is hereby levied, as a state tax, upon gasoline and other fuels used to propel motor vehicles. The proceeds of said tax shall be placed monthly in the state roads distribution fund in the state treasury and shall be utilized for road and bridge construction and such other purposes as hereinafter provided. Said tax shall be referred to as the "second gas tax," and it shall be levied for a period of at least fifty consecutive years from the effective date of this constitution. The legislature may provide by law for units of measurement other than the gallon unit measurement designated herein.

(2) Article IX, section 16, of the Constitution of 1885, as amended, is adopted by this reference as a part of this constitution as completely as though incorporated herein verbatim for the sole and exclusive purpose of providing that after the effective date of this constitution the proceeds of the "second gas tax" as referred to therein shall be distributed among the several counties in accordance with the formula stated therein to the extent necessary to comply with all obligations to or for the benefit of persons holding bonds, revenue certificates and tax anticipation certificates or any refunding thereof secured solely by a pledge of such revenue. Any excess of said allocation remaining after the said obligations have been met shall be distributed to the several counties pursuant to paragraph (4) below.

(3) No new obligations shall hereafter be entered into directly or indirectly secured by a pledge of funds anticipated to be distributed under the formula stated in Article IX, Section 16, of the Constitution of 1885, except that any outstanding obligations previously issued under said Article IX, Section 16, may be refunded at a savings in interest cost by the issuance of refunding bonds maturing not later than the obligations refunded and secured by a pledge of the same revenue and any other security authorized herein.

(4) Subject to the requirements of paragraph (2) above, the "second gas tax" shall be distributed from the state roads distribution fund to the account of each of the several counties in amounts to be determined as follows: There shall be an initial allocation of one-fourth in the ratio of county area to state area and three-fourths in the ratio of the total taxable gallons sold and delivered in each county during the previous fiscal year to the total sold and delivered in the state as a whole. If the annual cost of debt service on bonds or other obligations secured under paragraph (2) of any county exceeds the amount which would be allocated to that county under the formula set out in this paragraph, such excess shall be absorbed by the remaining counties by proportionate reductions in their initial allocations under this paragraph.

(5) Such funds so distributed under paragraph (4) above shall be administered by the state board of administration, a body corporate, or its successors named by the legislature. Such board shall succeed to all the power, control and authority of the state board of administration created under said Article IX, Section 16 of the Constitution of 1885. Such board shall have, in addition to such powers as may be conferred upon it by law, the management, control and supervision of the proceeds of all taxes levied herein. The board shall remit monthly the proceeds of the "second gas tax" in each county account for expenditure in said county as follows: eighty per cent (80%) to the appropriate state agency and twenty per cent (20%) to the county, provided said percentages shall be subject to change by the legislature. The proceeds of the taxes levied hereunder shall be used for the construction, reconstruction, lease or purchase of roads, bridges, and tunnels as defined by the legislature and for the payment of principal, in-

terest and other related costs on bonds sold pursuant to Article VIII, Section 12.

(6) The board shall pay expenses for services rendered specifically for or which are properly chargeable to, the account of any county from funds distributed to such county; but general expenses of the board for services rendered all the counties alike shall be prorated among them and paid out of said fund in proportion to the amount of tax proceeds that are distributed to the several counties.

(b) Additional securities.—No Additional revenue bonds or revenue certificates shall be issued pursuant to Article IX, Section 17, or Article XII, Section 18 or Section 19, of the Constitution of 1885, as amended.

Senator Shevin presiding.

Senator Poston offered the following substitute amendment:

Article VIII, Section 15, on page 51, beginning at line 30, following Section 14, add a new Section and number accordingly:

Section 15. Motor Vehicle Fuel Taxes.—

(a) Motor Vehicle Fuel Taxes.—

(1) A tax consisting of at least two cents per gallon shall be and is hereby levied, as a state tax, upon gasoline and other fuels used to propel motor vehicles. The proceeds of said tax shall be placed monthly in the state roads distribution fund in the state treasury and shall be utilized for road and bridge construction and such other purposes as hereinafter provided. Said tax shall be referred to as the "second gas tax," and it shall be levied for a period of at least fifty consecutive years from the effective date of this constitution. The legislature may provide by law for units of measurement other than the gallon unit measurement designated herein.

(2) Article IX, section 16, of the Constitution of 1885, as amended, is adopted by this reference as a part of this constitution as completely as though incorporated herein verbatim for the sole and exclusive purpose of providing that after the effective date of this constitution the proceeds of the "second gas tax" as referred to therein shall be distributed among the several counties in accordance with the formula stated therein to the extent necessary to comply with all obligations to or for the benefit of persons holding bonds, revenue certificates and tax anticipation certificates or any refunding thereof secured solely by a pledge of such revenue. Any excess of said allocation remaining after the said obligations have been met shall be distributed to the several counties pursuant to paragraph (4) below.

(3) No new obligations shall hereafter be entered into directly or indirectly secured by a pledge of funds anticipated to be distributed under the formula stated in Article IX, Section 16, of the Constitution of 1885, as amended, except that any outstanding obligations previously issued under said Article IX, Section 16, may be refunded at a savings in interest cost by the issuance of refunding bonds maturing not later than the obligations refunded and secured by a pledge of the same revenue and any other security authorized herein.

(4) Subject to the requirements of paragraph (2) above, the "second gas tax" shall be distributed in the state roads distribution fund to the account of each of the several counties in amounts to be determined as follows: There shall be an initial allocation of one-fourth in the ratio of county area to state area and three-fourths in the ratio of the total taxable gallons sold and delivered in each county during the previous fiscal year to the total sold and delivered in the state as a whole. If the annual cost of debt service on bonds or other obligations secured under paragraph (2) of any county exceeds the amount which would be allocated to that county under the formula set out in this paragraph, such excess shall be absorbed by the remaining counties by proportionate reductions in their initial allocations under this paragraph.

(5) Such funds so distributed under paragraphs (2) and (4) above shall be administered by the state board of administration, a body corporate, or its successors named by the legislature. Such board shall succeed to all the power, control and authority of the state board of administration created under said Article IX, Section 16 of the Constitution of 1885, as amended. Such board shall have, in addition to such powers as may be conferred upon it by law, the management, control

and supervision of the proceeds of all taxes levied herein. The board shall remit the proceeds of the "second gas tax" in each county account for expenditure in said county as follows: eighty per cent (80%) to the appropriate state agency and twenty per cent (20%) to the county, provided said percentages shall be subject to change by the legislature. The proceeds of the taxes levied hereunder shall be used for the construction, reconstruction, lease or purchase of roads, bridges, and tunnels as defined by the legislature and for the payment of principal, interest and other related costs on bonds sold pursuant to Article VIII, Section 12. All other such taxes shall be used only for said purposes and for administration, maintenance, operations and research related thereto.

(6) The board shall pay expenses for services rendered specifically for or which are properly chargeable to, the account of any county from funds distributed to such county; but general expenses of the board for services rendered all the counties alike shall be prorated among them and paid out of said fund in proportion to the amount of tax proceeds that are distributed to the several counties.

(b) Additional securities.—No additional revenue bonds or revenue certificates shall be issued pursuant to Article IX, Section 17, or Article XII, Section 18 or Section 19, of the Constitution of 1885, as amended.

The Steering Committee offered the following amendment to the substitute amendment which was moved by Senator Mathews and adopted:

Article XII, Section 10, on page 65, beginning at line 29, strike all of Section 10 and insert in lieu thereof, a new Section 10, substantially reworded as follows:

Section 10. Bonds.—

(a) ADDITIONAL SECURITIES. No additional revenue bonds shall be issued pursuant to section 17 of Article IX or section 19 of Article XII of the Constitution of 1885.

(b) REFUNDING BONDS. Revenue bonds heretofore issued to finance the cost of capital projects for state purposes, including projects of the Florida State Turnpike Authority but excluding all portions of the state highway system, may be refunded at a savings in interest cost by the issuance of bonds pledging the full faith and credit of the state without regard to the amount of bonds which may be issued in any fiscal year. Refunding bonds, issued under this sub-section (b), shall be included in determining the total authorized state bonded debt pursuant to Article VIII, subsection 12(a) of this constitution.

(c) GASOLINE TAXES.

(1) The second gas tax, consisting of two cents (2¢) per gallon, shall be levied, as a state tax, upon gasoline, other like products of petroleum and other fuels used to propel motor vehicles for a period of fifteen (15) consecutive years after the date this constitution becomes effective. The proceeds of the second gas tax shall, as collected, be placed monthly in the "State Roads Distribution Fund" in the state treasury and shall be distributed for road and bridge purposes in the state as hereinafter provided.

(2) Article IX, section 16, of the Constitution of 1885, as amended, as it existed immediately before this constitution becomes effective is adopted by this reference as a part of this constitution as completely as though incorporated herein verbatim for the sole and exclusive purpose of providing that after the effective date of this constitution the proceeds of the second gas tax shall be distributed among the several counties in accordance with the formula stated therein to the extent, but only to the extent necessary to fully comply with all obligations to or for the benefit of persons holding bonds, revenue certificates, and tax anticipation certificates or any refundings thereof secured by a pledge of such revenue.

(3) No new obligations shall hereafter be entered into directly or indirectly secured by a pledge of funds anticipated to be distributed under the formula stated in said Article IX, section 16, except that any outstanding obligations previously issued under said Article IX, section 16, may be refunded at a savings in interest cost by the issuance of refunding bonds maturing not later than the obligations refunded and secured by a pledge of the same revenue.

(4) Subject to the requirements of paragraph (2) above, the second gas tax shall be distributed monthly among the

counties in such manner that each county shall receive a sum, including the amount received under sub-section (2), determined by allocation of the second gas tax among the several counties as follows: one-third according to area and two-thirds according to population, provided; should the amount distributed to any county in any month pursuant to sub-section (2) exceed the sum which would be allocated to that county by application of the formula stated in this sub-section, the sums allocated to other counties pursuant to this sub-section shall be proportionately reduced.

(5) Such funds so distributed under paragraph (4) above shall be administered by the State Board of Administration, a body corporate. Such board shall succeed to all the power, control and authority of the State Board of Administration created under said Article IX, section 16. Such board shall have, in addition to such powers as may be conferred upon it by law, the management, control and supervision of the proceeds of the second gas tax. The board shall remit monthly the proceeds of the second gas tax in each county account as follows: eighty per cent (80%) to the State Road Department for the construction, reconstruction, lease or purchase of state roads and bridges within the county, and twenty per cent (20%) to the Board of County Commissioners of such county for use on roads and bridges therein.

(6) Said board shall have the power to make and enforce all laws and regulations necessary to the full exercise of the powers hereby granted. The legislature shall continue the levies of said taxes during the life of this sub-section 10(c) and shall not enact any law having the effect of withdrawing the proceeds of said two cents (2¢) of said taxes from the operation of this sub-section. The board shall pay expenses for services rendered specifically for, or which are properly chargeable to, the account of any county from funds distributed to such county; but general expenses of the board for services rendered all the counties alike shall be prorated among them and paid out of said funds on the same basis said tax proceeds are distributed among the several counties; provided, report of said expenses shall be made to each regular session of the legislature, and the legislature may limit the expenses of the board.

(d) Article XII, Section 18, of the Constitution of 1885, as amended, as it existed immediately before this constitution becomes effective is adopted by this reference as a part of this constitution as completely as though incorporated herein verbatim.

The vote was:

Yeas—29

Mr. President	Elrod	Knopke	Stockton
Askew	Gong	McClain	Stone
Barrow	Griffin	Mathews	Thomas
Boyd	Gunter	Ott	Weissenborn
Broxson	Henderson	Poston	Young
Chiles	Hollahan	Shevin	
Clayton	Horne	Slade	
Edwards	Johnson	Spencer	

Nays—9

Bell	O'Grady	Stolzenburg	Wilson
Fisher	Reuter	Weber	
Lane	Sayler		

The substitute amendment as amended was adopted. The vote was:

Yeas—29

Mr. President	Elrod	Knopke	Stockton
Askew	Gong	McClain	Stone
Barrow	Griffin	Mathews	Thomas
Boyd	Gunter	Ott	Weissenborn
Broxson	Henderson	Poston	Young
Chiles	Hollahan	Shevin	
Clayton	Horne	Slade	
Edwards	Johnson	Spencer	

Nays—9

Bell	O'Grady	Stolzenburg	Wilson
Fisher	Reuter	Weber	
Lane	Sayler		

On motion by Senator Mathews, it was agreed that the foregoing substitute amendment as amended would be inserted in Article XII instead of Article VIII.

Senator Thomas offered the following amendment:

Amendment 282—Article VIII, Section 13, on page 51, beginning at line 12, add new sentence to Section 13 following period on line 24 as follows:

Revenue bonds or revenue certificates when authorized by law may be issued by counties, municipalities, school districts or special taxing districts without a vote of the electors only to finance or refinance the cost of necessary capital projects for county, municipal, school district or special taxing district purposes and shall be payable solely from funds derived from sources other than tax revenues or rents or fees paid from tax revenues.

Senator Barrow offered the following amendment to Amendment 282 which was adopted:

On line 8 insert "ad valorem" between the words "than and tax". On line 9 insert "ad valorem" between the words "from and tax".

Senator Thomas offered the following amendment to Amendment 282 as amended which was adopted:

On line 8, strike "rents or fees" and insert: fees and rents

The hour of recess having arrived, a point of order was called and the Committee of the Whole recessed at 12:15 p. m.

AFTERNOON SESSION

The Committee of the Whole was called to order by Senator Shevin at 1:30 p. m. A quorum present.

Senator Barron offered the following amendment which failed:

Amendment 7—Article VIII, Section 6, Subsection (a), on page 48, beginning at line 27 strike present subsection (a) and insert in lieu thereof the following:

(a) Real estate, or any legal or equitable interest therein, maintained as a bona fide permanent home for the owner or another legally or naturally dependent upon him, shall be exempt from taxation, except assessments for special benefits, to the extent of [five thousand dollars] ~~ten thousand dollars~~ of assessed value. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, or in directly by stock ownership in a corporation owning a fee or a leasehold initially in excess of ninety-eight years.

The vote was:

Yeas—8

Mr. President	Barrow	Edwards	Gibson
Barron	Broxson	Fisher	Shevin

Nays—33

Askew	Gong	McClain	Stone
Bafalis	Griffin	Mathews	Thomas
Bell	Gunter	Poston	Weber
Boyd	Henderson	Reuter	Weissenborn
Chiles	Hollahan	Sayler	Wilson
Clayton	Horne	Slade	Young
Deeb	Johnson	Spencer	
Elrod	Knopke	Stockton	
Fincher	Lane	Stolzenburg	

On motion by Senator Stone, the Senate reconsidered the vote by which the substitute amendment for Amendment 269 failed on August 22.

Senator Stone offered the following amendment to the substitute amendment for Amendment 269 which was adopted:

Article VIII, Section 5, subsection (b), line 22, insert the following: Any property used exclusively for municipal or public purposes within the county where such municipality is located shall be exempt by law from taxation.

Other property used exclusively for municipal or public purposes or for educational, literary, scientific, religious or charitable purposes may be exempt by law from taxation.

The substitute amendment as amended was adopted.

Senators Barron, Pope and Horne offered the following amendment:

Amendment 5—Article VIII, Section 2, following Subsection (c), on page 47, beginning at line 31, add the following:

(d) The homestead of each totally disabled veteran of a war of the United States, shall be totally and completely exempt from all ad valorem taxation.

Senators Horne and Poston offered the following substitute amendment which was adopted on motion by Senator Horne:

Article VIII, Section 6, Subsection (a), paragraph 49, beginning at line 2, following the period insert the following:

The amount of the exemption may be increased by law when the owner has a service connected one hundred per cent (100%) disability rating for compensation.

The vote was:

Yeas—28

Mr. President	Edwards	Lane	Shevin
Askew	Fincher	McClain	Slade
Barron	Gong	Mathews	Stolzenburg
Bell	Griffin	Ott	Stone
Boyd	Gunter	Poston	Thomas
Broxson	Horne	Reuter	Weissenborn
Deeb	Knopke	Sayler	Wilson

Nays—9

Bafalis	Fisher	Johnson	Stockton
Chiles	Henderson	Spencer	Young
Elrod			

PAIR

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

I am paired with Senator Barrow on the substitute amendment for Amendment 5. If he were present he would vote "Yea" and I would vote "Nay."

CHARLES H. WEBER, 37th District.

Senator Barron, having been excused from the session on August 22, requested unanimous consent to be recorded as voting "yea" on the adoption of Amendment 4.

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

The Senate was called to order by Senator Shevin at 2:45 p. m. A quorum present.

On motion by Senator Mathews, the rules were waived and time of adjournment was extended until 5:00 p. m.

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 2-4X(67).

COMMITTEE OF THE WHOLE

A motion by Senator Poston failed that the Committee of the Whole reconsider the vote by which the substitute amendment as amended for Amendment 272 was adopted on August 23.

On motion by Senator Mathews, Article VIII as amended was adopted.

Senator Boyd offered the following amendment:

Amendment 263—Article IX, Section 1, on page 52, beginning at line 2, strike Section 1 and insert in lieu thereof the following:

Section 1. FREE PUBLIC SCHOOLS AND HIGHER EDUCATION.—Adequate provision shall be made by law for the establishment, maintenance and operation of a uniform system of public education which shall include free public schools [and] , other public educational institutions and programs, and institutions of higher learning.

Senator Boyd offered the following amendment to Amendment 263 which was adopted:

Line 1, page 1, strike: line 1 and insert the following: Section 1. SYSTEM OF PUBLIC EDUCATION.—

Senators Saylor and Deeb offered the following substitute amendment which was moved by Senator Deeb:

On page 50, beginning at line 3, as follows: Substantial re-write of Article IX, See present text.

ARTICLE IX
EDUCATION

Section 1. Free public schools and higher education.—Adequate provision shall be made by law for the establishment, maintenance, operation and supervision of:

(a) a uniform system of free public schools; and

(b) institutions of higher learning. Pursuant to such supervision, the legislature may provide for terms of office exceeding four years.

Senators Saylor and Deeb offered the following amendment to the substitute amendment which was adopted on motion by Senator Saylor:

Section 1, paragraph 1, beginning at line 4, delete "Free public schools and higher education and insert: System of Public Education

Senator O'Grady offered the following amendment to the substitute amendment as amended which was adopted:

Insert the following: (c) other public educational institutions and programs.

Senator Cross offered the following amendment to the substitute amendment as amended which failed:

In Section 1, line 1, page 52, strike: Section 1, and insert the following: Section 1. Free public schools and a system of

higher education—Adequate provisions shall be made by law for the establishment, maintenance and operation of a uniform system of free public schools, a system of institutions of higher learning and junior colleges.

Senator Askew offered the following amendment to the substitute amendment as amended which failed:

At the end of the amendment insert the following: Section 2. State board of education.—The governor and members of the cabinet shall constitute a state board of education which shall be a body corporate and have such supervision of public education as may be provided by law.

The substitute amendment as amended failed. The vote was:

Yeas—12

Bell	Fisher	Shevin	Weber
Deeb	Reuter	Slade	Wilson
Fincher	Saylor	Spencer	Young

Nays—29

Askew	Elrod	Johnson	Stockton
Barron	Gibson	Knopke	Stolzenburg
Barrow	Gong	Lane	Stone
Boyd	Griffin	McClain	Thomas
Broxson	Gunter	Mathews	Weissenborn
Chiles	Henderson	O'Grady	
Cross	Hollahan	Ott	
Edwards	Horne	Poston	

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

The Senate was called to order by Senator Shevin at 4:59 p. m. A quorum present.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 5:00 p. m. to reconvene at 9:30 a. m., August 25, 1967.