

## SPECIAL SESSION

# JOURNAL OF THE SENATE

Monday, February 5, 1968

The Senate was called to order by the President Pro Tempore at 11:00 a.m. A quorum present—46:

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

Excused: Senator Reuter for the morning session. Senator McClain.

Prayer by the Secretary of the Senate:

Heavenly Father, we are aware that time is a major factor in this consideration and we fully recognize the task we are trying to resolve. Labor with us so that the Holy Spirit may direct application of our talents that the days allotted are sufficient. May all of us find each busy about the ordinances within our responsibility as Legislators. We are desirous of doing that which spells progress for our people and our state. Let our decision possess not the unimportant or those things frivolous but possess that which is essential and necessary.

In our Master's name, we pray. 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 Journal of February 2 was corrected and approved.

### REPORT OF COMMITTEE

The Committee on Rules and Calendar recommends the following pass: SJR 44-X(68).

The bill was placed on the Calendar.

### INTRODUCTION

By Senators de la Parte and Askew—

SB 57-X(68)—A bill to be entitled An act relating to education; providing an appropriation to implement minimal educational and vocational programs for students in child training schools; providing an effective date.

Was read the first time by title and referred to the Committees on Education-Public Schools and Junior Colleges; and Appropriations.

By Senators Thomas, Poston, Askew, Griffin, Spencer, Gibson, Hollahan, Pope, Stone, Haverfield, Fincher, Mathews, Friday, Gong, Gunter, de la Parte, Knopke, Cross, Slade, Stockton and Shevin—

SB 58-X(68)—A bill to be entitled An act relating to county boards of public instruction; amending section 230.05, Florida Statutes, to provide for the election of board members at the time of the primary elections; amending chapter 230, Florida Statutes, by adding section 230.081, to provide for the non-partisan election of county board members at the time of the primary elections; repealing sections 100.041(3), 230.08 and 230.10, Florida Statutes, relating to the election of county board members; providing an effective date.

Was read the first time by title and referred to the Committees on Education-Public Schools and Junior Colleges; and Judiciary "B".

By Senator Friday—

SB 59-X(68)—A bill to be entitled An act relating to public junior colleges; authorizing such colleges to keep certain records at the site of the college, providing that such records be kept available for inspection by state and county officials; and requiring that permanent records be stored in the office of the county superintendent; providing an effective date.

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

By Senator O'Grady—

SB 60-X(68)—A bill to be entitled An act relating to educational organizations; prohibiting the application of certain words to public educational institutions by organizations other than the state board of education; providing penalties; providing for study; providing an effective date.

Was read the first time by title and referred to the Committees on Education-Public Schools and Junior Colleges; and Judiciary "B".

By Senators Haverfield and Askew—

SB 61-X(68)—A bill to be entitled An act making appropriations; providing moneys for the fiscal year beginning July 1, 1968 to pay salaries, and other expenses of the state university system; providing an effective date.

Was read the first time by title and referred to the Committees on Education-Higher Learning; and Appropriations.

By Senators Mathews, Stone and Young—

SB 62-X(68)—A bill to be entitled An act relating to occupational license taxes; amending section 205.251(1), Florida Statutes, to except apartment houses; providing for refund of license taxes paid pursuant to chapter 67-433, Laws of Florida, by persons engaged in business of renting such accommodations; providing an effective date.

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

By Senators de la Parte, Askew and Thomas—

SCR 63-X(68)—A concurrent resolution requesting the Governor of the State of Florida to arrange for a study, by the Secretary of the United States Department of Health, Education and Welfare, of state services, facilities and programs for juvenile delinquency; designating the Division of Youth Services to act as liaison with federal consultants and to prepare a plan of action for the legislature.

WHEREAS, juvenile delinquency is a critical problem facing our state and nation, and

WHEREAS, early treatment of the delinquent is essential to our continuing efforts to fight crime in Florida, and

WHEREAS, the United States Children's Bureau can provide the technical assistance required for preparing a plan of action to combat the alarming increase in juvenile crime and delinquency, NOW, THEREFORE,

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

That we, the members of the Legislature of the State of Florida, respectfully request His Excellency, Honorable Claude R. Kirk, Jr., Governor of the State of Florida, to arrange with the Secretary of the United States Department of Health,

Education and Welfare for a study of all local and state services, facilities and programs available in Florida for the prevention, control and treatment of juvenile delinquency, technical assistance required for conducting the study to be provided by the Division of Juvenile Delinquency Service in the United States Children's Bureau.

BE IT FURTHER RESOLVED that the Division of Youth Services shall be designated as the Florida state agency responsible for liaison with the Children's Bureau and for preparation of a plan of action based on the recommendations of Children's Bureau consultants.

BE IT FURTHER RESOLVED that the report on delinquency and the plan for action shall be prepared for consideration by the 1969 regular session of the Florida Legislature.

Was read the first time in full. On motion by Senator de la Parte, the rules were waived and SCR 63-X(68) was read the second time by title, adopted, and certified to the House.

The President presiding.

#### SECOND READING

SB 46-X(68)—A bill to be entitled An act relating to ad valorem taxation; amending section 192.05, Florida Statutes, as amended by chapter 67-376, laws of Florida, to provide for assessment of inventory at fifty per cent (50%) of just valuation in 1968, twenty-five per cent (25%) of just valuation in 1969 and thereafter; defining inventory; authorizing the comptroller to promulgate regulations; providing an effective date.

Was taken up. On motion by Senator Mathews, the rules were waived and SB 46-X(68) was read the second time by title.

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

In Section 1(2), on page 2, line 3, after "as inventory items . . ." and before "in the ordinary course . . ." add the following: only to the extent that they are acquired for sale to customers

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

In Section 1(4), on page 2, line 28, insert the following: after the words "found to be due" add a period (.) and the following words: A taxpayer making a return who fails to include therein all inventory items subject to taxation as required by this section and chapter, shall pay as a penalty in addition to, and as part of the tax, a sum equal to twenty-five (25%) of the tax found to be due

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

In Section 1(2), on page 2, line 6, after "in the ordinary course," strike the comma, and the words "livestock shall be included in the ordinary course of business" and insert the following: Livestock shall be included only to the extent that it is held for sale to customers in the ordinary course of business.

Senators Shevin, Mathews and Poston offered the following amendment which was adopted on motion by Senator Mathews:

In Section 1, lines 12-17, page 2, strike: Subsection (3) and insert new subsection (3)

(3) In determining the just valuation of inventory, as defined by subsection (2) of this section, the assessor of taxes shall take into consideration:

- (a) The invoice cost of the goods;
- (b) The transitory nature of the goods en route from manufacturer to consumer;
- (c) The condition of the goods, including depreciation;
- (d) The cost of storing, handling and protecting the goods;
- (e) The time the goods were held;
- (f) Such other factors as may be applicable and which reduce the value of the inventory from its initial cost; and
- (g) Such regulations as the comptroller deems necessary to insure that assessment of inventory items complies with sub-

section (1) of this section, and such regulations as he deems necessary to insure the uniform application of the section.

On motion by Senator Mathews, the rules were waived and SB 46-X(68) as amended was read the third time in full, passed and ordered engrossed. The vote was: Yeas—46 Nays—None

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

Consideration of SB 51-X(68) was temporarily deferred, the bill retaining its place on the Calendar.

SJR 52-X(68)—A joint resolution proposing an amendment to subsection (b) of section 19 of Article XII of the Constitution of Florida providing for the legislature to set the limit on the interest rate allowable on bonds issued for capital outlay at junior colleges and certain vocational-technical schools.

Was taken up and read the second time in full.

Senators Askew and Mathews offered the following amendment which was adopted on motion by Senator Askew:

In the title, line 8, page 1, after "for capital outlay at" insert the following: institutions of higher learning, including

On motion by Senator Askew, the rules were waived and SJR 52-X(68) as amended was read the third time in full as follows:

SJR 52-X(68)—A joint resolution proposing an amendment to subsection (b) of section 19 of Article XII of the Constitution of Florida providing for the legislature to set the limit on the interest rate allowable on bonds issued for capital outlay at institutions of higher learning, including junior colleges and certain vocational-technical schools.

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

That subsection (b) of Article XII of the Constitution of Florida be amended as set forth below, is agreed to and that said amendment be submitted to the electors of Florida for ratification or rejection at the general election to be held in November 1968:

Section 19. Institutions of higher learning and junior college capital outlay trust fund; bonds.—

(b) The State Board shall have power, for the purpose of obtaining funds for acquiring, building, constructing, altering, improving, enlarging, furnishing or equipping capital outlay projects theretofore authorized by the legislature and any purposes appurtenant or incidental thereto, for institutions of higher learning or junior colleges, as now defined or as may be hereafter defined by law, and for the purpose of constructing buildings and other permanent facilities for vocational-technical schools as provided in chapter 230, Florida Statutes, to issue bonds or certificates, including refunding bonds or certificates to fund or refund any bonds or certificates theretofore issued. All such bonds or certificates shall bear interest at not exceeding [four and one half per centum per annum,] *such rates as may be provided by law* and shall mature at such time or times as the State Board shall determine not exceeding, in any event, however, thirty years from the date of issuance thereof. The State Board shall have power to determine all other details of such bonds or certificates and to sell at public sale, after public advertisement, such bonds or certificates, provided, however, that no bonds or certificates shall ever be issued hereunder to finance, or the proceeds thereof expended for, any part of the cost of any capital outlay project unless the construction or acquisition of such capital outlay project has been theretofore authorized by the legislature of Florida. None of said bonds or certificates shall be sold at less than ninety eight per centum of the par value thereof, plus accrued interest, and said bonds or certificates shall be awarded at the public sale thereof to the bidder offering the lowest net interest cost for such bonds or

certificates in the manner to be determined by the State Board.

The State Board shall also have power to pledge for the payment of the principal of and interest on such bonds or certificates and reserves therefor, including refunding bonds or certificates, all or any part of the revenue to be derived from the said gross receipts taxes provided for in this amendment, and to enter into any covenants and other agreements with the holders of such bonds or certificates concerning the security thereof and the rights of the holders thereof, all of which covenants and agreements shall constitute legally binding and irrevocable contracts with such holders and shall be fully enforceable by such holders in any court of competent jurisdiction.

No such bonds or certificates shall ever be issued by the State Board in an amount exceeding seventy-five per centum of the amount which it determines, based upon the average annual amount of the revenues derived from said gross receipts taxes during the immediately preceding two fiscal years, or the amount of the revenues derived from said gross receipts taxes during the immediately preceding fiscal year, as shown in a certificate filed by the State comptroller with the State Board prior to the issuance of such bonds or certificates, whichever is the lesser, can be serviced by the revenues accruing thereafter under the provisions of this amendment; nor shall the State Board, during the first year following the ratification of this amendment, issue bonds or certificates in excess of seven times the anticipated revenue from said gross receipts taxes during said year, nor during each succeeding year, more than four times the anticipated revenue from said gross receipts taxes during such year. No election or approval of qualified electors or freeholder electors shall be required for the issuance of bonds or certificates hereunder.

After the initial issuance of any bonds or certificates pursuant to this amendment, the State Board may thereafter issue additional bonds or certificates which will rank equally and on a parity, as to lien on and source of security for payment from said gross receipts taxes, with any bonds or certificates theretofore issued pursuant to this amendment, but such additional parity bonds or certificates shall not be issued unless the average annual amount of the revenues derived from said gross receipts taxes during the immediately preceding two fiscal years, or the amount of the revenues derived from said gross receipts taxes during the immediately preceding fiscal year, as shown in a certificate filed by the State comptroller with the State Board prior to the issuance of such bonds or certificates, whichever is the lesser, shall have been equal to one and one-third times the aggregate amount of principal and interest which will become due in any succeeding fiscal year on all bonds or certificates theretofore issued pursuant to this amendment and then outstanding, and the additional parity bonds or certificates then proposed to be issued. No bonds, certificates or other obligations whatsoever shall at any time be issued under the provisions of this amendment, except such bonds or certificates initially issued hereunder, and such additional parity bonds or certificates as provided in this paragraph. Notwithstanding any other provision herein no such bonds or certificates shall be authorized or validated during any biennium in excess of fifty million dollars, except by two-thirds vote of the members elected to each house of the legislature; provided further that during the biennium 1963-1965 seventy-five million dollars may be authorized and validated pursuant hereto.

—was passed as amended by the required Constitutional three-fifths vote of all members elected to the Senate and ordered engrossed. The vote was:

Yeas—40

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

Nays—4

Bell	Stockton	Thomas	Weissenborn
------	----------	--------	-------------

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

SB 51-X(68)—A bill to be entitled An act relating to State

educational agencies; amending section 229.062, Florida Statutes, providing a ceiling on interest allowable on bonds issued pursuant to section 19, Article XII of the State constitution; providing an effective date.

On motions by Senator Askew, the rules were waived and SB 51-X(68) was read the second time by title, the third time in full, passed and certified to the House. The vote was:

Yeas—36

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

Nays—10

Barron	Henderson	Thomas	Young
Barrow	Hollahan	Weissenborn	
Bell	Stockton	Wilson	

Senator Edwards presiding.

SJR 44-X(68)—A joint resolution proposing an amendment to subsection (b) of section 18 of Article XII of the Constitution of Florida; providing for the legislature to set the limit on the interest rate allowable on bonds issued on behalf of counties for capital outlay and debt service and other school purposes.

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

That subsection (b) of Article XII of the Constitution of Florida be amended as set forth below is agreed to and that said amendment be submitted to the electors of Florida for ratification or rejection at the general election to be held in November 1968:

Section 18. School bonds for capital outlay, [insurance] issuance.—

(b) The state board shall, in addition to its other constitutional and statutory powers, have the management, control and supervision of the proceeds of the first part of the revenues derived from the licensing of motor vehicles provided for in subsection (a). The state board shall also have power, for the purpose of obtaining funds for the use of any county board of public instruction in acquiring, building, constructing, altering, improving, enlarging, furnishing, or equipping capital outlay projects for school purposes, to issue bonds or motor vehicle tax anticipation certificates, and also to issue such bonds or motor vehicle tax anticipation certificates to pay, fund or refund any bonds or motor vehicle tax anticipation certificates theretofore issued by said state board. All such bonds shall bear interest at not exceeding [four and one half per centum per annum] such rates as may be provided by law and shall mature serially in annual installments commencing not more than three years from the date of issuance thereof and ending not later than thirty years from the date of issuance or January 1, 2000, A. D., whichever is earlier. All such motor vehicle tax anticipation certificates shall bear interest at not exceeding [four and one half per centum per annum] such rates as may be provided by law and shall mature prior to January 1, 2000, A. D. The state board shall have power to determine all other details of said bonds or motor vehicle tax anticipation certificates and to sell at public sale after public advertisement, or exchange said bonds or motor vehicle tax anticipation certificates, upon such terms and conditions as the state board shall provide.

The state board shall also have power to pledge for the payment of the principal of and interest on such bonds or motor vehicle tax anticipation certificates, including refunding bonds or refunding motor vehicle tax anticipation certificates, all or any part from the anticipated revenues to be derived from the licensing of motor vehicles provided for in this amendment and to enter into any covenants and other agreements with the holders of such bonds or motor vehicle tax anticipation certificates at the time of the issuance thereof concerning the security thereof and the rights of the holders thereof, all of which covenants and agreements shall constitute legally binding and irrevocable contracts with such holders and shall be fully

enforceable by such holders in any court of competent jurisdiction.

No such bonds or motor vehicle tax anticipation certificates shall ever be issued by the state board until after the adoption of a resolution requesting the issuance thereof by the county board of public instruction of the county on behalf of which such obligations are to be issued. The state board of education shall limit the amount of such bonds or motor vehicle tax anticipation certificates which can be issued on behalf of any county to seventy-five per cent of the amount which it determines can be serviced by the revenue accruing to the county under the provisions of this amendment, and such determination shall be conclusive. All such bonds or motor vehicle tax anticipation certificates shall be issued in the name of the state board of education but shall be issued for and on behalf of the county board of public instruction requesting the issuance thereof, and no election or approval of qualified electors or freeholders shall be required for the issuance thereof.

Was taken up and read the second time in full. On motion by Senator Mathews, the rules were waived and SJR 44-X(68) was read the third time in full, passed by the required Constitutional three-fifths vote of all members elected to the Senate, and certified to the House. The vote was:

Yeas—41

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

Nays—5

Bell	Stockton	Thomas	Weissenborn
Plante			

EXPLANATION OF VOTE

I voted against SJR 52-X(68) and SJR 44-X(68), both of which proposed constitutional amendments would eliminate the present 4½% interest limit on junior college, vocational-technical schools and public schools capital outlay bonds. Both of these proposed constitutional amendments provide that the Legislature shall have the authority to set maximum interest rate limits. I also voted against implementing bills raising the maximum interest rate to 5½%. I frankly have some concern as to correctness of my votes on the proposed constitutional amendments, but there is no question in my mind as to the correctness of my voting against the "5½% maximum interest rate" implementing bills since the sponsor of said bill announced on the floor that these bonds could be sold "for a little more than 4½%". This whole area of bonds and revenue certificates in Florida (and in the counties) gives me a great deal of concern as it is apparent to me that our controls over this deficit financing are extremely vague and that, despite the fact that a joint interim committee to study bond financing made a detailed report with specific recommended procedures and safeguards to the 1965 Legislature, many of those recommendations have to this date not been put into effect. According to this pre-1965 session interim study, the total of the state funded long term debt outstanding as of April, 1965, was \$812,000,000.00. I am not opposed to the financing of needed projects of the state by the issuance of bonds, and as a matter of fact I voted in favor of "full faith and credit" state bonds during the 1967 special session dealing with constitutional revision, but I am opposed to further piecemeal amending of our bonding process in light of the present hodge-podge nature of constitutional and statutory law in this area. In line with these views and in light of my grave concern in this overall area, I feel that a new interim committee or commission should be created to study all aspects of the problem and to make recommendations and it is my hope to introduce and secure passage of the necessary legislation providing for this interim study during the current legislative session.

LEE WEISSENBORN, Forty-second District

On motion by Senator Mathews, by two-thirds vote, SB 45-X(68) was withdrawn from the Committees on Education—

Public Schools and Junior Colleges; and Rules and Calendar and placed on the Calendar.

The President presiding.

SB 45-X(68)—A bill to be entitled An act relating to bonds issued pursuant to Section 18, Article XII of the State Constitution; providing a maximum interest rate on such bonds; providing an effective date.

Was taken up. On motions by Senator Mathews, the rules were waived and SB 45-X(68) was read the second time by title, the third time in full, passed and certified to the House. The vote was:

Yeas—35

Mr. President	de la Parte	Gunter	Poston
Askew	Edwards	Haverfield	Sayler
Bafalis	Elrod	Horne	Shevin
Boyd	Fincher	Johnson	Slade
Broxson	Fisher	Knopke	Spencer
Chiles	Friday	Lane	Stolzenburg
Clayton	Gibson	Mathews	Stone
Cross	Gong	O'Grady	Weber
Deeb	Griffin	Ott	

Nays—11

Barron	Henderson	Stockton	Wilson
Barrow	Hollahan	Thomas	Young
Bell	Plante	Weissenborn	

The President announced the appointment of Senator McClain as an additional member to serve on the special select committee to examine into executive appointments and orders of suspension.

MISCELLANEOUS BUSINESS

Honorable Edwin G. Fraser  
Secretary of the Florida Senate  
The Capitol  
Tallahassee, Florida

February 2, 1968

Dear Sir:

Pursuant to the provisions of Section 112.071(1), (b), Florida Statutes, we attach a certificate listing the commissions subject to confirmation by the Senate which have been prepared by our office.

Sincerely,  
TOM ADAMS  
Secretary of State

Pursuant to the Provisions of Section 112.071(1), (b), Florida Statutes, we do hereby certify that Commissions which are subject to confirmation by the Senate have been prepared for the following:

NAME	OFFICE	FOR TERM ENDING
Robert D. Davis Jacksonville	Member, Jacksonville Port Authority	June 25, 1971
Dennis J. Lanahan Jacksonville	Member, Jacksonville Port Authority	June 25, 1971



GIVEN under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capital this second day of February, A.D., 1968

TOM ADAMS  
Secretary of State

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

February 2, 1968

Dear Sir:

It is my pleasure to inform the Senate of the following appointment and respectfully request confirmation thereof:

J. Pat Corrigan, member, Florida Land Sales Board, for a term of one year.

Respectfully requested,  
CLAUDE R. KIRK, JR.  
Governor

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

February 5, 1968

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

February 2, 1968

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 M. Morganna Childs, Notary Public of the State of Florida. This Notary has been convicted of a felony.

The suspension procedure outlined in the Constitution has been followed in accordance with the Opinion of the Attorney General dated August 24, 1967 declaring that Notaries Public are "public officers" within the contemplation of Article IV, Section 15. I hereby recommend the removal of the above-named Notary Public.

Sincerely,  
CLAUDE R. KIRK, JR.  
Governor

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

February 5, 1968

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

February 2, 1968

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 A. J. Gates, Notary Public of the State of Florida. This Notary has been convicted of a felony.

The suspension procedure outlined in the Constitution has been followed in accordance with the Opinion of the Attorney General dated August 24, 1967 declaring that Notaries Public are "public officers" within the contemplation of Article IV, Section 15. I hereby recommend the removal of the above-named Notary Public.

Sincerely,  
CLAUDE R. KIRK, JR.  
Governor

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

February 2, 1968

Sincerely,  
CLAUDE R. KIRK, JR.  
Governor

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 Russell Hibbert, Notary Public of the State of Florida. This Notary has been adjudicated incompetent.

The suspension procedure outlined in the Constitution has been followed in accordance with the Opinion of the Attorney General dated August 24, 1967 declaring that Notaries Public are "public officers" within the contemplation of Article IV, Section 15. I hereby recommend the removal of the above-named Notary Public.

Sincerely,  
CLAUDE R. KIRK, JR.  
Governor

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

February 2, 1968

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 Marie W. Holmes, Notary Public of the State of Florida. This Notary has been adjudicated incompetent.

The suspension procedure outlined in the Constitution has been followed in accordance with the Opinion of the Attorney General dated August 24, 1967 declaring that Notaries Public are "public officers" within the contemplation of Article IV, Section 15. I hereby recommend the removal of the above-named Notary Public.

Sincerely,  
CLAUDE R. KIRK, JR.  
Governor

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 Herbert H. Moore, Jr., Notary Public of the State of Florida. This Notary has been adjudged mentally incompetent.

The suspension procedure outlined in the Constitution has been followed in accordance with the Opinion of the Attorney General dated August 24, 1967 declaring that Notaries Public are "public officers" within the contemplation of Article IV, Section 15. I hereby recommend the removal of the above-named Notary Public.

Sincerely,  
CLAUDE R. KIRK, JR.  
Governor

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 John H. Winkle, Notary Public of the State of Florida. This Notary has been adjudicated mentally incompetent.

The suspension procedure outlined in the Constitution has been followed in accordance with the Opinion of the Attorney General dated August 24, 1967 declaring that Notaries Public are "public officers" within the contemplation of Article IV, Section 15. I hereby recommend the removal of the above-named Notary Public.

—which were referred to the Special Select Committee on Executive Appointments and Suspensions.

On motion by Senator Mathews, the rules were waived and the Senate recessed at 11:45 a.m. to reconvene at 2:30 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:30 p.m. A quorum present—47:

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

On motion by Senator Mathews, the rules were waived and the Senate reverted to the order of—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Verle A. Pope  
President of the Senate

February 5, 1968

Sir:

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

By Representatives Tucker and Rust—

HB 10-X(68)—A bill to be entitled An act relating to the unauthorized presence upon the campus of a state university or junior college of any person committing an act likely to interfere with the peaceful conduct of the activities of such campus; making it a misdemeanor for such person to fail to leave such campus after being properly directed to do so and providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 10-X(68), contained in the above message, was read the first time by title and referred to the Committees on Education-Higher Learning and Judiciary "B".

On motion by Senator Mathews, the rules were waived and the Senate reverted to the order of—

#### INTRODUCTION

By Senator Wilson—

SB 64-X(68)—A bill to be entitled An act relating to taxation and to conservation of natural resources; imposing an excise tax on the severance of timber and solid minerals; authorizing a credit amounting to eighty per cent (80%) of the amount of tax collected on the resources severed from the site; providing for the administration of such tax and credits by the Board of Conservation and the comptroller; providing that the proceeds from the tax be earmarked for the purchase or improvement of state park land; providing effective dates.

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

By Senators Bafalis and Askew—

SB 65-X(68)—A bill to be entitled An act relating to education, establishing training programs for industry; creating the Industry Services Advisory Board; providing an appropriation; providing an effective date.

Was read the first time by title and referred to the Committees on Education-Public Schools and Junior Colleges; Labor and Industry; and Appropriations.

By the Committee on Education-Public Schools and Junior Colleges—

SJR 66-X(68)—A joint resolution proposing amendments to Section 20 of Article IV and Section 3 of Article XII of the State Constitution to delete therefrom all reference to the superintendent of public instruction; and proposing that Section 25 of Article IV of the State Constitution be repealed.

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

By the Committee on Education-Public Schools and Junior Colleges—

SB 67-X(68)—A bill to be entitled An act relating to education; amending sections 230.05 and 230.08, Florida Statutes, to provide for non-partisan election of school board members; setting a term for such elections; providing for compensation and expenses of school board members; repealing subsection (3) of section 100.041 and section 230.10, Florida Statutes; providing an effective date.

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

By the Committee on Education-Public Schools and Junior Colleges—

SJR 68-X(68)—A Joint Resolution proposing an amendment to Section 2 of Article XII of the state constitution to permit appointment of the superintendent of schools in each district.

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

By the Committee on Education-Public Schools and Junior Colleges—

SB 69-X(68)—A bill to be entitled An act relating to junior colleges; establishing local junior college districts; providing for the establishment, organization, powers, and duties of junior college district boards of trustees, transferring property, assets, and obligations of each junior college from the board of public instruction to the board of trustees; amending section 228.041 (1) (a), (2), and (6); adding section 228.041 (1) (b) and (26) repealing section 228.14 (3); amending sections 228.16, 230.0101, 230.0102, 230.0103, 230.0109, 230.0111, 230.0112, 230.0113, 230.0114, 230.0117, 230.0118, 230.0119; repealing section 230.0106, Florida Statutes; establishing legislative intent; providing an effective date.

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

By the Committee on Education-Public Schools and Junior Colleges—

SB 70-X(68)—A bill to be entitled An act relating to education; amending section 230.23(4), Florida Statutes, by adding paragraph (m) requiring county boards to develop a comprehensive program of staff development and provide for adequate funding; amending section 230.23(10)(j), Florida Statutes, authorizing county boards and state purchasing commission to cooperate; amending section 230.23, Florida Statutes, adding subsection (18), relating to public information; amending section 230.33(12)(i), Florida Statutes, authorizing county boards to study the feasibility of contracting services with industry; amending section 230.33, Florida Statutes, adding subsection (23) relating to programs of public information and remembering the present subsection (23) as (24); requiring the development and operation of pilot programs utilizing flexible staff organization in elementary and secondary schools; requiring a study of self insurance of public educational facilities; requiring study and development of additional modern management practices and techniques including program budgeting at both the state and county levels; providing an appropriation; providing an effective date.

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

On motion by Senator Mathews, the Senate recessed at 2:50 p. m.

The Senate was called to order by the President at 3:30 p.m. A quorum present.

Senator Mathews presiding.

On motion by Senator Friday, the rules were waived and time of adjournment was extended until explanation of Senate Bills 66-X(68), 67-X(68), 68-X(68), and 69-X(68); Introduction of Bills, and consideration of Messages from the House of Representatives.

The President presiding.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

February 5, 1968

Sir:

I am directed to inform the Senate that the House of Representatives has passed by the required Constitutional three-fifths vote of all members elected to the House of Representatives—

By Committee on Judiciary A—

HJR 100-X(68)—A joint resolution proposing an amendment to Section 20 of Article IV of the State Constitution by eliminating the Superintendent of Public Instruction from the Governor's Cabinet; repealing Section 25 of Article IV.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HJR 100-X(68), contained in the above message, was read the first time in full and referred to the Committee on Rules and Calendar.

On motion by Senator Mathews, by two-thirds vote, HJR 100-X(68) was withdrawn from the Committee on Rules and Calendar and placed on the Calendar.

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

February 5, 1968

*Sir:*

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

By Representative Mann (By request)—

HB 22-X(68)—A bill to be entitled An act relating to the state merit system; amending section 110.051(2)(e), Florida Statutes, to add members of the professional staffs of the State Department of Education, the Florida Education Commission, the Florida Public School Board, the Florida Junior College Board, the Florida Board of Regents, and the Florida Board for Vocational-Technical and Adult Education to the list of exempt positions; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 22-X(68), contained in the above message, was read the first time by title and referred to the Committee on Education-Public Schools and Junior Colleges.

On motion by Senator Mathews, the rules were waived and the Senate reverted to—

#### INTRODUCTION

By the required Constitutional two-thirds vote of the Senate the following resolution was admitted for introduction and consideration:

By Senators Chiles, Griffin, Askew, Bafalis, Barron, Barrow, Bell, Boyd, Broxson, Clayton, Cross, Deeb, de la Parte, Edwards, Elrod, Fincher, Fisher, Friday, Gibson, Gong, 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 71-X(68)—A concurrent resolution designating the year 1968 as the year of the Friendly Floridian.

WHEREAS, The Florida Council of 100 has embarked upon a dynamic program to further tourism in the Sunshine State;

WHEREAS, the Council wants every Floridian to participate in this endeavor by being a Friendly Floridian;

WHEREAS, The Honorable Richard D. Pope, Sr. has consented to serve as Chairman of The Florida Council of 100 Tourism Committee in promulgating the Friendly Floridian concept;

WHEREAS, the said Mr. Pope is widely known throughout Florida as "Mr. Tourism";

WHEREAS, Mr. Pope has devoted most of his life-time to furthering tourism in the State of Florida;

WHEREAS, The Florida Council of 100 has dedicated itself to the principle of expanding tourism within the state on a year round basis; NOW, THEREFORE,

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

That the Legislature of the State of Florida commends and extends its appreciation to Mr. Pope and The Florida Council of 100; and that by this proclamation, the year 1968 be hereby designated the year of the Friendly Floridian.

Was read the first time in full. On motion by Senator Chiles, the rules were waived and SCR 71-X(68) was read the second time by title, unanimously adopted, and certified to the House.

#### CO-INTRODUCERS

By permission, Senator Askew was recorded as co-introducer of Senate Bills 28-X(68) and 29-X(68).

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 4:32 p. m. to reconvene at 9:30 a. m. February 6, 1967.