

SPECIAL SESSION

JOURNAL OF THE SENATE

Tuesday, February 6, 1968

The Senate was called to order by the President at 9:30 a.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	

Excused: Senator McClain.

Prayer by Senator John R. Broxson of the 1st Senatorial District:

Heavenly Father, today we are grateful to be alive and vigorous. We need divine guidance. We pray, O God, that you will illuminate our thinking and give us a better understanding of each, the others problems. May we have compassionate hearts and a peace in our spirits that passes all understanding.

In Christ's name. Amen.

The Journal of February 5 was corrected and approved as follows: Page 35, counting from the bottom of column 2, strike lines 28 and 29 and insert the following: Statutes, to except apartment houses; providing for

REPORTS OF COMMITTEES

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

The Committee on Finance and Taxation recommends the following pass: SB 62-X (68)

The Committee on Appropriations recommends the following pass: SB 28-X(68), SB 29-X(68) with amendment, SB 42-X(68) with amendment, SB 55-X(68), SB 70-X(68).

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

The Committee on Rules and Calendar recommends a Committee Substitute for the following: SJR 66-X(68).

The bill with Committee Substitute attached was placed on the Calendar.

The Committee on Mental Health, Retardation and State Institutions recommends the following pass: SB 56-X(68).

The bill was referred to the Committee on Education-Public Schools and Junior Colleges under the original reference.

ENGROSSING REPORT

Your Engrossing Clerk to whom was referred—

SB 46-X(68) with 4 amendments
SJR 52-X(68) with 1 amendment

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

EDWIN G. FRASER
Secretary of the Senate

The bills were certified to the House.

INTRODUCTION

By the required Constitutional two-thirds vote of the Senate

the following resolution was admitted for introduction and consideration:

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

SR 72-X(68)—A Resolution In Memoriam Bruce Griffin Davis, Jr.

WHEREAS, the demise of a young Tallahassee citizen on January 26, 1968, at Decatur, Georgia, has occasioned an irreparable loss and lasting grief to his innumerable friends, and

WHEREAS, the short life span of this young man was so exemplary that it is the wish of this the Florida Senate in Session assembled to record his achievements and accomplishments as well as the grief felt by his friends and acquaintances for him, "the doubly dead, in that he died so young", NOW, THEREFORE,

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

That this Resolution be inscribed upon the pages of the Journal of The Florida Senate as a permanent record

IN MEMORIAM—BRUCE GRIFFIN DAVIS, JR.

Bruce was the son of Mr. and Mrs. Bruce G. Davis, Sr., and resided at 413 South Ride, Tallahassee. He was the grandson of Mrs. Bruce C. Davis and the late Mr. Davis; and the grandnephew of Honorable Marvin Griffin, former Governor of the State of Georgia. His age was seventeen years and he was a senior at Leon High School, where he participated in the 1967 Thespian Night, 1966 Junior Class Play and was a member of the J. Edwin Larson Chapter of DeMolay. He was a member and an Acolyte of St. John's Episcopal Church.

In the years 1965 and 1967, Bruce served as an Assistant Sergeant at Arms of The Florida Senate, where by his earnest attention to duty and cheerful demeanor he endeared himself to those he served in that capacity.

BE IT FURTHER RESOLVED that a copy of this Resolution under the Seal of The Florida Senate be forwarded to the members of the family of Bruce Griffin Davis, Jr., together with condolences of the members of the Senate.

Was read the first time by title. On motion by Senator Mathews, SR 72-X(68) was read the second time in full and unanimously adopted.

By Senators Wilson, Sayler and Deeb—

SB 73-X(68)—A bill to be entitled An act relating to taxation; repealing section 192.06(10), Florida Statutes; providing an effective date.

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

By Senators Wilson, Sayler and Deeb—

SB 74-X(68)—A bill to be entitled An act relating to taxation; repealing section 192.06(12), Florida Statutes; providing an effective date.

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

By Senators Wilson, Sayler and Deeb—

SB 75-X(68)—A bill to be entitled An act relating to taxation; repealing section 192.06(11)(a), Florida Statutes; providing an effective date.

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

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

SB 76-X(68)—A bill to be entitled An act relating to junior colleges; amending section 230.0114(2), Florida Statutes; revising the procedure for providing recalculation funds; amending section 230.0115(1), Florida Statutes; revising the procedure for determining units; amending section 230.0117(2), Florida Statutes; revising the amount for salaries; providing for salaries beyond the regular term; adding paragraphs (d) and (e) providing for staff and program development and salaries to be used for apportionment purposes only; amending section 230.0117(4), Florida Statutes; revising the amount for other current expenses; amending section 230.0117(8), Florida Statutes; removing the provision for reducing the allocation from the state funds by the difference between the amount included in the minimum foundation program for salaries and the amount actually paid to instructors; providing an appropriation; providing an effective date.

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

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

SB 77-X(68)—A bill to be entitled An act relating to education; amending section 236.04(4), Florida Statutes; making instruction of exceptional children mandatory; amending section 231.09(1), Florida Statutes; relating to duties of instructional personnel; providing for the teaching of a positive attitude toward the dignity of work; providing that emphasis be placed on the dignity and value of all legitimate occupational pursuits; amending section 236.02(6)(a), Florida Statutes; amending requirements pertaining to county school board instructional salary schedules; amending section 236.07(1), Florida Statutes; providing a new training rank for instructional personnel by adding Rank IA; amending section 236.07(3), Florida Statutes; by increasing the amount to be included for instructional salaries; amending section 236.05, Florida Statutes; prescribing a method for determining the apportionment of funds to each county for transportation for kindergarten through grade twelve (12); amending section 236.07(4), Florida Statutes; providing for the apportionment of transportation funds to county boards; amending section 236.07(5), Florida Statutes; by increasing the amount to be included for current expenses; amending section 236.07, Florida Statutes, by creating a new subsection providing for education improvement expense to be allocated to the county boards of public instruction and expended pursuant to a plan approved by the state board of education; amending section 236.04(3), Florida Statutes, providing that kindergarten units may be included in the foundation program only on the basis of an approved plan for operation; amending section 236.04(7), Florida Statutes, by deleting units for administrative and special instructional services and creating units for special teacher services; amending section 236.04(8), Florida Statutes, by removing the limitation on units for supervisors of instruction; amending section 236.071(2)(b), Florida Statutes, by changing the factors by which various percentages are to be multiplied; amending section 236.075, Florida Statutes, by deleting five hundred fifty dollars (\$550.00) unit value from county school sales tax trust fund; repealing section 236.75, Florida Statutes, relating to state funds for public school lunch programs; repealing chapter 65-398, Laws of Florida, amending section 232.01, Florida Statutes, which law will become effective July 1, 1972; fixing the minimum age for admission to the first grade; providing an appropriation; providing an effective date.

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

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

SB 78-X(68)—A bill to be entitled An act relating to education; amending subsection (3) and paragraph (a) of subsection (4) of section 236.074, Florida Statutes, by providing an additional one hundred dollars (\$100.00) in state funds for each pupil increase in average daily attendance; providing an appropriation; providing an effective date.

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

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

SB 79-X(68)—A bill to be entitled An act relating to education, providing an appropriation to the state board of education for the purpose of funding the deficit between the amount of employer's share of retirement matching and that amount of funds provided county boards of public instruction under the provisions of section 236.075(3), Florida Statutes; providing an effective date.

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

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

SB 80-X(68)—A bill to be entitled An act relating to scholarships, teaching; amending sections 239.38 and 239.42, Florida Statutes, to provide for additional scholarship loans and disbursement thereof; providing an appropriation; providing an effective date.

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

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

SB 81-X(68)—A bill to be entitled An act relating to education in the field of vocational-technical and general adult education; providing a planned program budget submitted to the state board of vocational education for supplemental funds; providing an appropriation; providing an effective date.

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

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

SB 82-X(68)—A bill to be entitled An act making appropriations; providing moneys for provision of vocational rehabilitation services to disabled individuals; specifying certain conditions of expenditure; authorizing state budget commission to establish certain positions; providing an effective date.

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

By Senators Saylor and Stockton—

SB 83-X(68)—A bill to be entitled An act relating to instructional personnel of public schools; providing for the organization of an auxiliary teaching force on a state-wide basis for employment by county boards of public instruction in emergencies; defining and providing for declaration of emergencies by any county board of public instruction; providing for the employment and fixing of compensation of teachers by county boards of public instruction in emergencies; providing an effective date.

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

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

SB 84-X(68)—A bill to be entitled An act relating to education; providing an appropriation to implement a minimum training and educational program for students in child training schools; providing an effective date.

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

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

SB 85-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, providing an effective date.

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

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

SB 86-X(68)—A bill to be entitled An act relating to excep-

tional child education; expressing the intent of the legislature in passing this act; making appropriations for scholarships and in-service training for exceptional education personnel, for capital outlay for critical facilities and specialized equipment, for specialized education consultants, and for research; providing an effective date.

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

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

SB 87-X(68)—A bill to be entitled An act relating to non-public schools; amending chapter 247, Florida Statutes, by adding sections 247.011 and 247.021 to authorize the state department of education to classify and accredit non-public schools in certain prescribed circumstances; providing an appropriation; repealing sections 247.01 through 247.20, Florida Statutes, inclusive; providing an effective date.

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

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

SB 88-X(68)—A bill to be entitled An act relating to the Florida School for the Deaf and Blind, providing a whereas; providing an appropriation; providing an effective date.

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

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

SB 89-X(68)—A bill to be entitled An act relating to exceptional child education; providing for a mandatory comprehensive state-wide program; requiring district school boards to provide instructional programs and related services for exceptional children; amending sections 228.041(21) and (22), Florida Statutes, to redefine the terms "exceptional children" and special educational services; adding a new subsection to section 228.13, Florida Statutes, to include exceptional child education in the required public school program; amending section 228.14, Florida Statutes, to include exceptional child programs; amending section 228.16 to include exceptional child education in the free public school program; adding a new paragraph to section 230.23(4), Florida Statutes, to include exceptional children as a part of the established organization and operation of the schools; amending section 230.23(6)(e), Florida Statutes, to include visual and auditory examinations as a part of health examinations and treatment; adding a new paragraph to section 230.33(6), Florida Statutes, to require a county plan for exceptional children to duties and responsibilities of county superintendent; adding a new subparagraph to section 232.01(1), Florida Statutes, to permit pre-school education for exceptional children; amending section 236.06(1), Florida Statutes, providing for physical and mental exemption; repealing section 228.041(23), Florida Statutes, concerning certification of teachers, to remove repetitious language; repealing sections 232.13(1), Florida Statutes, concerning reporting of handicapped children to state superintendent by county school systems; 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 10:05 a.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:30 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	

The Senate resumed—

INTRODUCTION

By Senators Wilson, Sayler and Deeb—

SB 90-X(68)—A bill to be entitled An act relating to taxation; repealing section 192.06(14), Florida Statutes; providing an effective date.

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

On motion by Senator Mathews, the Senate recessed at 1:40 p.m. to reconvene at 3:00 p.m.

The Senate was called to order by the President Pro Tempore at 3:00 p.m. A quorum present.

The Senate resumed—

INTRODUCTION

By Senators Wilson and Sayler—

SB 91-X(68)—A bill to be entitled An act relating to taxation; amending section 192.06(2), (3) and (4), Florida Statutes; eliminating certain exemptions from property taxation; repealing subsections (6), (8) and (9) of section 192.06, Florida Statutes; providing an effective date.

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

MESSAGE FROM THE GOVERNOR

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

February 6, 1968

Dear Mr. President:

I have transmitted to the Office of the Secretary of State the following Resolution which originated in the Senate, Special Session, 1968.

S.C.R. 26-X (68)

Respectfully,
CLAUDE KIRK
Governor

SECOND READING

Consideration of SJR 66-X(68), HJR 100-X(68) and SB 67-X(68) was deferred, the bills retaining their places on the Calendar.

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 taken up and read the second time in full.

Senator Shevin offered the following amendment which was adopted:

In Section 1, line 26, page 1, strike: the entire last paragraph (lines 26-29) and insert the following: In any school district where the office of superintendent is appointive on the effective date of this amendment, it shall continue so until its status is changed in accordance with this section.

On motion by Senator Boyd, the rules were waived and consideration of SJR 68-X(68) as amended was deferred, the bill retaining its place on the Calendar.

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 taken up. On motion by Senator Friday, the rules were waived and SB 69-X(68) was read the second time by title.

Senator Friday offered the following amendment which was adopted:

In Section 15, line 20, page 12, before the word "and", insert: subsection (5) and following line 30, insert the following: (5) DETERMINING THE AMOUNT TO BE INCLUDED FOR CAPITAL OUTLAY AND DEBT SERVICE.—The amount included in the junior college minimum foundation program for capital outlay and debt service shall be as determined and provided in Section 18, Art. XII of the state constitution and state board of education regulations [pertaining thereto.] *This amount less any amount determined as necessary for administrative expense by the state board and any amount necessary for debt service on bonds issued by the state board shall be transmitted to the county board of public instruction of the county of location and the said board shall transfer such capital outlay and debt service funds to the junior college district board of trustees to be expended in accordance with regulations of the state board.*

Senator Friday also offered the following amendment which was adopted:

Line 12, page 14, before Section 18 insert new Section 18 and renumber subsequent sections: *Section 18. All local or special acts presently in force which provide benefits for a junior college through a county board of public instruction shall continue in full force and effect and such benefits shall be transmitted to the junior college district board of trustees.*

On motion by Senator Friday, the rules were waived and SB 69-X(68) as amended was read the third time in full, passed and ordered engrossed. The vote was:

Yeas—39

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

Nays—8

Bafalis	Deeb	Reuter	Wilson
Bell	O'Grady	Sayler	Young

The President presiding.

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

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.

On motion by Senator Ott, the rules were waived and SB 67-X(68) was read the second time by title.

Senator Bell offered the following amendment which failed:

In Section 2, lines 21-24, page 1, strike: "non-partisan elections. There shall be no political party designation of any type shown on the ballot or used by or in behalf of any candidate during the campaign." and insert the following: partisan elections.

Senator Bafalis offered the following amendment which failed:

In Section 2, following line 20, page 2, insert the following: (5) The provisions of this section relating to non-partisan elections of school board members shall not become effective in a particular county until approved by a majority vote of the electors of that county voting in a referendum election to be held at the next regular primary or general election.

The vote was:

Yeas—23

Askew	Deeb	Johnson	Stolzenburg
Bafalis	Elrod	Lane	Thomas
Bell	Gong	O'Grady	Weber
Boyd	Haverfield	Plante	Wilson
Chiles	Henderson	Reuter	Young
Clayton	Hollahan	Sayler	

Nays—23

Mr. President	Fincher	Horne	Slade
Barrow	Fisher	Knopke	Spencer
Broxson	Friday	Mathews	Stockton
Cross	Gibson	Ott	Stone
de la Parte	Griffin	Poston	Weissenborn
Edwards	Gunter	Shevin	

Senator O'Grady offered the following amendment which was adopted:

In Section 2, line 23, on page 1, strike: "or used by or in behalf of any candidate during the campaign." and insert a period

A motion by Senator Mathews was adopted that the Senate reconsider the vote by which the foregoing amendment by Senator O'Grady was adopted. The vote was:

Yeas—27

Mr. President	Elrod	Gunter	Plante
Askew	Fincher	Haverfield	Poston
Barron	Fisher	Hollahan	Shevin
Barrow	Friday	Horne	Stockton
Boyd	Gibson	Knopke	Stone
Chiles	Gong	Mathews	Thomas
de la Parte	Griffin	Ott	

Nays—20

Bafalis	Deeb	O'Grady	Stolzenburg
Bell	Edwards	Reuter	Weber
Broxson	Henderson	Sayler	Weissenborn
Clayton	Johnson	Slade	Wilson
Cross	Lane	Spencer	Young

Senator Broxson offered the following substitute amendment:

In Section 2, line 23, page 1, strike: "or in behalf of"

On motion by Senator Mathews, the rules were waived and time of adjournment was extended until final disposition of all bills and joint resolutions on the Calendar.

The question recurred on the substitute amendment which failed. The vote was:

Yeas—22

Mr. President	Friday	Horne	Stockton
Barron	Gibson	Knopke	Stone
Boyd	Gunter	Ott	Thomas
Broxson	Haverfield	Poston	Weissenborn
de la Parte	Henderson	Shevin	
Fincher	Hollahan	Spencer	

Nays—24

Askew	Deeb	Johnson	Sayler
Bafalis	Edwards	Lane	Slade
Barrow	Elrod	Mathews	Stolzenburg
Bell	Fisher	O'Grady	Weber
Chiles	Gong	Plante	Wilson
Cross	Griffin	Reuter	Young

The question recurred on the amendment by Senator O'Grady which failed. The vote was:

Yeas—18

Bafalis	Henderson	Sayler	Weissenborn
Bell	Johnson	Slade	Wilson
Deeb	Lane	Spencer	Young
Edwards	O'Grady	Stolzenburg	
Griffin	Reuter	Weber	

Nays—27

Mr. President	Askew	Barron	Barrow
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Boyd	Fincher	Haverfield	Poston
Broxson	Fisher	Horne	Shevin
Chiles	Friday	Knopke	Stockton
Cross	Gibson	Mathews	Stone
de la Parte	Gong	Ott	Thomas
Elrod	Gunter	Plante	

Senator Stockton offered the following amendment which was adopted:

In Section 2, line 27, page 1, strike "forty-five (45)" and insert the following: thirty-five (35)

Senators Barron and Gibson offered the following amendment which was adopted on motion by Senator Barron:

In Section 2, line 29, page 1, strike: "by filing a petition signed by not less than fifty (50) qualified electors residing within the county"

Senator Barron offered the following amendment which was adopted:

In Section 4, line 26, page 2, insert the following: after the word "board," not to exceed \$250.00 (two hundred and fifty dollars) in any one month

The vote was:

Yeas—29

Bafalis	Edwards	Knopke	Stockton
Barron	Fincher	Plante	Stolzenburg
Barrow	Gong	Poston	Thomas
Bell	Griffin	Reuter	Weber
Broxson	Gunter	Sayler	Young
Clayton	Henderson	Shevin	
Deeb	Hollahan	Slade	
de la Parte	Horne	Spencer	

Nays—14

Mr. President	Fisher	Lane	Stone
Askew	Friday	Mathews	Wilson
Cross	Gibson	O'Grady	
Elrod	Johnson	Ott	

Senator Friday offered the following amendment which was adopted:

In Section 3, line 21, page 2, insert following "section 100.041" : , section 145.041

Senator Fisher offered the following amendment which failed:

In Section 3, lines 24-26, page 2, strike: "shall be reimbursed for expenses at the rate of twenty five (\$25.00) dollars for each official meeting of the board, and"

Senator Thomas offered the following amendment which was adopted:

In Section 4, line 24, page 2, following "shall be reimbursed" insert the following: by the board

On motion by Senator Ott, the rules were waived and SB 67-X(68) as amended was read the third time in full and failed to pass. The vote was:

Yeas—20

Mr. President	de la Parte	Hollahan	Slade
Askew	Fisher	Knopke	Spencer
Barron	Friday	Lane	Stockton
Barrow	Griffin	Ott	Stone
Broxson	Haverfield	Poston	Thomas

Nays—23

Bafalis	Deeb	Horne	Shevin
Bell	Edwards	Johnson	Stolzenburg
Boyd	Elrod	O'Grady	Weber
Chiles	Gibson	Plante	Wilson
Clayton	Gong	Reuter	Young
Cross	Henderson	Sayler	

A motion by Senator Shevin was adopted that the Senate reconsider the vote by which SB 67-X(68) failed. The vote was:

Yeas—23

Mr. President	Fisher	Lane	Spencer
Askew	Friday	Mathews	Stockton
Barron	Gunter	Ott	Stone
Broxson	Haverfield	Plante	Thomas
de la Parte	Hollahan	Poston	Weissenborn
Fincher	Knopke	Shevin	

Nays—22

Bafalis	Edwards	Horne	Stolzenburg
Bell	Elrod	Johnson	Weber
Boyd	Gibson	O'Grady	Wilson
Chiles	Gong	Reuter	Young
Cross	Griffin	Sayler	
Deeb	Henderson	Slade	

The question recurred on the passage of SB 67-X(68) as amended. The bill passed and was ordered engrossed. The vote was:

Yeas—25

Mr. President	Fisher	Lane	Stockton
Askew	Friday	Mathews	Stone
Barron	Griffin	Ott	Thomas
Barrow	Gunter	Poston	Weissenborn
Broxson	Haverfield	Shevin	
de la Parte	Hollahan	Slade	
Fincher	Knopke	Spencer	

Nays—22

Bafalis	Deeb	Horne	Stolzenburg
Bell	Edwards	Johnson	Weber
Boyd	Elrod	O'Grady	Wilson
Chiles	Gibson	Plante	Young
Clayton	Gong	Reuter	
Cross	Henderson	Sayler	

The Senate resumed consideration of SJR 68-X(68).

Senator Slade offered the following amendment:

Line 30, page 1, insert the following: SECTION 8A. SCHOOL DISTRICTS—SCHOOL BOARDS.—Each county shall constitute a school district; provided that two or more contiguous counties with the affirmative vote of the electors of each county may be combined by law into one school district. In each school district there shall be a school board composed of five or more members elected by the electors of the school district for appropriately staggered terms of four years, as provided by law.

Senator O'Grady offered the following amendment to the amendment which failed:

Strike the period after school district and insert the following: or divide a county into more than one district

By permission, Senator Slade withdrew the amendment.

Senator Sayler offered the following amendment which failed:

In line 13, strike "November 5" and insert the following: May 7

Senator Fisher offered the following amendment which failed:

In Section 2, line 16, page 1, strike: Section 2 and insert: Section 2. Superintendent of schools. In each school district there shall be a superintendent of schools. The superintendent of schools shall be appointed and employed by the school board.

Senator Fisher also offered the following amendment which failed:

In Section 2, line 16, page 1, strike: Section 2 and insert the following: In each school district there shall be a superintendent of schools. The superintendent of schools shall be employed by the school board; or, as provided by general law shall be elected in county-wide non-partisan elections. There shall be no political party designation of any type shown on the ballot or used by or in behalf of any candidate during the campaign.

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

By consent of the Senate, Senator Broxson offered the following amendment which was adopted by two-thirds vote:

In Section 2, lines 17 and 18, page 1, strike: "at the general election" and insert the following: as provided by law

Senator Boyd moved that the Senate reconsider the vote by which the foregoing amendment was adopted, and the Senate refused to reconsider. The vote was:

Yeas—19

Bafalis	Edwards	Johnson	Saylor
Barrow	Elrod	Mathews	Slade
Bell	Friday	Ott	Wilson
Boyd	Griffin	Plante	Young
Cross	Horne	Reuter	

Nays—26

Mr. President	Fisher	Knopke	Stolzenburg
Askew	Gibson	Lane	Stone
Barron	Gong	O'Grady	Thomas
Broxson	Gunter	Poston	Weber
Deeb	Haverfield	Shevin	Weissenborn
de la Parte	Henderson	Spencer	
Fincher	Hollahan	Stockton	

The question was put on the passage of SJR 68-X(68) which failed. The vote was:

Yeas—27

Mr. President	de la Parte	Gunter	Shevin
Askew	Edwards	Haverfield	Spencer
Barron	Elrod	Horne	Stockton
Barrow	Fincher	Knopke	Stone
Boyd	Friday	Mathews	Thomas
Broxson	Gong	Ott	Weissenborn
Cross	Griffin	Poston	

Nays—17

Bafalis	Henderson	Reuter	Wilson
Bell	Johnson	Saylor	Young
Deeb	Lane	Slade	
Fisher	O'Grady	Stolzenburg	
Gibson	Plante	Weber	

Explanation of vote

I voted against this resolution because, by providing for the situation of the local superintendent of education to be appointed in some school districts and to be elected in others, it is in conflict with the constitutional provision for a uniform system of public free schools.

John J. Fisher, 10th District

A motion by Senator Boyd was adopted that the Senate reconsider the vote by which SJR 68-X(68) failed. The vote was:

Yeas—26

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

Nays—20

Bafalis	Fisher	O'Grady	Stockton
Bell	Gibson	Plante	Stolzenburg
Deeb	Henderson	Reuter	Weber
Edwards	Johnson	Saylor	Wilson
Elrod	Lane	Slade	Young

On motion by Senator Boyd, the Senate reconsidered the vote by which SJR 68-X(68) was placed on third reading.

On motion by Senator Mathews, the rules were waived and further consideration of SJR 68-X(68) as amended was deferred, the bill retaining its place on the Calendar on second reading.

On motion by Senator Mathews, it was agreed by two-thirds vote that when the Senate adjourns it adjourn to reconvene at 10:30 a.m., February 7, 1968.

MISCELLANEOUS BUSINESS

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

February 6, 1968

Dear Sir:

Pursuant to the provisions of Section 112.071(1),(b), Florida Statutes, we attach a certificate listing a commission subject to confirmation by the Senate which has 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 a commission which is subject to Confirmation by the Senate has been prepared for the following:

NAME	OFFICE	FOR TERM ENDING
Richard A. Coleman	Pilot Commissioner for the Port of Boca Grande,	November 11, 1971
Boca Grande	Boca Grande,	
	Lee County	



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

TOM ADAMS
SECRETARY OF STATE

February 6, 1968

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

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 Marcia Murray, 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

February 6, 1968

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

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 Anthony J. Pusateri, 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

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

CO-INTRODUCER

By permission, Senator Shevin was recorded as a co-introducer of SB 28-X(68).

On motion by Senator Mathews, the Senate adjourned at 5:52 p.m. to reconvene at 10:30 a.m. February 7, 1968.