

SPECIAL SESSION

JOURNAL OF THE SENATE

Wednesday, February 7, 1968

The Senate was called to order by the President at 10:30 a. m. A quorum present—45:

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

Excused: Senator Fincher for the morning session, Senator Johnson until 11:45 a.m. Senator McClain.

Prayer by Senator William Dean Barrow of the 3rd Senatorial District:

I scanned the mountains craggy peaks;
My hands reached to the sky
Their prey I saw the eagles seek;
And heard their piercing cry.

In this majestic splendid trek
Deny I mortal man?
The Master of our universe
Once more had waved his hand?

Our gracious God we have no right to ask of thee and in giving thanks for your most bountiful blessing—the gift of life itself—we humbly pray for wisdom, courage and strength to better serve our fellowman and thus serve thee. In Jesus' name. Amen.

The Journal of February 6 was corrected and approved.

The Journal of February 5 was further corrected and approved as follows: Page 41, column 1, line 2, strike "by title" and insert the following: in full

REPORTS OF COMMITTEES

The Committee on Appropriations recommends the following pass:

- SB 76-X(68) SB 82-X(68)
SB 77-X(68) with 6 amendments SB 84-X(68)
SB 78-X(68) SB 86-X(68)
SB 79-X(68) SB 87-X(68)
SB 80-X(68) SB 88-X(68)
SB 81-X(68)

The bills were placed on the Calendar.

ENGROSSING REPORTS

Your Engrossing Clerk reports that the Senate amendments have been incorporated in the following bills which were certified to the House:

- SB 67-X(68) with 5 amendments
SB 69-X(68) with 2 amendments

EDWIN G. FRASER
Secretary of the Senate

INTRODUCTION

By Senator Hollahan—

SB 92-X(68)—A bill to be entitled An act relating to education; creating Section 231.60, Florida Statutes, authorizing district boards of public instruction to recognize certain professional employee organizations as the representative for

professional employees for the purpose of meeting, conferring, and entering into agreements with district boards of public instruction; amending Section 230.22(1), Florida Statutes, deleting provision authorizing district boards of public instruction to recognize and reach agreement only with committees representing work levels of instructional and administrative personnel; and repealing all laws in conflict herewith; 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 Fisher—

SB 93-X(68)—A bill to be entitled An act relating to the tax on sales, use and certain other transactions; amending subsection (1) of section 212.08, Florida Statutes, exempting from the imposition of said tax staple groceries, defining term "staple groceries"; providing certain exceptions; providing an effective date.

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

By Senator Fisher—

SB 94-X(68)—A bill to be entitled An act relating to tax on sales, use and certain other transactions, amending section 212.08(2), Florida Statutes, restricting the exemptions of the subsection to medicines purchased on prescription; providing an effective date.

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

By Senator Stockton—

SB 95-X(68)—A bill to be entitled An act relating to teaching; amending Section 231.14, Florida Statutes, relating to teaching certificates; providing that in the event of epidemics, mass walk-outs, substantial number of resignations, or other emergencies, county boards may employ, contract with and pay persons for instructional services without the requirement of a teaching certificate; providing for an effective date.

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

By Senator Stockton—

SB 96-X(68)—A bill to be entitled An act relating to teaching personnel of public schools; providing for the submission of resignations and the effect thereof; providing an effective date.

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

By Senators Young, Cross, Henderson, Stolzenburg, Thomas, Shevin, Haverfield, Gong, Wilson, Fisher, Reuter, Bell, Lane, Hollahan, Deeb, Weber, Slade, Plante and Spencer—

SB 97-X(68)—A bill to be entitled An act relating to taxation; levying an excise tax on the severance of all solid minerals; prescribing tax rate and manner of collection and administration; prescribing procedure for paying the taxes; 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 98-X(68)—A bill to be entitled An act relating to education; textbooks; providing an appropriation; and providing an effective date.

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

A point of order was called by Senator Askew, and Senate Bills 85-X(68) and 89-X(68) were withdrawn from the Committee on Appropriations and placed on the Calendar.

#### MESSAGES FROM THE GOVERNOR

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

February 7, 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 Joseph T. Ball, Jr., 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 7, 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 Louise S. Johnson, 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

February 7, 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 Jane D. Roberts, 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

February 7, 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 Paul R. Thomas, 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.

On motion by Senator Mathews, the following communication was read:

*Honorable Jack Mathews  
Senator, Eighth District  
The Capitol  
Tallahassee, Florida*

February 6, 1968

Dear Senator Mathews:

When I issued a call for a Special Session of the Florida Legislature to begin January 29, I emphasized the subject to be considered as education.

Included in this call is a Police Standards Council Bill for \$100,000 to finance police training programs throughout the State.

The bill now before your Rules Committee provides \$100,000 to implement the educational program and I will appreciate it being processed through the Senate as soon as possible.

Sincerely,  
CLAUDE R. KIRK  
Governor

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

February 6, 1968

Sir:

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

By Representative Dubbin and Others—

HB 43-X(68)—A bill to be entitled An act relating to the police standards council as created by house bill no. 398, chapter 67-230, laws of Florida; providing for educational and training implementation; providing an additional appropriation therefore.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 43-X(68), contained in the above message, was read the first time by title and referred to the Committee on Appropriations.

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

February 7, 1968

Sir:

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

By Representatives Graham and Ashler—

HB 81-X(68)—A bill to be entitled An act relating to the state university system under the board of regents; amending section 243.03, Florida Statutes relating to the issuance of revenue certificates; raising the ceiling on interest rates; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 81-X(68), contained in the above message, was read the first time by title and referred to the Committee on Education-Higher Learning.

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

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

February 7, 1968

Sir:

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

By Representative McDonald and Others—

HCR 154-X(68)—A concurrent resolution commending Mrs. Ruth Rains of Cross City, Florida's Teacher of the Year 1968.

WHEREAS, Mrs. Ruth Rains of Dixie County High School has been a teacher in the public schools of Florida for more than 23 years, and

WHEREAS, Mrs. Rains commuted 100 miles round-trip nightly while teaching full time to earn a Bachelor of Education degree, with high honors, from the University of Florida, and

WHEREAS, in addition to her teaching duties at Dixie County High School, where five of her former students now teach with her, Mrs. Rains also has acted as senior class sponsor for the past six years, and

WHEREAS, Mrs. Rains has been a leader in religious and community affairs and has inspired many by her leadership ability, and

WHEREAS, Mrs. Rains has taught the same high ideals which have formed the foundation stone of her life, and

WHEREAS, Mrs. Rains was chosen unanimously by her fellow teachers in 1967 as Dixie County's most outstanding teacher, and

WHEREAS, Mrs. Rains has been selected as Florida Teacher of the Year 1968, and

WHEREAS, Mrs. Rains is one of the five finalists for national Teacher of the Year honors in an awards program sponsored by the Council of Chief State School Officers and Look Magazine, NOW, THEREFORE,

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

That the Legislature of the State of Florida hereby commends Mrs. Ruth Rains for her long and faithful service to education and to the children of Florida and officially extends its appreciation for her effective and productive leadership as a teacher and for her exemplary conduct as a citizen of this state.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HCR 154-X(68), contained in the above message, was read the first time in full. On motion by Senator Cross, the rules were waived and HCR 154-X(68) was read the second time by title, unanimously adopted and certified to the House.

On motion by Senator Cross, the President appointed Senators Cross, Edwards and Young as a committee to escort Mrs. Rains to the rostrum where she addressed the Senate briefly.

#### SECOND READING

Consideration of SJR 66-X(68) and HJR 100-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, having been reconsidered as amended and placed back on second reading on February 6.

Senator Young offered the following amendment which failed:

Lines 12 and 13, page 1, strike: "the general election to be held on November 5, 1968;" and insert the following: a special election to be held under authority of Section 3, Article XVII of the State Constitution on May 7, 1968, that three fourths ( $\frac{3}{4}$ ) of the membership of the Legislature does determine that an emergency exists requiring an early decision by the electors of this state:

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

SB 28-X(68)—A bill to be entitled An act relating to institutions of higher learning; providing for the establishment of a degree granting institution in Dade County; making an appropriation; providing an effective date.

Was taken up. On motions by Senator Haverfield, the rules were waived and SB 28-X(68) was read the second time by title, the third time in full, passed and certified to the House. The vote was:

Yeas—40

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

Nays—2

Reuter Wilson

SB 29-X(68)—A bill to be entitled An act relating to institutions of higher learning; providing for the establishment of a degree granting institution in Duval County; making an appropriation; providing an effective date.

Was taken up. On motion by Senator Mathews, the rules were waived and SB 29-X(68) was read the second time by title.

The Committee on Education-Higher Learning offered the following amendment which was adopted on motion by Senator Mathews:

Line 8, page 1, strike: "239.012" and insert 239.013

On motion by Senator Mathews, the rules were waived and SB 29-X(68) as amended was read the third time in full, passed and ordered engrossed. The vote was:

Yeas—40

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

Nays—2

Reuter Wilson

SB 42-X(68)—A bill to be entitled An act relating to the institute of food and agricultural sciences of the University of Florida; providing additional moneys for the annual period beginning July 1, 1968, to pay for operations of said institute; making an appropriation; providing an effective date.

Was taken up. On motion by Senator Thomas, the rules were waived and SB 42-X(68) was read the second time by title.

The Committee on Appropriations offered the following amendment which was adopted on motion by Senator Thomas:

In Section 1, line 26, page 1, after the word "the" insert the following: board of regents for the

The President Pro Tempore presiding.

On motion by Senator Mathews, the rules were waived and time of recess was extended until final disposition of SB 42-X (68).

The President presiding.

On motion by Senator Thomas, the rules were waived and SB 42-X(68) as amended was read the third time in full, passed and ordered engrossed. The vote was:

Yeas—42

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

Nays—3

O'Grady	Reuter	Wilson
---------	--------	--------

The hour of recess having arrived, a point of order was called and the Senate recessed at 12:06 p. 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	

On motion by Senator Mathews, the Senate recessed at 1:47 p. m.

The Senate was called to order by the President at 3:14 p. m. A quorum present.

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

**INTRODUCTION**

By Senator Deeb—

SB 99-X(68)—A bill to be entitled An act relating to the transportation of school children; amending section 234.01, Florida Statutes, by adding subsection (2); authorizing county boards to provide transportation to nonpublic school children under certain circumstances; providing an effective date.

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

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

SB 100-X(68)—A bill to be entitled An act relating to institutions of higher learning; providing an appropriation for the purpose of planning the medical and nursing school authorized at the University of South Florida; providing an effective date.

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

By Senator Hollahan—

SB 101-X(68)—A bill to be entitled An act relating to regulation of traffic on highways; amending paragraph (1)(a) of section 317.692, Florida Statutes; exempting certain vehicles from the requirements of this section; providing an effective date.

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

By Senator Young—

SB 102-X(68)—A bill to be entitled An act relating to the police standards council as created by house bill no. 398, chapter 67-230, laws of Florida; providing for educational and training implementation; providing an additional appropriation therefore.

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

By Senators Hollahan, Thomas, Barrow, Poston, Haverfield, de la Parte, Stone, Askew and Gunter—

SB 103-X(68)—A bill to be entitled An act relating to state purchasing and contracts; creating the state purchasing commission of Florida, providing for its membership, powers, and duties; providing for the adoption of rules and regulations; providing for the consolidation of estimates, bids and the awarding of contracts; providing for the employment of a director and other employees; requiring preference be given to Florida products; providing for the appointment of a standardization committee, providing exemptions; requiring the approval by the state purchasing commission of all contracts for the purchase of equipment and supplies by county board of public instruction; prohibiting officers from having financial interest in sources of supply, from accepting bribes and providing penalty therefor; repealing sections 283.10, 283.11, 283.21 and 287.011 through 287.111, Florida Statutes; providing an effective date.

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

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

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

SCR 104-X(68)—A resolution commemorating the heroic action of Raymond Hathaway of Jacksonville, Florida.

WHEREAS, Raymond Hathaway, aged 19, of 5140 Burton Avenue, Jacksonville, Florida, accompanied by his date, did observe two criminals in the act of robbing a restaurant in said city; and

WHEREAS, when the criminals were fleeing from the scene of the crime, said Raymond Hathaway did pursue them and attempt to capture them, and

WHEREAS, Raymond Hathaway in attempting such capture was armed only with a stick, and

WHEREAS, Raymond Hathaway was shot three times in the chest while making the last of several attacks on the fleeing criminals, and

WHEREAS, Raymond Hathaway did die as a result of the wounds so received, and

WHEREAS, Raymond Hathaway did give his life as a citizen in the line of duty as he saw it, and

WHEREAS, in our nation today there are many unfortunate instances where our citizens stand by as idle witnesses to crimes of violence being committed, and

WHEREAS, many of our youth are daily engaged in anti-patriotic demonstrations, and

WHEREAS, this land of ours was established by the citizen soldiers, and

WHEREAS, the action of Raymond Hathaway should stand as an inspiration and example of courage and duty to young and old alike, and

WHEREAS, one of the greatest problems facing our nation and our state today is lawlessness and crimes upon our streets, and

WHEREAS, the chief executive of this state and the legislature have gone on official record in a pledge to combat such lawlessness and crime, NOW, THEREFORE,

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

That the legislature stand in recognition of the patriotic sacrifice of this youth, Raymond Hathaway.

BE IT FURTHER RESOLVED that the chief executive of this state be advised of this resolution and finally that a copy of this resolution be delivered to his mother, Mrs. Rika G. Hathaway, and his four brothers and five sisters.

Was read the first time in full. On motion by Senator Fisher, the rules were waived and SCR 104-X(68) was read the second time by title, unanimously adopted and certified to the House.

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

SB 105-X(68)—A bill to be entitled An act relating to the division of corrections; academic and vocational training programs; appropriating funds from the general revenue fund; providing an effective date.

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

By Senators Deeb, Saylor and Wilson—

SB 106-X(68)—A bill to be entitled An act relating to higher education; authorizing the Board of Regents to make educational grants to students for undergraduate education by payment of a portion of tuition fee for Florida resident students attending a nonstate institution; providing for appropriation; providing an effective date.

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

By Senator Spencer—

SB 107-X(68)—A bill to be entitled An act relating to school personnel; amending section 231.351, Florida Statutes, deleting certain criteria for continuing contract status; 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 Spencer—

SB 108-X(68)—A bill to be entitled An act relating to county school trustees; repealing section 230.43, Florida Statutes, providing for powers of trustees; amending section 231.35, Florida Statutes, deleting language referring to trustees; substituting superintendent for trustees; 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 109-X(68)—A bill to be entitled An act relating to education; providing for a state superintendent of public instruction; providing for the method of selection; 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.

The Senate resumed consideration of bills and joint resolutions on Second Reading.

SB 55-X(68)—A bill to be entitled An act relating to public printing; amending section 283.19, Florida statutes, to provide that the legislature shall pay as a legislative expense all items designated as class "A" printing; providing that the secretary of state shall be furnished with sufficient persons to serve as proofreaders for the content of pamphlet laws, general laws, and special acts; and providing an effective date retroactive to July 1, 1967; ratifying previous payments; and authorizing expenditure of revolving fund.

Was taken up. On motions by Senator Mathews, the rules

were waived and SB 55-X(68) was read the second time by title, the third time in full, passed and certified to the House. The vote was: Yeas—47 Nays—None

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	Saylor	

On motion by Senator de la Parte, the following remarks by Senator Boyd were ordered spread upon the Journal:

We are here today in the 8th day of a 10 day session determined, I hope, to do our best to resolve what we all know is a most serious education problem faced by the people of Florida.

I know that each of us shares the same concern, and the same dedication—and that no stone will be left unturned, as we move forward toward the solution which we will and must obtain.

I want to report to you that your education committee organized and began the necessary study of the problem, on Monday afternoon, at the first opportunity immediately after the formal convening of the Senate. We have been in almost continuous session ever since.

The full committee has spent a minimum of four hours a day, each legislative day, in full committee meetings. Two subcommittees, one chaired by Senator Chiles, and the other by Senator Friday and Senator Ott, have been working late into the night and around the clock all this past weekend. I am very proud to report to this Senate that we have had almost 100 per cent attendance at every meeting and that the committee appreciates the many Senators who are not members but who sat in with us because of their interest and concern.

We have talked to and solicited the views of members of the Legislature, representatives of the Governor's Office, the Governor's Commission for Quality Education, the State Department of Education, the Florida Education Association, the County Superintendent's Association, the State Association of School Boards, and many interested citizens, and have considered their proposals in depth.

We have studied in great detail, page by page and recommendation by recommendation, the Report of the Governor's Commission for Quality Education. Many of the Commission's recommendations are far-reaching. Some of them are non-controversial. Some of them, as you are all aware, are very controversial.

With the Report's most vital and central recommendation—that more state funds are needed for our education system—we found total agreement.

Thus, the Commission's recommendations have formed the backbone of our efforts and the backbone of our recommendations.

Based on this Report, and our own findings, we have passed out of the Education Committee a quality education package program which we are submitting to you for your consideration.

If you adopt this program, and we hope you will, we will be enacting into law about 75 per cent of the 91 items specifically recommended by the Commission. Not all of the items, as those of you who have studied this Report know, call for specific legislation.

We know that our total program is certainly not one that any Senator can say is exactly what he or she wanted. No controversial program developed by any legislative body anywhere at any time can be dictated by any one man. As every Senator in this body knows, good legislation represents the best thinking of all.

Your Committee on Education feels very strongly that the

recommendations we will place before you represent a sound and sensible approach and one that will resolve the serious problems that brought us here today.

For a moment I want to deal with the structure changes which will be before you. We are recommending vital and major changes in our education structure which we believe are sound and which could result in improvement in our educational operation.

The major change is at the top, in the office of our State Superintendent of Public Instruction. Our State Superintendent has recommended to the Legislature that we place on the ballot, for the people to decide, the question as to whether his office should be elective or appointive.

I, personally, as do most members of the committee, strongly prefer the elective concept now in the State's constitution. However, in an effort to help resolve differences, and at the request of the State Superintendent who shares with us the same concern, your committee is recommending that this issue be placed on the ballot at the next general election.

Another highly controversial structure change deals with our present State Board of Education. As in the case of the State Superintendent, the majority of your committee concurs with the present board composed of members of the state Cabinet. In fact, you will remember that during the session on constitutional revision this body voted to broaden the membership of the Board of Education to include all members of the Cabinet.

However, again in the spirit of constructive deliberations your committee is recommending that this question also be placed on the ballot in the next general election for the people to decide.

The question about what kind of board should take its place, if the people should approve a change, is too important and far-reaching to be made within these ten days and especially in the few days which still remain.

Practically speaking, the legal situation does not require that this decision be made at this time. Thus, your committee is recommending that a legislative committee be established to begin work immediately and to recommend to the next legislative session the structure changes which would be necessary if this constitutional amendment is approved.

We are also recommending that you approve the necessary constitutional amendment to give the people of every county the right to decide if they want their local county superintendent of public instruction appointed or elected. Only 27 counties now have that right. It should be extended to the people of every county.

We have recommended in this structure package that you enact into law the necessary statute to permit the voters of each county to determine whether or not their school board should be elected in partisan elections. We are also recommending that we require pilot programs requiring a study of self insurance of public educational facilities, requiring study and development of additional modern management practices including program budgeting at both the state and county levels. We're hopeful that this will result in saving the taxpayer dollars.

As you all know, I am not an expert in education. But, like every member of your committee, we have tried to do a responsible job. We have done the best we could. I feel very strongly that the structure changes the committee is recommending to you is as far as we can responsibly go in this emergency 10 day session.

In closing, I know that I do not have to remind any member of this body that we are in the 8th day of this 10 day special session and that if we are to resolve the problem before us, we must start moving today, and do so together.

We are hopeful that this package program of quality education, which you will be considering and which will be explained in detail, will resolve our difference in this body and ultimately bring to an end the turmoil and unrest which exists in our educational system throughout Florida.

Florida and her people have too much at stake for us not to succeed.

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

**HJR 100-X(68)—A joint resolution proposing an amend-**

**ment 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.**

On motion by Senator Mathews, HJR 100-X(68) was read the second time in full.

Senator Mathews offered the following amendment which was adopted:

In Section 25, lines 31 and 32, page 1, strike: Section 25. and insert the following:

**BE IT FURTHER RESOLVED** that it is agreed that Section 3 of Article XII of the State Constitution be repealed.

**BE IT FURTHER RESOLVED** that it is agreed that Section 25 of Article IV of the State Constitution be repealed.

**BE IT FURTHER RESOLVED** that the question of the adoption of the foregoing changes to the State Constitution shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1968.

Senator Plante offered the following amendment:

Strike all after the resolving clause and insert the following: That the following amendment to Section 20 of Article IV of the State Constitution is agreed to:

**SECTION 20. Governor's cabinet.**—The Governor shall be assisted by administrative officers as follows: A secretary of state, attorney general, comptroller, treasurer, [superintendent of public instruction] and commissioner of agriculture, who shall be elected at the same time as the governor, and shall hold their offices [for the same term; provided, that the first election of such officers under this section shall be had at the time of voting for governor in 1964 for a term of two (2) years and thereafter commencing with the time of voting for governor in 1966, said officers shall be elected] for a term of four (4) years.

**BE IT FURTHER RESOLVED** that the following amendment to Section 3 of Article XII of the State Constitution is agreed to:

**SECTION 3. State board of education; members; powers.**—The Governor [, Secretary of State, Attorney General and State Treasurer and State Superintendent of Public Instruction shall constitute a body corporate, to be known as the State Board of Education of Florida, of which the Governor shall be President, and the Superintendent of Public Instruction Secretary] and one elected official from each congressional district within the state elected in a non-partisan election shall constitute a body corporate to be known as the Florida Board of Public Education of which the Governor shall be president. Initially members of the board from odd numbered congressional districts shall be elected and serve for four year terms and members from even numbered congressional districts shall be elected and serve for two year terms. Thereafter, all members shall serve for four years. The first members of the board shall be elected in the general election to be held in November 1968. This Board shall have power to remove any subordinate school officer for cause, upon notice to the incumbent; and shall have the management and investment of all State School Funds under such regulations as may be prescribed by law, and such supervision of schools of higher grades as the law shall provide.

The Board shall appoint a Superintendent of Public Instruction who shall serve at the pleasure of the board and who shall have supervision of all matters pertaining to public instruction; the supervision of state buildings devoted to educational purposes and perform such other duties as the Florida Board of Public Education shall require. The compensation, duties, and powers of the Board shall be prescribed by law.

Be it further resolved that it is agreed that Section 25 of Article IV of the State Constitution be repealed.

Be it further resolved that an emergency requiring an early decision by the electors of the state exists and the question of the adoption of the foregoing changes to the Constitution shall be submitted to the electors of Florida for ratification or rejection at the primary election to be held on May 7, 1968.

Senator Saylor offered the following amendment to the amendment which failed:

Page 2, strike "non"

Senator Young offered the following amendment to the amendment which was adopted:

Line 15, page 2, following the words: "The Board" insert the following: with the confirmation of the senate

Senator Mathews moved that the rules be waived and time of adjournment be extended until final disposition of all bills and joint resolutions on the Calendar. The motion failed and the vote was:

Yeas—28

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

Nays—17

Bafalis	Henderson	Sayler	Wilson
Bell	Johnson	Slade	Young
Deeb	Lane	Stockton	
Elrod	Plante	Stolzenburg	
Fisher	Reuter	Weber	

On motion by Senator Mathews, the Senate recessed at 3:47 p.m. for the purpose of a meeting of the Committee on Rules and Calendar.

The Senate was called to order by the President at 3:55 p.m. A quorum present.

#### CO-INTRODUCERS

By permission, Senators Barrow, Hollahan, Poston, Gong,

Stone, Mathews, Friday, Weissenborn and Spencer were recorded as co-introducers of SB 28-X(68).

By permission, Senator Slade was recorded as a co-introducer of SB 29-X(68).

By permission, Senators Elrod and Broxson were recorded as co-introducers of SB 42-X(68).

By permission, Senator Askew was recorded as a co-introducer of Senate Bills 56-X(68), 57-X(68) and 65-X(68).

On motion by Senator Mathews the following Report of the Committee on Rules and Calendar was read:

#### REPORT OF COMMITTEE

*Senator Verle A. Pope*  
*President of the Senate*

February 7, 1968

*Sir:*

The Committee on Rules and Calendar recommends that Rule 7.1 be amended to read as follows:

7.1—The Senate shall meet each legislative day at 9:30 a.m. and recess at 12:00 noon to reconvene at 1:30 p.m. and adjourn upon completion of the daily calendar.

Respectfully,  
John E. Mathews, Jr., Chairman

Senator Mathews moved the adoption of the Report.

Pending consideration thereof, the hour of adjournment having arrived, a point of order was called and the Senate adjourned at 4:04 p.m. to reconvene at 9:30 a.m., February 8, 1968.