

SPECIAL SESSION

JOURNAL OF THE SENATE

Thursday, February 8, 1968

The Senate was called to order by Senator Mathews at 9:30 a.m. A quorum present—48.

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

Prayer by Senator Bill Gunter of the 18th Senatorial District:

Our Father in heaven, when we long for problems with simple solutions, for life without trials, and for work without pressures, remind us that oaks grow strong against the wind and that diamonds are made under pressure. Let us not balk at the responsibility which is ours, but rather let us give thanks unto thee for the opportunity to serve during this historic session. Give us the wisdom and courage to mold an educational program which will enrich the lives of our young in this state and prepare them for challenges of the future.

If, during the course of our duties this day, we should forget thee; do not forget us. Have patience with us, O God, and fill us with the knowledge of thy perfect will. In the name of Christ we pray. Amen.

The Journal of February 7 was corrected and approved.

On motion by Senator Mathews, the Senate recessed at 10:06 a.m. to reconvene at 11:50 a.m.

The Senate was called to order by the President Pro Tempore at 11:50 a.m. A quorum present.

REPORTS OF COMMITTEES

The Committee on Education-Higher Learning recommends the following pass: SB 54-X(68)

The bill was referred to the Committee on Finance and Taxation under the original reference.

The Committee on Education-Higher Learning recommends the following pass: 53-X(68), 61-X(68) with 4 amendments.

The bills were referred to the Committee on Appropriations under the original reference.

The Committee on Education-Higher Learning recommends the following pass: HB 10-X(68).

The bill was referred to Judiciary "B" under the original reference.

The Committee on Appropriations recommends the following pass: SB 53-X(68), SB 61-X(68) with 6 amendments, SB 98-X(68), SB 105-X(68).

The bills were placed on the Calendar.

The Committee on Education-Higher Learning recommends the following not pass: SB 8-X(68).

The bill was laid on the table.

ENGROSSING REPORT

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

SB 29-X(68) with 1 amendment SB 42-X(68) with 1 amendment

EDWIN G. FRASER
Secretary of the Senate

INTRODUCTION

By Senator Slade—

SB 110-X(68)—A bill to be entitled An act relating to the issuance of revenue bonds of all agencies of the state of Florida; providing for and establishing an agency of the state of Florida to be known as the Florida revenue bond commission; providing for the membership thereof; providing powers and duties of said commission, including the power to exercise all powers and authority for the authorization and issuance of revenue bonds now or hereafter provided by law for any other agency of the state of Florida; providing an effective date.

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

By Senator Stone, Griffin, Askew, Bafalis, Barron, Barrow, Bell, Boyd, Broxson, Chiles, 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, Sayler, Shevin, Slade, Spencer, Stockton, Stolzenburg, Thomas, Weber, Weissenborn, Wilson and Young—

SB 111-X(68)—A bill to be entitled An act to be known as the Florida revenue act of 1968; prescribing the rate of taxes, licenses and fees administered by or for the benefit of the State of Florida; prescribing the fund into which such taxes, licenses and fees are to be paid; and providing an effective date.

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

By Senator O'Grady—

SB 112-X(68)—A bill to be entitled An act relating to classroom teachers; amending section 228.041, Florida Statutes, by adding subsection (25), to define a "normal work day"; 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 Finance and Taxation—

SB 113-X(68)—A bill to be entitled An act amending sections 212.02(6),(9),(12),(16), 212.03(1),(3), 212.04(1), 212.05, 212.06(1), 212.08(3),(5),(6),(7),(10) and 212.12(10), Florida Statutes; removing certain exemptions and raising the tax on items presently taxed at three per cent (3%) to four per cent (4%); taxing motor vehicles, farm equipment and industrial machinery at three per cent (3%); imposing a four per cent (4%) tax on the rental of commercial offices and buildings, intrastate telephone and telegraph services, the sale of electric power, certain fuels, newspapers, magazines, ice equipment used by commercial fisheries and charges for films and transcriptions and other expendable items in producing radio or television broadcasts; repealing sections 212.08(4), (8)(f) and 212.11(3), Florida Statutes; providing for an effective date.

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

By the Committee on Finance and Taxation—

SB 114-X(68)—A bill to be entitled An act to amend section 561.46, Florida Statutes, by raising the excise tax on malt beverages by four cents (4¢) per gallon when sold in bulk and one-half cent (½¢) on each pint or fraction thereof; allowing a three per cent credit to licensed distributors of malt beverages for collecting excise taxes, keeping records, furnishing bond and properly remitting excise taxes to the state; providing for an effective date.

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

By the Committee on Finance and Taxation—

SB 115-X(68)—A bill to be entitled An act relating to taxation of spirituous beverages; amending section 561.46(5)(a) and (6)(a), Florida Statutes, to increase the beverage tax one dollar and twenty-three cents (\$1.23) and two dollars and forty-six cents (\$2.46) respectively; providing a severability clause; providing an appropriation; providing an effective date.

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

By the Committee on Finance and Taxation—

SB 116-X(68)—A bill to be entitled An act relating to the taxation of cigarettes; amending sections 210.02(3), (4), and (5) and 210.20(2) (a), Florida Statutes, to increase the cigarette tax that is shared with municipalities and counties having no municipality by two cents (2¢) per package; adding section 210.025, Florida Statutes, imposing an additional state tax of three cents (3¢) per package; providing an appropriation; providing an effective date.

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

By Senators O'Grady, Pope, Askew and Slade—

SB 117-X(68)—A bill to be entitled AN ACT establishing a joint legislative committee on efficiency in education; allowing contracting with a private professional management consultant firm; providing for a study of the free public schools; providing an appropriation; providing for an effective date.

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

On motion by Senator Mathews, the rules were waived and the time of noon recess was extended until completion of Introduction of Bills and consideration of Messages from the House of Representatives.

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

By Senators Hollahan and Weber—

SCR 118-X(68)—A concurrent resolution expressing legislative intent in the enactment of Senate Bill 292, now numbered as chapter 67-229, Laws of Florida, amending chapter 478, Florida Statutes, relating to the Florida Land Sales Board, enacted during the 1967 regular session.

Was read the first time in full and referred to the Committee on Judiciary "A".

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

By Senators de la Parte, Lane, Gibson and Askew—

SB 119-X(68)—A bill to be entitled An act relating to the Division of Corrections; appropriating funds to the division for phasing out eleven (11) wooden prisons; providing funds for the Sumter Correctional Institution, the reception and medical center, and the community services program; providing an effective date.

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

By Senator Plante—

SB 120-X(68)—A bill to be entitled An act relating to racing tracks in any county in the state having a population of not less than nine hundred thousand (900,000) and in counties having a population of not less than four hundred thousand (400,000) nor more than four hundred sixty-five thousand (465,000) and in counties having not less than fifty-four thousand, nine hundred (54,900) nor more than fifty-six thousand (56,000) according to the latest official decennial census:

authorizing an extra day of racing and operations, and all profits from such day shall be used for aid to Seminole Junior College in Seminole County, Florida.

Was read the first time by title and referred to the Committee on Ethics and Privileged Businesses.

On motion by Senator Plante, by two-thirds vote, SB 120-X(68) was withdrawn from the Committee on Ethics and Privileged Businesses and placed on the Calendar.

Unanimous consent was granted Senator Plante to take up SB 120-X(68) out of order.

On motions by Senator Plante, the rules were waived and SB 120-X(68) was read the second time by title, the third time in full, passed and certified to the House. The vote was:

Yeas—30

Mr. President	Gibson	McClain	Stockton
Barron	Gong	Mathews	Stone
Bell	Haverfield	O'Grady	Thomas
Boyd	Henderson	Plante	Weissenborn
Deeb	Hollahan	Reuter	Wilson
de la Parte	Horne	Shevin	Young
Fincher	Johnson	Slade	
Friday	Lane	Spencer	

Nays—15

Askew	Cross	Gunter	Sayler
Barrow	Elrod	Knopke	Stolzenburg
Broxson	Fisher	Ott	Weber
Clayton	Griffin	Poston	

EXPLANATION OF VOTE

I voted against this bill [SB 120-X(68)] because I am opposed to extending legalized gambling even though the cause is worthy in this case.

BILL GUNTER, 18th District

By Senator de la Parte—

SB 121-X(68)—A bill to be entitled An act relating to higher education; stating the intent of the legislature in passing this act; requiring the obtaining of a certificate of approval of the state board of education by nonpublic colleges, universities, and certain other educational institutions, and providing the procedure therefor; providing certain exceptions for accredited institutions now in operation; creating a higher educational standards council; providing for its appointment and duties, providing for its promulgation of regulations and prescribing duties of the state board of education as to the administration of this act; providing for hearings and appeals of institutions denied a certificate of approval or whose certificates have been revoked; prescribing certain duties of the attorney general; providing a penalty for violations; providing an effective date of this act; and stating how this act may be cited.

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

By Senators Hollahan and Sayler—

SB 122-X(68)—A bill to be entitled An act relating to taxation, education and conservation of natural resources; imposing an excise tax on the severance of timber and solid minerals; authorizing a credit up to one hundred per cent (100%) of the cost of restoring the site of the severance, but not exceeding 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 effective dates.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Verle A. Pope
President of the Senate

February 8, 1968

Sir:

I am directed to inform the Senate that the House of Rep-

representatives has passed with amendments by the required Constitutional three-fifths vote of all members elected to the House of Representatives—

By Senator Mathews—

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.

Amendment 1—

In Article XII, Section 18(b), on page 2, lines 2 and 8, strike: “such rates as may be provided by law” and insert the following: *five per centum per annum*

Amendment 2—

In Section 18(b), on page 2, line 9, after the period add: None of said bonds or certificates shall be sold at less than ninety-eight per centum of the par value thereof, plus accrued interest.

Amendment 3—

On page 1, line 11, following the words “That subsection (b) of” insert the following: Section 18

Amendment 4—

In Title, line 5, strike: “the legislature to set the” and insert the following: “a”

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Mathews, the Senate concurred in House amendments 1, 2, 3 and 4 to SJR 44-X(68).

SJR 44-X(68) as amended was read in full as follows:

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 a 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 Section 18 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] **five per centum per annum** 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] **five per centum per annum** and shall mature prior to January 1, 2000, A. D. None of said bonds or certificates shall be sold at less than ninety-eight per centum of the par value thereof, plus accrued interest. 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 passed by the required Constitutional three-fifths vote of all members elected to the Senate, ordered engrossed, and the action of the Senate was certified to the House. The vote was: Yeas—48 Nays—None

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

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 the required Constitutional three-fifths vote of all members elected to the House of Representatives—

By Senator Askew and Others—

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.

Amendment 1

In Article XII, Section 19, on page 2, line 10, strike: “such rates as may be provided by law” and insert the following: “five per centum per annum”

Amendment 2

On page 1, line 15, after “subsection (b)” insert the following: of section 19

Amendment 3

In Title, line 6, strike: “The legislature to set the” and insert the following: “a”

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Askew, the Senate concurred in House amendments 1, 2 and 3 to SJR 52-X(68).

SJR 52-X(68) as further amended was read 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 a 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 section 19 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,] five per centum per annum 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 pursu-

ant 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 by the required Constitutional three-fifths vote of all members elected to the Senate, ordered engrossed, and the action of the Senate was certified to the House. The vote was: Yeas—48 Nays—None

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

MOTION RELATING TO COMMITTEE REFERENCES

On motion by Senator Hollahan, SB 103-X(68) was withdrawn from the Committee on Governmental Reorganization and placed on the Calendar.

The hour of adjournment having arrived, a point of order was called and the Senate recessed at 12:12 p.m. to reconvene at 1:30 p.m.

AFTERNOON SESSION

The Senate was called to order by the President Pro Tempore at 1:30 p.m. A quorum present—48:

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

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

INTRODUCTION

By Senator Horne—

SB 123-X(68)—A bill to be entitled An act relating to boards of public instruction; amending section 231.36, Florida Statutes, providing subpoena powers for local boards in certain situations.

Was read the first time by title and referred to the Committee on Judiciary "B."

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Verle A. Pope
President of the Senate

February 8, 1968

Sir:

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

By Representative Reed—

HB 152-X(68)—A bill to be entitled An act relating to laboratory schools; providing for direct payment of state funds to universities in lieu of payment to counties; permitting certain payments to such laboratory schools; permitting other appropriations; and providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 152-X(68), contained in the above message, was read the first time by title and referred to the Committees on Education-Higher Learning and Appropriations.

The Honorable Verle A. Pope
President of the Senate

February 8, 1968

Sir:

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

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.

Amendment 1

In Section 11, on page 10, line 5, strike all of the following: "(2) COUNTY SUPPORT OF JUNIOR COLLEGES.—" etc. down to and including line 23.

Amendment 2

In title, on page 1, insert following the semi-colon deleting required county financial support

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Mathews, the Senate refused to concur in House amendments 1 and 2 to SB 69-X(68), and the House was requested to recede therefrom. The action of the Senate was certified to the House.

The President presiding.

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

The Honorable Verle A. Pope
President of the Senate

February 8, 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 passed—

By Representative McDonald and others—

HB 113-X(68)—A bill to be entitled An act relating to the Division of Corrections; appropriating funds to the division for phasing out eleven (11) wooden prisons; providing funds for the Sumter Correctional Institution, the reception and medical center, and the community services program; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 113-X(68), contained in the above message, was read the first time by title and referred to the Committee on Appropriations.

On motion by Senator Mathews, the rules were waived and privileges of the floor were extended to Budget Director Wallace Henderson, Kenneth Ireland and other financial advisors for the purpose of explaining the financial condition of the State.

The President Pro Tempore presiding.

SECOND READING

Consideration of SJR 66-X(68) was deferred, the bill retaining its place on the Calendar.

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.

Was taken up with the following pending amendment as amended:

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 with the confirmation of the senate 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 Plante moved the adoption of the amendment, as amended, which failed. The vote was:

Yeas—14

Bafalis Bell Deeb Elrod

Fisher	Lane	Reuter	Wilson
Henderson	O'Grady	Stolzenburg	
Johnson	Plante	Weber	

Nays—29

Askew	Fincher	Knopke	Stockton
Barron	Friday	Mathews	Stone
Barrow	Gong	Ott	Thomas
Boyd	Griffin	Poston	Weissenborn
Broxson	Gunter	Sayler	Young
Chiles	Haverfield	Shevin	
Cross	Hollahan	Slade	
Edwards	Horne	Spencer	

Senator Mathews offered the following amendment which was adopted:

In Section 25, lines 31 and 32, page 1, strike: Section 25 (as amended) and insert the following: **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 Section 3 of Article XII be amended to read as follows:

"Section 3. There shall be a State Board of Education as provided by law."

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 and that publication of notice of election be given; and that all of said amendments shall become a part of the State Constitution on January 1, 1970.

Senator Mathews also offered the following amendment which was adopted:

In title, line 1, page 1, strike entire title and insert the following: A joint resolution abolishing the office of Superintendent of Public Instruction as an elected official and abolishing the State Board of Education as a constitutional board by 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 proposing an amendment to Section 3 of Article XII by providing for a board of education to be established by law.

The President presiding.

On motion by Senator Mathews, the rules were waived and HJR 100-X(68) as amended was read the third time in full as follows:

HJR 100-X(68)—A joint resolution abolishing the office of Superintendent of Public Instruction as an elected official and abolishing the State Board of Education as a constitutional board by 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 proposing an amendment to Section 3 of Article XII by providing for a board of education to be established by law.

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

That Section 20 of Article IV of the State Constitution be amended as set forth below; that said amendment be submitted to the electors of the State of Florida for ratification or rejection at the next general election to be held on November 5, 1968; that publication of notice of election be given; and that, if approved by the electors of the State of Florida, this amendment shall become a part of the State Constitution on January 1, 1970; said Section 20 to read:

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 years and thereafter commencing with the time of voting for governor in 1966, said officers shall be elected for a term of four years.

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 Section 3 of Article XII be amended to read as follows:

"Section 3. There shall be a State Board of Education as provided by law."

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 and that publication of notice of election be given; and that all of said amendments shall become a part of the State Constitution on January 1, 1970.

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

Yeas—40

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

Nays—5

Bafalis	Edwards	O'Grady	Reuter
Cross			

EXPLANATIONS OF VOTES

My vote on HJR 100-X(68) is "yes" solely because it was requested by School Superintendent Floyd Christian and not because I favor the elimination of the Cabinet post of Superintendent of Public Instruction.

RALPH R. POSTON, 46th District

I voted for this proposed constitutional amendment even though I oppose appointive versus elective officials in principle, because it appeared necessary in order to gain bipartisan support for needed education legislation coupled with property tax relief. My experience in government has clearly indicated that elected officials are far more responsive to the people than appointed officials. Appointed officials or boards tend to be responsive to the person who appoints them. Therefore, I favor retaining the office of State School Superintendent as an elective post and maintaining the present elective cabinet Board of Education. This position is in keeping with my deep belief in the democratic processes and my deep conviction that government at all levels should remain in the hands of the people. It is not connected in any way with partisan politics.

BILL GUNTER, 18th District

I am voting yes on this amendment in an effort to resolve differences here today between the two parties. I strongly favor the elected official concept of government. I have always found that elected officials respond to the people much better than appointed officials. I am hopeful that the people will vote against this amendment next November and lay this issue to rest once and for all.

WILBUR BOYD, 31st District

We are opposed to eliminating the State Superintendent of Public Instruction as a constitutionally elected officer and we intend to oppose the ratification of this proposed Constitutional Amendment in November. We voted for this resolution because it is apparent that unless we agreed to do this we could not hope to pass any meaningful program to help solve the present school crisis which is absolutely imperative and to provide some property tax relief. On this basis we reluctantly voted for it.

REUBIN O'D. ASKEW, 2nd District

VERLE A. POPE, 12th District

JOHN R. BROXSON, 1st District

WILLIAM DEAN BARROW, 3rd District

DEMPSEY J. BARRON, 4th District

This statement is tendered in explanation of my vote on the question of an appointive State Superintendent of Public

Instruction versus an elective Superintendent of Public Instruction.

I do now, and always have, strongly endorsed an elective Superintendent, responsive in the field of education to all of Florida, and not to any political person or party; one who would carry the responsibilities of and for education to the cabinet and all of the cabinet's power and influence in Florida's government. I sincerely feel that education should be represented on this most important level.

It is because this question, however, has somehow become so tinged with partisan politics, has been so distorted to the public, that I reluctantly comply with the request of the present State Superintendent to allow the matter to be presented to the voters of Florida by way of the proposed constitutional amendment.

ELMER O. FRIDAY, JR., 34th District

I believe our State School Superintendent should be elected and a member of the Cabinet. Governor Kirk has tried to blame our school crisis on an elective superintendent and has said unless the Superintendent is appointed, he will block any effort to provide funds for our schools.

Superintendent Christian has accepted the challenge of the Governor and requested the legislature to put the question of electing versus appointing for this job on the ballot.

I honor Superintendent Christian's request but I shall ask the people in November to keep the School Superintendent an elective Cabinet member.

LAWTON M. CHILES, JR., 28th District

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

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 taken up. On motion by Senator Chiles, the rules were waived and SB 70-X(68) was read the second time by title.

Senator Chiles offered the following amendment which was adopted:

In Section 7, line 24, page 6, strike entire section and insert the following: The state superintendent of public instruction and the state treasurer and insurance commissioner shall conduct in cooperation with county boards of public instruction and appropriate authorities from the insurance industry a study to determine the feasibility of Florida implementing a statewide plan of self-assumption of the risks of fire, extended coverage and vandalism and malicious mischief for all county educational facilities. This study shall set forth the advantages and disadvantages of such program to the State of Florida and the county boards of public instruction. The findings of the study shall be reported to the state board of education, the state budget commission and committees on public schools, higher education, and other appropriate committees of the Senate and House of Representatives by March 1, 1969.

Senator Chiles also offered the following amendment which was adopted:

In Section 9, line 10, page 8, strike "capital" and insert: operating capital

Senator Chiles also offered the following amendment which was adopted:

In title, line 14, page 1, strike: "remembering" and insert: renumbering

Senator Saylor offered the following amendment which failed:

In Section 9, lines 8, 9, 10 strike: "There is hereby appropriated - - - - - \$450,000.00"

Senator Barron offered the following amendment which was adopted:

In Section 9, lines 9 and 10, page 8, strike "four hundred fifty thousand 450,000.00" and insert 250,000.00

On motion by Senator Chiles, the rules were waived and SB 70-X(68) as amended was read the third time in full, passed and ordered engrossed. The vote was:

Yeas—45

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

Yeas—3

Bafalis	O'Grady	Wilson
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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 taken up. On motions by Senator Mathews, the rules were waived and SB 62-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	Saylor
Askew	Edwards	Horne	Shevin
Bafalis	Elrod	Johnson	Slade
Barron	Fincher	Knopke	Spencer
Barrow	Fisher	Lane	Stockton
Bell	Friday	McClain	Stolzenburg
Boyd	Gibson	Mathews	Stone
Broxson	Gong	O'Grady	Thomas
Chiles	Griffin	Ott	Weber
Clayton	Gunter	Plante	Wilson
Cross	Haverfield	Poston	Young
Deeb	Henderson	Reuter	

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 taken up. On motion by Senator Chiles, the rules were waived and SB 76-X(68) was read the second time by title.

Senator Saylor offered the following amendment which failed:

In title strike "minimum foundation program" and insert the following: public school foundation program.

On motion by Senator Chiles, the rules were waived and SB 76-X(68) was read the third time in full, passed and certified to the House. The vote was:

Yeas—43

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

Nays—3

O'Grady	Reuter	Wilson
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On motion by Senator Mathews, the rules were waived and time of adjournment was extended until 6:00 p.m. or until completion of the Calendar, whichever occurred sooner.

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 taken up. On motion by Senator Chiles, the rules were waived and SB 77-X(68) was read the second time by title.

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

In Section 1, line 11, page 7, strike: paragraph (a) in its entirety and insert the following: (a) The term "exceptional children" as used in the Florida School Code means any child or youth who has been certified by a specialist qualified under regulations of the state board of education to examine exceptional children, as one who is unsuited for enrollment in a regular class of the public schools or is unable to be adequately educated in the public schools without the provision of special classes, instruction, facilities or related services, or a combination thereof, to be properly educated or may include children with superior intellectual ability. The term "exceptional children" includes the following: the educable mentally retarded, the trainable mentally retarded, the speech impaired, the deaf and hard of hearing, the blind and partially sighted, the crippled and other health impaired, the gifted, the emotionally disturbed and socially maladjusted and those with specific learning disabilities. Instruction units for exceptional children shall be computed when the following requirements for participation have been met:

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

In Section 17, line 5, page 33, strike "for providing funds required by Section 236.75, Florida Statutes;"

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

Line 22, page 33, following section (18) insert a new section (19) and renumber remaining sections.

Section 19. Subsection (7) of Section 236.07, Florida Statutes, is amended to read:

236.07 Procedure for determining annual apportionment to each county.—The procedure for determining the apportionment annually to each county foundation program fund shall be as follows:

(7) DETERMINING THE TOTAL CALCULATED COST OF THE MINIMUM FOUNDATION PROGRAM.—The total calculated cost of the minimum foundation program in each county shall be the sum of the amounts included in the minimum foundation program for instructional salaries, transportation, current expenses other than instructional salaries, education improvement expenses, and transportation and capital outlay and debt service as set forth above.

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

Line 22, page 33, immediately following section (18) insert a new section (19) and renumber subsequent sections.

Section 19. Subsection (10) of section 236.04, Florida Statutes, is amended to read:

236.04 Procedure for determining number of instruction units.—The number of instruction units for instructional personnel for elementary, junior and senior or four year high schools in each county, and for kindergartens in counties which meet the requirements of law for instruction for such groups, shall be determined from the average daily attendance in the public schools of the county for the preceding year and from reports on instructional personnel for the ensuing year in the manner prescribed below, provided the attendance of students may not be counted more than once in determining instruction units.

(10) INSTRUCTIONAL PERSONNEL PAID FROM MINIMUM FOUNDATION PROGRAM.—

(a) The total number of instructional personnel in any county employed and paid in whole or in part from funds used to support the minimum foundation program during any year shall not be less than ninety per cent (90%) of the total number of instruction units for instructional personnel [exclusive of instructional improvement units; one hundred per cent of the instruction units exclusive of instructional improvement units must be filled by personnel qualified to participate in the minimum foundation program;] provided, that if any county board authorizes instructional salary payments from funds used to support the minimum foundation program to instructional personnel employed in the county less than the minimum prescribed above, the state superintendent shall forthwith notify the state comptroller of the amounts of such discrepancy and an equal amount shall be withheld from each subsequent monthly apportionment for instructional salaries to said county until full correction has been made; and provided further, that in determining the number of instructional personnel, full-time equivalent instructional positions shall be determined as provided by regulations of the state board.

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

In title, line 19, page 2, following the words "after July 1, 1972" insert the following: amending subsection 10 of section 236.04, Florida Statutes, changing one hundred per cent (100%) to ninety per cent (90%)

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

In title, line 20, page 2, following the words "to the first grade" insert the following: amending subsection (7) of Section 236.07, Florida Statutes, by including education improvement expense as a part of the total minimum foundation program;

On motion by Senator Chiles, the rules were waived and SB 77-X(68) as amended was read the third time in full, passed and ordered engrossed. The vote was:

Yeas—38

Mr. President	de la Parte	Haverfield	Saylor
Askew	Edwards	Henderson	Shevin
Barron	Elrod	Hollahan	Spencer
Barrow	Fincher	Horne	Stone
Bell	Fisher	Knopke	Thomas
Boyd	Friday	Lane	Weber
Broxson	Gibson	McClain	Weissenborn
Chiles	Gong	Mathews	Young
Cross	Griffin	Ott	
Deeb	Gunter	Poston	

Nays—10

Bafalis	O'Grady	Slade	Wilson
Clayton	Plante	Stockton	
Johnson	Reuter	Stolzenburg	

EXPLANATION OF VOTE ON SENATE BILLS
76-X(68) AND 77-X(68)

Although I voted "Yea", I object to failure of these bills to provide adequate ad valorem tax relief such as having the State assume Junior College costs now paid by the several counties. I also object to the continued use of the phrase "minimum foundation program" which no longer is descriptive of the program.

I am also vitally concerned that present and proposed revenue will not be sufficient to fund the proposed expenditures.

HENRY SAYLER, 21st District
RICHARD DEEB, 22nd District

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 taken up. On motions by Senator Chiles, the rules were waived and SB 78-X(68) was read the second time by title, the third time in full, passed and certified to the House. The vote was:

Yeas—42

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

Nays—5

Bafalis	Plante	Reuter	Wilson
O'Grady			

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 taken up. On motions by Senator Chiles, the rules were waived and SB 79-X(68) was read the second time by title, the third time in full, passed and certified to the House. The vote was:

Yeas—45

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

Nays—2

Bafalis	Reuter
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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 disbursements thereof; providing an appropriation; providing an effective date.

Was taken up. On motions by Senator Chiles, the rules were waived and SB 80-X(68) was read the second time by title, the third time in full, passed and certified to the House. The vote was:

Yeas—44

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

Nays—3

Bafalis	Bell	Reuter
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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 taken up. On motions by Senator Chiles, the rules were waived and SB 81-X(68) was read the second time by title, the third time in full, passed and certified to the House. The vote was:

Yeas—44

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

Nays—4

Bafalis	Plante	Reuter	Wilson
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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 taken up. On motions by Senator Chiles, the rules were waived and SB 82-X(68) was read the second time by title, the third time in full, passed and certified to the House. The vote was:

Yeas—46

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

Nays—2

Bafalis	Reuter
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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 taken up. On motion by Senator Chiles, the rules were waived and SB 84-X(68) was read the second time by title.

Senator Chiles offered the following amendment which was adopted:

Line 1, page 2, strike Section 2 and insert the following: Section 2. The funds herein appropriated shall be used by the division of youth services pursuant to a planned program for the improvement of academic and vocational education developed cooperatively between the state department of education and the division of youth services and approved by the state board of education. A program budget shall be submitted for the use of these funds which shall be in accord with the approved plan. Periodic evaluations of the planned educational program improvements shall be made by representatives of the state superintendent's staff.

Section 3. This Act shall take effect July 1, 1968.

On motion by Senator Chiles, the rules were waived and SB 84-X(68) as amended was read the third time in full, passed and ordered engrossed. The vote was:

Yeas—40

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

Nays—6

Bafalis	Elrod	O'Grady	Reuter
Clayton	Johnson		

SB 86-X(68)—A bill to be entitled An act relating to exceptional 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 taken up. On motions by Senator Chiles, the rules were waived and SB 86-X(68) was read the second time by title, the third time in full, passed and certified to the House. The vote was:

Yeas—43

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

Nays—4

Bafalis	Clayton	Elrod	Reuter
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Consideration of SB 87-X(68) was deferred, the bill retaining its place on the Calendar.

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 taken up. On motions by Senator Chiles, the rules were waived and SB 88-X(68) was read the second time by title, the third time in full, passed and certified to the House. The vote was:

Yeas—44

Mr. President	Boyd	de la Parte	Gibson
Askew	Broxson	Edwards	Gong
Barron	Chiles	Fincher	Griffin
Barrow	Cross	Fisher	Gunter
Bell	Deeb	Friday	Haverfield

Henderson	McClain	Sayler	Stone
Hollahan	Mathews	Shevin	Thomas
Horne	O'Grady	Slade	Weber
Johnson	Ott	Spencer	Weissenborn
Knopke	Plante	Stockton	Wilson
Lane	Poston	Stolzenburg	Young

Nays—3

Bafalis	Elrod	Reuter
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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 taken up. On motion by Senator Chiles, the rules were waived and SB 85-X(68) was read the second time by title.

Senator Stockton offered the following amendment which failed:

In Section 1, line 27, strike: "as determined by the state superintendent of public instruction"

On motion by Senator Chiles, the rules were waived and SB 85-X(68) was read the third time in full, passed and certified to the House. The vote was:

Yeas—35

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

Nays—11

Bafalis	Deeb	Plante	Stolzenburg
Bell	Elrod	Reuter	Young
Clayton	O'Grady	Stockton	

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 taken up. On motion by Senator Chiles, the rules were waived and SB 89-X(68) was read the second time by title.

Senator Boyd offered the following amendment which was adopted:

In Section 1, on page 2, line 22, strike: paragraph (a) in its entirety and insert the following: (a) The term "exceptional children" as used in the Florida School Code means any child or youth who has been certified by a specialist qualified under regulations of the state board of education to examine exceptional children, as one who is unsuited for enrollment in a regular class of the public schools or is unable to be adequately educated in the public schools without the provision of special classes, instruction, facilities or related services, or a combination thereof, to be properly educated or may include children with superior intellectual ability.

On motion by Senator Chiles, the rules were waived and SB 89-X(68) as amended was read the third time in full, passed and ordered engrossed. The vote was:

Yeas—46

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	McClain	Stone
Boyd	Gibson	Mathews	Thomas
Broxson	Gong	O'Grady	Weissenborn
Chiles	Griffin	Ott	Wilson
Clayton	Gunter	Plante	Young
Cross	Haverfield	Poston	
Deeb	Henderson	Sayler	

Nays—1

Reuter

Consideration of SB 109-X(68) was deferred, the bill retaining its place on the Calendar.

SB 53-X(68)—A bill to be entitled An act relating to scholarships; amending section 239.451, Florida Statutes providing for Florida regents scholarships; providing an appropriation; providing an effective date.

Was taken up. On motion by Senator Askew, the rules were waived and SB 53-X(68) was read the second time by title.

Senators Deeb, Sayler and Clayton offered the following amendment which was moved by Senator Deeb and failed:

In Sections 2 and 3, lines 16-23, page 2, strike: in entirety and insert the following: Section 2. The Board of Regents is also authorized to utilize the higher education facilities available in fully accredited nonpublic institutions in Florida to provide undergraduate educational services for Florida residents who have qualified for admission to the state university system by making available tuition scholarship grants to such students.

Section 3. The board shall provide financial support for such educational services, by contracting with the student to pay a tuition scholarship grant equal to the regular tuition fee charged by the non-public institution, less a tuition fee paid by the student to the non-public institution, which shall be equal to the tuition fees charged in the state university system. In no event shall the amount granted to the student by the board exceed one thousand three hundred dollars (\$1,300.00) per undergraduate student per year.

Section 4. The contract between the board and each participating student shall specify the total tuition fee per student required by the institution at which he has been accepted; provided, however, that such tuition fee may not exceed those regularly imposed by such nonstate institution.

Section 5. The board in cooperation with the Independent Colleges and Universities of Florida, Inc. shall publish regulations regulating participation in this program, eligibility of students, the making of applications, and other matters in the discretion of the board.

Section 6. To accomplish the purposes of this act, there is hereby appropriated from the general revenue fund, eleven million five hundred thousand dollars (\$11,500,000.00) which shall be allocated to the board of regents. One million five hundred thousand dollars (\$1,500,000.00) of which shall be used for academic scholarships and ten million dollars (\$10,000,000.00) of which shall be utilized for tuition scholarship grants.

Section 7. This act shall take effect July 1, 1968.

The vote was:

Yeas—17

Bafalis	Henderson	Sayler	Wilson
Bell	Johnson	Slade	Young
Clayton	O'Grady	Stockton	
Deeb	Plante	Stolzenburg	
Elrod	Reuter	Weber	

Nays—27

Mr. President	Barrow	de la Parte	Friday
Askew	Chiles	Fincher	Gibson
Barron	Cross	Fisher	Gong

Griffin	Horne	Mathews	Spencer
Gunter	Knopke	Ott	Thomas
Haverfield	Lane	Poston	Weissenborn
Hollahan	McClain	Shevin	

EXPLANATIONS OF VOTE

I voted against the amendment because I think the practical effect of its adoption would be to impair the chances of the main bill passing although I am in sympathy with the purposes of the amendment.

REUBIN O'D. ASKEW, 2nd District

Although favoring the principle embodied in Senator Deeb's amendment, in enabling the Board of Regents to utilize the available facilities of the private institutions of higher learning, this is not the appropriate legislative vehicle to carry its purpose.

JOHN J. FISHER, 10th District

On motion by Senator Askew, the rules were waived and SB 53-X(68) was read the third time in full, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Fincher	Horne	Slade
Askew	Fisher	Knopke	Spencer
Barron	Friday	Lane	Stockton
Barrow	Gibson	McClain	Stone
Boyd	Gong	Mathews	Thomas
Chiles	Griffin	Ott	Weber
Cross	Gunter	Poston	Weissenborn
Deeb	Haverfield	Sayler	Wilson
de la Parte	Hollahan	Shevin	

Nays—12

Bafalis	Clayton	Johnson	Reuter
Bell	Elrod	O'Grady	Stolzenburg
Broxson	Henderson	Plante	Young

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 taken up. On motion by Senator Haverfield, the rules were waived and SB 61-X(68) was read the second time by title.

The Committees on Education-Higher Learning and Appropriations offered the following amendment which was adopted on motion by Senator Haverfield:

In Section 1, lines 10, 11, and 12, page 2, strike:

"10 Institute of Food and Agriculture

11 Sciences

12 7. Lump sum 958,318" and renumber.

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

In Section 1, line 22, page 2, strike: "111,342" and insert 171,342

The Committees on Education-Higher Learning and Appropriations offered the following amendment which was adopted on motion by Senator Haverfield:

In Section 1, line 27, page 2, strike "Florida Regents Scholarship 1,500,000" and renumber.

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

In Section 1, lines 1, 30 and 31, pages 2 and 3, strike: "Planning, Program Development and initial staff for new institution in Dade County 225,850" and renumber.

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

In Section 1, lines 2, 3, 4, page 3, strike: "Planning, Program Development and initial staff for new institution in Duval County 225,850" and renumber.

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

In Section 1, line 10, page 3, strike: "\$16,271,422" and insert \$13,421,404

On motion by Senator Haverfield, the rules were waived and SB 61-X(68) as amended was read the third time in full, passed and ordered engrossed. The vote was:

Yeas—31

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

Nays—14

Bafalis	Elrod	Reuter	Wilson
Bell	Johnson	Slade	Young
Clayton	O'Grady	Stolzenburg	
Deeb	Plante	Weber	

SB 98-X(68)—A bill to be entitled An act relating to education; textbooks; providing an appropriation; and providing an effective date.

Was taken up. On motions by Senator Chiles, the rules were waived and SB 98-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	Hollahan	Shevin
Askew	Fisher	Horne	Slade
Barron	Friday	Knopke	Spencer
Barrow	Gibson	Lane	Stockton
Bell	Gong	McClain	Stolzenburg
Boyd	Griffin	Mathews	Stone
Broxson	Gunter	O'Grady	Weissenborn
Chiles	Haverfield	Ott	Young
Cross	Henderson	Poston	

Nays—10

Bafalis	Elrod	Reuter	Wilson
Clayton	Johnson	Saylor	
Deeb	Plante	Thomas	

On motion by Senator Mathews, the rules were waived and time of adjournment was further extended until final disposition of SB 105-X(68) and Introduction and Reference of Resolutions, Memorials, Bills and Joint Resolutions.

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 taken up. On motions by Senator Chiles, the rules were waived and SB 105-X(68) was read the second time by title, the third time in full, passed and certified to the House. The vote was:

Yeas—39

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

Nays—7

Bafalis	Elrod	Plante	Young
Clayton	Johnson	Reuter	

Pursuant to the motion by Senator Mathews, the Senate reverted to—

INTRODUCTION

By Senator Henderson—

SB 124-X(68)—A bill to be entitled An act relating to the enforcement of the cigarette tax law; amending Section 210.09(5), Florida Statutes, to provide that common carriers, li-

censed private truckers, freight haulers, cartage firms report to the State Beverage Department the transportation of all unstamped cigarettes; providing a severability clause; providing an effective date.

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

By Senator Henderson—

SB 125-X(68)—A bill to be entitled An act relating to the enforcement of the cigarette tax law; amending Section 210.02(6), Florida Statutes, to provide for the collection of tax on unstamped cigarettes lost or stolen while in transit in this state; providing a severability clause; providing an effective date.

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

By Senator Henderson—

SB 126-X(68)—A bill to be entitled An act relating to the enforcement of the cigarette tax law; creating Section 210.18(6), Florida Statutes, to provide for the reporting of all seized unstamped cigarettes; providing a severability clause; providing an effective date.

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

By Senator Henderson—

SB 127-X(68)—A bill to be entitled An act relating to the enforcement of the cigarette tax law; creating Section 210.18(7), Florida Statutes, to provide additional fines and penalties on persons, firms or corporations intending to defraud the state of cigarette tax money; providing an exemption; providing a severability clause; providing an effective date.

Was read the first time by title and referred to the Committees on Finance and Taxation; and Judiciary "B".

By Senator Henderson—

SB 128-X(68)—A bill to be entitled An act amending Section 561.47(1), Florida Statutes; providing discount for collection; providing an effective date.

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

By Senator Henderson—

SB 129-X(68)—A bill to be entitled An act relating to the taxation of cigarettes; creating Section 210.18(4), Florida Statutes to provide additional fines and penalties; to provide personal liability on taxes imposed on cigarettes; to provide for the collection of said tax; providing certain exemptions; providing the burden of proof; providing a severability clause; providing an effective date.

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

By Senator Henderson—

SB 130-X(68)—A bill to be entitled An act to amend Section 210.05(3), Florida Statutes; providing discount for collection; providing an effective date.

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

Senator Mathews presiding.

By the required Constitutional two-thirds vote of the Senate, Senate Bills 131-X(68), 132-X(68) and 133-X(68) were admitted for introduction and consideration:

By Senators de la Parte, Hollahan, Poston, Stone, Gong, Saylor, Wilson, Shevin, Ott, Knopke, Chiles, Fincher and McClain—

SB 131-X(68)—A bill to be entitled An act relating to circuit judges in each judicial circuit of the state embracing two (2) or more counties among which is one (1) county having a population of four hundred fifty thousand (450,000) or more according to the latest official decennial census and not having home rule under the Constitution; repealing chapter 67-962, Laws of Florida, providing for supplementary com-

pensation for each of the circuit judges in said judicial circuit; providing an effective date.

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

By Senators de la Parte, Thomas and Askew—

SB 132-X(68)—A bill to be entitled An act relating to the Florida Drug Abuse Law; amending sections 404.02(4) and 404.07, Florida Statutes, broadening prohibited acts to include possession of other drugs controlled by law; making hallucinogenic drugs contraband; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary "B".

By Senators Deeb, Stone, Gunter, Haverfield, Weber, Henderson, Gibson, Griffin, Horne, Gong, Friday, O'Grady, Saylor and Knopke—

SB 133-X(68)—A bill to be entitled An act amending Chapter 67-110, Laws of Florida; providing for expiration of the terms of offices of the present members of the Florida Construction Industry Licensing Board; amending Section 3(1) of Chapter 67-110, Laws of Florida, creating a new board and prescribing qualifications of the members; providing that the board created by this act shall be considered the first board and the appointees shall be considered the original appointees; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary "B".

By Senators Saylor, Deeb and Wilson—

SB 134-X(68)—A bill to be entitled An act amending Chapter 192, Florida Statutes, by adding there to subsection (9) to section 192.31 thereof, relating to tax exempt property; tax assessors' records and maintenance thereof; providing an effective date.

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

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

By Senators Horne and Chiles and the Committee on Rules and Calendar—

SB 135-X(68)—A bill to be entitled An act relating to the legislature; providing for permanent standing committees of each house and their powers and duties; creating the joint legislative management committee to supervise the legislature's service divisions; repealing §11.21, F. S., which creates the legislative council; creating the fiscal accounting division and providing its duties, etc., amending sections of chapter 11, F. S., to conform; repealing §§11.281-11.29, F. S., providing effective date.

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

Unanimous consent was granted Senator Horne to take up SB 135-X(68) out of order.

On motion by Senator Horne, the rules were waived and SB 135-X(68) was read the second time by title.

Senator Horne offered the following amendment which was adopted:

In Section 5, lines 25, 26 and 27, page 3, strike "each hyphen and the word designate where it or either appears."

Senator Horne also offered the following amendment which was adopted:

In Section 8, line 7, page 7, strike: the period (.) and insert the following: ; and

(9) To perform such other duties as may be assigned to it by law or by the joint committee.

On motion by Senator Horne, the rules were waived and

further consideration of SB 135-X(68) as amended was deferred, the bill retaining its place on the Calendar.

By Senator Henderson—

SB 136-X(68)—A bill to be entitled An act relating to the enforcement of the cigarette tax law; creating Section 210.18 (8), Florida Statutes, to provide additional fines and penalties on persons, firms or corporations intending to defraud the state of cigarette tax money; providing an exemption; providing a severability clause; providing an effective date.

Was read the first time by title and referred to the Committees on Finance and Taxation; and Judiciary "B".

By Senator Henderson—

SB 137-X(68)—A bill to be entitled An act relating to the enforcement of the cigarette tax law; creating Section 210.18 (5), Florida Statutes, to provide for the seizure of unstamped cigarettes by the Director and personnel of the State Beverage Department and any sheriff or deputy sheriff or other law enforcement agent; providing an exemption; providing a severability clause; providing an effective date.

Was read the first time by title and referred to the Committees on Finance and Taxation; and Judiciary "B".

The following communication was ordered spread upon the Journal:

*Senator Verle A. Pope
President of the Senate*

Dear Mr. President:

I announced on January 24 that I would not seek re-election as Senator from the 6th District due to my personal business. I have found that the majority of my time has been consumed in serving the people of my district.

I have confidence in the capabilities of the elected officials of this great state.

I shall always be grateful for the vote of confidence given me in many elections.

It has been a genuine privilege to serve in the Florida Senate. I shall always treasure the friendships I have made and will cherish them the rest of my life.

Sincerely yours,
L. P. Gibson

The following explanation of vote on SJR 44-X(68) and SJR 52-X(68) which passed on February 5 was filed with the Secretary:

EXPLANATION OF VOTE

When these resolutions were considered in the Senate, I voted "No" because I felt an increase from 4½ to 5½ per cent at this time was unwarranted especially in view of the fact that the sponsors of the bill stated that the present interest rate is somewhere between 4½ and 5 per cent. The joint resolutions, after passing in the Senate, went to the House of Representatives and the House, in its wisdom, by amendment, reduced the interest rate to 5 per cent. When the resolutions were reconsidered in the Senate and the amendments of the House taken up, I voted in favor of the House amendments and thereby approved the resolution setting the rate of interest at 5 per cent.

DEMPSEY J. BARRON, 4th District

CO-INTRODUCERS

By permission, Senator Stone was recorded as co-introducer of SB 103-X(68).

By permission, Senator Young was recorded as co-introducer of SB 62-X(68).

By permission, Senator Askew was recorded as co-introducer of Senate Bills 61-X(68), 100-X(68) and 103-X(68).

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 6:09 p. m. to reconvene at 9:30 a. m., February 9, 1968.