

## SPECIAL SESSION

# JOURNAL OF THE SENATE

Thursday, February 15, 1968

The Senate was called to order by the President at 9:00 a.m.

A quorum present—47:

Mr. President	Edwards	Horne	Shevin
Askew	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
de la Parte	Hollahan	Sayler	

Excused: Senator Bafalis.

Prayer by the Secretary of the Senate:

Father God, we come this day thanking thee for blessings which have been our life. We pray for continuance of thy favor of those things adequate for our earthly stay. We seek only that of necessity and no portion of wasteful luxury.

We pray for influence from thee with those who have the responsibility of charting formulas of development and expansion of our state in all of its governmental endeavors. May the result be as illuminating as the rays of resplendent, heavenly sunshine. We need thy help in this decisive hour.

In Jesus name, we pray. Amen.

The Journal of February 14 was corrected and approved as follows:

Page 125, counting from the bottom of column 3, line 19, strike "2,658,936" and insert 265,894

Page 125, counting from the bottom of column 3, line 2, strike "69,101,203" and insert 66,708,161

Page 129, column 2, strike lines 7 and 8 and insert the following: HB 152-X(68) as amended was read the third time in full, passed and certified to the House. The vote was: Yeas—48 Nays—None

The Journal of February 12 was further corrected and approved as follows:

Page 110, counting from the bottom of column 1, line 8, strike "Mathews" and insert de la Parte

Page 110, column 2, line 4, strike "Mathews" and insert de la Parte

### REPORTS OF COMMITTEES

The Committee on Judiciary "B" recommends the following pass: SB 103-X(68) with 1 amendment.

The Committee on Education-Public Schools and Junior Colleges recommends the following pass: CS for HB 60-X(68) with 2 amendments.

The Committee on Finance and Taxation recommends the following pass: HB 81-X(68), SB 129-X(68) with 2 amendments.

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

The Committee on Education-Public Schools and Junior Colleges recommends the following pass: SB 151-X(68).

The bill was referred to the Committee on Appropriations under the original reference.

The Committee on Finance and Taxation recommends the following pass: SB 136 with 3 amendments, SB 127 with 3 amendments.

The bills were referred to the Committee on Judiciary "B" under the original reference.

The Committee on Finance and Taxation recommends the following not pass: SB 125-X(68).

The Committee on Education-Public Schools and Junior Colleges recommends the following not pass: SB 27-X(68), SB 96-X(68).

The bills contained in the foregoing reports were laid on the table.

### ENGROSSING REPORT

Your Engrossing Clerk reports that the Conference Committee amendments have been incorporated in the following bills which were ordered enrolled:

SB 61-X(68) with 1 amendment  
SB 76-X(68) with 1 amendment  
SB 77-X(68) with 10 amendments  
SB 79-X(68) with 2 amendments

EDWIN G. FRASER  
Secretary of the Senate

### ENROLLING REPORT

Your Enrolling Clerk reports that the following have been enrolled, signed by the required Constitutional officers and presented to the Governor on February 15, 1968:

SB 61-X(68) SB 77-X(68) SB 81-X(68) SB 86-X(68)  
SB 76-X(68) SB 79-X(68) SB 82-X(68) SB 98-X(68)

EDWIN G. FRASER  
Secretary of the Senate

### INTRODUCTION

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

SCR 182-X(68)—A Concurrent Resolution In Commendation of Miss Marie Harvin.

WHEREAS, the memory of many "runneth not to the contrary" that upon presenting themselves before the Laws Division of the office of Secretary of State, now occupied by Honorable Tom Adams, seeking information they shall be greeted by the ready smile and capable helping hand of Miss Marie Harvin, and the contemplation of her absence from that post she has so long and so capably commanded taxes the credulity, and

WHEREAS, the graceful bearing, charming manner and sartorial perfection of this ever conscientious and faithful state employee belie the some forty-three years in which the people of the State of Florida in both official and lay circles have been the recipients of her able and untiring services, and

WHEREAS, because of the qualities of expertness and unselfish devotion to duty so exemplified in the long years of state service and because of the genuine regret which is felt in the realization that her retirement will make it no longer possible to call on her store of information and ready willingness to aid

all who come seeking her help, we would record this testimonial in appreciation, NOW, THEREFORE,

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

That we hereby recount in some degree these works and achievements

IN COMMENDATION—MARIE HARVIN

Marie, as she is affectionately known to her host of friends, is a native of Pavo, Georgia, but she came to live in Tallahassee at such an early age that Florida claims her for its own. While still quite young she became an employee in the office of Secretary of State during the tenure of the then incumbent Honorable H. Clay Crawford, and has served through the successive tenures of Honorable W. W. Igou, Honorable R. A. Gray and presently Honorable Tom Adams. This span of years covers the terms of office of thirteen Governors of the State of Florida: Governors Martin, Carlton, Scholtz, Cone, Holland, Caldwell, Warren, McCarty, Johns, Collins, Bryant, Burns and presently Governor Kirk.

During the past twenty-two years Marie has been Director of the Laws Division of the Secretary of State's office. The Division is custodian of legislative acts. On passage bills are presented to the Governor. From the Governor's office they arrive at Marie's desk for classification, indexing and filing. Vetoed bills are among this number and her Division has the duty of distributing the Florida Statutes after printing, the keeping of municipal charters and results of municipal elections. She is charged with the safe-keeping of the closed Executive Session Journals of the Senate, a highly secretive record subject to open inspection only on order of the Senate or a court of competent jurisdiction.

A never-ending stream of requests for information concerning bills, joint resolutions, concurrent resolutions, constitutional amendments and multitudinous other matters passes over her desk constantly. Each is dispatched with precision and accuracy.

Despite the tedium of daily routine, she has still found time for religious and civic pursuits. She is an active member of St. Paul's Methodist Church, Tallahassee, to which she devotes much time. She is a member of the Capital City Democratic Women's Club; an active member and past president of the Altrusa Club and since 1953 has represented the office of Secretary of State at National Legislative Conferences. In 1967 she was honored as the recipient of the Capital Press Club Headliner Award, an acknowledgement bestowed by the Club in memory of the late John Kilgore upon those who have rendered exemplary public service over and above the call of duty with scant recognition or acclaim.

BE IT FURTHER RESOLVED that a copy of this Concurrent Resolution, duly attested by the President and the Secretary of the Senate and the Speaker and the Clerk of the House of Representatives, under the Great Seal of the State of Florida, be presented to Miss Marie Harvin in token of the esteem in which she is held by members of these respective Houses she has served so well and as an expression of bon voyage in the many more years which it is wished that she may be allotted to dwell upon this earth to which she has so richly contributed her time and talents.

Was read the first time in full. On motion by Senator Mathews, the rules were waived and SCR 182-X(68) was read the second time by title, adopted, and certified to the House.

By Senators Spencer and Weissenborn—

SB 183-X(68)—A bill to be entitled An act relating to taxation, amending section 210.01(1), amending section 210.02(6) and adding subsections (9) and (10) to said section, amending sections, 210.04, 210.05, 210.06, 210.07, 210.09, 210.10(1), 210.11, 210.12(1), (4) and (5), 210.15 210.18 and 210.20(2), Florida Statutes, levying and imposing a tax on cigars and tobacco products in addition to cigarettes; defining cigars and tobacco products; providing for collection and responsibility of such tax; prescribing the rate; providing for initial retail inventory, report and tax; providing certain exemptions, presumptions and prohibitions; providing for tax stamps, metering machines; authorizing director to promulgate rules, to prescribe an alternate method of collecting such tax, and appoint agents to affix stamps; requiring records to be kept and reports to be made; providing for suspension and revocation of license; requiring dealers to affix stamps, examine

containers for unstamped packages, and presumption of violation; prescribing the director's duties and powers; providing for refunds, seizures and forfeiture proceedings; requiring permits, prescribing the application form, fees, applicant requirements and qualifications; providing for penalties and distribution of funds; providing an effective date.

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

By Senators Weissenborn, Haverfield, Spencer, Fincher, Poston, Hollahan and Stone—

SB 184-X(68)—A bill to be entitled An act relating to higher education; authorizing and directing the board of regents to open a continuing education center in Dade County; making an appropriation; providing an effective date.

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

On motion by Senator Weissenborn, by two-thirds vote, SB 184-X(68) was withdrawn from the committees and placed on the Calendar.

Unanimous consent was granted Senator Weissenborn to take up SB 184-X(68) out of order. On motions by Senator Weissenborn, the rules were waived and SB 184-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	Edwards	Horne	Spencer
Askew	Elrod	Johnson	Stockton
Barron	Fincher	Knopke	Stolzenburg
Barrow	Fisher	Lane	Stone
Bell	Friday	McClain	Thomas
Boyd	Gibson	Mathews	Weber
Broxson	Gong	Ott	Weissenborn
Chiles	Griffin	Plante	Wilson
Clayton	Gunter	Poston	Young
Cross	Haverfield	Sayler	
Deeb	Henderson	Shevin	
de la Parte	Hollahan	Slade	

Nays—2

O'Grady Reuter

By Senators O'Grady and Pope—

SCR 185-X(68)—A concurrent resolution directing the legislative council to contract with a management consultant firm to study functions of the public schools for the purpose of making recommendations for achieving greater efficiency, maximum results and savings in financing free public schools.

WHEREAS, the legislative council is an existing body and will conveniently serve as a vehicle for this action NOW, THEREFORE,

Be it resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That the legislative council shall contract with a disinterested professional management consultant firm to study the management, staffing, programs, facilities, day to day functions and other aspects of the free public schools for the purpose of making recommendations for achieving greater efficiency, maximum results for expenditures, and savings in financing of the free public schools. The committee shall report the results of the study to the regular session of the 1969 legislature.

Was read the first time in full. On motion by Senator O'Grady, the rules were waived and SCR 185-X(68) was placed on the Calendar.

Unanimous consent was granted Senator O'Grady to take up SCR 185-X(68) out of order. On motion by Senator O'Grady, the rules were waived and SCR 185-X(68) was read the second time by title, adopted and certified to the House.

On motion by Senator Horne the following was spread upon the pages of the Journal:

REMARKS BY SENATOR JOHN E. MATHEWS, JR.

Mr. President, members of the Senate, I think the time has come when the record should be set straight as to the situa-

tion in which we find ourselves today. We are members of the Legislature elected by the people of Florida to represent them under the Constitution of Florida and to discharge our duties as outlined therein. There are two sections of the Constitution that specify the duties of the Legislature. Article XII, Section 1, "The Legislature shall provide for a uniform system of public free schools, and shall provide for the liberal maintenance of the same." In Article IX, Section 2, "The Legislature shall provide for raising revenue sufficient to defray the expenses of the State, including State appropriations, for the benefit of the uniform system of free public schools provided in accordance with Article XII of the Constitution." So, it is clear we have a constitutional duty to provide for the public schools, and that is what we have been trying to do for the past year. But, alas, about November of 1966 an irresistible force started moving against an immovable object. The constitutional responsibility and duty of the Legislature has been caught in the middle of the conflict between the irresistible force and this immovable object. The Florida Education Association finally put together a powerful lobbying force and brought forth a program that they asked the Legislature to enact in 1967 which would have required many hundreds of millions of dollars in additional revenue if it were to be implemented. At the same time, Governor Claude Kirk was elected by the people in November 1966, on a platform that stated, "This is my total commitment concerning taxes: During my administration as Governor of the State of Florida, there will be no advance or increase in taxes of any kind." Then the Legislature met here in 1967 and the Florida Educational Association again came in and asked for a package which would have required new money and the Governor reiterated his explicit message to the Legislature that "There will be no additional taxes during my administration, and that we are going to take our total anticipated revenue, the money we are going to have to operate our government, from existing sources and make our expenditures for the next two years no more than from that." Now the Legislature, and worse than that, the people of the state of Florida and the children of the state of Florida, were caught in the middle of this conflict. It was obvious that we could not have additional educational progress without any money. It was obvious that if the Governor's commitment of no new taxes were still in force, there would be no legislative program providing additional programs in education. The Legislature went to work on it, and after a long and hard spring and summer, we came forth with what I think was a responsible, fine legislative program with reference to the schools and it was vetoed. The pressure started building up. We were told that the public schools of Florida were going to close in November if there were not a special session called and there were not a resolution of these new problems by legislative action. You recall what happened during that period of time—special legislative committees, the Governor and representatives of the FEA conferred on a twenty-four hour basis—around the clock—to avert the closing of the public schools in Florida and the Governor appointed a Quality Commission on Education. This Commission was to come forward within fifteen months and make recommendations as to what could be done. The FEA said—We can't wait that long. Finally, after all the discussion, it was agreed that the Commission would rush up its report, that it would speed up its work and bring forth what could be done in January and February of 1968. The FEA agreed to wait and see what could be worked out. We than were called up here and met on January 29. We are now in the fourteenth legislative day of this Special Session with one day after today remaining in which to resolve and solve this crisis in such a manner that the people of Florida, the children of Florida, will not suffer irreparable harm of a nature that cannot be remedied.

So, this morning, on behalf of the Legislature, I would like to make an appeal to two different groups. First, to the Florida Education Association, some of whose leaders are in the galleries this morning. Let me first say that I sympathize with you and your problems in your moment of trial. I know the heavy responsibility that abides in your hearts if precipitous actions should close that which is nearest and dearest to you, the public educational system of Florida. I know you feel that you've given, and given, and given. I know you feel that there can be no more compromise. But, let me ask you to look at the situation of the elected representatives of Florida. You've watched them work; you've watched dedicated men such as Senator Boyd, Senator Chiles, Senator Askew, Senator Friday, Senator Slade and Senator Young work almost beyond the capacity of their physical ability to try to come forth with something that would be satisfactory to everyone. And you recog-

nize the fact that their ideas would have to be approved by a majority of the Senate and a majority of the House and finally by the Governor before becoming law. Now this is the way it is done in a democracy. Maybe we should have a different type of government in which you could appeal to the leaders by executive fiat to put into effect a decree and veto it later. Our government doesn't work that way. And the people have entrusted the resolution of these difficulties to their elective Representatives and Senators. I ask you to be patient once more. If you could give a little bit more, and if you will again swallow your pride, I ask you to examine this legislative package in the light of what has been done in the past and in the hope of what can be done tomorrow. I ask you to recognize that you will have the opportunity in May of next year and November of next year to elect a completely new Legislature if you don't think that we've done the job. The issues of that campaign will be educational issues. I ask you to consider the time element that with the additional money that is going into the public school program as provided by the bills enacted yesterday, probably no more funds could be effectively used by the time the Legislature next meets. Then I ask you to consider the consequences if our schools do not stay open. What possibly could you gain? If the schools close and the additional money is not provided, would you want it on your consciences that you had deprived the schools of Florida of \$254,000,000 additional money and these additional programs just to maintain a position? I plead with you, don't take this precipitous action that would close our schools.

Then, I would address a few remarks to that man who I understand is winging his way to California to sell some Florida orange juice this very moment. Governor Kirk, I presume that the words I speak here this morning will reach your ear not too long after you land in California. You have stated as a candidate, and as Governor, that you wanted to make Florida first in education. And, then you stated very emphatically that it was going to take a long time to do it and you did not believe that the Commission you appointed could come out, in less than a year, with a recommendation for structural changes that would benefit all of Florida. However, in November, you speeded up the work of the Commission. Now you are asking us to do what you said was impossible. You said we could not adequately study the situation and make intelligent recommendations on structure within less than a year. And you are asking us, although you have changed your position in the past two weeks as to what that structure should be, you are asking us to re-structure now. Governor Kirk, you have maintained that you had to have some type of a referendum, so you could say if new taxes were involved during this biennium somehow or other the people had approved them. You've found out you can't have a direct referendum on taxes. The Legislature and Superintendent Christian have agreed to let the people decide the question as to whether you should maintain our present structure and have also placed before the people whether they wanted to do away with the elected Cabinet as the State Board of Education. I would say to you that you also, like the FEA, have two additional referendums this year—Legislative primaries in May and in November, the general election. Candidates will be running either in support of or in opposition to your program. What better referendum under our system of government could one possibly have than in the free choice of the people who are going to make the legislative decision during the next year? Governor Kirk, I implore you to come back to Florida. There is no place for the captain of a sinking ship to be seated in the maritime office of his employer and to send by radio, messages to the ship that is burning. The place for the captain of the ship of Florida during a period of emergency is in Tallahassee. And I urge you, since this Legislature is set to expire, as you said in your call, at 5:00 p.m. tomorrow, turn that jet around and come back here and be prepared to participate in the legislative process during these next few hours with us. We need you. We want your help. We want your help to try to get these bills passed.

In closing, Mr. President, let me pay tribute from the bottom of my heart to not only the brilliant leadership of the members of my party, but to the leaders of the minority party who, ignoring political advantages, willing to put their careers on the line, did what they thought right; not necessarily what we think is right, but independently, what might be required to keep our schools open.

Let me call upon the people of Florida, the parents, the taxpayers and the children. Let your teachers know that you think the Legislature is doing the best job it can under the circum-

stances and that you want your schools open. Let your Governor know that you expect him to be here in Florida to help us avoid the closing of these schools, and that you want him to approve these bills at the present time. If we, Mr. President and Senators, by our failure during these few days to resolve the hopeless conflict between the irresistible force and the immovable object, are unable to avoid the closing of our public schools, we will have dealt a severe blow to our form of government as we know it which could be more critical in its capacity to hurt and do harm than all these insidious, internal forces and enemies within our borders and without. The responsibility is ours! Governor, members of the Florida Education Association, people of the state of Florida, we want your help in accomplishing the purpose.

On motion by Senator Bell, by two-thirds vote, SB 171-X (68) was withdrawn from the Committee on Judiciary "B" and placed on the Calendar.

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

SB 171-X(68)—A bill to be entitled An act relating to the Construction Industry Licensing Board; amending section 468.105(1)(a), Florida Statutes, to extend to two hundred forty (240) days the period within which persons contracting within the state must register with the board; providing an effective date.

On motions by Senator Bell, the rules were waived and SB 171-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	Edwards	Horne	Shevin
Askew	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
de la Parte	Hollahan	Saylor	

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

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 Shadley and others—

HCR 295-X(68)—A concurrent resolution expressing deep regret and sympathy over the passing of Police Officer Mitchell L. Nutter, who made the supreme sacrifice in line of duty.

WHEREAS, Mitchell L. Nutter served with the Orlando Police Department for four years prior to his untimely death on February 10, 1968, and

WHEREAS, Mitchell L. Nutter unhesitatingly answered a call to check a report that an armed man had shot a service station attendant, and

WHEREAS, Officer Nutter was killed before he could draw his gun, and

WHEREAS, Officer Nutter died for his country, protecting the rights of life, liberty and the pursuit of happiness, and

WHEREAS, the death of Mitchell L. Nutter was a tragic loss to his family, his friends, the people of the City of Orlando and the State of Florida, NOW, THEREFORE,

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

That on behalf of the people of Florida this Legislature does unanimously express to the family of Mitchell L. Nutter its gratitude for his service and its deep and earnest sense of regret and heartfelt sympathy for his untimely passing.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the family of the late Mitchell L. Nutter.

—and requests the concurrence of the Senate therein.

Respectfully,  
**ALLEN MORRIS**  
Clerk, House of Representatives

HCR 295-X(68), contained in the above message, was read the first time in full. On motion by Senator Plante, the rules were waived and the concurrent resolution was placed on the Calendar.

Unanimous consent was granted Senator Plante to take up HCR 295-X(68) out of order. On motion by Senator Plante, the rules were waived and HCR 295-X(68) was read the second time by title, unanimously adopted and certified to the House.

SECOND READING

Consideration of Senate Joint Resolutions 66-X(68) and 68-X(68) and Senate Bills 109-X(68), 121-X(68) and 101-X(68) was deferred, the bills retaining their places on the Calendar.

On motion by Senator Stolzenburg, by two-thirds vote, SB 174-X(68) was withdrawn from the Committee on Transportation and Safety and placed on the Calendar.

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

SB 174-X(68)—A bill to be entitled An act relating to motor vehicle inspection; amending section 325.12, Florida Statutes, changing dates for initial inspections.

On motion by Senator Stolzenburg, the rules were waived and SB 174-X(68) was read the second time by title.

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

In Section 1, line 19, strike the period and insert the following: , provided such standards and requirements shall be adopted only after public hearing(s) thereon pursuant to Chapter 120, Florida Statutes.

On motion by Senator Stolzenburg, the rules were waived and SB 174-X(68) as amended was read the third time in full.

On motion by Senator Stolzenburg, the rules were waived and further consideration of SB 174-X(68) as amended was deferred, the bill retaining its place on the Calendar.

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 taken up. On motion by Senator Haverfield, the rules were waived and SB 121-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 Haverfield:

In Section 3, line 14, page 7, after the word "Universities" insert the following: of full members of the Independent Colleges and Universities of Florida, Inc.,

Senator O'Grady offered and moved the following amendment:

In Section 3, line 1, page 7, strike: "shall" and insert may

Pending consideration of the foregoing amendment, on motion by Senator Mathews, the rules were waived and further

consideration of SB 121-X(68) as amended was deferred, the bill retaining its place on the Calendar.

On motion by Senator Mathews, the Senate recessed at 10:30 a. m.

The Senate was called to order by the President Pro Tempore at 11:30 a. m. A quorum present.

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

#### MESSAGES FROM THE GOVERNOR

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

February 13, 1968

*Dear Mr. President:*

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

Julian M. Fernandez, member, Board of Pilot Commissioners for the Port of Miami, Dade County, for a term of two years.

Respectfully requested,  
**CLAUDE R. KIRK, JR.**  
Governor

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

February 13, 1968

*Dear Mr. President:*

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

Dave Auchter, Jr., member, Pilot Commissioners for the Port of Jacksonville, for a term of four years.

Respectfully requested,  
**CLAUDE R. KIRK, JR.**  
Governor

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

February 13, 1968

*Dear Mr. President:*

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

Harold W. Eppheimer, member, Pilot Commissioners for the Port of Jacksonville, for a term of four years.

Respectfully requested,  
**CLAUDE R. KIRK, JR.**  
Governor

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

February 14, 1968

*Dear Mr. President:*

It is my pleasure to inform the senate of the following ap-  
pointment and respectfully request confirmation thereof:

John W. Barndollar, member, Board of Pilot Commissioners for the Port of Boca Grande, Lee County, Golden Beach, Boca Grande, Florida, for a term ending November 11, 1969.

Respectfully requested,  
**CLAUDE R. KIRK, JR.**  
Governor

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

February 13, 1968

*Dear Mr. President:*

It is my pleasure to inform the Senate of the following

appointment and respectfully request confirmation thereof:

T. M. Jacobsen, member, Board of Commissioners of the Everglades Fire Control District, for a term of two years.

Respectfully requested,  
**CLAUDE R. KIRK, JR.**  
Governor

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

February 13, 1968

*Dear Mr. President:*

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

Henry Jernigan, member, Board of Commissioners of the Everglades Fire Control District, for a term of two years.

Respectfully requested,  
**CLAUDE R. KIRK, JR.**  
Governor

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

February 13, 1968

*Dear Mr. President:*

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

George H. Trace, member, Board of Commissioners of the Everglades Fire Control District, for a term of two years.

Respectfully requested,  
**CLAUDE R. KIRK, JR.**  
Governor

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

February 13, 1968

*Dear Mr. President:*

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

B. M. Hewitt, member, The Board of the Sumter County Recreation and Water Conservation and Control Authority, for a term of four years.

Respectfully requested,  
**CLAUDE R. KIRK, JR.**  
Governor

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

February 15, 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 Richard C. Davis, Justice of the Peace, District 2, Pinellas County, Florida. I hereby recommend the removal of the above-named official.

Sincerely,  
**CLAUDE R. KIRK, JR.**  
Governor

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

February 15, 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 George A. Kelsey, Constable, District 3, Seminole County, Florida. I hereby recommend the removal of the above-named official.

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 rules were waived and time of recess was extended until 12:30 p.m.

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

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

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: SB 153-X(68), SB 159-X(68), SB 160-X(68), SB 161-X(68), SB 162-X(68), SB 165-X(68), SB 169-X(68), SB 172-X(68).

Respectfully,  
**ALLEN MORRIS**  
 Clerk, House of Representatives

The bills, contained in the above message, were ordered enrolled.

February 15, 1968

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

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 166-X(68).

Respectfully,  
**ALLEN MORRIS**  
 Clerk, House of Representatives

The bill, contained in the above message, was ordered enrolled.

February 15, 1968

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

Sir:

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report on—

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.

—and has adopted the Conference Committee Report in its entirety and has passed SB 69-X(68) as amended by the Conference Committee Report.

Respectfully,  
**ALLEN MORRIS**  
 Clerk, House of Representatives

The bill was ordered engrossed.

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

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

February 15, 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 Eddy—

HB 193-X(68)—A bill to be entitled An Act to amend Chapter 29446, Special Acts of 1953 (said Chapter 29446 being the Act creating the City of Plantation, Broward County, Florida), as amended, the present Amendment relating to and having as its purpose the addition to, consolidation, establishment, confirmation and definite delineation of the present boundaries of the City of Plantation, Broward County, Florida, and to de-annex certain described lands from the City of Plantation.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
**ALLEN MORRIS**  
 Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 193-X(68).

HB 193-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Blalock—

HB 198-X(68)—A bill to be entitled An act fixing the salary of the executive secretary in the office of state attorney in each judicial circuit of the state of Florida embracing and including two (2) or more counties in which is one (1) county having a population of four hundred fifty thousand (450,000) or more inhabitants according to the latest official state-wide decennial census; and providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
**ALLEN MORRIS**  
 Clerk, House of Representatives

HB 198-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Crabtree—

HB 72-X(68)—A bill to be entitled An act relating to Sarasota county, school facilities; providing for the construction extension, enlargement, improvement and acquisition of school buildings and other existing facilities including sites, furnishings and equipment by the board of public instruction; authorizing the issuance of certificates of indebtedness payable from a portion of race track funds accruing annually to Sarasota county to pay the cost of such projects; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
**ALLEN MORRIS**  
 Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 72-X(68).

HB 72-X(68), contained in the above message, was read the

first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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—

HB 148-X(68)—A bill to be entitled An act relating to Gilchrist County; amending sections 2 and 3 of chapter 67-985, Laws of Florida, to authorize an increase in funds to be expended for additional facilities and alterations to high schools in said county; providing for an increase in interest costs on certificates of indebtedness; providing that funds accrued under chapter 67-985, Laws of Florida, shall be expended for certain purposes; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 148-X(68).

HB 148-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 De Young and others—

HB 213-X(68)—A bill to be entitled An act to permit the Town of Lake Park to sell a certain Town Park to the adjacent property owner, setting forth the legal description thereof, the terms of sale, the conditions relating thereto, and providing for referendum thereon.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 213-X(68).

HB 213-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Bassett and Others—

HB 297-X(68)—A bill to be entitled An act to abolish the present municipal government of the City of Longwood, in Seminole County, Florida, and to create, establish and organize a municipality to be known as the City of Longwood to be located in Seminole County, Florida; to define its territorial boundaries; to provide a charter for said municipality; to provide for and prescribe its government, jurisdiction, powers, duties, franchises, and privileges; to provide for succession of said municipality hereby abolished; to ratify, validate and confirm the levies of taxes imposed by the City of Longwood and

to provide for the collection, lien and enforcement of the same; to provide that the title, rights and ownership of property and obligations of every form held and owned by the City of Longwood hereby abolished shall be vested in the City of Longwood hereby created; to prescribe the general powers to be exercised by said municipality; to repeal certain laws of Florida; providing for a referendum.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 297-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 James and others—

HB 165-X(68)—A bill to be entitled An act relating to jurors and juror lists; amending sections 40.22, 40.29, 40.30, 40.31, 40.32 and 40.33, Florida Statutes, by providing for the selection and issuance of venire and summons and pay of jurors for small claims-magistrate courts; providing a severability clause; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 165-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Elmore—

HB 248-X(68)—A bill to be entitled An act amending Chapter 67-2237, Laws of Florida; relating to commissions received by tax assessors; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 248-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Pfeiffer and others—

HB 250-X(68)—A bill to be entitled An act relating to Brevard County, school plant; providing for school system capital improvements; authorizing the Board of Public Instruction to issue revenue certificates for payment thereof; providing for payment of principal and interest from race

track funds and jai alai fronton funds accruing annually to said Board; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 250-X(68).

HB 250-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Gallen and others—

HB 183-X(68)—A bill to be entitled An act relating to and providing for an assistant state attorney for each judicial circuit embracing eight or more counties, in addition to those now provided for by law; providing for the appointment, tenure, powers, duties, salary and travel expenses of such additional assistant state attorney; and prescribing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 183-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Representatives Yarborough and Dubbin—

HB 294-X(68)—A bill to be entitled An act relating to circuit courts; providing for appointment by the governor of a census committee pursuant to section 26.011, Florida Statutes, to determine population of the eleventh judicial circuit; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 294-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 De Young and Others—

HB 263-X(68)—A bill to be entitled An act relating to Martin County school construction; providing for the acquisition, construction, erection, enlarging and improving of school buildings, and the furnishing and equipping of said school buildings by the Board of Public Instruction; authorizing the issuance of certificates of indebtedness payable from certain race track funds accruing annually to Martin County and allo-

cated to the Board of Public Instruction to pay the cost of such projects; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 263-X(68).

HB 263-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Ducker and Others—

HB 292-X(68)—A bill to be entitled An act relating to the Orlando-Orange county expressway authority; amending sections 348.0103(2)(g)2. and 348.0104(1), Florida Statutes, clarifying the issuance of bonds for the funding or refunding of outstanding bonds; authorizing said authority to sell bonds at an interest cost not to exceed six per cent (6%) per annum; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 292-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 De Young and Others—

HB 211-X(68)—A bill to be entitled An act relating to alcoholic beverages, club beverage licenses in each county in the state having a population of not less than two hundred thousand (200,000) and not more than two hundred sixty thousand (260,000), according to the latest official decennial census; providing for one (1) additional beverage license; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 211-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Rust and Others—

HB 264-X(68)—A bill to be entitled An act relating to Palm Beach county life insurance for volunteer firemen; requiring the payment of ten thousand dollars (\$10,000.00) by an employer to the survivors of certain volunteer firemen, employed by a public

body and killed in the line of duty; providing definitions; providing conditions; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 264-X(68).

HB 264-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

*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 Campbell and Others—

HB 75-X(68)—A bill to be entitled An act relating to office building construction; authorizing state department of public welfare to construct office building in De Funiak Springs, Walton county, pursuant to section 288.17, Florida Statutes; authorizing the state agency to issue revenue certificates for payment thereof; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 75-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

*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 Representatives Walker and Randell—

HB 142-X(68)—A bill to be entitled An act relating to conservation, fishermen and equipment regulation in all counties having a population of not less than fifteen thousand seven hundred (15,700) inhabitants and not more than sixteen thousand four hundred (16,400) inhabitants according to the latest official decennial census; making it unlawful to take certain sardine like fish with a purse seine, purse gill net, lampara net or similar net or device for any purpose within ten miles of shore; providing for a penalty; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 142-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

*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 Stevens and others—

HB 139-X(68)—A bill to be entitled An act relating to conservation, fishermen and equipment regulation in all counties having a population of not less than eight thousand three hundred (8,300) inhabitants and not more than nine thousand

four hundred (9,400) inhabitants according to the latest official decennial census; making it unlawful to take certain sardine like fish with a purse seine, purse gill net, lampara net or similar net or device for any purpose within ten miles of shore; providing for a penalty; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 139-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

*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 Crabtree—

HB 143-X(68)—A bill to be entitled An act relating to Sarasota county planning and zoning; amending sections 3, 4, 10, 23 and 32 of chapter 31264, laws of Florida, 1955, as amended; re-enacting chapter 31264, laws of Florida, 1955, as amended; providing definitions for area, condominium and planned unit development; clarifying scope of unincorporated area; authorizing and empowering the board of county commissioners of Sarasota county, Florida, to establish special districts and regulations for planned unit developments and condominiums; providing for approval of plats for condominiums or planned unit developments; authorizing and empowering the board of county commissioners to modify subdivision regulations for planned unit developments or condominiums; providing that this act is a conservation and control act and governs over conflicting provisions of other special and general acts; providing for severability; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 143-X(68).

HB 143-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

*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 Osborne—

HB 269-X(68)—A bill to be entitled An act relating to public instruction in Pinellas County; repealing chapter 61-2683, Laws of Florida, permitting the board of public instruction to authorize purchases up to six hundred dollars (\$600.00) by the superintendent of public instruction and requiring three (3) or more bids for purchases costing more than that amount; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 269-X(68).

HB 269-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Osborne—

HB 260-X(68)—A bill to be entitled An act relating to the state attorney in judicial circuits including therein a county having a population of not less than three hundred fifty thousand (350,000) nor more than three hundred eighty-five thousand (385,000), according to the latest official decennial census; repealing chapter 65-1177, Laws of Florida, providing for investigators for the state attorney; describing duties of such investigators; providing compensation; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 260-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Elmore—

HB 252-X(68)—A bill to be entitled An act relating to the Division of Corrections, purchases by all counties having a population of not less than sixty thousand (60,000) nor more than sixty-six thousand (66,000), according to the latest official decennial census; authorizing the board of public instruction to purchase foodstuffs, canned goods and other products from the Division of Corrections; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 252-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Stevens—

HB 48-X(68)—A bill to be entitled An act relating to court reporters, compensation, in all judicial circuits in Florida having a population of not less than four hundred five thousand (405,000) and not more than four hundred eighty thousand (480,000), according to the latest official decennial census; providing for supplementary compensation of the duly commissioned official court reporter residing in the less populated county of such judicial circuits and maintaining an office in the courthouse of said county; repealing chapter 67-1011, Laws of Florida; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 48-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 as amended—

By Representative Beck—

HB 290-X(68)—A bill to be entitled An act relating to the compensation of the superintendent of public instruction in any county having a population of not less than thirty thousand five hundred (30,500) nor more than thirty five thousand (35,000) according to the latest official decennial census; authorizing a board of public instruction of any such county to fix the compensation of the superintendent of public instruction of such county; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 290-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Poorbaugh and Others—

HB 155-X(68)—A bill to be entitled An act relating to the county solicitor in counties having a population of not less than two hundred thousand (200,000) and not more than two hundred sixty thousand (260,000) according to the latest official decennial census; giving the county solicitor in said counties the authority to practice before the juvenile court; defining his duties; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 155-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 James and Others—

HB 156-X(68)—A bill to be entitled An act establishing a small claims-magistrate court in each county of the state having a population of not less than two hundred thousand (200,000) and not more than two hundred sixty thousand (260,000) according to the latest official decennial census; providing for the jurisdiction, powers, process and procedure of said court; providing for the appointment and election of the judges and fixing their compensation, duties, and terms of office; providing for an executive officer, a clerk, and a prosecuting attorney; providing quarters for said court and the furnishing of certain expenses by the county commission; providing a severability clause; providing for the repeal of Chapter 67-938; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 156-X(68), contained in the above message, was read

the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Humphrey and others—

HB 157-X(68)—A bill to be entitled An act relating to the city of Boynton Beach, Palm Beach county, confirming and ratifying all annexations to the city of Boynton Beach conducted by said city in accordance with the city charter since June 1, 1961; amending the charter of the city of Boynton Beach, Section 6, Article II, Chapter 24398 Special Acts of 1947 as amended by Section 1, Chapter 30588 Special Acts of 1955, and as amended by Section 1 of Chapter 61-1888 Special Acts of 1961, by redefining said municipality's existing territorial limits; providing a severability clause; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 157-X(68).

HB 157-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Representatives Prominski and King—

HB 207-X(68)—A bill to be entitled An act to add one judge to the bench of the Court of Record, in and for Broward County, Florida.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 207-X(68).

HB 207-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Eddy and Others—

HB 216-X(68)—A bill to be entitled An act to add one judge to the bench of the juvenile court, in and for Broward County, Florida.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 216-X(68).

HB 216-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Reed and Others—

HB 273-X(68)—A bill to be entitled An act relating to alcoholic beverages, club beverage licenses in each county in the state having a population of not less than two hundred thousand (200,000) and not more than two hundred sixty thousand (260,000), according to the latest official decennial census; providing for one (1) additional beverage license; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 273-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Redman and Others—

HB 238-X(68)—A bill to be entitled An act relating to circuit judges; providing supplemental compensation for circuit judges of judicial circuits one county of which has a population in excess of three hundred ninety thousand (390,000), according to the latest official decennial census; repealing chapter 67-962, Laws of Florida; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 238-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Bassett and Others—

HB 237-X(68)—A bill to be entitled An act relating to counties having a population of in excess of 54,900 (fifty-four thousand nine hundred) and not more than 56,000 (fifty-six thousand) according to the last decennial census; authorizing the boards of county commissioners of said counties to regulate the operation of all water supply systems and sanitary sewerage systems having not less than 25 (twenty-five) connections in the unincorporated areas of the county excluding municipalities operating systems beyond their corporate limits; to compel owners of property to connect with any such regulated system; to grant exclusive or nonexclusive franchises to private utility companies and imposing certain conditions to said franchises; to provide authority to fix rates of private utility companies; to authorize the county commissions of such counties to make rules and regulations for the operation of water supply systems and sanitary sewerage sys-

tems; to require private utilities subject to this act to pay a gross receipts tax to defray the costs of regulation; repealing Chapter 61-2874, Laws of Florida, providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 237-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Humphrey and Others—

HB 159-X(68)—A bill to be entitled An act relating to the City of Boynton Beach amending Paragraph (32), Section 7, Article II of Chapter 24398 Special Acts of 1947 as amended by providing authority for said city to annex contiguous territory to its municipal territorial limits by ordinance, providing for notice, and providing for a referendum when required by this act, and providing a severability clause; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 159-X(68).

HB 159-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 James and Others—

HB 163-X(68)—A bill to be entitled An act relating to the comptroller of the State of Florida and the clerks of Small Claims-Magistrate Courts in any county having the population of not less than two hundred thousand (200,000) nor more than two hundred sixty thousand (260,000), according to the latest official decennial census, such sums of money as are necessary to pay those citizens filling their constitutional obligation as jurors in the aforementioned courts since October 1, 1967; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 163-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Representatives Gallen and Pratt—

HB 182-X(68)—A bill to be entitled An act relating to the entering of contracts in all counties of the state having a

population of not less than sixty-nine thousand (69,000) and not more than seventy thousand (70,000), according to the latest official decennial census, with any person or legal entity, for the purpose of providing sanitary land fills, or any other means or method of disposing of garbage, trash, and refuse in a sanitary manner for the protection of the health, safety and welfare of its citizens.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 182-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Craig—

HB 189-X(68)—A bill to be entitled An act to enlarge the territorial limits and area of the Town of Marineland, Florida.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 189-X(68).

HB 189-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Stevens and others—

HB 138-X(68)—A bill to be entitled An act relating to conservation, fishermen and equipment regulation in all counties having a population of not less than ten thousand nine hundred (10,900) inhabitants and not more than eleven thousand two hundred thirty (11,230) inhabitants according to the latest official decennial census; making it unlawful to take certain sardine like fish with a purse seine, purse gill net, lampara net or similar net or device for any purpose within ten miles of shore; providing for a penalty; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 138-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Crabtree —

HB 109-X(68)—A bill to be entitled An act relating to the South Venice Special Tax Road District, Sarasota county; amending sections 3, 4, 7 and 9, Chapter 57-1839, Special Acts of 1957, and Chapter 67-2052, Special Acts of 1967, Laws of

Florida, and relating to the taxing powers thereof, the duties and powers of the Trustees of such District, repealing section 14 thereof, providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 109-X(68).

HB 109-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

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 Pettigrew—

HB 200-X(68)—A bill to be entitled An act relating to the Florida Probation and Parole Commission; repealing Chapters 19245 and 19248, acts of 1939; Chapters 22661 and 22807, acts of 1945; Chapter 65-982, acts of 1965 and all other special or local laws that may be in conflict with the General Law relating to probation and parole or the said commission; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 200-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

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 Williams—

HB 268-X(68)—A bill to be entitled An act regulating the seafood and fishing industries in Gulf and Franklin counties; repealing subsection (12) of section 4 of chapter 65-905, Laws of Florida, prohibiting the taking of shrimp from off-shore waters of said counties during certain hours; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 268 X(68).

HB 268-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

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 Crabtree—

HB 110-X(68)—A bill to be entitled An act relating to

Sarasota county, Florida, authorizing and empowering the board of county commissioners of Sarasota county, Florida, to require that platted and recorded subdivision lots of unincorporated areas of Sarasota county be cleared of weeds, brush, debris or any other noxious material; amending section 2 of chapter 67-2085, laws of Florida, special acts of 1967, so as to require property owners to clear their lots within platted and recorded subdivisions; amending section 6(2) of chapter 67-2085, laws of Florida, special acts of 1967; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 110-X(68).

HB 110-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

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 Walker—

HB 97-X(68)—A bill to be entitled An act creating a parking authority in Collier county, Florida, located in the city of Naples, fixing and describing its boundaries, providing for the appointment of its commissioners, prescribing the duties, functions, responsibilities and powers of its governing body and providing for the liberal construction of said act.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 97-X(68).

HB 97-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

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 Wolfson and others—

HB 107-X(68)—A bill to be entitled An act relating to alcoholic beverage licenses; authorizing one (1) additional club beverage license in all counties in the state having a population of not less than forty-five thousand (45,000) and not more than fifty-one thousand (51,000), according to the latest official decennial census; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 107-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

Sir:

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

sentatives has admitted for introduction and consideration by the required Constitutional two-thirds vote and passed—

By Representative Crabtree—

HB 241-X(68)—A bill to be entitled An act relating to City of Sarasota; amending chapter 23529, Laws of Florida, 1945, by adding section 23A authorizing municipal electors to legislate directly; authorizing and providing procedure for initiative and referendum; amending sections 179 and 181 of chapter 23529, Laws of Florida, 1945, relating to the petition of recall elections; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 241-X(68).

HB 241-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Representatives Yarborough and Wolfson—

HB 46-X(68)—A bill to be entitled An act relating to Criminal Courts of Record in counties of the State of Florida having a population of more than five hundred thousand (500,000), according to the latest official decennial census; providing for additional judicial offices; providing for the appointment, compensation and election of additional judges; providing an effective date.

— and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 46-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Representatives Randell and Walker—

HB 122-X(68)—A bill to be entitled An act relating to conservation, fishermen and equipment regulation in all counties having a population of not less than fifty-two thousand (52,000) inhabitants and not more than fifty-four thousand eight hundred (54,800) inhabitants according to the latest official decennial census; making it unlawful to take certain sardine like fish with a purse seine, purse gill net, lampara net or similar net or device for any purpose within five miles of shore; providing for a penalty; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 122-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Crabtree—

HB 108-X(68)—A bill to be entitled An act relating to Sarasota county authorizing the board of county commissioners of Sarasota county to provide, equip and staff offices for members of the Florida legislature who represent Sarasota county; providing that same shall be a county purpose to be paid for out of general funds of the county; ratifying all expenditures made by the board of county commissioners of Sarasota county for said purpose; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 108-X(68).

HB 108-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Stevens—

HB 49-X(68)—A bill to be entitled An act relating to county superintendent of public instruction, salary, in all counties of the state having a population of not less than thirty-six thousand seven hundred (36,700) and not more than thirty-eight thousand (38,000), according to the latest official decennial census; setting the salary of the superintendent of public instruction at fifteen thousand two hundred twenty-five dollars (\$15,225.00); repealing all conflicting laws; ratifying and confirming prior payments of annual salary; repealing Chapter 67-1048, Laws of Florida; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 49-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Nichols and others—

HB 50-X(68)—A bill to be entitled An act relating to municipalities having a population in excess of 100,000 and located in counties having a population of not less than 400,000 nor more than 900,000; directing payment of a \$10,000 death benefit to the widow of a police officer killed in the line of duty; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 50-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Representatives Sweeny and Conway—

HB 112-X(68)—A bill to be entitled An act amending the referendum provision of Chapter 67-1010 relating to the abolition of justice of the peace districts in Volusia county; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 112-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Powell and Others—

HB 279-X(68)—A bill to be entitled An act relating to City of Eau Gallie; amending the city charter, sections 154 and 156, Article XIV, chapter 61-2114, Laws of Florida, as amended; creating combined planning and zoning board; providing for board's membership and terms of office; providing certain requirements for office; repealing section 155, Article XIV, chapter 61-2114, Laws of Florida, creating a zoning board; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 279-X(68).

HB 279-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Davis and Others—

HB 93-X(68)—A bill to be entitled An act relating to office expenses of the state attorney and assistant state attorneys of all judicial circuits in the state comprised of four (4) counties and having three (3) circuit judges; amending chapter 65-800, Laws of Florida, 1965; authorizing each county within judicial circuits affected by this act to supplement the budget of the state attorney and assistant state attorneys for office expenses; providing that the supplement is for a proper county purpose; providing for authorization of past payments to the state attorney and assistant state attorneys; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 93-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Nergard and Others—

HB 111-X(68)—A bill to be entitled An act relating to supplementary salaries for circuit court judges in each judicial circuit composed of four (4) counties having a combined population of not less than eighty-five thousand (85,000) and not more than one hundred thousand (100,000), according to the latest official decennial census; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 111-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Nergard—

HB 103-X(68)—A bill to be entitled An act relating to St. Lucie county; defining the terms "savannahs" and "airboat"; prohibiting airboats in the savannahs in said county; providing that the violation of this act is a misdemeanor and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 103-X(68).

HB 103-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Pfeiffer and Others—

HB 251-X(68)—A bill to be entitled An act relating to the acquisition, construction, erection, building, enlarging and improving of school buildings, and the furnishing and equipping of school buildings of Brevard County, Florida and the acquisition of school equipment; authorizing the issuance of certificates of indebtedness by the board of public instruction of Brevard County, Florida, payable from funds allocated for current expenses pursuant to Section 236.07(5), Florida Statutes or from sales tax receipts accruing annually to the board of public instruction pursuant to Section 236.075, Florida Statutes, to pay the cost of such projects; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 251-X(68).

HB 251-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 De Young and others—

HB 162-X(68)—A bill to be entitled An act to amend Chapter 26106, Laws of Florida, Special Acts of 1949, relating to the Northwestern Palm Beach County Public Hospital District, Palm Beach County, Florida, by providing the term of office of any member of the board for a period not to exceed four years; providing for an expiration date of the members; providing for the repeal of House Bill 777, Chapter 67-1858; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 162-X(68).

HB 162-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 De Young and others—

HB 158-X(68)—A bill to be entitled An act empowering the Correctional Industries Division of the Florida Division of Corrections to sell its products and services to the City of Belle Glade, Florida; providing terms and conditions of such sales; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 158-X(68).

HB 158-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 De Young and Others—

HB 212-X(68)—A bill to be entitled An act relating to Palm Beach county club beverage licenses; providing for one (1) additional beverage license; providing for the disposition of same; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 212-X(68).

HB 212-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 De Young and Others—

HB 160-X(68)—A bill to be entitled An act relating to all counties in the state having a population of not less than fifteen thousand nine hundred (15,900) nor more than seventeen thousand one hundred (17,100) according to the latest official decennial census; authorizing and empowering the board of county commissioners to grant or deny franchises for garbage collection and disposal in unincorporated areas of said county; providing for inspection of books, records and accounts of franchisee, and prescribing the collection of fees therefor; to adopt rules and regulations for the establishment and operation thereof; providing a method for application for such franchise, and prescribing conditions under which franchise may be issued; providing for the duration of such franchises, and a method for voiding or terminating same; providing that no person, firm or corporation may operate garbage disposal business without having first obtained a franchise; providing that the board of county commissioners shall approve a schedule of charges, and amendments, prior to operation by the franchisee; providing a penalty for violation hereof; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 160-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

February 15, 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 Davis and Others—

HB 291-X(68)—A bill to be entitled An act relating to hospital district boards of trustees in all counties of the state having a population of not less than twenty-three thousand (23,000) and not more than twenty-eight thousand (28,000), according to the latest official decennial census; authorizing the filling of vacancies on said boards without any time limitation; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 291-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

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

INTRODUCTION

By Senators Deeb, Sayler and Barrow—

SB 186-X(68)—A bill to be entitled An act relating to in-

structional personnel of school system; amending chapter 231, Florida Statutes, by adding section 231.352 to make inducement to violation of contract a misdemeanor.

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

By Senators Sayler, Young and Deeb—

SB 187-X(68)—A bill to be entitled An act relating to motor vehicle licenses; amending section 320.081, Florida Statutes, providing for license fees for mobile homes, trailer coaches, house trailers, camper type mobile homes mounted and transported wholly upon the body of a self-propelled vehicle, and other similar trailers used for housing accommodations; providing for the collection, allocation and distribution of said license taxes between the state and the several counties thereof; providing an effective date.

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

By Senators Sayler, Young, Deeb, Stolzenburg, Weber and Elrod—

SB 188-X(68)—A bill to be entitled An act relating to education, in all counties of the state having a population of not less than two hundred thousand (200,000) and not more than nine hundred thousand (900,000), according to the latest official decennial census; establishing a merit pay system in such counties; providing an effective date.

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

By Senators Sayler, Young and Deeb—

SB 189-X(68)—A bill to be entitled An act relating to education; providing a merit pay system; 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 Barron, Barrow and Sayler—

SB 190-X(68)—A bill to be entitled An act relating to education; retirement funds and tenure; providing an effective date.

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

The Senate resumed—

#### SECOND READING

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.

—having been amended and deferred, was taken up with pending amendment by Senator O'Grady which failed.

On motion by Senator Haverfield, the rules were waived and SB 121-X(68) as amended was read the third time in full, passed and ordered engrossed. The vote was:

Yeas—31

Bell	de la Parte	Gibson	Hollahan
Broxson	Edwards	Gong	Horne
Chiles	Fincher	Griffin	Knopke
Clayton	Fisher	Gunter	Lane
Cross	Friday	Haverfield	McClain

Mathews	Reuter	Stone	Weissenborn
Ott	Shevin	Thomas	Wilson
Poston	Spencer	Weber	

Nays—13

Mr. President	Deeb	O'Grady	Stolzenburg
Barron	Elrod	Plante	Young
Barrow	Henderson	Stockton	
Boyd	Johnson		

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 taken up. On motions by Senator Hollahan, the rules were waived and SB 101-X(68) was read the second time by title, the third time in full and failed to pass. The vote was:

Yeas—22

Mr. President	Clayton	Lane	Stockton
Barron	Deeb	Mathews	Stolzenburg
Barrow	Fincher	O'Grady	Weber
Boyd	Henderson	Plante	Wilson
Broxson	Hollahan	Poston	
Chiles	Horne	Slade	

Nays—22

Bell	Gong	McClain	Stone
Cross	Griffin	Ott	Thomas
de la Parte	Gunter	Reuter	Weissenborn
Elrod	Haverfield	Sayler	Young
Fisher	Johnson	Shevin	
Gibson	Knopke	Spencer	

On motions by Senator Horne, by two-thirds vote, Senate Bills 179-X(68), 127-X(68) and 136-X(68) were withdrawn from the Committee on Judiciary "B" and placed on the Calendar.

On motion by Senator Mathews, it was agreed by two-thirds vote that when the Senate recessed it recess to reconvene at 2:30 p.m.

The hour of recess having arrived, a point of order was called and the Senate recessed at 12:34 p.m. to reconvene at 2:30 p.m.

#### AFTERNOON SESSION

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

Mr. President	Edwards	Horne	Shevin
Askew	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
de la Parte	Hollahan	Sayler	

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

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

February 15, 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 with amendments—

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.

Amendment 1—

In Section 1, on page 1, line 21, strike: nine hundred thousand (900,000) and in all 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 all counties having a population of not less than

Amendment 2—

In Title, on page 1, line 4, strike: 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

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

On motions by Senator Plante, the Senate concurred in House amendments 1 and 2 to SB 120-X(68).

SB 120-X(68) was ordered engrossed and the action of the Senate was certified to the House.

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

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 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 renumbering 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.

Amendment 1—

In Section 9, page 8, line 13, strike: \$250,000.00 and insert the following: \$450,000.00

Amendment 2—

In Section 3, page 4, line 26, strike: sub paragraph (18) being lines 26 to 29.

Amendment 3—

In Title, page 1, lines 8 and 9, strike: adding subsection (18), relating to public information;

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

On motions by Senator Boyd, the Senate refused to concur in House amendments 1, 2 and 3 to SB 70-X(68). The vote was:

Yeas—21

Mr. President	Cross	Knopke	Spencer
Askew	de la Parte	Lane	Stone
Bell	Fincher	McClain	Weissenborn
Boyd	Friday	Mathews	
Broxson	Gibson	Ott	
Chiles	Haverfield	Poston	

Nays—22

Barron	Griffin	O'Grady	Thomas
Barrow	Gunter	Plante	Weber
Clayton	Henderson	Saylor	Wilson
Deeb	Hollahan	Shevin	Young
Elrod	Horne	Stockton	
Fisher	Johnson	Stolzenburg	

On motion by Senator Boyd, the House was requested to recede from House amendments 1, 2 and 3 to SB 70-X(68) and the action of the Senate was certified to the House.

On motion by Senator Young, the Senate reconsidered the vote by which—

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.

—failed to pass this day.

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

In Section (1)(a), line 15, page 1, strike: all after (1)(a) and insert the following:

All motor vehicles, other than private passenger automobiles, which are used primarily for the transportation of pupils to school, but which are not operated by or under the purview of the state, a political subdivision thereof or under a franchise issued by a municipality or the public service commission, shall comply with the requirements for school buses of chapter 234, Florida Statutes, to the same extent as motor vehicles which are regularly used for the transportation of pupils of the public schools to and from school or school activities.

Section 2. This act shall take effect on July 1, 1968.

On motion by Senator Chiles, SB 101-X(68) as amended was read in full, passed and ordered engrossed. The vote was: Yeas—47 Nays—None

Mr. President	Edwards	Horne	Shevin
Askew	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
de la Parte	Hollahan	Saylor	

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

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

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 as amended—

By Representatives Gallen and Pratt—

HB 218-X(68)—A bill to be entitled An act amending Section 11 of Chapter 65-1607, Special Acts of Florida, Acts of 1965, as amended by Chapter 67-1438, Special Acts of Florida, Acts of 1967, providing for an increase of the maximum interest rate to six percent (6%) per annum; providing for the certificates to mature not exceeding forty (40) years from date of issuance

as may be determined by the Hospital District Board of Hardee County; and providing for a referendum.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 218-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

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 as amended—

By Representatives Pratt and Gallen—

HB 296-X(68)—A bill to be entitled An act relating to court of record, Manatee county; amending sections 3, 5, 6, 7(b), 12, 18 and 20 of chapter 67-1062, Laws of Florida; providing jurisdiction and terms of court; providing for sounding of docket; providing for official court reporter; providing for acting prosecuting attorney; providing for assignment of judges to court of record and assignment of certain cases; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 296-X(68).

HB 296-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

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 as amended—

By Representative Gustafson and others—

HB 47-X(68)—A bill to be entitled An act relating to Broward county, amending chapter 67-1165, laws of Florida, special acts of 1967, creating the Broward County Commission on Alcoholism; amending section 10 thereof relating to appropriation of funds by the board of county commissioners of Broward county; authorizing and directing the board of county commissioners of Broward county to include in its annual budget a sum not to exceed fifty thousand dollars (\$50,000) for the purpose of a contribution or grant to the Broward County Commission on Alcoholism; declaring the budgeting and expenditure of such funds a county purpose in and for Broward county, Florida; and providing for an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to HB 47-X(68).

HB 47-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

The Senate resumed consideration of—

#### SECOND READING

SJR 167-X(68)—A Joint Resolution proposing an amendment to Section 11 of Article IX of the state constitution authorizing a state corporate income tax; prohibiting personal

income tax and estate or inheritance taxes in excess of amounts allowed by credit or deduction from any similar tax levied by the United States or any other state.

Was taken up and read the second time in full.

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

Line 28, page 1, after "the" insert the following: net

The Committee on Rules and Calendar offered the following amendment which was adopted on motion by Senator Griffin:

Line 28, page 1, after "income of corporations" insert the following: not to exceed 5% (five per cent).

Senator Friday presiding.

Senator Stone offered the following amendment which failed:

Line 28, page 1, after: "income" strike the period and insert the following: not to exceed 3% (three per cent).

Senator Sayler offered the following amendment which failed:

In Section 11, line 28, page 2, add after "corporations" partnerships, and sole proprietors.

On motion by Senator Broxson, the Senate reconsidered the vote by which the amendment offered by Senators Broxson and Poston was adopted. By permission, Senator Broxson withdrew the amendment.

The President Pro Tempore presiding.

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

In Section 1, line 27, page 1, strike: following "state tax" the balance of sentence and insert the following: at a rate not to exceed 5% on the net income before federal income tax of corporations.

Senator Wilson moved that the Senate reconsider the vote by which the amendment offered by Senators Horne, Broxson, Barrow and Poston was adopted.

Senator Weber moved as a substitute motion that SJR 167-X(68) be re-referred to an appropriate Committee. The vote was:

Yeas—17

Askew	Lane	Sayler	Weissenborn
Bell	O'Grady	Slade	Young
Deeb	Plante	Stolzenburg	
Elrod	Poston	Thomas	
Henderson	Reuter	Weber	

Nays—27

Mr. President	de la Parte	Gunter	Ott
Barron	Edwards	Haverfield	Shevin
Barrow	Fincher	Horne	Spencer
Boyd	Fisher	Johnson	Stockton
Broxson	Friday	Knopke	Stone
Chiles	Gong	McClain	Wilson
Cross	Griffin	Mathews	

The question recurred on the motion by Senator Wilson, which failed.

On motion by Senator Mathews, the rules were waived and the time of adjournment was extended until 7:00 p.m.

Senator Griffin moved that the rules be waived and SJR 167-X(68) as amended be read the third time in full. The vote was:

Yeas—32

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

Nays—13

Bell	Lane	Sayler	Young
Deeb	O'Grady	Slade	
Elrod	Plante	Thomas	
Henderson	Reuter	Weber	

SJR 167-X(68) as amended was read the third time in full as follows:

SJR 167-X(68)—A Joint Resolution proposing an amendment to Section 11 of Article IX of the state constitution authorizing a state corporate income tax; prohibiting personal income tax and estate or inheritance taxes in excess of amounts allowed by credit or deduction from any similar tax levied by the United States or any other state.

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

That Section 11 of Article IX of the state Constitution be amended as set forth below and shall 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:

(Substantial rewording)

Section 11. *Estate, inheritance and income taxes; exemption for head of family.*—No tax upon estates or inheritances or upon the income of residents or citizens of the state shall be levied by the state, or under its authority, in excess of the aggregate of amounts which may be allowed to be credited upon or deducted from any similar tax levied by the United States or any state. Notwithstanding this limitation, the legislature may enact a state tax at a rate not to exceed 5% on the net income before federal income tax of corporations. There shall be exempt from taxation to the head of a family residing in this state, household goods and personal effects to the value of Five Hundred (\$500.00) Dollars.

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

Yeas—29

Mr. President	de la Parte	Hollahan	Spencer
Barrow	Edwards	Horne	Stolzenburg
Bell	Fincher	Johnson	Stone
Boyd	Fisher	McClain	Weissenborn
Broxson	Gong	Mathews	Wilson
Chiles	Griffin	Ott	
Clayton	Gunter	Shevin	
Cross	Haverfield	Stockton	

Nays—16

Askew	Gibson	Plante	Slade
Barron	Henderson	Poston	Thomas
Deeb	Lane	Reuter	Weber
Elrod	O'Grady	Sayler	Young

Senator Friday was excused for the purpose of drafting a Committee Substitute for Senate Bills 95 and 138, resulting in his absence from the Chamber at the time vote was taken on SJR 167-X(68).

**PAIR**

The following Pair was announced by the Secretary in accordance with Senate Rule 8.4: I am paired with Senator Bafalis on SJR 167-X(68). If he were present he would vote Nay and I would vote Yea.

RAY C. KNOPKE, 23rd District

**EXPLANATION OF VOTES**

While I am willing to let the people speak on removing tax limitations from the constitution, I voted "nay" on this bill because it is discriminatory since only the corporate form of business could be taxed.

HENRY B. SAYLER, 21st District

My vote against this bill is because it discriminates against corporations. It does not include limited partnerships and sole proprietorships. Because of the unfairness and discrimination I feel very strongly against it.

RALPH R. POSTON, 46th District

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

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.

—which was amended on February 6 and retained on second reading.

Senator Young offered the following amendment which was adopted:

After resolving clause, lines 9-13, page 1, strike: entire paragraph and insert the following: That the following amendment to Section 2 of Article XII of the State Constitution is agreed to, that three-fourths (3/4) of all members of the Senate and of the House of Representatives determine that an emergency requiring an early decision by the electors of the State exists, and that said amendment be submitted to the electors of Florida for ratification or rejection at a special election to be held on May 7, 1968, and that publication of notice be given:

On motion by Senator Boyd, SJR 68-X(68) as amended was read the third time in full as follows:

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.

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

That the following amendment to Section 2 of Article XII of the State Constitution is agreed to, that three-fourths (3/4) of all members of the Senate and of the House of Representatives determine that an emergency requiring an early decision by the electors of the State exists, and that said amendment be submitted to the electors of Florida for ratification or rejection at a special election to be held on May 7, 1968, and that publication of notice be given:

**Section 2. Superintendent of schools; terms.—**

In each school district there shall be a superintendent of schools. He shall be elected as provided by law in each year the number of which is a multiple of four for a term of four years; or, when provided by local law approved by vote of the electors of the school district, the superintendent of schools shall be employed by the school board, as provided by law. Such local law may be repealed by vote of the electors only after it has been in effect for three years.

In any school district where the office of superintendent is appointive on the effective date of this amendment, it shall continue so until its status is changed in accordance with this section.

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

Yeas—43

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

Nays—2

Cross	Gibson
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On motion by Senator Gunter, the rules were waived and the Senate reverted to—

**INTRODUCTION**

By Senators Gunter, Plante, Pope, Weissenborn, Griffin, Mathews, Knopke, Clayton, McClain, Friday, Edwards, Askew, Bafalis, Barron, Barrow, Bell, Boyd, Broxson, Chiles, Cross,

Deeb, de la Parte, Elrod, Fincher, Friday, Gibson, Gong, Haverfield, Henderson, Hollahan, Horne, Johnson, Lane, O'Grady, Ott, Poston, Reuter, Saylor, Shevin, Slade, Spencer, Stockton, Stolzenburg, Stone, Thomas, Weber, Wilson and Young—

SR 191-X(68)—A resolution commending the Honorable James M. Milligan, Sr.

WHEREAS, it is entirely proper that the Senate of Florida should from time to time pause from its ponderous deliberations to recognize those among our citizenry who have made exemplary contributions far above the ordinary to our State and to our people by their dedication to public service, and

WHEREAS, the Honorable James M. Milligan, Sr. is truly such a person, having served his country as a member of the armed forces during World War II; having served as a member of the Orange County Democratic Executive Committee for twenty-six years; having served as Chairman of the Democratic Executive Committee of Florida for eight years, from 1954 to 1962, in which capacity he gave freely of his time, efforts and money to work for the cause of better government in this state; and having served in leadership capacities in many civic and veterans' organizations, including service at the highest level in the Orange county and State Jaycees Organizations and service in the Veterans of Foreign Wars and in the Orlando Area Chamber of Commerce, and

WHEREAS, he served the people of Orange County with both diligence and the highest degree of competence as Tax Assessor for that county during the years 1966 and 1967, and before that as a member of the staff of that office, and

WHEREAS, far more significant than any job he might have held or position he might have filled has been the life-long attitude of this man of compassion for people which is reflected in his years of public service and his deep personal concern for individuals and their problems, NOW, THEREFORE,

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

That we do hereby pay public tribute to and express our utmost confidence in the Honorable James M. Milligan, Sr., and we express ourselves that it is our sincere hope that he regain his good health and enjoy the many benefits of this wondrous state, many of which benefits flowed from his efforts to improve the lives of his fellow Floridians.

BE IT FURTHER RESOLVED that a copy of this resolution, duly attested by the President and Secretary of the Senate, under the Great Seal of the State of Florida, be presented to James M. Milligan, Sr. in token of the tribute of this Senate.

Was read the first time by title. On motion by Senator Gunter, SR 191-X(68) was read the second time in full and adopted.

By Senators Stockton, Slade and Fisher—

SB 192-X(68)—A bill to be entitled An act relating to education, in all counties of the state having a population of not less than four hundred fifty thousand (450,000) and not more than nine hundred thousand (900,000), according to the latest official decennial census; establishing a merit system in such counties; providing an effective date.

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

On motions by Senator Gunter, the rules were waived and the Senate reverted to consideration of the Report of Select Committee which was read and deferred on February 14, 1968, in the matter of the suspension order issued by the Governor in the case of James M. Milligan, Sr., Tax Assessor of Orange County.

On motions by Senator Gunter, the Report was adopted; the rules were waived and pursuant to the Report the Senate in open session adopted the recommendation of the Governor and James M. Milligan, Sr., was removed from office as Tax Assessor of Orange County, State of Florida. The vote was: Yeas—46 Nays—None

Mr. President	Boyd	Deeb	Friday
Askw	Broxson	de la Parte	Gibson
Barron	Chiles	Elrod	Gong
Barrow	Clayton	Fincher	Griffin
Bell	Cross	Fisher	Gunter

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

By permission the following was received—

**REPORT OF COMMITTEE**

The Committee on Education-Public Schools and Junior Colleges recommends a Committee Substitute for the following:

Senate Bills 95-X(68) and 138-X(68).

The bills with Committee Substitute attached were placed on the Calendar.

Unanimous consent was granted Senator Friday to take up Senate Bills 95-X(68) and 138-X(68) out of order, together with:

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

CS for Senate Bills 95-X(68) and 138-X(68)—A bill to be entitled An act relating to education; amending Section 231.14, Florida Statutes, exempting instructional personnel employed during certain emergencies from the state teacher certification requirements; creating Section 236.072, Florida Statutes, authorizing county boards of public instruction to declare under certain conditions that an emergency exists, to employ individuals deemed qualified by the county board to render instructional service, providing for the distribution of state funds to counties and providing an effective date.

—which was read the first time by title and Senate Bills 95-X(68) and 138-X(68) were laid on the table.

On motions by Senator Friday, the rules were waived and CS for Senate Bills 95-X(68) and 138-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	Elrod	Johnson	Slade
Askw	Fincher	Knopke	Spencer
Barron	Fisher	Lane	Stockton
Barrow	Friday	McClain	Stolzenburg
Bell	Gibson	Mathews	Stone
Boyd	Gong	O'Grady	Thomas
Broxson	Griffin	Ott	Weber
Chiles	Gunter	Plante	Weissenborn
Clayton	Haverfield	Poston	Wilson
Deeb	Henderson	Reuter	Young
de la Parte	Hollahan	Saylor	
Edwards	Horne	Shevin	

Nays—1

Cross

SB 139-X(68)—A bill to be entitled An act making a lump sum general revenue appropriation providing moneys for the collection of a floor tax with respect to beer, cigarettes and spirituous liquor to the State Beverage Department; providing an effective date.

Was taken up. On motions by Senator Henderson, the rules were waived and SB 139-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
Askw	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	Wilson
Cross	Haverfield	Reuter	Young
Deeb	Henderson	Saylor	
de la Parte	Hollahan	Shevin	

Nays—1

O'Grady

On motion by Senator Stolzenburg, by two-thirds vote, SB 174-X(68) as amended was re-referred to an appropriate committee. The bill was re-committed to the Committee on Transportation and Safety.

On motion by Senator Young, the rules were waived and the Committee on Transportation and Safety was authorized to hold a hearing at 7:30 a.m., February 16.

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

CS for HB 60-X(68)—A bill to be entitled An act relating to public education; creating and providing for the composition, organization, powers and staffing of the Florida public school board; repealing sections 228.041(1), 228.04(6) through 228.041(24), 228.13, 228.14 and 230.201, Florida Statutes; providing an effective date.

On motion by Senator Chiles, the rules were waived and CS for HB 60-X(68) was read the second time by title.

Senator Elrod offered the following amendment which failed:

In Section 3, line 20, page 3, strike: "advisory"

The vote was:

Yeas—20

Bell	Griffin	Plante	Stockton
Clayton	Henderson	Reuter	Stolzenburg
Deeb	Johnson	Sayler	Weber
Elrod	Lane	Shevin	Wilson
Fisher	O'Grady	Slade	Young

Nays—25

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

Senator Plante offered the following amendment which failed:

In Section 3, line 19, page 3, strike: Section 3 in its entirety and insert the following: Section 3. Florida Public School Board. The Florida School Board is hereby created and shall consist of one (1) elected official from each congressional district. A person to qualify for election to the board shall be a citizen of the state and shall have resided in the congressional district for which he seeks election for at least three (3) years prior to the date of election. Initially, members of the board from odd numbered congressional districts shall be elected and serve for four (4) year terms and members from even numbered congressional districts shall be elected and serve for two year terms. Thereafter, all members shall serve for (4) four years. The first members of the board shall be elected in the general election to be held in November, 1968.

The vote was:

Yeas—19

Bell	Fincher	Plante	Stone
Boyd	Griffin	Poston	Thomas
Chiles	Gunter	Reuter	Wilson
Clayton	Hollahan	Sayler	Young
de la Parte	O'Grady	Spencer	

Nays—27

Mr. President	Cross	Gibson	Johnson
Askew	Deeb	Gong	Knopke
Barron	Elrod	Haverfield	Lane
Barrow	Fisher	Henderson	McClain
Broxson	Friday	Horne	Mathews

Ott	Slade	Stolzenburg	Weissenborn
Shevin	Stockton	Weber	

Senator Broxson offered the following amendment which failed:

In Section 1, line 14, page 1, strike: "thirteen (13)" and insert twelve (12)

The Committee on Education-Public Schools and Junior Colleges offered the following amendment which was adopted on motion by Senator Chiles:

Strike: everything after the enacting clause and insert the following:

Section 1. Section 228.13, Florida Statutes, is amended to read:

228.13 Public schools required.—The public schools of the state shall provide thirteen consecutive years of instruction beginning with kindergarten and shall also provide such instruction for exceptional children as may be provided by law. Public schools, institutions and agencies providing this instruction shall constitute the uniform system of public free schools prescribed by Article XII of the constitution and which shall include the following:

(1) KINDERGARTEN.—Kindergarten classes comprising children between the ages as provided by section 232.04, shall be established by the district boards, provided, sufficient children of these ages are available to make possible an organization of at least twenty such children at any school for all such children; provided further that such classes shall be implemented on a statewide basis in annual increments so that all such children shall be served by 1973.

(2) ELEMENTARY SCHOOLS.—Elementary schools shall comprise all classes and grades through the sixth grade or, upon decision by the district board when authorized by regulations of the state board of education, may include work through the eighth grade.

(3) HIGH OR SECONDARY SCHOOLS.—High or secondary schools shall include junior high schools with grades seven to nine, inclusive; senior high schools with grades ten to twelve, inclusive; or junior-senior high schools with grades seven to twelve, inclusive; or, upon decision by the district board when authorized by regulations of the state board of education, may be organized as four-year high schools comprising grades nine to twelve, inclusive.

Section 2. Section 228.14, Florida Statutes, is amended to read:

228.14. Other public schools; nursery schools, special schools and courses.—The public schools of Florida may, in addition to the kindergarten, elementary and high schools prescribed in section 228.13, Florida Statutes, include nursery schools and special schools, courses or classes as authorized below:

(1) NURSERY SCHOOLS.—Nursery schools shall comprise classes for children who have attained the ages prescribed by section 232.05, and may be established in the discretion of district boards where sufficient children of these ages are available to make possible an organization of at least twenty such children at any school center, provided, however, that none of the funds to support nursery schools shall be supplied by the state.

(2) OTHER SCHOOLS, COURSES, AND CLASSES.—There may be established at the discretion of district boards other schools, courses and classes pursuant to law or by regulation of the Florida public school advisory board for:

- (a) Giving instruction in applied arts and sciences;
- (b) Rehabilitation of atypical, dependent and delinquent children;
- (c) Promoting the education of adults;
- (d) Furnishing part-time, evening and vocational schools and classes;
- (e) Providing vocational training; and
- (f) Offering other types of instruction of a similar nature.

Section 3. Florida public school advisory board.—The Florida public school advisory board is hereby created and shall consist of fifteen (15) citizens who shall be appointed by the governor and confirmed by the senate. One shall be appointed for each congressional district, that may exist from time to time and the difference between the number of congressional districts and fifteen (15) shall be appointed from the state at large. They shall have been residents and citizens of the state for a period of at least three (3) years prior to their appointment. Their terms of office shall be four (4) years and until their successors are appointed and qualified, except in case of an appointment to fill a vacancy, in which case the appointment shall be for the unexpired term, and except as in this section otherwise provided. Subject to confirmation as provided above, the governor shall fill all vacancies that may at any time occur in the board's membership; provided, however, the initial membership shall be appointed as soon as practical after the act creating the board becomes effective and the terms of the initial members shall expire as follows: Four on July 1, 1969, four on July 1, 1970, four on July 1, 1971, and three on July 1, 1972.

Section 4. Organization of Florida public school advisory board.—On the first Tuesday after the first Monday in January following each general election the board shall elect a chairman and vice chairman from its membership. In addition to utilizing the services of the state department of education, it shall employ such staff as may be necessary to the full performance of its duties subject to approval of the state board of education. The chief administrative officer of the board shall be the state superintendent of public instruction.

Section 5. Powers and duties of the Florida public school advisory board.—It shall be the responsibility of the board to exercise such powers and to perform such duties as are required by law or as are delegated by the state board of education. In carrying out these responsibilities the board is authorized to study and make recommendations regarding all phases of public education. In conducting such studies and in making such recommendations the board may include, but is not limited to the following areas:

(1) A program for educational research and development, which initially shall be directed toward the measurement of educational achievement, and the cost analysis of specific educational programs;

(2) A comprehensive program of staff development;

(3) Methods and procedures of program budgeting, of educational management information systems, of management techniques necessary to secure maximum utilization and efficiency in data processing equipment operations and in auxiliary and operating services, of uniform financial accounting, and of exception accounting, and programs of securing contractual services from industry;

(4) A comprehensive standardized maintenance program;

(5) A statewide personnel data bank; programs of in-service training for school administrators in cooperation with business and industry; and procedures for informing the public of educational programs, needs and objectives;

(6) A program of systems construction for school buildings in which all school districts shall be authorized to participate;

(7) A study of the per student cost including such student weighing as may be necessary to provide for special types of services relating to exceptional child education, vocational-technical education and other programs as a method of school financing as contrasted to the per unit method presently used for funding public education in the state of Florida.

(8) Compensatory education, exceptional child education, instruction in basic skills, extended services for pupils, educational testing, determination of length of school year and all other matters related to the public schools or junior colleges.

In conducting such studies the board is authorized, after the adoption of and pursuant to regulations and procedures prescribed by the State Board of Education to collect such data as may be necessary, hold hearings, and take such other actions as are deemed necessary to carry out its purposes. The various agencies of the state and the several counties shall, upon request of the board, render all possible aid and assistance and shall make available records, equipment and facilities reasonably requested by the board.

All actions of the Florida public school advisory board are subject to review by the state board of education.

Section 6. Members of the Florida public school advisory board shall receive no compensation for their services but shall be reimbursed for traveling expenses as provided in section 112.061, Florida Statutes.

Section 7. The Florida public school advisory board shall present to the governor and to each member of the state board of education and to each member of the legislature at least sixty (60) days prior to the beginning of each regular session of the legislature, a complete report of its most recent findings concerning the educational needs of the state including its recommendations, proposed legislation, and such additional information as in the opinion of the board should be brought to the attention of the legislature.

If the electorate approves a constitutional amendment in November, 1968, removing the state board of education from the state constitution, the board may recommend to the 1969 legislature an appropriate structure for the supervision of public education in Florida.

Section 8. It is declared to be the legislative intent that if any section, subsection, sentence, clause or provision of this act is held invalid, the remainder of the act shall not be affected.

Section 9. This act shall take effect July 1, 1968.

The Committee on Education-Public Schools and Junior Colleges also offered the following amendment which was adopted on motion by Senator Chiles:

Strike: the entire title and insert the following:

A bill to be entitled An act relating to public education; creating and providing for the composition, organization, powers, and staffing of the Florida public school advisory board; amending sections 228.13 and 228.14, Florida Statutes; providing an effective date.

On motion by Senator Chiles, the rules were waived and CS for HB 60-X(68) as amended was read the third time in full, passed and certified to the House. The vote was:

Yeas—33

Mr. President	Gong	Plante	Stone
Askew	Griffin	Poston	Thomas
Bell	Gunter	Reuter	Weber
Chiles	Haverfield	Saylor	Weissenborn
Deeb	Henderson	Shevin	Wilson
Elrod	Johnson	Slade	Young
Fisher	Lane	Spencer	
Friday	McClain	Stockton	
Gibson	Mathews	Stolzenburg	

Nays—12

Barron	Broxson	de la Parte	Knopke
Barrow	Clayton	Fincher	O'Grady
Boyd	Cross	Horne	Ott

SB 150-X(68)—A bill to be entitled An act relating to taxation; making an appropriation of an amount not to exceed two hundred fifty thousand dollars (\$250,000.00) to the Revenue Commission to be used for the administration and enforcement of the extended coverage of chapter 212, Florida Statutes, resulting from the enactment of Senate Bill 113-X(68); providing an effective date.

Was taken up. On motions by Senator Askew, the rules were waived and SB 150-X(68) was read the second time by title, the third time in full, passed and certified to the House. The vote was:

Yeas—41

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

Nays—5

Clayton	O'Grady	Plante	Reuter
Elrod			

SB 156-X(68)—A bill to be entitled An act relating to hyacinth control; appropriating moneys to the Game and Fresh Water Fish Commission for hyacinth control and eradication during the 1967-1968 and 1968-1969 fiscal years; providing an effective date.

Was taken up. On motions by Senator Thomas, the rules were waived and SB 156-X(68) was read the second time by title, the third time in full, passed and certified to the House. The vote was:

Yeas—36

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

Nays—3

Bell	Reuter	Stolzenburg
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SB 157-X(68)—A bill to be entitled An act relating to comptroller's office; providing an appropriation for operation of the assessment standards division; providing an effective date.

Was taken up. On motion by Senator Ott, the rules were waived and SB 157-X(68) was read the second time by title.

On motion by Senator Ott, the rules were waived and further consideration of SB 157-X(68) was deferred, the bill retaining its place on the Calendar.

SB 158-X(68)—A bill to be entitled An act relating to the Railroad Assessment Board; providing a supplemental appropriation for the remainder of the biennium; providing an effective date.

Was taken up. On motions by Senator Ott, the rules were waived and SB 158-X(68) was read the second time by title, the third time in full, passed and certified to the House. The vote was:

Yeas—20

Mr. President	Friday	Knopke	Poston
Askew	Gibson	Lane	Shevin
Barrow	Griffin	McClain	Stockton
Broxson	Henderson	Mathews	Stone
de la Parte	Horne	Ott	Thomas

Nays—18

Barron	Fisher	Plante	Weissenborn
Bell	Gunter	Reuter	Wilson
Clayton	Hollahan	Saylor	Young
Deeb	Johnson	Slade	
Elrod	O'Grady	Stolzenburg	

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all Members of the House of Representatives present on February 15, 1968, the Governor's objections to the contrary notwithstanding—

SB 317 (1967 Regular Session)—An act relating to junior colleges; amending section 230.0117(7), Florida Statutes; limiting the required local share of the junior college minimum foundation program; providing an effective date.

The Governor's objections attached thereto.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

SB 317 (1967 Regular Session), contained in the above message, was ordered certified to the Secretary of State.

*The Honorable Verle A. Pope* February 15, 1968  
*President of the Senate*

Sir:

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

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, the rental of privately owned parking and docking facilities, 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.

Amendment 1—

On page 15, line 25, strike: [newspapers, communication services,] film rentals and insert the following: newspapers, [communication services], film rentals

Amendment 2—

In Title, on page 1, line 18, strike: Newspapers

Amendment 3—

In Section 10, on page 14, line 3, Following the words: "products; field and garden seeds;" insert the following: cloth, plastic, and other materials used for shade, mulch, protection from frost or insects by a farmer on a farm owned, leased or sharecropped by him

Amendment 4—

In Section 8, on page 11, line 20, strike: the word "subsection" and insert the following in lieu thereof: "chapter"

Amendment 5—

In Section 9, on page 13, line 7, reverse the numbers (3) and (7)

Amendment 6—

On page 8, line 5, insert the following: after the words "tax is levied" "on each taxable transaction or incident and shall be due and payable, according to the brackets set forth in section 212.12, (10), Florida Statutes"

Amendment 7—

Section 2(16), page 4, line 10, after the word "entertainment" insert the following: including admissions to performances of philharmonic associations, little theaters and similar organizations,

Amendment 8—

In Section 17, page 19, line 15, strike: everything after the words Section 17. and insert the following: This act shall become effective on April 1, 1968, and shall expire June 30, 1969.

Amendment 9—

In Section 8(3)(a), on page 10, line 8, strike: . (Period) and insert the following: , ships and equipment designed for and used exclusively by commercial fisheries.

Amendment 10—

In Section 10(6), on page 13, line 26, strike: following the

word "chapter" insert the following: nets designed and used exclusively by commercial fisheries

Amendment 11—

In Section 8(3)(a), on page 10, line 5, strike: "and" and insert the following: ,

Amendment 12—

In Section 3, on page 5, line 2, strike: the period (.) and insert the following: "and the tenant actually occupying, using or entitled to the use of any property, the rentals from which are subject to taxation under any of the provisions of Chapter 212.03, Florida Statutes, shall pay this tax to his, her or its immediate landlord or other person granting the right to such tenant to occupy or use such property and no other tax hereunder shall be levied with respect to the rental of any such property. It is the legislative intent that only one tax on the rentals payable for the use of any such property be collected and not be pyramided by a succession of transactions."

Amendment 13—

In Section 15, on page 18, line 29, following Section 212.08(4), (8) insert: (e)

Amendment 14—

On page 19, line 15, following Section 16, add a new Section 17, as follows:

Section 17. If any sentence, clause, paragraph, section or subsection should be declared unconstitutional, it is the intent of the legislature that the unconstitutionality of said sentence, clause, paragraph, section or subsection should be considered severable and the legislature would have passed said act without said clause, sentence, paragraph, section or subsection.

And renumber remaining sections.

Amendment 15—

In the Title, on page 1, line 25, at the beginning of the line, add the following: "providing a severability clause;"

Amendment 16—

In Section 6, on page 8, line 24, Add a new sentence at the end of Subsection (5) to read as follows:

"The word 'charges' in this subsection shall not include any excise or similar tax levied by the Federal Government, any political subdivision of the state of Florida, or municipality upon the purchase or sale of telephone or telegraph service, or electric power, which tax is collected by the seller from the purchaser."

Amendment 17—

In Section 3, page 5, between lines 26 and 27 add a new subparagraph (7) as follows:

(7) It is the legislative intent that only one tax on the rentals payable for the use of any such property be collected and not be pyramided by a succession of transactions and that there shall be no tax imposed by the provisions of this section for those rental transactions where one party thereto is wholly owned by or a subsidiary of the other party thereto.

Amendment 18—

In Section 11, on page 15, end of line 14, add the following: this exemption shall not be included in any sales made to governmentally or publicly owned utilities;

Amendment 19—

In Title, on page 1, line 23, following 212.08(4), (8) insert (e)

—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 through 19 to SB 113-X(68) and

the House was requested to recede therefrom or appoint a Conference Committee to confer with a like Committee to be appointed on the part of the Senate to adjust the existing differences on the House amendments to SB 113-X(68). The action of the Senate was certified to the House.

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

February 15, 1968

Sir:

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

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.

Which amendment reads as follows:

In Section 1, on page 1, line 18, strike: , and insert the following: and vendors, provided, however, the additional tax due by vendors shall be payable on or before sixty days from the effective date of this act.

—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 the House amendment to SB 114-X(68) and the House was requested to recede therefrom or appoint a Conference Committee to confer with a like Committee to be appointed on the part of the Senate to adjust the existing differences on the House amendments to SB 114-X(68). The action of the Senate was certified to the House.

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

February 15, 1968

Sir:

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

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.

Amendment 1—

In Section 1, on page 1, line 25 after period insert the following: provided, however, the additional tax due by vendors shall be payable on or before sixty days from the effective date of this act.

Amendment 2—

At the end of Section 3, page 2 insert the following: The addition of the words "and vendors" in section 561.46, Florida Statutes, as accomplished by Section 1 of this act shall not be construed as imposing a new excise tax based upon sale at retail, but shall only be construed as applying the increase in tax rates set out in the act to vendors' inventories of stock on the effective date of this act.

—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 115-X(68) and the House was requested to recede therefrom or appoint a Conference Committee to confer with a like Committee to be appointed on the part of the Senate to adjust the existing differences on

the House amendments to SB 115-X(68). The action of the Senate was certified to the House.

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

February 15, 1968

Sir:

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

By Representative De Young and Others—

HB 161-X(68)—A bill to be entitled An act relating to county superintendents of public instruction; amending Section 145.08(45), Florida Statutes; providing for compensation of Martin County officer; repealing Chapter 65-936, Laws of Florida; amending Section 230.321(3), Florida Statutes, fixing the compensation of such superintendents; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 161-X(68), contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

The Senate resumed—

**SECOND READING**

By permission, Senator Hollahan withdrew SB 176-X(68) from the Senate.

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 therefor.

Was taken up. On motion by Senator Young, the rules were waived and HB 43-X(68) was read the second time by title.

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

In Section 1, lines 6-11, page 2, strike Section 1 in its entirety and insert the following: Section 1. Notwithstanding the provisions of Section 282.061, Florida Statutes, the state planning and budget commission may transfer one hundred thousand dollars (\$100,000.00) from the appropriation contained in item number 610a of Section 1, Chapter 67-300, Laws of Florida, to the police standards council which sum is in addition to the sum previously appropriated in this biennium for the purpose of carrying out the provisions of Chapter 67-230, Laws of Florida.

On motion by Senator Young, the rules were waived and HB 43-X(68) as amended was read the third time in full, passed and certified to the House. The vote was:

Yeas—45

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

Nays—1

Barrow

On motion by Senator Mathews, the rules were waived and time of adjournment was extended until receipt of a message from the House of Representatives containing SB 116-X(68) and final action thereon.

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.

Was taken up. On motion by Senator de la Parte, the rules were waived and HB 113-X(68) was read the second time by title.

Senator Barron moved that the rules be waived and HB 113-X(68) be removed from the Calendar and re-referred to an appropriate committee. The vote was:

Yeas—23

Barron	Fincher	Johnson	Slade
Barrow	Fisher	O'Grady	Stolzenburg
Bell	Gunter	Plante	Weber
Clayton	Haverfield	Reuter	Weissenborn
Deeb	Henderson	Sayler	Young
Elrod	Hollahan	Shevin	

Nays—21

Mr. President	de la Parte	Lane	Stone
Askew	Friday	McClain	Thomas
Boyd	Gibson	Mathews	Wilson
Broxson	Gong	Ott	
Chiles	Griffin	Poston	
Cross	Knopke	Stockton	

The bill was re-referred to the Committee on Mental Health, Retardation and State Institutions.

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

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

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

February 15, 1968

Sir:

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

SB 84-X(68)

SB 89-X(68)

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The bills, contained in the above message, were ordered enrolled.

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

February 15, 1968

Sir:

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

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 two cents (2¢) per package; extending distribution of tax collected in unincorporated areas to all counties; adding section 210.025, Florida Statutes, imposing an additional state tax of four cents (4¢) per package; providing an appropriation; providing an effective date.

Amendment 1—

In Section 1, on page 1, line 25, strike: "six cent (6¢)" and insert the following: "seven cent (7¢)"

Amendment 2—

In Section 1, on page 1, line 28, strike: "ten cent (10¢)" and insert the following: "eleven cent (11¢)"

Amendment 3—

In Section 1, on page 2, line 5, strike: "ten cent (10¢)" insert the following: "eleven cent (11¢)"

Amendment 4—

In Section 1, on page 2, line 8, strike: "eighteen cent (18¢)" and insert the following: "nineteen cent (19¢)"

## Amendment 5—

In Section 1, on page 2, line 14, strike: "eighteen cent (18¢)" and insert the following: "nineteen cent (19¢)"

## Amendment 6—

In Section 1, on page 2, line 18, strike: "thirty-four cent (34¢)" and insert the following: "thirty-five cent (35¢)"

## Amendment 7—

In Section 4, on page 5, line 8, strike: "four cents (4¢)" and insert the following: "three cents (3¢)"

## Amendment 8—

On page 5, line 14, add a new section 5 as follows and renumber remaining sections: Section 5. The increase of taxes herein provided for to be distributed to municipalities, Inter-american center authority and counties shall not be pledged or used by the said municipalities, Inter-american center authority or counties for bonds, revenue certificates or debt service.

## Amendment 9—

In Section 1, on page 1, after nineteenth line insert the following: (1)(a) Upon all cigarettes, as herein defined, four inches long or less, five mills on each cigarette.

(b) Upon all cigarettes, as herein defined, more than four inches long and not more than six inches long, fourteen mills on each cigarette.

(c) Upon all cigarettes, as herein defined, more than six inches long, fourteen mills on each cigarette.

## Amendment 10—

In the Title, on page 1, strike line 6, and insert the following: (2¢) per package; providing for a discount for stamps purchased; extending distribution

—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, 2, 3, 4, 5, 6, 7, 8, 9 and 10 to SB 116-X(68), and the House was requested to recede therefrom. The action of the Senate was certified to the House.

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

February 15, 1968

*Sir:*

I am directed to inform the Senate that the House of Representatives has refused to recede from House amendments to SB 113-X(68), SB 114-X(68), SB 115-X(68), SB 116-X(68).

And the Speaker of the House of Representatives has appointed Representatives Sweeny, Walker, Wolfson, Wells, Osborne, and Eddy as a Conference Committee on the part of the House to confer with a like committee on the part of the Senate to adjust the differences on SB's 113-X(68), 114-X(68), 115-X(68), and 116-X(68).

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The President announced the appointment of Senators Griffin, Mathews, Stone, Ott, Elrod and Henderson as a Conference Committee to confer with the like committee on the part of the House to adjust the differences on Senate Bills 113-X(68), 114-X(68), 115-X(68) and 116-X(68).

The action of the Senate was certified to the House.

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

February 15, 1968

*Sir:*

I am directed to inform the Senate that the House of Representatives has receded from amendments to SB 70-X(68).

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The bill contained in the above message was ordered enrolled.

On motion by Senator Askew, by two-thirds vote, SB 181-X(68) was withdrawn from the Committee on Appropriations and placed on the Calendar.

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

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.

On motions by Senator Askew, the rules were waived and HB 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—45

Mr. President	Elrod	Johnson	Slade
Askew	Fincher	Knopke	Spencer
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
Clayton	Haverfield	Poston	Young
Cross	Henderson	Reuter	
Deeb	Hollahan	Sayler	
de la Parte	Horne	Shevin	

Nays—1

Stockton

## CO-INTRODUCERS

By permission, Senators Shevin, Stolzenburg and Bell were recorded as co-introducers of SB 173-X(68).

By permission, Senator Poston was recorded as co-introducer of SB 174-X(68).

By permission, Senator O'Grady was recorded as a co-introducer of SB 156-X(68).

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 7:49 p.m. to reconvene at 9:30 a.m. February 16, 1967.