

SPECIAL SESSION

JOURNAL OF THE SENATE

Thursday, June 27, 1968

The Senate was called to order by the President at 9:30 a.m.
A quorum present—47:

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

Excused: Senator Spencer until 11 a.m. Senator Stone for the afternoon session.

Prayer by the Secretary of the Senate:

Eternal God, grant us victory in our considerations of this labor. We lean heavily upon thee, in these crucial moments of our state's history, because we need thy guidance in resolving satisfactorily that which will satisfy this ill. We seek to prescribe that which will enrich cultivation in those areas charting our state's development, enabling us to better cope with life's challenges. May fruitful wisdom engulf our thoughts.

In our Master's name, we pray. Amen.

The Journal of June 26 was corrected and approved as follows:

Page 55, counting from the bottom of column 1, line 13, strike "legislative" and insert legislature

Page 55, counting from the bottom of column 2, between lines 8 and 9 insert Barrow in first column of roll call

Page 55, counting from the bottom of column 2, line 27, strike "VI" and insert IV

Page 57, column 1, line 23, strike "VII" and insert VIII

Page 62, counting from the bottom of column 2, between lines 29 and 30 insert the following:

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any

The Journal of June 25 was further corrected and approved as follows:

Page 50, column 1, strike lines 17 through 19 and insert the following:

The Senate resumed consideration of—

SJR 2-2X—A joint resolution proposing a revision of portions of the Constitution of the State of Florida, excepting therefrom revision of Articles V, VI, and VIII.

together with the amendment offered by Senator Weissenborn, which was pending at the hour of recess.

Page 51, column 2, line 15, strike "Subsection 6" and insert subsection b

The Journal of June 24 was further corrected and approved as follows:

Page 20, column 2, line 6, strike "coney" and insert money

Page 27, counting from the bottom of column 1, line 2, before "consent" insert her

Page 28, counting from the bottom of column 1, line 11, strike "call a convention to"

Page 29, column 1, line 3, strike "6" and insert 7

Page 30, counting from the bottom of column 2, line 14, strike "pro" and insert provided

Page 36, counting from the bottom of column 1, line 1, strike "entireties" and insert entirities

Page 40, column 1, line 19, strike "tills" and insert tolls

Page 40, column 2, line 9, strike "o" and insert to

On motion by Senator Hollahan, by two-thirds vote, SB 10-2X was withdrawn from the Committee on Judiciary "A".

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends the following pass: SJR 3-2X with 3 amendments.

The Committee on Appropriations recommends the following pass: SB 9-2X with 3 amendments, SB 10-2X with 3 amendments and SB 16-2X with 1 amendment.

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

ENGROSSING REPORT

Your Engrossing Clerk reports that the Senate Amendments have been incorporated in the following Joint Resolution which was certified to the House: SJR 2-2X

EDWIN G. FRASER
Secretary of the Senate

Unanimous consent was granted Senators Broxson and Cross to be recorded as voting "Yea" on the passage of SJR 2-2X on June 26.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The Honorable Verle A. Pope
President of the Senate

June 26, 1968

Sir:

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

By Representative Dubbin and others—

HJR 1-2X—A joint resolution proposing a revision of portions of the Constitution of the State of Florida, excepting therefrom revision of Articles V, VI, and VIII.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HJR 1-2X, contained in the above message, was read the first time in full and referred to the Committee on Rules and Calendar.

SPECIAL ORDER CALENDAR

Consideration of SJR 5-2X was deferred, the bill retaining its place on the Calendar.

SJR 4-2X—A joint resolution proposing a revision of Article

VI of the Constitution of the State of Florida relating to suffrage and eligibility.

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

That the following proposed revision of Article VI of the Constitution of the State of Florida is hereby agreed to and shall be submitted to the electors of this state for ratification or rejection at the next general election to be held in November 1968:

ARTICLE VI

SUFFRAGE AND ELECTIONS

Section 1. **REGULATION OF ELECTIONS.**—All elections by the people shall be by direct and secret vote. General elections shall be determined by a plurality of votes cast. Registration and elections shall, and political party functions may, be regulated by law.

Section 2. **ELECTORS.**—Every citizen of the United States who is at least nineteen years of age and who has been a permanent resident for one year in the state and six months in a county, if registered as provided by law, shall be an elector of that county. Provisions may be made by law for other bona fide residents of the state who are at least nineteen years of age to vote in the election of presidential electors.

Section 3. **OATH.**—Each eligible citizen upon registering shall subscribe the following: "I do solemnly swear (or affirm) that I will protect and defend the Constitution of the United States and the Constitution of the State of Florida, and that I am qualified to register as an elector under the Constitution and laws of the State of Florida."

Section 4. **DISQUALIFICATIONS.**—No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability.

Section 5. **GENERAL AND SPECIAL ELECTIONS.**—A general election shall be held in each county on the first Tuesday after the first Monday in November of each even-numbered year to choose a successor to each elective state and county officer, other than justices and judges, whose term will expire before the next general election and, except as provided herein, to fill each vacancy in elective office for the unexpired portion of the term. Elections to choose justices and judges, special elections, and referenda shall be held as provided by law.

Section 6. **MUNICIPAL AND DISTRICT ELECTIONS.**—Registration and elections in municipalities shall, and in other governmental entities created by statute may, be provided by law.

Was taken up and read the second time in full.

Senators Saylor, Deeb and Reuter offered the following amendment:

Amendment 1—Article VI, Section 2, page 1, beginning at line 8, every citizen of the United States who is at least [nineteen] *twenty one* years of age and who has been a permanent resident for one year in the state and six months in a county, if registered as provided by law, shall be an elector of that county. Provisions may be made by law for other bona fide residents of the state who are at least [nineteen] *twenty one* years of age to vote in the election of presidential electors.

The President Pro Tempore presiding.

The President presiding.

Pending consideration of the foregoing amendment, on motion by Senator Mathews, the Senate recessed at 11:05 a.m.

The Senate was called to order by the President at 11:17 a.m. A quorum present.

Senator Deeb moved the adoption of the amendment which was pending at the time of recess and the amendment failed. The vote was:

Yeas—16

Bafalis	Deeb	Johnson	Stockton
Barrow	Edwards	Ott	Stolzenburg
Bell	Elrod	Reuter	Weber
Clayton	Henderson	Saylor	Young

Nays—31

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

EXPLANATION OF VOTE

Although I personally do not support the proposition of lowering the voting age to 19, I voted against the amendment because I feel the people of the state should be allowed to make this decision.

David C. Lane, 36th District

Senator Fisher offered the following amendment which failed:

Article VI, add a new section on page 2, beginning at line 12:

Section 7. **MINORS DISABILITIES OF AGE.**—Upon reaching the age of an elector, a minor's disabilities of age which are provided by law shall be removed, except when otherwise provided herein.

On motion by Senator Mathews, the rules were waived and SJR 4-2X was read the third time in full, passed by the required Constitutional three-fifths vote of all members elected to the Senate, and certified to the House. The vote was:

Yeas—34

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

Nays—14

Bafalis	Elrod	Plante	Stolzenburg
Clayton	Fisher	Reuter	Young
Deeb	Henderson	Saylor	
Edwards	Johnson	Stockton	

SJR 5-2X—A joint resolution proposing a revision of Article VIII of the Constitution of the State of Florida relating to counties and cities.

Was taken up and read the second time in full.

Senator Deeb offered the following amendment:

Amendment 1—Article VIII, Section 1, Subsection f, page 2, beginning at line 14, after the word "self-government" strike the words "except as otherwise" and insert the word as

Pending consideration of the foregoing amendment, the hour of recess having arrived, a point of order was called and the Senate recessed at 12:00 noon to reconvene at 1:30 p.m.

AFTERNOON SESSION

The Senate was called to order by the President Pro Tempore at 1:30 p.m. A quorum present—47:

Mr. President	Broxson	Elrod	Gunter
Askew	Chiles	Fincher	Haverfield
Bafalis	Clayton	Fisher	Henderson
Barron	Cross	Friday	Hollahan
Barrow	Deeb	Gibson	Horne
Bell	de la Parte	Gong	Johnson
Boyd	Edwards	Griffin	Knopke

Lane	Plante	Slade	Weber
McClain	Poston	Spencer	Weissenborn
Mathews	Reuter	Stockton	Wilson
O'Grady	Sayler	Stolzenburg	Young
Ott	Shevin	Thomas	

By permission, the following report was received:

REPORT OF COMMITTEE

The Committee on Rules and Calendar recommends the following pass: HJR 1-2X with 1 amendment.

The joint resolution was placed on the Calendar.

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

INTRODUCTION

By the required Constitutional two-thirds vote of the Senate, Senate Bills 18-2X, 19-2X and 20-2X were admitted for introduction and consideration. The vote was:

Yeas—38

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

Nays—3

Henderson	Stockton	Weber
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By Senator Edwards—

SB 18-2X—A bill to be entitled An act relating to transfer of surplus property between boards of county commissioners and boards of public instruction; amending chapter 125, Florida Statutes, by adding section 125.405 authorizing transfers to boards of public instruction under certain conditions; adding subsection (4) to section 235.04, Florida Statutes, authorizing such transfers to boards of county commissioners under certain conditions.

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

By Senator Askew—

SB 19-2X—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.

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

Senator Edwards presiding.

On motion by Senator Askew, the rules were waived and SB 19-2X was withdrawn from the Committee on Rules and Calendar and placed on the Calendar.

Unanimous consent was granted Senator Askew to take up SB 19-2X out of order.

On motions by Senator Askew, the rules were waived and SB 19-2X was read the second time by title, the third time in full, passed and certified to the House. The vote was: Yeas—47 Nays—None

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

By Senators Askew and Sayler—

SB 20-2X—A bill to be entitled An act relating to State educational agencies; amending section 229.062, Florida Statutes, providing a maximum interest rate allowable on bonds issued pursuant to section 19, article XII of the State constitution of 1885 as amended; providing an effective date.

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

By Senators Deeb and Sayler—

SCR 21-2X—A concurrent resolution requesting that the Senate and House be jointly organized into committees to hold public hearings on joint resolutions considered by the legislature.

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

A motion by Senator Deeb failed that the rules be waived and SCR 21-2X be withdrawn from the Committee on Rules and Calendar and placed on the Calendar.

The Senate resumed consideration of—

SJR 5-2X—A joint resolution proposing a revision of Article VIII of the Constitution of the State of Florida relating to counties and cities.

together with the amendment offered by Senator Deeb, which was pending at the hour of recess.

ARTICLE VIII

The President presiding.

Senator Mathews offered and moved the following substitute amendment:

Article VIII, Section 1, Subsection f, page 2, beginning at line 14, after "power of" insert local

The President Pro Tempore presiding.

Senator Deeb offered the following amendment to the substitute amendment:

Article VIII, Subsection f, page 2, beginning at line 14, strike the word "local" and after the word "self-government" strike "except" and after the word "as" strike the word "otherwise"

Senator Pope requested unanimous consent to defer further consideration of the foregoing amendment and take up Amendment 7 by Senator Barrow out of order. Senator Slade objected.

The President presiding.

The question recurred on the amendment to the substitute amendment to Amendment 1, which failed.

The substitute amendment failed.

Senator Deeb moved the adoption of Amendment 1 which failed.

On motion by Senator Mathews, the rules were waived and time of adjournment was extended until 4:30 p.m.

On request of Senator O'Grady, by unanimous consent the following amendment by Senator Barrow was taken up out of order:

Amendment 7.—Article VIII, Section 1, Subsection (f), page 2, beginning at line 15, after "Law" strike the period, insert: , providing however that no county may exercise such powers until approved by the majority vote of the electors of that particular county.

Senator Barrow offered the following substitute amendment which failed:

Article VIII, Section 1, Subsection (f), page 2, beginning at line 12, after "NON-CHARTER GOVERNMENT." strike Counties and remainder of sentence and insert: Subject to a vote of the electors each county not operating under a county charter shall have the power of self government except as otherwise provided by general or special law.

Senator Barrow moved that the Senate reconsider the vote by which the substitute amendment for amendment 7 failed. The vote was:

Yeas—21

Mr. President	Chiles	Henderson	Thomas
Askew	Clayton	Horne	Wilson
Barron	Deeb	Knopke	Young
Barrow	Fisher	O'Grady	
Boyd	Gibson	Sayler	
Broxson	Gunter	Stolzenburg	

Nays—19

Bell	Hollahan	Ott	Spencer
Cross	Johnson	Plante	Stockton
Elrod	Lane	Poston	Weber
Fincher	McClain	Shevin	Weissenborn
Friday	Mathews	Slade	

The question recurred on the adoption of the substitute amendment which was adopted. The vote was:

Yeas—25

Mr. President	Clayton	Henderson	Stolzenburg
Askew	Deeb	Horne	Thomas
Barron	Fisher	Knopke	Wilson
Barrow	Gibson	Mathews	Young
Boyd	Gong	O'Grady	
Broxson	Griffin	Poston	
Chiles	Gunter	Reuter	

Nays—19

Bell	Haverfield	Ott	Spencer
Cross	Hollahan	Plante	Stockton
Elrod	Johnson	Sayler	Weber
Fincher	Lane	Shevin	Weissenborn
Friday	McClain	Slade	

Senator Deeb offered the following amendment which failed:

Amendment 2—Article VIII, Section 1, Subsection g, page 2, beginning at line 24, after the word "government", strike the words "not inconsistent with" and insert: as provided by

Amendment 3 was withdrawn.

Senator Deeb offered the following amendment which was adopted:

Amendment 4—Article VIII, Section 6, Subsection d, page 5, beginning at line 31, strike the entire subsection and renumber the rest.

Unanimous consent was granted Senator Gunter to change his vote from Nay to Yea on the adoption of Amendment 4 to Article II of SJR 2-2X on June 26.

Senator Sayler offered the following amendment which was adopted:

Amendment 5—Article VIII, Section 1, Subsection f, page 2, beginning at line 12:

Counties not operating under county charters shall have the power of self-government except as otherwise provided by general or special law. The board of county commissioners of a county not operating under a charter may enact, in a manner prescribed by general law, county ordinances not inconsistent with law, [but an ordinance in conflict with municipal ordinance shall not be effective within the municipality to the extent of such conflict.] *but such ordinances shall not be effective in any municipality without the consent of its governing body.*

Senator Sayler presiding.

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

Amendment 6—Article VIII, Section 7, page 6, add new section:

Section 7. **EFFECTIVE DATE.** This revised Article VIII shall take effect at 12:01 o'clock A.M. January 1, A.D. 1970.

The President presiding.

Senator O'Grady offered the following amendment which failed:

Amendment 8—Article VIII, Section 1, Subsection f, page 2, beginning at line 14, after "self government", insert: through county ordinances; and after "not inconsistent with law," insert or constitutional provisions or limitations on the government of this state.

Amendment 9 was withdrawn.

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

Amendment 10—Article VIII, Section 3, page 4, beginning at line 7,

The government of a county and the government of one or more municipalities located therein may be consolidated into a single government which may exercise any and all powers of the county and the several municipalities. By special law a consolidation plan may be proposed which shall become effective only if approved by vote of the electors of the county, [or of the county] and of the municipalities affected as may be provided in the plan. Consolidation shall not extend the territorial scope of taxation for the payment of pre-existing debt except to areas whose residents receive a benefit from the facility or service for which the indebtedness was incurred.

Amendment 11 was withdrawn.

On motion by Senator Mathews, the rules were waived and SJR 5-2X as amended was read the third time in full, as follows:

SJR 5-2X—A joint resolution proposing a revision of Article VIII of the Constitution of the State of Florida relating to counties and cities.

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

That the following proposed revision of Article VIII of the Constitution of the State of Florida is hereby agreed to and shall be submitted to the electors of this state for ratification or rejection at the next general election to be held in November 1968:

ARTICLE VIII

LOCAL GOVERNMENT

Section 1. **COUNTIES.**—

(a) **POLITICAL SUBDIVISIONS.** The state shall be divided by law into political subdivisions called counties. Counties may be created, abolished or changed by law, with provision for payment or apportionment of the public debt.

(b) **COUNTY FUNDS.** The care, custody and method of disbursing county funds shall be provided by general law.

(c) **GOVERNMENT.** Pursuant to general or special law a county government may be established by charter which shall be adopted, amended or repealed only upon vote of the electors of the county in a special election called for that purpose.

(d) **COUNTY OFFICERS.** There shall be elected by the electors of each county, for terms of four years, a sheriff, a tax collector, a tax assessor, a supervisor of elections, and a clerk of the circuit court; except, when provided by county charter or special law approved by vote of the electors of the county, any county officer may be chosen in another manner therein specified, or any county office may be abolished when all the duties of the office prescribed by general law are transferred to another office. When not otherwise provided by county charter or special law approved by vote of the electors, the clerk of the circuit court shall be ex officio clerk of the board of county commissioners, auditor, recorder, and custodian of all county funds. In each magistrates court district the office of constable with a term of four years may be established or abolished by county charter or law approved by vote of the electors.

(e) **COMMISSIONERS.** Except when otherwise provided by county charter, the governing body of each county shall be a board of county commissioners composed of five members serving staggered terms of four years. After each decennial census the board of county commissioners shall divide the county into districts of contiguous territory as nearly equal in population as practicable. One commissioner residing in each district shall be elected by the electors of the county.

(f) **NON-CHARTER GOVERNMENT.** *Subject to a vote of the electors each county [counties not] operating under a county charter [charters] shall have the power of self-government except as otherwise provided by general or special law. The board of county commissioners of a county not operating under a charter may enact, in a manner prescribed by general law, county ordinances not inconsistent with law, [but an ordinance in conflict with a municipal ordinance shall not be effective within the municipality to the extent of such conflict.] but such ordinances shall not be effective in any municipality without the consent of its governing body.*

(g) **CHARTER GOVERNMENT.** Counties operating under county charters shall have all powers of local self-government not inconsistent with general law, or with special law approved by vote of the electors. The legislative body of a county operating under a charter may enact county ordinances not inconsistent with general law. The charter shall provide which shall prevail in the event of conflict between county and municipal ordinances.

(h) **TAXES—LIMITATION.** Property situate within municipalities shall not be subject to taxation for services rendered by the county exclusively for the benefit of the property or residents in unincorporated areas.

(i) **COUNTY ORDINANCES.** Each county ordinance shall be filed with the secretary of state and shall become effective at such time thereafter as fixed by general law.

(j) **VIOLATION OF ORDINANCES.** Persons violating county ordinances shall be prosecuted and punished as provided by law.

(k) **COUNTY SEAT.** In every county there shall be a county seat at which shall be located the principal offices and permanent records of all county officers. The county seat may not be moved except as provided by general law. Branch offices for the conduct of county business may be established elsewhere in the county by resolution of the governing body of the county in the manner prescribed by law. No instrument shall be deemed recorded in the county until filed at the county seat according to law.

Section 2. MUNICIPALITIES.—

(a) **ESTABLISHMENT.** Municipalities may be established or abolished and their charters amended pursuant to general or special law. When any municipality is abolished, provision shall be made for the protection of its creditors.

(b) **POWERS.** Municipalities shall have governmental, corporate and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law. Each municipal legislative body shall be elective.

(c) **ANNEXATION.** Municipal annexation of unincorporated territory, merger of municipalities, and exercise of extra-territorial powers by municipalities shall be as provided by general or special law.

Section 3. **CONSOLIDATION.**—The government of a county and the government of one or more municipalities located therein may be consolidated into a single government which may exercise any and all powers of the county and the several municipalities. By special law a consolidation plan may be proposed which shall become effective only if approved by vote of the electors of the county, or of the county and municipalities affected as may be provided in the plan. Consolidation shall not extend the territorial scope of taxation for the payment of pre-existing debt except to areas whose residents receive a benefit from the facility or service for which the indebtedness was incurred.

Section 4. **TRANSFER OF POWERS.**—By law or by resolution of the governing bodies of each of the governments affected, any functions or powers of a municipality or a special district may be transferred to the county in which the municipality or special district is located or to any other municipality or special district in the county, after approval by vote of the electors of the transferor and approval of the governing body of the transferee.

Section 5. **LOCAL OPTION.**—Local option on the legality or prohibition of the sale of intoxicating liquors, wines or beers shall be preserved to each county. The status of a county with respect thereto shall be changed only by vote of the electors in

a special election called upon the petition of twenty-five per cent of the electors of the county, and not sooner than two years after an earlier election on the same question. Where legal, the sale of intoxicating liquors, wines and beers shall be regulated by law.

Section 6. SCHEDULE.—

(a) This article shall replace all of Article VIII of the Constitution of 1885, as amended, except those sections expressly retained and made a part of this article by reference.

(b) **COUNTIES—COUNTY SEATS—MUNICIPALITIES—DISTRICTS.** The status of the following items as they exist on the date this article becomes effective is recognized and shall be continued until changed in accordance with law: the counties of the state; their status with respect to the legality of the sale of intoxicating liquors, wines and beers; the method of selection of county officers; the performance of municipal functions by county officers; the county seats; and the municipalities and special districts of the state, their powers, jurisdiction and government.

(c) **OFFICERS TO CONTINUE IN OFFICE.** Every person holding office when this article becomes effective shall continue in office for the remainder of the term if that office is not abolished. If the office is abolished the incumbent shall be paid adequate compensation, to be fixed by law, for the loss of emoluments for the remainder of the term.

[(d) **ORDINANCES.** Local laws relating only to unincorporated areas of a county on the effective date of this article may be amended or repealed by county ordinance.]

[(e) (d) **CONSOLIDATION AND HOME RULE.** Article VIII, Sections 9, 10, 11 and 24, of the Constitution of 1885, as amended, shall remain in full force and effect as to each county affected, as if this article had not been adopted, until that county shall expressly adopt a charter or home rule plan pursuant to this article. All provisions of the Metropolitan Dade County Home Rule Charter, heretofore or hereafter adopted by the electors of Dade County pursuant to Article VIII, Section 11, of the Constitution of 1885, as amended, shall be valid, and any amendments to such charter shall be valid, provided that the said provisions of such charter and the said amendments thereto are authorized under said Article VIII, Section 11, of the Constitution of 1885, as amended.

[(f) (e) **DADE COUNTY—POWERS CONFERRED UPON MUNICIPALITIES.** To the extent not inconsistent with the powers of existing municipalities or general law the Metropolitan Government of Dade County may exercise all the powers conferred now or hereafter by general law upon municipalities.

[(g) (f) **DELETION OF OBSOLETE SCHEDULE ITEMS.** The legislature shall have power, by joint resolution, to delete from this article any subsection of this Section 6, including this subsection, when all events to which the subsection to be deleted is or could become applicable have occurred. A legislative determination of fact made as a basis for application of this subsection shall be subject to judicial review.

Section 7. **EFFECTIVE DATE.**—*This revised Article VIII shall take effect at 12:01 o'clock A.M. January 1, A.D. 1970.*

—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—34

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

Nays—11

Bafalis	Deeb	Fisher	Plante
Barron	Edwards	Henderson	Thomas
Clayton	Elrod	O'Grady	

EXPLANATION OF VOTE

I voted Yea on SJR 5-2X because it was necessary to get my amendment through requiring per county vote for Section 1 (f) so that the voters of each county would be assured the individual right of self-determination.

WILLIAM DEAN BARROW, 3rd District

Unanimous consent was granted Senator Mathews to take up HJR 1-2X out of order.

HJR 1-2X—A joint resolution proposing a revision of portions of the Constitution of the State of Florida, excepting therefrom revision of Articles V, VI, and VIII.

On motion by Senator Mathews, the rules were waived and HJR 1-2X was read the second time in full.

The Committee on Rules and Calendar offered the following amendment which was moved by Senator Mathews and failed:

Amendment 1—Strike everything after the resolving clause and insert in lieu thereof the text of SJR 2-2X.

The vote was:

Yeas—21

Mr. President	Edwards	Horne	Spencer
Askew	Fincher	Knopke	Thomas
Boyd	Friday	Lane	Weber
Chiles	Gong	Mathews	
Cross	Haverfield	Ott	
de la Parte	Hollahan	Shevin	

Nays—24

Bafalis	Deeb	Henderson	Sayler
Barron	Elrod	Johnson	Stockton
Barrow	Fisher	O'Grady	Stolzenburg
Bell	Gibson	Plante	Weissenborn
Broxson	Griffin	Poston	Wilson
Clayton	Gunter	Reuter	Young

On motion by Senator Mathews, the Senate reverted to the consideration of—

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The Honorable Verle A. Pope
President of the Senate

June 27, 1968

Sir:

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

sentatives has passed, as amended, by the required constitutional three-fifths vote of all members elected to the House of Representatives—

By Representative Dubbin and others—

HJR 3-2X—A joint resolution proposing a revision of Article VI of the Constitution of the State of Florida relating to suffrage and eligibility.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HJR 3-2X, contained in the above message, was read the first time in full and referred to the Committee on Rules and Calendar.

On motion by Senator Mathews, the rules were waived and time of adjournment was extended until final action on HJR 1-2X.

A motion by Senator Bafalis was adopted that the Senate reconsider the vote by which the amendment to HJR 1-2X failed. The vote was:

Yeas—27

Mr. President	Broxson	Gunter	Ott
Askew	Chiles	Haverfield	Poston
Bafalis	Cross	Henderson	Shevin
Barron	Edwards	Hollahan	Spencer
Barrow	Friday	Horne	Thomas
Bell	Gong	Knopke	Weber
Boyd	Griffin	Mathews	

Nays—12

Deeb	Gibson	Reuter	Weissenborn
Elrod	O'Grady	Sayler	Wilson
Fisher	Plante	Stolzenburg	Young

Pending consideration of the amendment to HJR 1-2X, the hour of adjournment having arrived, a point of order was called and the Senate adjourned at 4:45 p.m. to reconvene at 9:30 a.m., June 28, 1968.