

# JOURNAL OF THE SENATE

Friday, May 16, 1969

The Senate was called to order by Senator Friday at 9:30 a.m. for the purpose of conducting the order of business of Introduction and reference of Resolutions, Memorials, Bills and Joint Resolutions, pursuant to Rule 4.3.

## INTRODUCTION

By Senator Stone—

SCR 1248—A concurrent resolution adopting a schedule of rates and amounts of taxes and fees levied by or on behalf of the State of Florida; directing that it be contained in the official Florida Statutes and in data processing form; excluding the schedule from printing as a bill and in journals; directing the comptroller to compile, publish, and distribute fiscal data as to each such tax and fee to the extent determinable but including the estimated direct cost of collection for each such tax and fee.

Was read the first time in full and referred to the Committee on Ways and Means.

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

SB 1249—A bill to be entitled An act relating to Hillsborough County, teacher tenure; amending section 4 of chapter 21287, Laws of Florida, 1941, by adding subsection (e), to provide an additional ground for the discharge or the demotion of teachers; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1249.

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

By Senator Ott—

SB 1250—A bill to be entitled An act relating to larceny; amending subsections 811.27(1), 821.121(1) and section 822.23, Florida Statutes, prohibiting the larceny of fish from fish hatcheries or fish farms; providing penalties therefor; providing an effective date.

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

By Senator Ott—

SB 1251—A bill to be entitled An act relating to occupational license taxes; amending subsection 205.181(1), Florida Statutes, exempting piscicultural and fish farms from the payment of all forms of license tax when the product is being offered for sale or sold by the producer; providing an effective date.

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

By Senator McClain—

SB 1252—A bill to be entitled An act relating to freight forwarding; amending section 323.52(1), Florida Statutes, redefining the words "freight forwarder"; providing an effective date.

Was read the first time by title and referred to the Committee on Commerce and Licensed Businesses.

By Senator Broxson—

SB 1253—A bill to be entitled An act relating to the public schools; amending section 237.18(1) and (4), Florida Statutes; specifying that the millages set by the school board and voted by freeholders are for the current operating fund; making minor changes of terminology; providing an effective date.

Was read the first time by title and referred to the Committees on Education and Ways and Means.

By Senator Broxson—

SB 1254—A bill to be entitled An act relating to public education; amending the introductory paragraph of section

228.14(2), Florida Statutes; providing that school boards may establish other schools, courses, and classes pursuant to regulation of the state board; providing an effective date.

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

By Senator Broxson—

SB 1255—A bill to be entitled An act relating to school finance; amending section 236.57, Florida Statutes; deleting requirement that the district bond reports of the school superintendent be published and a copy thereof sent to the commissioner of education; providing an effective date.

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

By Senator Broxson—

SB 1256—A bill to be entitled An act relating to the public schools; amending section 237.09(1) and (2), Florida Statutes, and adding paragraph (d) thereto; requiring compilation of a contracted programs budget; prescribing funds to be included in contracted programs budget; making certain minor changes of terminology; providing an effective date.

Was read the first time by title and referred to the Committees on Education and Ways and Means.

By Senator Broxson—

SB 1257—A bill to be entitled An act relating to public education; amending section 228.041(22), Florida Statutes, to define the term "special education services" as certain related services as approved by regulations of the state board of education; providing an effective date.

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

By Senator Broxson—

SB 1258—A bill to be entitled An act relating to the district school system; amending section 230.04, Florida Statutes; providing that district school boards are to be composed of not less than five (5) members; providing an effective date.

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

By Senator Ducker—

SB 1259—A bill to be entitled An act relating to school building construction; adding new subsection 235.26(5) to authorize construction of relocatable classrooms; providing for an effective date.

Was read the first time by title and referred to the Committees on Education and Ways and Means.

By Senator Ducker—

SB 1260—A bill to be entitled An act relating to authority of teachers; amending § 232.27, Florida Statutes; permitting corporal punishment by teacher; providing for an effective date.

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

By Senator Ducker—

SB 1261—A bill to be entitled An act relating to certification of public school teachers; repealing § 231.17(f), Florida Statutes, which requires a recommendation from the institution of higher learning from which the applicant was graduated; providing for an effective date.

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

By Senator Ducker—

SB 1262—A bill to be entitled An act relating to public schools; amending § 232.25, relating to time when pupils are subject to control of school; providing for an effective date.

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

By Senator Ducker—

SB 1263—A bill to be entitled An act relating to excise taxes on beverages; amending subsection 561.46(2)(a) and adding new subsection 561.46(2)(c), Florida Statutes; providing for tax rate on wines containing more than one per cent alcohol by weight and not more than five per cent alcohol by weight; providing effective date.

Was read the first time by title and referred to the Committees on Commerce and Licensed Businesses and Ways and Means.

By Senator Beaufort—

SB 1264—A bill to be entitled An act relating to the state and county retirement system; amending section 122.20, Florida Statutes, by adding subsection (5); exempting from section 122.35, Florida Statutes, certain activities of the council for the blind regarding blind persons; providing an annual appropriation to match blind persons' contributions to retirement and social security trust funds.

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

By Senator Fincher—

SB 1265—A bill to be entitled An act relating to firemen generally; amending section 112.18, Florida Statutes, providing that certain diseases and disability or death of firemen shall be presumed to have been accidental and suffered in the line of duty; effecting all firemen employed in Florida by any municipal, county, port authority, or fire control district, subject to a pension plan, created by general law, a municipal charter or a special act of the legislature; repealing all provision found in existing pension plans that are inconsistent with this act; providing an effective date.

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

By Senator Fincher—

SB 1266—A bill to be entitled An act relating to tuition grants; amending chapter 236, Florida Statutes, by adding section 236.02, directing the state minimum foundation program fund to reimburse certain parents for tuition costs of their children in grades K-12; providing an effective date.

Was read the first time by title and referred to the Committees on Education and Ways and Means.

By Senators Broxson and Horne—

SB 1267—A bill to be entitled An act relating to workmen's compensation; amending section 440.11, Florida Statutes, extending the exclusiveness of liability of an employer to his insurance carrier, service agent or safety consultant; providing an effective date.

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

By Senator Friday—

SB 1268—A bill to be entitled An act relating to hotel and restaurant commission; removing jurisdiction of commission regarding approval of plans, inspection, and license fees for apartment houses during the course of construction by repealing subsection (10) of section 509.211, Florida Statutes; amending section 509.211 (4) (a), Florida Statutes; amending section 509.212, Florida Statutes; and amending section 509.251(2)(b), Florida Statutes.

Was read the first time by title and referred to the Committee on Commerce and Licensed Businesses.

By Senator Haverfield—

SB 1269—A bill to be entitled An act relating to billiards; amending section 849.06, F. S., regulating age of persons visiting places where billiards are played; defining billiard parlor; providing an effective date.

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

By Senator Horne—

SB 1270—A bill to be entitled An act relating to municipalities, municipal resort tax; repealing chapter 67-930, Laws of Florida, which provided for the levy and collection of a municipal resort tax on certain rentals and sales of food and beverages; providing an effective date.

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

Senator Gong—

SB 1271—A bill to be entitled An act relating to deposits of money in the banks of the state; amending section 18.10(1), Florida Statutes, to provide that competitive bidding shall be required for the deposit of state money or any money in the state treasury; providing an effective date.

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

By Senator Fincher—

SB 1272—A bill to be entitled An act relating to police officers generally; amending section 185.34, Florida Statutes, providing that certain diseases and disability or death of policemen shall be presumed to have been accidental and suffered in the line of duty; providing that any condition or impairment of health caused by exposure in the active performance of duty without willful negligence on the part of the police officer shall be presumed to have been accidental and suffered in the line of duty; effecting all policemen employed in Florida, whether they are subject to a municipal policemen's pension trust fund created by chapter 185, Florida Statutes, a municipal charter or a special act of the legislature; repealing all provisions found in existing pension plans that are inconsistent with this act and in particular those pension plans which specifically make payment under chapter 440, pertaining to workmen's compensation, a condition precedent to payment of benefits under this chapter; providing an effective date.

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

By Senator Friday—

SB 1273—A bill to be entitled An act relating to the Florida game and fresh water fish commission, water hyacinth control; providing an appropriation; providing reimbursement to the government of the United States for certain damages, pursuant to section 372.931, Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committees on Natural Resources and Conservation and Ways and Means.

By Senator Boyd—

SB 1274—A bill to be entitled An act relating to junior colleges; providing an annual appropriation for payment of expenses incurred by junior college baseball and basketball teams participating in out-of-state tournaments; providing an effective date.

Was read the first time by title and referred to the Committees on Education and Ways and Means.

By Senator Boyd—

SB 1275—A bill to be entitled An act relating to education; providing matching state funds for local programs created to identify and train public school principals; providing for approval of plans by the state commissioner of education; providing an effective date.

Was read the first time by title and referred to the Committees on Education and Ways and Means.

By Senator Boyd—

SB 1276—A bill to be entitled An act relating to education, creates a program of educational research and development to be administered by the state commissioner of education, providing for the establishment of an educational research and development advisory committee and board of governors; providing for the designation of participating schools or centers throughout the state for the purpose of testing specific educational programs and practices; authorizing the state commissioner of education to employ staff; requiring the state commissioner of education to develop a plan for implementing a program of educational research and development, such plan to be for four (4) years; requiring the state commissioner of education to submit a report to the legislature; providing a formula for appropriating funds for four (4) years; providing for cooperation with other agencies; providing for waiver of laws and regulations by the state board of education and district school boards; providing an appropriation; providing an effective date.

Was read the first time by title and referred to the Committees on Education and Ways and Means.

By Senator Boyd—

SB 1277—A bill to be entitled An act relating to public education, amending subsection (15) of section 228.041, Florida Statutes, to remove the requirement for a gross school day; amending section 230.11, Florida Statutes, to provide for clarification; amending section 230.16, Florida Statutes, to allow a school board to hold more than one (1) regular meeting and to require at least one (1) regular meeting per month; amending paragraph (c) of subsection (4) of section 230.23, Florida Statutes, to remove the provision allowing school boards to charge fees for kindergarten pupils; repealing section 232.42 of chapter 232, Florida Statutes, relating to secret societies; amending subsection (5) of section 233.09, Florida Statutes, to change the state textbook purchasing board to the state board of education; amending section 233.13, Florida Statutes, to change the state textbook purchasing board to the state board of education; amending section 233.16, Florida Statutes, to change state textbook purchasing board to the state board of education; amending section 233.24, Florida Statutes, to prescribe the procedure for approval and payment of textbook invoices; amending section 233.25, Florida Statutes, to clarify, to change textbook purchasing board to state board of education and to make it unlawful for an agent or representative of a publishing company to influence or attempt to influence a member of the state textbook committee except by providing information; amending section 233.33, Florida Statutes, to change state textbook purchasing board to the state board of education; amending section 233.50, Florida Statutes, to change state textbook purchasing board to state board of education; amending the introductory paragraph and subsections (1), (2) and (3) of section 236.04, Florida Statutes, to remove obsolete provisions and to provide for a fractional part of a unit in determining instruction units; amending the introductory paragraph and paragraph (b) of subsection (5) of section 236.05, Florida Statutes, to correct an error; and to provide for the distance traveled between the vocational center and one (1) or more schools; amending the introductory paragraph and subsection (10)(d) of section 236.07, Florida Statutes, to eliminate the consideration of recalculation funds in the required adjustment of the minimum foundation program for prior years; amending section 236.36, Florida Statutes, to remove required petition for counties having less than twenty-five thousand (25,000) in population; providing an effective date.

Was read the first time by title and referred to the Committees on Education and Ways and Means.

By Senator Boyd—

SB 1278—A bill to be entitled An act relating to university scholarships; amending sections 239.34, 239.37(1), (3), (4), and adding subsection (5), 239.38, 239.41(1), (2), (3), (5), 239.42, 239.43, 239.44, 239.45(1), (2), (3), 239.47(5), (6), adding subsection (7), 239.49, 239.50, 239.66(1), (3), (5), the introductory paragraph of 239.67(2), 295.01, 295.02 and 295.04, Florida Statutes; providing for the administration of scholarship programs by the state department of education pursuant to policies set by the Florida student scholarship and loan commission; repealing section 239.48 and subsection (6) of section 239.66, Florida Statutes; authorizing scholarship grants

to children of 100% disabled veterans; increasing the value of the scholarships for children of deceased and disabled veterans from three hundred dollars (\$300) per year to three hundred seventy-five dollars (\$375) per year; providing an effective date.

Was read the first time by title and referred to the Committees on Education and Ways and Means.

By Senator Karl—

SB 1279—A bill to be entitled An act relating to bond anticipation notes; amending section 215.431, Florida Statutes, by raising to five (5) years the maximum maturity of all bond anticipation notes issued by counties, school boards, districts, authorities and municipalities; providing an effective date.

Was read the first time by title and referred to the Committees on Education and Ways and Means.

The Senate was called to order by the President Pro Tempore at 10:00 a.m. A quorum present—44:

Mr. President	Deeb	Johnson	Scarborough
Askew	de la Parte	Karl	Shevin
Bafalis	Ducker	Knopke	Stolzenburg
Barrow	Fincher	Myers	Stone
Beaufort	Friday	Ott	Thomas
Bell	Gong	Plante	Trask
Bishop	Gunter	Pope	Weber
Boyd	Haverfield	Poston	Weissenborn
Broxson	Henderson	Reuter	Williams
Chiles	Hollahan	Saunders	Wilson
Daniel	Horne	Sayler	Young

Excused: Senators Lane, McClain, Barron and Slade.

Prayer by Senator Saunders:

Dear Lord, in the stillness of these moments, let us search our hearts and see if we have paid proper homage to thee for our being here. We thank thee for the opportunity for duty and service. Together we thank thee for Florida—its beauty, its resources, its people and its properties. We thank thee for the chance to deal with the problems of our State. We thank thee for this community of people sincerely concerned about the difficulty of good government. Please grant to each one of us the grace and ability to tackle and subdue even the knottiest of problems that rise up to face us. In Jesus name we ask, Amen.

The Journal of May 15 was corrected and approved.

#### REPORTS OF COMMITTEES

The Committee on Natural Resources and Conservation recommends the following pass:

SB 905

SB 440 with 2 amendments

The Committee on Governmental Organization recommends the following pass: SB 475 with 1 amendment

The Committee on Judiciary recommends the following pass: SB 1184 with 3 amendments

The Committee on Commerce and Licensed Businesses recommends the following pass:

SB 283 with 2 amendments SB 928 with 4 amendments

The Committee on Constitutional Amendments and Revision recommends the following pass: SJR 540 with 2 amendments

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

The Committee on Ways and Means recommends the Committee Substitute for SBs 172 and 190, as recommended by the Committee on Health, Welfare, and Institutions, with 4 amendments.

The Committee on Judiciary recommends the Committee Substitute as recommended by the Committee on Education for SB 181 with 1 amendment; and recommends the Committee Substitute as recommended by the Committee on Commerce and Licensed Businesses for SB 387.

The bills with Committee Substitutes attached contained in the foregoing reports were placed on the Calendar.

The Committee on Governmental Organization recommends the following pass: SB 446

The Committee on Commerce and Licensed Businesses recommends the following pass: SB 1030

The Committee on Constitutional Amendments and Revision recommends the following pass: SJR 797

The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Governmental Organization recommends the following pass: SB 296 with 4 amendments

The Committee on Commerce and Licensed Businesses recommends the following pass: SB 995 SB 793

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

The Committee on Governmental Organization recommends the following pass: SB 488

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

The Committee on Governmental Organization recommends Committee Substitutes as recommended by the Committee on Commerce and Licensed Businesses for the following:

SB 532 SB 533 with 2 amendments

The bills with Committee Substitutes attached were referred to the Committee on Judiciary under the original reference.

The Committee on Commerce and Licensed Businesses recommends the Committee Substitute as recommended by the Committee on Governmental Organization for the following: SB 142 with 2 amendments

The bill with Committee Substitute attached was referred to the Committee on Ways and Means under the original reference.

The Committee on Commerce and Licensed Businesses advises that SB 511 was reported unfavorably by the Subcommittee on Licensed Businesses, and that the committee, having taken no action to remove from the table, hereby reports same unfavorably.

The Committee on Governmental Organization advises that SB 418 was reported unfavorably by the Subcommittee on State Government, and that the committee, having taken no action to remove from the table, hereby reports same unfavorably.

The Committee on Judiciary recommends the following not pass: SB 1185 CS for HB 11

The Committee on Constitutional Amendments and Revision recommends the following not pass: SJR 845 SJR 792

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

**BILLS REFERRED TO SUBCOMMITTEES**

Licensed Businesses: CS for HB 562, Senate Bills 1207, 1221 and 1196 (6 legislative days to report to Committee on Commerce and Licensed Businesses)

Financial Institutions and Consumer Protection: Senate Bills 1164 and 1217 (6 legislative days to report to Committee on Commerce and Licensed Businesses)

Jurisprudence: SB 208

**REPORT OF THE COMMITTEE ON RULES AND CALENDAR**

The Committee on Rules and Calendar recommends the following amendment to the Uniform Pay Plan adopted by the Senate, to be retroactive to the beginning of the session:

Add a new paragraph numbered 10 to the Uniform Pay Plan, Section C, Page I-6, as follows:

10. The Committee on Rules and Calendar, upon recommendation of a department head, may authorize premium pay for employees classified as pay grade 13 or below. An employee will only be eligible for premium pay while the Legislature is in regular session, or an extension thereof. Premium pay may not exceed 10% of an employee's regular pay.

On motion by Senator Friday, the foregoing report was adopted.

**ENGROSSING REPORTS**

Your Engrossing Clerk to whom was referred—

SB 649 with 10 amendments

—reports that the Senate amendments have been incorporated and the bill is returned herewith.

EDWIN G. FRASER  
Secretary of the Senate

The bill was immediately certified to the House.

Your Engrossing Clerk to whom was referred—

SB 1190 with 11 amendments

SB 1191 with 6 amendments

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

EDWIN G. FRASER  
Secretary of the Senate

The bills were certified to the House.

**ENROLLING REPORTS**

Your Enrolling Clerk to whom was referred—

SCR 1168 SCR 1172

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on May 16, 1969.

EDWIN G. FRASER  
Secretary of the Senate

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motion by Senator Barron, the rules were waived and the Committee on Insurance was granted an additional 7 days for the consideration of Senate Bills 920, 932, 933 and CS for SB 69.

On motion by Senator Karl, the rules were waived and the Committee on Commerce and Licensed Businesses was granted an additional 6 days for the consideration of SB 931.

On motion by Senator de la Parte, the rules were waived and the Committee on Health, Welfare, and Institutions was granted an additional 10 days for the consideration of Senate Bills 688, 693, 758 and CS for HB 63.

On motion by Senator Chiles, by two-thirds vote, Senate Bills 489, 606, 591, 90 and HB 262 were withdrawn from the Committee on Ways and Means and placed on the Calendar.

On motion by Senator Stone, by two-thirds vote, Senate Bills 945 and 946 were withdrawn from the Committee on Ways and Means and placed on the Calendar.

On motion by Senator Horne, by two-thirds vote, Senate Bills 238 and 391 were withdrawn from the Committee on Judiciary.

On motion by Senator Friday, by two-thirds vote, SB 1273 was withdrawn from the Committee on Natural Resources and Conservation.

On motions by Senator Gunter, by two-thirds vote, SB 1005 was withdrawn from the Committee on Education and from the Senate.

On motions by Senator Poston, by two-thirds vote, SB 670 was withdrawn from the Committee on Governmental Organization and from the Senate.

On motion by Senator Stone, by two-thirds vote, SCR 1248 was withdrawn from the Committee on Ways and Means and placed on the Calendar.

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

SCR 1248—A concurrent resolution adopting a schedule of rates and amounts of taxes and fees levied by or on behalf of the State of Florida; directing that it be contained in the official Florida Statutes and in data processing form; excluding the schedule from printing as a bill and in journals; directing the comptroller to compile, publish, and distribute fiscal data as to each such tax and fee to the extent determinable but including the estimated direct cost of collection for each such tax and fee.

WHEREAS, the citizens of Florida would be aided in understanding the processes of government if they had available to them an index to the rates and amounts of the taxes and fees levied by or on behalf of the state, and

WHEREAS, such an index would be most helpful if it accompanies and is available with the statutes to which it refers, and

WHEREAS, the legislature needs to know the costs of collection of the various taxes and fees as well as their income and purposes to be able to exercise proper supervision and planning of the taxes it levies and to best achieve fairness, efficiency, and balance in the tax structure of the state, NOW, THEREFORE,

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

Section 1. The rates and amounts of the taxes and fees levied by or on behalf of the State of Florida contained in the official Florida Statutes are organized and set forth in the attached schedule of pages 4 through 174 and are adopted as an index and not as a statute nor with force or standing as law.

Section 2. Such index shall be revised to conform with 1969 legislation and shall be published in and with the next edition of the official Florida Statutes, and thereafter so revised and published as the official Florida Statutes are revised and published.

Section 3. The state comptroller is directed to compile, publish, and distribute periodically, but at least annually, to the extent feasible, as much fiscal data as to each such tax and fee as may be reasonably determinable but at least the periodic amounts collected and the estimated direct cost of collection for each such tax and fee.

Section 4. Due to the length of the attached schedule and the cost of repeated printings thereof, the schedule shall not be printed with this resolution in the form of a printed bill or printed with this resolution in the respective journals, but shall be printed solely in Florida Statutes as provided above, the rules of either house to the contrary notwithstanding.

Section 5. When feasible, the legislative reference bureau shall have the attached schedule converted to data processing form so that it may be more readily analyzed and utilized for planning purposes by the legislature, and shall add additional information as available, including that compiled by the comptroller pursuant to section 3.

On motions by Senator Stone, the rules were waived and SCR 1248 was read the second time by title, adopted, and certified to the House. The vote was: Yeas—32 Nays—None

Askew	Daniel	Hollahan	Scarborough
Bafalis	Deeb	Johnson	Shevin
Beaufort	de la Parte	Knopke	Stone
Bell	Ducker	Myers	Thomas
Bishop	Fincher	Ott	Trask
Boyd	Gunter	Plante	Williams
Broxson	Haverfield	Reuter	Wilson
Chiles	Henderson	Saunders	Young

The following communication was read:

Gettysburg, Pennsylvania  
May 8, 1969

Dear Mr. Secretary:

Please convey to the members of the Senate and of the House of Representatives my sincere appreciation for the Resolution passed on the death of my husband.

I thank you for this tribute which will be placed with the official papers in the Presidential Library in Abilene, Kansas.

With my gratitude and very best wishes,

Mamie Doud Eisenhower

#### MESSAGES FROM THE GOVERNOR

The Governor advised that on May 16 he had filed in the Office of the Secretary of State Senate Bills 34, 92, 28 and 615 which will become law without his approval.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report on SB 7 and has adopted the Conference Committee Report in its entirety and has passed SB 7 as amended by the Conference Committee amendments.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The bill was ordered engrossed.

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 572.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

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

*The Honorable John E. Mathews, Jr.* May 16, 1969  
*President of the Senate*

Sir:

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

SB 1006	SB 1007	SB 1008
SB 1009	SB 1011	SB 1012
SB 1013	SB 1014	SB 1015

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

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

*The Honorable John E. Mathews, Jr.* May 16, 1969  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has adopted SM 802 and SM 504.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

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

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment to HB 100.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

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

By Representative Fortune and others—

HCR 1954—A concurrent resolution commending Captain Calvin E. Ellison of the Fire Department of the City of Milton.

WHEREAS, on the occasion of the fire which devastated the Berrydale prison camp on the night of July 16, 1967, Captain Calvin E. Ellison of the Fire Department of the City of Milton was among the early arrivals, and

WHEREAS, by the eyewitness testimony of a number of responsible observers, Captain Ellison administered mouth-to-mouth resuscitation and other emergency aid in a capable and efficient manner, and

WHEREAS, it is possible that his efforts preserved life and certainly that his energies contributed materially to the rescue activities of that tragic evening, NOW, THEREFORE,

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

That the Legislature hereby commends Captain Calvin E. Ellison for his diligence, initiative, and meritorious achievement.

BE IT FURTHER RESOLVED that a copy of this resolution be signed by the Speaker and Clerk of the House of Representatives and by the President and Secretary of the Senate, and that such copy appropriate for framing and bearing the seal of the great State of Florida be transmitted to Captain Ellison.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HCR 1954, contained in the above message, was read the first time in full. On motion by Senator Broxson, the rules were waived and HCR 1954 was read the second time by title, unanimously adopted and certified to the House.

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

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

By Representative Bird and others—

HB 1704—A bill to be entitled An act to amend Chapter 63-1427, Laws of Florida, Special Acts of 1963, being an act relating to the City of Hollywood, Broward County, Florida, creating and establishing a Pension Fund for Firemen by Amending Sections 2, 4, 5, 7, 8, 13 and 20; defining firemen, average final compensation, salary, leave of absence, military service, service credit measure; permitting investment in bonds, stocks or other evidences of indebtedness issued or guaranteed by private corporations as provided in Florida Statutes Section 175.071 (2)(3); permitting drafts issued by the Board of Trustees to be signed by the Chairman and Secretary manually or by facsimile and permitting delegation of signing authorized drafts to the City Manager and Director of Finance; authorizing the Board of Trustees to employ a professional actuary; increasing contributions to the Firemen's Pension Fund; providing for immediate early retirement benefit; providing for deferred early retirement benefit; providing for service incurred disability benefit; providing for non-service incurred disability benefit; providing for the deletion of social security option; providing for benefits to a beneficiary of a fireman who dies prior to becoming eligible for benefits; providing for the deletion of Section 20, entitled "Roster of Retirees"; 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 1704.

HB 1704, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

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

By Representative Arnold and others—

HB 1898—A bill to be entitled An act relating to the Duval County Board of Public Instruction; continuing and renaming the Duval County Board of Public Instruction; amending article 14 of chapter 67-1320 as amended by chapter 67-1310, Laws of Florida, to provide for the election of school board members; providing the school board shall fill vacancies that could arise for any reason; providing for the termination of office for certain incumbents; repealing sections 4 and 5 of chapter 67-1310, Laws of Florida, and all laws in conflict with this act; 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 1898.

HB 1898, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 15, 1969

Sir:

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

By Representative Reedy and others—

HB 1863—A bill to be entitled An act relating to Lake County, streets and highway paving; amending sections 1 and 8 of chapter 63-1505, Laws of Florida; providing for the paving, upon petition to the board of county commissioners, and providing for the assessing of costs thereof, in whole or in part, against adjoining property; giving the board of county commissioners full power and authority therefor; providing an effective date.

Proof of Publication attached.

By Representative Arnold and others—

HB 1862—A bill to be entitled An act amending section 8, chapter 18615, Laws of Florida, 1937, entitled "An act providing for pensions for certain members of the police and fire departments of the city of Jacksonville", amending section 8 to provide those events which will bar pension rights; 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 House Bills 1863 and 1862.

House Bills 1863 and 1862, contained in the above message, were read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

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

By Representative Arnold and others—

HB 1642—A bill to be entitled An act relating to firemen, collective bargaining; in all counties having a population of not less than four hundred fifty thousand (450,000) and not more than six hundred thousand (600,000) according to the latest official decennial census; repealing Chapter 67-928, Laws of Florida; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 1642, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

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

By Representative Culbreath and others—

HB 1648—A bill to be entitled An act relating to Hernando County, Florida, authorizing the Board of County Commissioners of Hernando County, Florida, to construct and maintain a channel from the terminus of State Road No. 50 at Bayport

in Hernando County, Florida, westerly five miles, more or less, to the Beacon Rock. And authorizing said Board to expend monies for such channel from the Road and Bridge Fund of Hernando County. And authorizing said Board to make such construction in collaboration with other Governmental Agencies; 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 1648.

HB 1648, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

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

By Representative Arnold and others—

HB 1620—A bill to be entitled An act relating to firemen collective bargaining; in certain counties of the state having a population of more than four hundred thousand (400,000) and less than nine hundred thousand (900,000) according to the latest decennial census; repealing Chapter 67-660, Laws of Florida; providing an effective date.

By Representatives Chapman and Middlemas—

HB 1857—A bill to be entitled An act relating to Panama City, Bay County; changing and enlarging the territorial boundaries of said city by amending sections 2 and 3 of chapter 63-1757, Laws of Florida, as amended by chapter 67-1886, Laws of Florida, providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 1620, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

Evidence of notice and publication was established by the Senate as to HB 1857.

HB 1857, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

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

By Representative Sweeny and others—

HB 1950—A bill to be entitled An act to amend chapter 27951, Laws of Florida, Special Acts of 1951 entitled "an act to create the Volusia county historical commission; providing who shall be members of such commission; prescribing their powers and duties; providing who shall be its chairman and secretary; providing that the expenses of such commission shall be paid by the board of county commissioners of Volusia county, Florida, out of the general fund and that the clerk of the circuit court of such county shall file and record without

charge, historical material and data collected by such commission; and providing for the preservation, marking and exhibition of historical data, materials and monuments; by amending section 7 thereof to increase the authorized payment of expenses of such historical commission by the board of county commissioners of Volusia county from one thousand dollars (\$1,000.00) to two thousand dollars (\$2,000.00) per annum; 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 1950.

HB 1950, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

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

By Representative Melvin and others—

HB 1941—A bill to be entitled An act relating to Okaloosa County, water and sewer revenue bonds; validating Okaloosa County water revenue bonds, dated January 1, 1966, and Okaloosa County sewer revenue bonds, dated January 1, 1966, together with all acts and proceedings performed by Okaloosa County and by the duly constituted officials thereof; providing that such portion of said bonds as shall be hereafter issued may bear interest at a rate or rates not exceeding seven percent (7%) per annum; 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 1941.

HB 1941, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

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

By Representative Savage and others—

HB 1523—A bill to be entitled An act authorizing the board of county commissioners of Pinellas county to expend county funds for the advertisement and promotion of the county; for the entertainment by the county of public officials and employees and prominent and distinguished persons, in the interest of promoting and engendering good will toward the county, intergovernmental cooperation and interest in its several facilities, projects, advantages, resources, products, attractions and attributes; validating past expenditures; repealing all laws or parts of laws in conflict herewith; providing that the authority granted shall be cumulative; 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 1523.

HB 1523, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

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

By Representatives Pratt and Gallen—

HB 1947—A bill to be entitled An act amending Sections 7, 8, and 9 of Chapter 63-1582, Laws of Florida, Special Acts of 1963, relating to Manatee County; providing for the imposition of liens against properties especially improved, the recording of same, the priority of same and their method of collection; providing methods of financing special improvements through the sale or assignment as collateral security of special improvement lien certificates; providing that said improvements may be made by county or under contract with private parties; 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 1947.

HB 1947, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

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

By Representatives Pratt and Gallen—

HB 1949—A bill to be entitled An act relating to Manatee County providing that the salary of all elected officials of Manatee County, Florida, which are paid from funds administered by Board of County Commissioners of Manatee County, Florida, shall be paid at biweekly intervals; ratifying and validating any salary payments heretofore made in conformance with this act; 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 1949.

HB 1949, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 15, 1969

Sir:

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

By Representative Heath and others—

HB 1333—A bill to be entitled An act relating to Sarasota county; amending sections 1, 4 and 8 of chapter 61-2866, Laws of Florida, special acts of 1961, as amended by chapter 65-2233, Laws of Florida, special acts of 1965, and chapter 67-2040, Laws of Florida, special acts of 1967, by adding thereto a definition of the term well; providing for additional duties of well drillers examining board; exempting limited licensees from certain requirements of the act; 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 1333.

HB 1333, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 15, 1969

Sir:

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

By Representatives Pratt and Gallen—

HB 1948—A bill to be entitled An act relating to Manatee County, authorizing the Board of County Commissioners of said County to adopt rules and regulations for the control of rabies, the control of dogs and cats, and for the administration of a County pound; authorizing the expenditure of County funds to carry out the purposes of this act; the making of violations of this act or any rules or regulations adopted hereunder a misdemeanor and providing for a penalty; repealing Chapter 30954, Laws of Florida, Acts of 1955, and Chapter 65-1887, Laws of Florida, Acts of 1965, and Chapter 67-1686, Laws of Florida, Acts of 1967, effective September 1, 1969; 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 1948.

HB 1948, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 15, 1969

Sir:

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

By Representative Gillespie and others—

HB 1910—A bill to be entitled An act relating to the City of Edgewater, Volusia County; amending chapter 27532, Laws of

Florida, 1951, by adding section 7-A, relating to weed clearance upon lands, lots, and other premises within said city; requiring lands, lots, and other premises to be kept clean, sanitary, and free from weeds; providing that the city may make them so at the expense of the owner and assess the cost thereof against said property; providing that the city may have and hold a lien for the expense incurred and providing a manner and method of enforcing the lien for expenses incurred in cleaning property and lots and making the same sanitary and free from weeds; providing for referendum.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 1910, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 15, 1969

Sir:

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

By Representative Sweeny and others—

HB 1952—A bill to be entitled An act amending chapter 65-2346, Laws of Florida, Special Acts of 1965, entitled "an act amending chapter 59-1943, Laws of Florida, Special Acts of 1959, entitled 'an act authorizing the board of county commissioners of Volusia county, Florida, to appropriate and expend funds in the general fund of said county for the payment of a sum not to exceed five hundred dollars (\$500.00) annually in each county commissioner's district in said county for the payment of expenses for the care and disposition of stray dogs and cats and other stray animals found within the limits of Volusia county, Florida, outside of the corporate limits of any city or town and authorizing the payment of said funds to non-profit humane societies in said county for said purpose; providing an effective date' by increasing said appropriation from five hundred dollars (\$500.00) to one thousand dollars (\$1,000.00)", by increasing said appropriation from one thousand dollars (\$1,000.00) to two thousand dollars (\$2,000.00) for the care and disposition of stray dogs and cats in Volusia 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 1952.

HB 1952, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 15, 1969

Sir:

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

By Representative Gillespie and others—

HB 1908—A bill to be entitled An act relating to the city of Oak Hill, Volusia county, amending chapter 13156, Laws of Florida, 1927, by repealing section 131 relating to franchising condition; repealing section 133 relating to extension by annexation; repealing section 134 relating to right of regulation of franchises; repealing section 135 relating to forfeitures of franchises; repealing all laws in conflict herewith; and setting 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 1908.

HB 1908, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

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

By Representative Gillespie and others—

HB 1907—A bill to be entitled An act relating to the city of Oak Hill, Volusia county; amending chapter 13156, Laws of Florida, 1927, as amended, being the charter of the city of Oak Hill, Florida, by adding a provision providing for the authorization of police officers of said city to make an arrest in hot pursuit outside the city limits of the city of Oak Hill, Florida; repealing all laws in conflict herewith; and setting an effective date.

Proof of Publication attached.

By Representative Blackburn and others—

HB 1965—A bill to be entitled An act relating to the Citrus County Health Department; authorizing the Board of County Commissioners of Citrus County to prescribe fees for Death Certificates; providing 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 House Bills 1907 and 1965.

House Bills 1907 and 1965, contained in the above message, were read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

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

By Representative Rude—

HB 1796—A bill to be entitled An act amending and revising Chapter 65-1541, Laws of Florida, Special Acts of 1965, as amended by Chapter 67-1385, Laws of Florida, Special Acts of 1967, said Chapter 65-1541, as so amended creating a downtown development authority to plan, construct and maintain public improvements and facilities within the central business district of the City of Fort Lauderdale, Florida and contiguous areas; defining the boundaries of the project area; providing for a Board appointed by the governing body of the City; prescribing the membership terms and offices and duties of the Board; prescribing the powers of the authority; including among other powers, the power to acquire property and to dispose of property; authorizing levying and collection of ad valorem tax not exceeding one mill in the district for the purpose of this authority; to borrow money on short term evidence of indebtedness in order to pay expenses of operation pending collection

of taxes; providing for the staff and budget of the authority; and authorizing the governing body of the City to assess handling charges for the benefit of the City's general fund; granting to the Authority the power of eminent domain and bond financing; this act being a revision with amendments and additions, removing interest rate limitation in short term borrowing by the Board of the Authority, changing method of signing written instruments of the Board, eliminating requirements of the Board following city procedures for public notice and bidding in sale, conveyance, leases and other agreements by the Board of the Authority; permitting Director of Authority to engage in certain outside activities, eliminating submission of budget to city, eliminating restrictions upon sources of funds for the Authority; extending the life of the Authority to the year 2010; removing city approval limitation on eminent domain power of the Board providing additional powers and duties of the Authority, including the ownership, acquisition, mortgage, lease and disposal of property and facilities, and the furnishing of proprietary services and facilities of all kinds, among them, land redevelopment and revitalization, water and sewer systems, waste control, airport facilities, communication, cultural, recreational and educational facilities of all kinds, parking facilities and meters, public transportation and utilities, streets, toll roads, and bridges, sidewalks, street lighting and related facilities and other projects and experimental projects; authorizing the Authority to advertise; granting the Authority the benefits and privileges of a drainage district and of a special road and bridge district; authorizing the Board to enter into sale, lease or other agreements with any agency of the city, county, state and federal governments and authorizing the Authority to construct and furnish proprietary facilities and services to persons and property outside the Authority boundaries providing authority to set fees, rentals, tolls, fares and charges, and to make agreements and contracts for services without public hearing and pledge the same as security for Authority bonds; authorizing the Authority to request the City of Fort Lauderdale to accept dedications and provide special zoning; providing for the rehabilitation, clearance, redevelopment, revitalization of areas of slum and blight in the downtown, in accordance with renewal plans approved by the Board, including a legislative finding of adequacy and approval of an existing general plan for the physical redevelopment of the downtown; defining the duties, liabilities, exemptions and powers of the Board in undertaking such activities, including the power to amend the renewal plans and adopt substitute plans to acquire property through the exercise of the power of eminent domain or otherwise, to dispose of property subject to any restrictions deemed necessary to prevent the development or spread of future blighted areas, to enter into agreements to secure city, county, state and federal aid and comply with conditions imposed in connection therewith; to authorize the Authority to furnish funds, services, facilities and property in aid of renewal projects and to obtain funds therefor by the issuance of obligations, by taxation or otherwise; and to provide that securities issued, and properties held by a public agency hereunder shall be exempt from taxation; making legislative findings of slums and blight and public purpose in the rehabilitation, clearance, redevelopment and revitalization of the downtown as a blighted area (including slums), including the necessity in the public interest of the exercise of eminent domain to assemble and clear land for resale and redevelopment; providing a referendum procedure of the Authority, including the qualifications of and registration of electors, the manner of voting with one vote to the ownership (including also non-resident and corporate freeholders) of each contiguous proprietorship for each \$10,000.00 of assessed evaluation or fraction; defining ownership; finding that the functions of the Authority are essentially public works and not essentially concerned with political or governmental purposes; authorizing the Authority to provide for the construction of assessable improvements; providing for the making of special assessments for the improvements and the procedures to be followed in connection therewith; providing for the collection of special assessments and the foreclosure of delinquent assessments or installments, including acceleration of payment and recovery of attorney's fees and costs; authorizing issuance of assessment bonds and bond anticipation notes; providing for the pledge of taxes, assessments, revenues and other properties as security for the payment of bonds; providing for the lien of pledges of revenues, taxes and assessments; providing for an increase in the tax millage of the Authority to any rate not exceeding ten (10) mills approved by freeholder referendum and providing for addition to the downtown area of lands south of New River, west of Federal Highway, east of the Florida East Coast Railroad and north of a line 150 feet south of Southeast Sixth Street and Southwest Sixth Street, on approval of freeholder referendum; and providing severability and 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 1796.

HB 1796, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

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

By Representative Conway and others—

HB 1871—A bill to be entitled An act to amend the civil service laws of the city of Daytona Beach by amending chapter 29003, Laws of Florida, Special Acts of 1953, the same being an act "Establishing civil service requirements in certain positions in the service of the city of Daytona Beach, Florida; establishing a civil service board; providing rules and regulations for the operation of civil service; providing penalties and forfeitures; repealing laws in conflict herewith; and providing when this law shall take effect"; as the same has heretofore been amended by chapter 57-1256, Special Acts of 1957; chapter 59-1213, Special Acts of 1959; chapter 61-2060, Special Acts of 1961; chapter 61-2065, Special Acts of 1961; chapter 63-1252, Special Acts of 1963; chapter 65-1428, Special Acts of 1965; and chapter 67-1658, Laws of Florida 1967; by amending section 13 to reduce the life of the eligible list from eighteen (18) to six (6) months; to permit employees serving a probationary period to use accrued annual leave; to eliminate the efficiency rating so that the same may be covered by regulations; to permit suspension of employees under criminal charges; to provide for written notification to employees of reasons for demotion; to provide for written notification of dismissal for cause and providing examples of cause for dismissal; repealing all laws and parts of laws in conflict herewith; and providing when this law shall take effect.

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 1871.

HB 1871, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

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

By Representative Conway and others—

HB 1868—A bill to be entitled An act amending the charter of the city of Ormond Beach, Florida, which is contained in chapter 15401, Laws of Florida, Special Acts, 1931, as amended, by amending section 8 thereof to provide that the mayor shall receive the sum of fifty dollars (\$50.00) per month expense allowance; by amending section 13 thereof to provide that when a special election is called to fill a single vacancy on the city commission, and only one (1) candidate qualifies for such vacancy, such election shall be cancelled and said candidate appointed by the city commission; by repealing subparagraph (1) of section 16 B, pertaining to the appointment of an acting mayor; by amending section 38 thereof to repeal the

requirement that the city auditor and clerk keep a complete and accurate system of vital statistics; by amending section 10 (a) (2) of chapter 57-1662, Laws of Florida Special Acts of 1957, amending chapter 15401, Laws of Florida, Special Acts of 1931, to provide that the city manager and two assistants to be designated by him shall be members of the unclassified service of the city; 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 1868.

HB 1868, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

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

By Representative Conway and others—

HB 1865—A bill to be entitled An act relating to the limitation on short term borrowing power of the West Volusia Hospital Authority, amending chapter 57-2085, section 7, Laws of Florida, to increase the short term borrowing power of the Authority from \$100,000 to \$500,000; providing that the rate of interest to be paid therefor shall not exceed the Federal discount rate in effect at the time of the loan, which discount rate is set by the Federal Reserve Board, or six percent (6%) whichever is greater; providing for repeal of all acts in conflict herewith; providing for 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 1865.

HB 1865, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.* May 15, 1969  
*President of the Senate*

Sir:

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

By Representative Heath and others—

HB 1326—A bill to be entitled An act relating to Sarasota county; amending sections 1, 2, 5, 6 and 15 of chapter 61-2867, laws of Florida, 1961, as amended by chapter 67-2035, laws of Florida, 1967; providing for an extension of the jurisdiction of the act to all of Sarasota county; providing for inclusion of test drillings, exploratory holes, excavations, holes and pits to be included in the definition of those activities subject to regulation under the act; providing for a change in the reports and samples required of well drillers; providing that drainage wells will be constructed in accordance with the requirements of the Florida air and water pollution control commission in addition to other agencies and providing that the health officer may prescribe the depth and construction requirements of wells for other than purely domestic use and providing for a charge for the issuance of permits and sample analyses required by the act; 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 1326.

HB 1326, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 15, 1969

Sir:

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

By Representative Heath and others—

HB 1859—A bill to be entitled An act amending Chapter 26468, Acts of Extraordinary Session of 1949, as amended, relating to the creation, powers and duties of the Sarasota County Public Hospital Board; providing for the issuance by the Board of Revenue Bonds to pay the cost of hospital facilities in the Sarasota County Public Hospital District; providing for the fixing, charging and collecting of rates, fees and charges for the use of hospital facilities under the control of the board to pay the principal of and the interest on such revenue bonds; providing that such bonds shall not obligate the state, the county, the board or the district to levy any ad valorem taxes or to make any appropriation for the payment of such principal or for operation and maintenance of such hospital facilities, providing an effective date, and providing for a referendum election on this Act.

By Representative Blackburn and others—

HB 1963—A bill to be entitled An act authorizing Citrus County to impose and collect an additional sum for the issuance of fishing licenses in Citrus County, to be used solely for the purpose of improving the sport fish life in Citrus County; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

HB 1859, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

Evidence of notice and publication was established by the Senate as to HB 1963.

HB 1963, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 15, 1969

Sir:

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

By Representative Bird and others—

HB 1700—A bill to be entitled An act to amend chapter 57-1322, laws of Florida, special acts of 1957, as amended, being the charter of the city of Fort Lauderdale, in the following respects: To repeal subsection 7.(G)(4) of sec. 15 pertaining to the general powers of the city relating to recreational facilities and to adopt a new subsection 7.(G)(4) of sec. 15 concerning the same subject matter; to repeal subsection 16.(P) of sec.

15 pertaining to the general powers of the city relating to public utilities and to adopt a new subsection 16.(P) of sec. 15 concerning the same subject matter; to repeal subsection 32.(ff) of sec. 15 pertaining to the general powers of the city relating to the abatement of nuisances and to adopt a new subsection 32.(ff) of sec. 15 concerning the same subject matter; to enact a new subsection 49 of sec. 15 pertaining to the general powers of the city relating to electronic recording devices in the municipal court; to repeal sec. 69 pertaining to the administrative departments of the city and to adopt a new sec. 69 concerning the same subject matter; to repeal subsection (j) of sec. 78 pertaining to the certification of names of persons eligible for vacant positions and to adopt a new subsection (j) of sec. 78 concerning the same subject matter; to repeal sec. 120 pertaining to the appointment, term, compensation, and vacancy of a municipal judge and to adopt a new sec. 120 concerning the same subject matter; to repeal sec. 122 pertaining to the associate municipal judges and to adopt a new sec. 122 concerning the same subject matter; to repeal sec. 123 pertaining to the duties and compensation of the assistant municipal judges and to adopt a new sec. 123 concerning the same subject matter; to repeal sec. 131 pertaining to the clerk of the municipal court and to adopt a new sec. 131 concerning the same subject matter; to repeal sec. 144 pertaining to the failure to pay a fine imposed for violation of an ordinance and to adopt a new sec. 144 concerning the same subject matter; to enact a new sec. 298.1 to provide for partial releases of special assessment liens; to repeal sec. 307 pertaining to the requirements for notice of any claim against the city and to adopt a new sec. 307 concerning the same subject matter.

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 1700.

HB 1700, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 15, 1969

Sir:

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

By Representative Bird and others—

HB 1698—A bill to be entitled An act creating in the city of Hollywood, Florida, a system of pensions for disability and retirement from service of members of the Police Department, and to provide a fund in said city, to be known as "Police Pension Fund, City of Hollywood, Florida," and providing further for the creation of a Board of Trustees, prescribing the powers and duties of such board, providing for the payment of certain sums to all persons employed in the Police Department in said city, to further prescribe the qualifications for benefits under this act; providing for the regulation of the subject of pensions to all persons entitled to receive the same and to provide rules and regulations for the administration of the fund created hereby; and providing for the enforcement of this act; providing for the actuarial estimates to be determined by the board; designating change in mortality table to be used; providing for refund of member contributions with interest, defining eligibility and mandatory membership of members of the department in the fund; providing for a medical examination of new members to the fund; providing for the repealing of all laws or parts of laws in conflict with this 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 1698.

HB 1698, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 15, 1969

Sir:

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

By Representative Melvin and others—

HB 1912—A bill to be entitled An act relating to county judges; amending section 44.09, Florida Statutes, to remove Washington county from the exceptions to chapter 44, Florida Statutes; providing an effective date.

Proof of Publication attached.

By Representative Conway and others—

HB 1870—A bill to be entitled An act to amend chapter 67-1274, Laws of Florida, 1967, the same being the basic charter act of the city of Daytona Beach, Florida, to redefine the territorial boundaries of the municipality to include lands that have been annexed by ordinance and also lands that are owned by the city; repealing all conflicting laws; and providing when this law shall take effect.

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 House Bills 1912 and 1870.

House Bills 1912 and 1870, contained in the above message, were read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 15, 1969

Sir:

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

By Representative Conway and others—

HB 1867—A bill to be entitled An act relating to Volusia County; requiring the procurement of licenses from the county health department by persons establishing, maintaining and operating child care centers; providing for the issuance and revocation of licenses; providing a fee for issuance; providing for the regulation of such centers by the health department and its officer by the adoption of rules, regulations and standards and inspection of centers; providing a grace period; providing an effective date.

Proof of Publication attached.

By Representatives Gillespie and others—

HB 1909—A bill to be entitled An act relating to the City of Edgewater, Volusia County; amending section 8 of chapter 27532, Laws of Florida, 1951, as amended by chapter 67-2228, Laws of Florida, relating to the fixing of compensation of mayor and councilmen; providing for referendum.

—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 1867.

HB 1867, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

HB 1909, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 15, 1969

Sir:

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

By Representatives Tucker and Miers—

HB 1302—A bill to be entitled An act relating to Franklin County; regulating dates for shrimp fishing in waters of said county; 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 1302.

HB 1302, contained in the above message, was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 15, 1969

Sir:

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

By Representative Rowell and others—

HB 1782—A bill to be entitled An act relating to the City of Winter Haven, Polk County; repealing section 2 of chapter 15597, Laws of Florida, 1931, relating to an election for the approval of a general zoning ordinance; providing restrictions upon the amendment of such general zoning ordinance; providing an effective date.

Proof of Publication attached.

By Representative Blackburn and others—

HB 1964—A bill to be entitled An act relating to Citrus County; requiring all persons, firms or corporations which are the owners or lessees of real property to file a Notice of Construction; providing for the information to be contained in the Notice of Construction and the place of filing; providing for a fee thereof, and providing for an effective date thereof.

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 House Bills 1782 and 1964.

House Bills 1782 and 1964, contained in the above message, were read the first time by title and referred to the Committee on Rules and Calendar.

On motion by Senator Chiles, the rules were waived and the Committee on Ways and Means was granted permission to hold a meeting immediately following adjournment this day for the purpose of considering SB 660 and other bills now in the Committee.

**SPECIAL AND CONTINUING ORDER**

CS for SB 1192—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1969, and ending June 30, 1970, to pay salaries, other expenses, capital outlay—buildings and improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

Was taken up with pending amendment, which was withdrawn by Senator Weissenborn.

Senator Plante offered the following amendment which failed:

In Section 1, page 34, insert the following:

483a. Washington Office Salaries, Retirement, and S.S. Matching of 3 Positions	28,000
483b. Expenses	15,000

Senator Horne offered the following amendment which was adopted:

In Section 1, items 664b. and 664c., page 44, strike all of items 664b. and 664c. and insert the following:

664b. Joint Management Committee	1,291,919
664c. Statutory Committees	125,000
664d. Legislative Auditor or Auditor General	2,442,202

Senator Williams offered the following amendment which was adopted:

In Section 1, item 798, page 53, strike "Deleted" and insert the following:

For Planning and Staffing a School of Veterinary Medicine at the University of Florida—Lump Sum From General Revenue Fund	150,000
--	---------

The vote was:

Yeas—27

Askew	Gong	Ott	Stone
Bafalis	Gunter	Plante	Thomas
Beaufort	Haverfield	Pope	Trask
Daniel	Henderson	Poston	Williams
Deeb	Hollahan	Scarborough	Wilson
Ducker	Johnson	Shevin	Young
Fincher	Karl	Stolzenburg	

Nays—9

Boyd	Friday	Myers
Chiles	Horne	Reuter
de la Parte	Knopke	Saylor

Senator Saunders was recorded as voting yea.

By unanimous consent, Senator Myers changed his vote from nay to yea.

The Committee on Ways and Means offered the following amendment which was adopted on motion by Senator Boyd:

In Section 1, item 872, page 59, strike "\$1,674,873" and insert the following: \$1,989,873

Senator Chiles offered the following amendment which was adopted:

In Section 1, line 14, page 69, strike the figures "\$1,017,254,238" and insert the following: \$1,017,844,238

Senator Wilson offered the following amendment which failed:

In Section 3, line 16, page 70, strike "Judges Circuit Court (125) 30,000" and insert the following Judges Circuit Court (125) 26,000

Senator Wilson also offered the following amendment which failed:

In Section 3, line 16, page 70, strike "Judges-Circuit Court (125) 30,000" and insert the following: Judges-Circuit Court (125) 28,000

The vote was:

Yeas—16

Askew	Broxson	Plante	Weber
Bafalis	Deeb	Saylor	Williams
Beaufort	Gunter	Stolzenburg	Wilson
Bishop	Johnson	Thomas	Young

Nays—19

Bell	Friday	Karl	Saunders
Chiles	Gong	Knopke	Shevin
Daniel	Haverfield	Myers	Stone
de la Parte	Henderson	Ott	Trask
Fincher	Horne	Poston	

Senator Hollahan was recorded as voting nay.

Senator Myers offered the following amendment which failed:

In Section 4, line 21, page 76,

In subsection (a)(1), strike remainder of the paragraph beginning with "\$33,000" and insert the following:

\$32,000 per annum. The state attorneys so serving full time shall not receive from any county or municipality any supplemental salary, except in the fourth and the eleventh circuits. In no event, however, shall any salary, together with a county or municipal supplement, exceed \$28,500, except in the eleventh circuit where the total salary shall not exceed \$33,000.

On motion by Senator Myers, the rules were waived and the Senate immediately reconsidered the vote by which the foregoing amendment failed.

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

Pending further consideration of CS for SB 1192, on motion by Senator Friday, the rules were waived and the Senate reverted to—

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable John E. Mathews, Jr.* May 16, 1969  
*President of the Senate*

Sir:

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

By Senators Daniel and Hollahan—

SB 650—A bill to be entitled An act relating to the reorganization of the executive branch of government; providing for the creation of seventeen (17) executive departments of government, to be named: the department of general administrative services, the department of banking and finance, the department of community affairs, the department of highway safety and motor vehicles, the department of law enforcement, the department of transportation, the department of conservation and natural resources, the department of air and water pollution control, the department of records, archives, and history, the department of education, the department of agriculture, the department of business and professional regulation, the department of commerce, the department of insurance, the department of labor and industry, the department of citrus promotion and development, and the department of health and rehabilitative services; providing for their administration and supervision; providing definitions; providing for the employment of department directors and other personnel; providing for rules

and regulations for each department; providing authorization for each department to acquire property; providing for advisory committees; authorizing each department to enter into contracts; authorizing each department to accept gifts, grants, loans, and endowments; providing for divisions of each department; providing for the transfer to said departments of all executive functions of government not excluded by the State Constitution of 1968; creating a board of regents; providing for its membership; creating an air and water pollution control board; providing for its membership; abolishing those agencies, boards, commissions, authorities, and committees, the duties and powers of which have been transferred to any department created by this act; repealing Chapters 21, 417, 501, and 290, Florida Statutes, and Sections 119.04 and 573.63, Florida Statutes; providing for confirmation by the senate; providing a severability clause; providing for conflicts; providing an effective date.

Amendment 1—

On page 3, line 7, strike:

everything after the enacting clause

and insert the following:

Section 1. Declaration of policy.—

(1) The state constitution contemplates the separation of powers within state government among the legislative, the executive and the judicial branches of the government. The legislative branch has the broad purpose of determining policies and programs and reviewing program performance. The executive branch has the purpose of executing the programs and policies adopted by the legislature and of making policy recommendations to the legislature. The judicial branch has the purpose of determining the constitutional propriety of the policies and programs and of adjudicating any conflicts arising from the interpretation or application of the laws.

(2) Within constitutional limitations, the agencies which comprise the executive branch should be consolidated into a reasonable number of departments consistent with executive capacity to administer effectively at all levels. The agencies in the executive branch should be integrated into one of the departments of the executive branch to achieve maximum efficiency and effectiveness as intended by section 6 of article IV of the state constitution.

(3) Structural reorganization should be a continuing process through careful executive and legislative appraisal of the placement of proposed new programs and the coordination of existing programs in response to public needs.

(4) The responsibility within the executive branch of government for the implementation of programs and policies should be clearly fixed and ascertainable.

(5) Departments should be organized along functional or program lines.

(6) The management and coordination of state services should be improved and overlapping activities eliminated.

(7) Where this reorganization of state government abolishes positions, the individuals affected, when otherwise qualified, should be given priority consideration for any new positions created by reorganization or other vacant positions in state government.

Section 2. Definitions.—To provide uniform nomenclature throughout the structure of the executive branch, the following definitions shall apply in this and all future acts.

(1) "Cabinet" means collectively the secretary of state, attorney general, comptroller, treasurer, commissioner of agriculture and commissioner of education as specified in section 4 of article IV of the state constitution.

(2) "Department" means the principal administrative unit within the executive branch of state government.

(3) "Examining and licensing board" means a body authorized to examine applicants, and to grant and revoke licenses to engage in regulated occupations.

(4) "Head of the department" means the individual or board in charge of the department.

(5) "Secretary" means the single head of a department who is not otherwise named in the constitution.

(6) "Executive director" means the chief administrative employee or officer of a department headed by a board or by the governor and the cabinet.

(7) "Council" means an advisory body appointed to function on a continuing basis for the study, and recommendation of solutions and policy alternatives, of the problems arising in a specified functional or program area of state government.

(8) "Committee" means an advisory body appointed to study a specific problem and recommend a solution or policy alternative within a time certain with respect to that problem. Its existence shall terminate upon the completion of its assignment.

(9) "Coordinating council" means an interdepartmental advisory body appointed either by law or by executive order of the governor to coordinate programs and activities for which one department has primary responsibility but in which one or more other departments have an interest.

(10) "Commission", unless otherwise required by the constitution, means a body established within a department exercising limited quasi-legislative or quasi-judicial powers or both independently of the head of the department.

(11) "Agency", as the context requires, means an official, officer, commission, authority, council, committee, department, division, bureau, board, section or another unit or entity of government.

Section 3. The executive branch of state government is structured as follows:

(1) The department is the principal administrative unit of the executive branch. Each department shall bear a title beginning with the words "State of Florida" and continuing with "department of..."

(2) For field operations, departments may establish district or area offices which may combine division, bureau, section and subsection functions without adherence to structural distinctions.

(3) For their internal structure, all departments shall adhere to the following standard terms:

(a) The principal unit of the department is the "division". Each division shall be headed by a "director".

(b) The principal unit of the division is the "bureau". Each bureau shall be headed by a "chief".

(c) The principal unit of the bureau is the "section". Each section shall be headed by an "administrator".

(d) If further subdivision is necessary, sections may be divided into units which shall be known as "subsections" and which shall be headed by "supervisors".

(4) Unless specifically authorized herein, the head of the department shall not reallocate duties and functions specifically assigned herein to a specific unit of the department. Those functions or agencies assigned generally to the department without specific designation to a unit of the department may be allocated and reallocated to a unit of the department at the discretion of the head of the department. Within the limitations of this subsection, the head of the department may establish additional divisions, bureaus, sections, and subsections of the department to promote efficient and effective operation of the department.

(5) All departments and units thereof shall be subject to the requirements of the administrative procedure act, chapter 120, Florida Statutes.

(6) The exemptions from the career service law designated in section 110.051, Florida Statutes, shall include the appointed secretaries and executive directors of the departments established herein. Unless otherwise provided, the exemptions of section 110.051, Florida Statutes, shall also include the directors of the divisions of such departments.

Section 4. Heads of departments; powers and duties.—Each head of a department, except as otherwise provided herein, shall:

(1) Plan, direct, coordinate and execute the powers, duties and functions vested in that department or vested in a division or bureau or section of that department. Powers and duties assigned or transferred to a division, bureau or section of the department shall not be construed to be a limitation upon this authority and responsibility.

(2) Compile annually a comprehensive program budget covering such period as may be required reflecting all program and fiscal matters related to the operation of his department and each program, sub-program and activity therein and such other matters as may be required by law.

(3) Reimburse the members of advisory bodies for their actual and necessary expenses incurred in the performance of their duties in accordance with the provisions of section 112.061, Florida Statutes.

(4) If not otherwise required by law, have authority to require that any officer or employee of the department give an official bond.

(5) Have authority to promulgate rules, subject to the requirements of chapter 120, Florida Statutes (administrative procedure act), pursuant to the powers, duties, and functions transferred herein and enacted hereby.

(6) If a department is under the direct supervision of a board, employ an executive director to serve at its pleasure.

(7) Make recommendations concerning more effective internal structuring of the department to the 1970 regular session and ensuing sessions of the legislature.

Section 5. Method of reorganization.—The executive branch of state government shall be reorganized by transferring the specified agencies, programs, and functions to the departments, commissions or offices created or referred to herein. Types of transfers used herein are defined as follows:

(1) **TYPE ONE (1) TRANSFER.**—A type one (1) transfer is the transferring intact of an existing agency or of an existing agency with certain identifiable programs, activities or functions transferred or abolished so that the agency becomes a unit of a department. Any agency attached to a department by a type 1 transfer shall exercise its powers, duties and functions as prescribed by law subject to review and approval by the head of the department.

(2) **TYPE TWO (2) TRANSFER.**—A type two (2) transfer is the assignment to any department of an examining and licensing board which has as a function the setting of standards for or the regulation of an occupation or the examination, licensing or certifying of practitioners of such occupation. For any agency assigned a type two (2) transfer, the functions of program coordination, the collection of license fees and other revenues, payroll, procurement, and related administrative functions shall be exercised by the head of the department to which the board is assigned. Any agency assigned by a type two (2) transfer shall independently exercise the other powers, duties and functions prescribed by law including rule making, licensing and regulation, and appeals from decisions in regard thereto shall be made directly to the judiciary as provided by law. When authorized by law, each examining and licensing board may provide for its own investigative and legal services. Each examining and licensing board has the authority and responsibility for the preparation of its examinations unless otherwise provided by law. Each examining and licensing board given a type two (2) transfer shall continue to have supervision and control of such funds collected in trust in connection with its licensing, certifying and related activities as shall be appropriated to it. *The present membership of each examining and licensing board is continued and future appointments shall be made as provided by the specific statutory provisions relating to each board.* When provided by law, the members of an examining and licensing board assigned by a type two (2) transfer shall be appointed by the governor for fixed terms, subject to removal only for cause.

(3) **TYPE THREE (3) TRANSFER.**—A type three (3) transfer is the administrative merging into a department or other agency of an existing agency or of an existing agency with certain identifiable programs, activities or functions removed therefrom.

If an agency assigned by a type three (3) transfer was headed by a board, however designated, such board is abolished and the powers and duties previously vested in such board are vested in the head of the department or agency to which the agency is assigned. Any agency assigned by a type three (3) transfer shall have all its statutory powers, duties and functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds transferred to the department or other agency to which it is assigned. The transfer of segregated funds shall be made in such manner that the relation between program and revenue source as provided by law is retained.

(4) **TYPE FOUR (4) TRANSFER.**—A type four (4) transfer is the merging of an identifiable program, activity or function of an existing agency into a department or other agency. Any program or activity assigned by a type four (4) transfer shall have all its statutory powers, duties, records, personnel, property, unexpended balances of appropriations, allocations or other funds transferred to the department or agency to which it is assigned. The transfer of segregated funds shall be made in such manner that the relation between program and revenue source as provided by law is retained.

(5) **TYPE FIVE (5) TRANSFER.**—A type five (5) transfer is identical with a type three (3) transfer except that the board heretofore assigned policy-making responsibility is hereby renamed a "council" and its powers shall be strictly advisory to the division or bureau to which it is attached, if specified, or, if not specified, then to the head of the department or agency. If the board involved, however designated, is already advisory, then the board is hereby renamed a "council".

(6) **TYPE SIX (6) TRANSFER.**—A type six (6) transfer is the termination of an existing agency, and the transfer of all its statutory powers, duties and functions, records and property to a department or another agency. All personnel positions affected by a type six (6) transfer are abolished, and all unexpended balances of appropriations, allocations, or other funds affected by a type six (6) transfer revert to the general revenue fund.

(7) **TYPE SEVEN (7) TRANSFER.**—A type seven (7) transfer is the termination of an identifiable program, activity or function within an existing agency, and the transfer of the related statutory powers, duties, functions, records and property assigned to that agency, to a department or agency. All personnel positions affected by a type seven (7) transfer are abolished, and all unexpended balances of appropriations, allocations, or other funds affected by a type seven (7) transfer revert to the general revenue fund of the state.

*Section 6. Appointments by the governor.—When this act provides for the appointment of a secretary or any other officer to be made by the governor subject to or with the confirmation of the Senate, the governor shall fill such office by appointment, and the person so appointed shall be entitled to take and hold such office until the end of the next ensuing session of the senate unless an appointment be sooner made and confirmed and consented to by the senate. No person rejected by the senate shall be appointed to the same office thereafter during the term of the governor.*

Section 7. Governor and the office of the governor.—Except as otherwise provided herein, the powers, duties and functions of the governor and the office of the governor as prescribed by law are continued.

[(1) All powers, duties and functions of the board of commissioners of state institutions relating to the appointment of the probation and parole commission as provided in section 947.02, Florida Statutes, are assigned by a type four (4) transfer to the governor. Henceforth, however, the governor shall make each appointment from among the first three (3) eligible persons on the list provided for him by the career service commission of the department of administration. The list shall have been compiled in accordance with the provisions of section 947.02, Florida Statutes.]

Section 8. Lieutenant governor and the office of the lieutenant governor.—The powers, duties and functions of the lieutenant governor and the office of the lieutenant governor as presently prescribed by law are continued.

Section 9. Department of state.—There is created a department of state.

(1) The head of the department of state is the secretary of state.

(2) The following divisions of the department of state are established:

- (a) Division of elections
- (b) Division of archives and records management
- (c) Division of corporations [and securities]
- (d) Division of library services

(3) The powers, duties and functions of the secretary of state or the office of the secretary of state prescribed by law, except those required by the constitution to be performed by the secretary of state directly, are assigned by a type three (3) transfer to the department of state.

(4) The division of elections shall provide the staff services required by the [state] elections canvassing commission.

(5) The board of state canvassers, created under section 102.111, Florida Statutes, is renamed the elections canvassing commission; is reconstituted to include the governor and cabinet; and is continued as a part of the department of state.

(6) The board of archives and history, created under chapter 267, Florida Statutes, is assigned by a type three (3) transfer to the division of archives and records management.

(7) The Florida state library and historical commission, created under section 257.01, Florida Statutes, is assigned by a type five (5) transfer to the division of library services.

(8) The Florida arts commission, created under section 272.21, Florida Statutes, is assigned by a type [five (5) transfer to the department of state.] *three (3) transfer to the Florida fine arts council of the department of state.*

(9) *The Florida fine arts council is created as a part of the department of state to consist of fifteen (15) members selected by the secretary of state. In making the appointments, the secretary of state shall give due consideration to geographical representation so that all areas of the state will have a voice on the council. The term of office of each member shall be four (4) years; however, of the members first appointed, three (3) shall be appointed for terms of one (1) year, four (4) for terms of two (2) years, four (4) for terms of three (3) years, and four (4) for terms of four (4) years. Other than the chairman, no member of the council who serves a full four (4) year term shall be eligible for reappointment during a one (1) year period following the expiration of his term. The members shall elect a chairman from their number annually. The chairman shall be the chief executive officer of the council. Any vacancy on the council shall be filled for the remainder of the unexpired term in the same manner as original appointments. Members of the council shall not receive any compensation for their services, but shall be reimbursed for travel and expenses incurred in the performance of their duties as provided in section 112.061, Florida Statutes. The council shall meet a minimum of four (4) times each year.*

(a) *The duties of the council are:*

1. *To advise the secretary of state;*
2. *To stimulate and encourage throughout the state the study and presentation of the performing and visual arts and public interest and participation therein;*
3. *To make such surveys as may be deemed advisable to public and private institutions engaged within the state in artistic and cultural activities, including but not limited to, music, theatre, dance, painting, sculpture, architecture, literature, and allied arts, and to make recommendations concerning appropriate methods to encourage participation in and appreciation of the arts to meet the legitimate needs and aspirations of persons in all parts of the state;*
4. *To take such steps as may be necessary and appropriate to encourage public interest in the cultural heritage of our state and to expand the state's cultural resources;*
5. *To encourage and assist freedom of artistic expression essential for the well-being of the arts;*

6. *To encourage the improvement of the visual environment of the State of Florida.*

(b) *The members of the Florida arts commission shall be eligible for appointment to the Florida fine arts council and shall be considered by the secretary of state for such appointment.*

(10) The following agencies are assigned by type one (1) transfers to the department of state:

(a) St. Augustine historical restoration and preservation commission, created under section 266.01, Florida Statutes;

(b) Pensacola historical restoration and preservation commission, created under section 266.101, Florida Statutes;

(c) Stephen Foster memorial commission, created by section 265.13, Florida Statutes; and

(d) The board of trustees of the John and Mable Ringling museum of art, created under section 272.19, Florida Statutes.

[(10) The Florida securities commission, created under chapter 517, Florida Statutes, is assigned by a type three (3) transfer to the division of corporations and securities.]

(11) The public records screening board, created under section 119.04, Florida Statutes, is assigned by a type six (6) transfer to the department of state.

Section 10. Department of legal affairs.—There is created a department of legal affairs.

(1) The head of the department of legal affairs is the attorney general.

(2) The powers, duties and functions of the attorney general and the office of the attorney general prescribed by law, except those required by the constitution to be performed by the attorney general directly, are assigned by a type 3 (three) transfer to the department of legal affairs.

Section 11. Department of banking.—There is created a department of banking.

(1) The head of the department of banking is the comptroller.

(2) The powers, duties and functions of the comptroller, the office of the comptroller, and banking commissioner prescribed by law, except those required by the constitution to be performed by the comptroller directly, are assigned by a type three (3) transfer to the department of banking.

Section 12. Department of insurance.—There is created a department of insurance.

(1) The head of the department of insurance is the treasurer who shall hereafter be named the "insurance commissioner and treasurer".

(2) The powers, duties and functions of the treasurer, the office of the treasurer, insurance commissioner and state fire marshal prescribed by law, except those required by the constitution to be performed by the treasurer directly, are assigned by a type three (3) transfer to the department of insurance.

Section 13. Department of agriculture and consumer services.—There is created a department of agriculture and consumer services.

(1) The head of the department of agriculture and consumer services is the commissioner of agriculture.

(2) The powers, duties and functions of the commissioner of agriculture and the office of the commissioner of agriculture prescribed by law, except those required by the constitution to be performed by the commissioner of agriculture directly, are assigned by a type three (3) transfer to the department of agriculture and consumer services.

(3) The state department of agriculture, created under chapter 570, Florida Statutes, is assigned by a type three (3) transfer to the department of agriculture and consumer services.

(4) The Florida consumers' council, created by section 570.282, Florida Statutes, is assigned by a type five (5) transfer to the department of agriculture and consumer services.

(5) The office of consumer services, created under section 570.283, Florida Statutes, is renamed the division of consumer services, and is assigned by a type three (3) transfer to the department of agriculture and consumer services.

(6) The state agricultural advisory council, created under section 570.23, Florida Statutes, is assigned by a type five (5) transfer to the department of agriculture and consumer services.

(7) The agricultural and livestock fair committee, created under section 616.21, Florida Statutes, is assigned by a type five (5) transfer to the department of agriculture and consumer services.

(8) All advisory committees pertaining to celery and sweet corn marketing, authorized under section 573.14, Florida Statutes, are assigned by type five (5) transfers to the department of agriculture and consumer services.

(9) The fertilizer technical committee, created under section 576.091, Florida Statutes, is assigned by a type five (5) transfer to the department of agriculture and consumer services.

(10) The pesticide technical committee, created under section 487.061, Florida Statutes, is assigned by a type five (5) transfer to the department of agriculture and consumer services.

(11) The advisory committees pertaining to watermelon marketing orders, authorized under section 573.814, Florida Statutes, are assigned by type five (5) transfers to the department of agriculture and consumer services.

(12) The advisory committees pertaining to foliage plant marketing orders, authorized under section 573.63, Florida Statutes, are assigned by type five (5) transfers to the department of agriculture and consumer services.

(13) The Florida board of forestry, created under chapter 589, Florida Statutes, is assigned by a type five (5) transfer to the department of agriculture and consumer services and becomes the division of forestry.

(14) The Everglades fire control district, created under chapter 379, Florida Statutes, is assigned by a type three (3) transfer to the department of agriculture and consumer services, division of forestry. It is further provided that in order to defray the cost and expense, or any portion of the cost and expense, of the said district performed in each county within its territory, the board of county commissioners in each county receiving services pursuant to chapter 379, Florida Statutes, may pay such costs and expenses from the general fund of the county and, in order to provide for the payments thereof, the said county commissioners may levy annually a tax upon all the taxable property in said county; provided, however, that the gross annual proceeds of such tax shall not in any year exceed the amount set forth as a limit for those fire districts that are subject to the provisions of section 125.26, Florida Statutes, or as otherwise provided by law.

(15) *The state soil and water conservation board, created under chapter 582, Florida Statutes, is assigned by a type five (5) transfer to the department of agriculture and consumer services.*

Section 14. Department of education.— There is created a department of education.

(1) The head of the department of education is the board of education composed of the governor and cabinet as specified in section 2 of article IX of the state constitution. The governor is chairman of the board, and the commissioner of education is the secretary and executive [director.] *officer.*

(2) Four (4) members of the board of education shall constitute a quorum. No business may be transacted at any meeting unless a quorum is present.

(3) The state board of education is the chief policy-making and coordinating body of public education in Florida. It has the following general powers and duties:

(a) To adopt comprehensive educational objectives for public education;

(b) To adopt comprehensive long-range plans and short-range programs for the development of the state system of public education;

(c) To exercise general supervision over the divisions of the department of education to the extent necessary to insure coordination of educational plans and programs and resolve controversies;

(d) To adopt and transmit to the department of administration on official forms furnished for such purposes on or before the date fixed in section 216.02, Florida Statutes, prior to the meeting of the state legislature, estimates of expenditure requirements for the state board of education, the commissioner of education, and the boards, institutions, agencies, and services under the general supervision of the state board of education for the ensuing fiscal year;

(e) To hold meetings, transact business, keep records, adopt a seal, and perform such other duties as may be necessary for the enforcement of all laws and regulations relating to the state system of public education;

(f) To have possession of and manage all lands granted to or held by the state for educational purposes;

(g) To administer the state school fund;

(h) To approve plans for cooperating with the federal government and, pursuant thereto, by regulation to accept funds, create subordinate state boards and provide the necessary administration required by any federal program;

(i) To approve plans for cooperating with other public agencies in the development of regulations and in the enforcement of laws for which the state board and such agencies are jointly responsible;

(j) To approve plans for cooperating with appropriate non-public agencies for the improvement of conditions relating to the welfare of schools; and

(k) To authorize, approve, and require to be used such forms as are needed to promote uniformity, accuracy or completeness in executing contracts, keeping records or making reports.

(4) The commissioner of education is the chief educational officer of the state.

(5) The commissioner of education has the following general powers and duties:

(a) To appoint staff necessary to carry out his powers and duties;

(b) To advise and counsel with the state board of education on all matters pertaining to education; to recommend to the state board of education actions and policies as, in his opinion, should be acted upon or adopted; and to execute or provide for the execution of all acts and policies as are approved;

(c) To call such special meetings of the state board as he shall deem necessary;

(d) To keep such records as are necessary to set forth clearly all acts and proceedings of the state board;

(e) To have a seal for his office with which, in connection with his own signature, he shall authenticate true copies of decisions, acts or documents;

(f) To assemble all data relative to the preparation of the long-range plan for the development of the state system of public education; to propose for adoption by the state board of education such a plan; and to propose revisions in the plan as may be necessary;

(g) To recommend to the state board of education policies and steps designed to protect and preserve the principal of the state school trust fund and to provide an assured and stable income from the fund, and to execute such policies and actions as are approved;

(h) To investigate and submit proposals for sale of all school lands held by the state for educational purposes; to recommend policies for rental, use or improvement of such lands and for

preserving them from trespass or injury, and to execute such policies as are approved;

(i) To submit to the state board of education, at least thirty (30) days prior to the date fixed in section 216.02, Florida Statutes, recommendations of expenditures for the state board of education, the commissioner of education and the boards, institutions, agencies and services under the general supervision of the state board of education for the ensuing fiscal year;

(j) To recommend ways and means of cooperating with the federal government in carrying out any or all phases of the educational program. To recommend policies for administering funds which may be appropriated by congress and apportioned to the state for any or all educational purposes;

(k) To recommend policies for cooperating with other public agencies in carrying out those phases of the program in which such cooperation is required by law or is deemed by him to be desirable. To cooperate with public and non-public agencies in planning and bringing about improvements in the educational program;

(l) To prepare for approval of the state board of education such forms and procedures as are deemed necessary to be used by the board of regents, boards of trustees of junior colleges, district school boards and all other education agencies to assure uniformity, accuracy and efficiency in the keeping of records, the execution of contracts, the preparation of budgets or the submission of reports; to furnish at state expense, when deemed advisable by him, those forms which can more economically and efficiently be provided;

(m) To arrange for the preparation, publication and distribution of materials relating to the state system of public education which will supply information concerning needs, problems, plans and possibilities; also to prepare and publish at least biennially a report giving statistics and other useful information pertaining to the state system of public education; to have printed copies of school laws, forms, instruments, instructions and regulations of the state board of education and to provide for the distribution of the same; and

(n) To appoint an assistant commissioner of education to coordinate, under the supervision of the commissioner, the vocational-technical education programs and activities of the divisions of the department of education.

(6) The following divisions of the department of education are established:

(a) Division of elementary and secondary education.

[(b) Division of community education.]

(b) *Division of vocational education.*

(c) *Division of community junior colleges.*

(d) Division of universities.

(7) The directors of the [three (3)] *four (4)* divisions are provided for as follows:

(a) The board of education, upon the recommendation of the commissioner of education, shall employ a director of the division of elementary and secondary education;

[(b) The board of education, upon the recommendation of the commissioner of education, shall employ a director of the division of community education; and]

(b) *The board of education, upon the recommendation of the commissioner of education, shall employ a director of the division of vocational education;*

(c) *The board of education, upon the recommendation of the commissioner of education, shall employ a director of the division of community junior colleges; and*

(d) The board of regents is the director of the division of universities.

[(9) All powers, duties, responsibilities and functions of the commissioner of education and the existing department of education that pertain to kindergarten through twelfth grade education are assigned by a type four (4) transfer to the division of elementary and secondary education.]

(8) *All powers, duties, responsibilities and functions of the commissioner of education and the existing department of education that pertain to kindergarten through twelfth grade education, except vocational and adult elementary and secondary education, are assigned by a type four (4) transfer to the division of elementary and secondary education.*

[(10) All powers, duties, responsibilities and functions of the commissioner of education and the existing department of education that pertain to junior colleges and area vocational-technical centers are assigned by type four (4) transfers to the division of community education.]

(9) *All powers, duties, responsibilities and functions of the commissioner of education and the existing state department of education that pertain to vocational and adult education including area vocational-technical centers are assigned by type four (4) transfers to the division of vocational education.*

(10) *All powers, duties, responsibilities and functions of the commissioner of education and the existing state department of education that pertain to junior colleges except vocational and adult education are assigned by type four (4) transfers to the division of community junior colleges.*

(11) All powers, duties and functions of the commissioner of education and the existing department of education, not otherwise transferred or provided for herein, are assigned by type three (3) transfers to the department of education.

(12) The state junior college board, created under section 230.0100, Florida Statutes, is assigned by a type five (5) transfer to the division of community [education] *junior colleges.*

(13) The board of regents, created under chapter 240, Florida Statutes, is assigned by a type one (1) transfer to the division of universities.

(14) The anatomical board of the state, created under chapter 245, Florida Statutes, is assigned by a type three (3) transfer to the division of universities.

(15) Except as otherwise provided herein, all powers, duties and functions of the state board of education are transferred to the department of education for reassignment by the state board of education to the commissioner of education or the appropriate division or divisions of the department of education.

(16) The Florida public school board, created under section 229.141, Florida Statutes, is assigned by a type five (5) transfer to the division of elementary and secondary education.

(17) The student scholarship and loan commission, created under section 239.67, Florida Statutes, is assigned by a type five (5) transfer to the department of education.

(18) The textbook purchasing committees, authorized by section 233.07, Florida Statutes, are assigned by type five (5) transfers to the division of elementary and secondary education.

(19) The Florida educational council, created under section 244.07, Florida Statutes, is assigned by a type five (5) transfer to the department of education.

(20) The board of vocational education, constituted under section 229.061(9), Florida Statutes, is assigned by a type three (3) transfer to the department of education.

(21) The professional practices commission, created under section 231.57, Florida Statutes, is assigned by a type five (5) transfer to the division of elementary and secondary education.

(22) The teacher education advisory council, created under section 231.10, Florida Statutes, is assigned by a type five (5) transfer to the division of elementary and secondary education.

(23) The textbook purchasing board, created under section 233.13, Florida Statutes, is assigned by a type three (3) transfer to the department of education.

Section 15. Department of administration.—There is created a department of administration.

(1) The head of the department of administration is the secretary of administration. The secretary shall be appointed by

the governor subject to confirmation by the senate. The secretary shall serve at the pleasure of the governor.

(2) The following divisions and bureaus, within the divisions specified, of the department of administration are established:

(a) Division of planning and budgeting.

1. Bureau of planning.
2. Bureau of budgeting.

(b) Division of personnel.

(c) Division of management improvement.

(d) Division of general services.

1. Bureau of purchasing.
2. Bureau of electronic data processing.
3. Bureau of building construction and maintenance.
4. Bureau of motor pool.
5. Bureau of communications.
6. Bureau of bond marketing.

(3) The office of state planning, created under chapter 23, part I, Florida Statutes, is transferred to the division of planning and budgeting by a type three (3) transfer.

(4) The state planning and budget commission, created under chapter 216, Florida Statutes, is transferred to the division of planning and budgeting by a type three (3) transfer.

(5) In addition to its other functions, it is the duty of the division of planning and budgeting to submit to the governor prior to the commencement of each regular session of the legislature, a full and comprehensive report setting forth the needs of state government pertaining to building space and improvements. The report shall also set forth the division's recommendations as to how said needs may be best satisfied.

(6) All state agencies shall annually prepare their budget requests and submit them to the bureau of budgeting pursuant to the provisions set forth in section 216.02, Florida Statutes. The bureau of budgeting shall analyze these budgets and shall assist the governor in developing his budget recommendations pursuant to the provisions set forth in section 216.10, Florida Statutes. The governor shall present to the legislature a single budget encompassing his recommendations of expenditures for all state agencies pursuant to the provisions set forth in section 216.11, Florida Statutes; provided further that in the event his budget recommends expenditures in excess of anticipated revenues, it shall be the duty of the governor to make specific recommendations as to methods of raising the additional revenues required.

(7) Each member of the cabinet and each board composed of the governor and cabinet, in addition to submitting their budget requests to the bureau of budgeting, may submit their budget requests directly to the appropriate committees of the legislature and may make presentations directly to the legislature pertaining to such requests.

[(8) After funds are appropriated by the legislature to the various state agencies, each such agency shall prepare and submit to the bureau of budgeting its operating budget for the ensuing fiscal year pursuant to the provisions set forth in section 216.16, Florida Statutes. It shall be the duty of the bureau to approve and to release funds and provide for the execution of the operating budgets in accordance with the appropriations acts of the legislature.]

(8) After funds are appropriated by the legislature to the various state agencies, each such agency shall prepare and submit to the bureau of budgeting its operating budget for the ensuing fiscal year pursuant to such provisions set forth in sections 216.16 and 216.17, Florida Statutes as may be provided by the legislature in its appropriations acts. It shall be the duty of the bureau to approve and to release funds and to provide for the execution of the operating budgets in accordance with the appropriations acts of the legislature.

(9) There is created as part of the department of administration a budget appeals commission composed of the governor and cabinet. The governor is chairman of the commission and the comptroller is secretary. The comptroller shall call a meeting of the commission promptly each time the need therefor arises. Except as otherwise provided herein, a majority vote of the commission shall be binding on all matters within its jurisdiction. The commission shall hear appeals when requested to do so by a member of the cabinet, or by any board composed of the governor and cabinet, having a right of appeal herein. *The commission shall adopt such rules as it deems necessary to carry out its duties and responsibilities.*

(a) Each member of the cabinet and each board composed of the governor and cabinet shall have the right to appeal to the budget appeals commission from decisions of the bureau of budgeting or the division of personnel directly affecting the agency headed by such member or board concerning the following:

1. The approval or execution of an operating budget submitted pursuant to an appropriation act;

2. The denial in whole or in part of a request for an emergency or deficiency appropriation;

3. The setting of a salary of a policy-making employee or a secretary of a member of the cabinet pursuant to section 110.051(2)(h), Florida Statutes;

(b) Upon hearing an appeal authorized herein, the budget appeals commission may order appropriate adjustments as are deemed necessary to effectuate legislative intent.

(c) The comptroller shall, when appropriate, report to the governor that, in his opinion, anticipated funds available are insufficient to meet authorized expenditures. In the event the governor does not act within ten (10) days, pursuant to section 216.211, Florida Statutes, to keep expenditures within anticipated funds available, the comptroller shall report his findings and opinion to the budget appeals commission. The commission shall have the authority to order the adjustments of budgets pursuant to the provisions set forth in section 216.211, Florida Statutes.

(10) The state personnel board, created under chapter 110, Florida Statutes, is transferred to the division of personnel by a type three (3) transfer.

(11) All powers, duties and functions relating to retirement and pensions of all retirement and pension systems of the state and any political subdivision or branch thereof as prescribed by chapters 112 (public officers and employees, general provisions), 122 (state and county retirement system), 123 (supreme court justices, district courts of appeal judges and circuit judges retirement systems), 175 (municipal firemen's pension trust fund), 185 (municipal police officers retirement trust fund; policing generally), 238 (retirement system for school teachers) and 321 (highway patrol), Florida Statutes, are transferred to the division of personnel by a type four (4) transfer.

(12) The state board of pensions as prescribed in chapter 291, Florida Statutes, is transferred to the division of personnel by a type three (3) transfer.

[(13) There is created a career service commission which is an administrative board of review within the department of administration composed of five (5) commissioners appointed by the governor for staggered terms of 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. The governor shall make all appointments, including those to fill a vacancy, subject to confirmation by the senate. The governor may suspend a commissioner only for cause subject to removal or reinstatement by the senate. The terms of the original commissioners shall be as follows, all beginning July 1, 1969: two (2) commissioners shall serve for one (1) year; one (1) commissioner shall serve for two (2) years; one (1) commissioner shall serve for three (3) years; and one (1) commissioner shall serve for four (4) years. At no time may more than three (3) members of the commission be registered members of the same political party.]

(a) Members appointed to such terms shall be laymen with at least five (5) years' experience in business, industry or labor at the management level or in a recognized profession. No member of the career service commission shall be a member of any

county, state or national committee of a political party or an officer in any partisan political club or organization, or shall hold, or be a candidate for, any other public office. No person shall be appointed as a member of the career service commission who has held an elective public office or office in a political party within the year immediately preceding his appointment.

(b) The career service council, created under section 110.041, Florida Statutes, is assigned a type three (3) transfer to the career service commission of the department of administration.

(c) The powers, duties and functions of the state personnel board set forth in section 110.061, Florida Statutes, are transferred by a type four (4) transfer to the career service commission and the exercise by the commission of such powers, duties and functions shall be reviewable only by the judiciary as authorized by law.

(d) The powers, duties and functions of the examining board referred to in section 947.02, Florida Statutes, are assigned by a type six (c) transfer to the career service commission.]

*(13) The career service council, created under section 110.041, Florida Statutes, is renamed the career service commission and continues as an administrative board of review within the department of administration.*

*(a) Each member of the career service council holding office when this act becomes effective shall continue in office as a member of the career service commission for the remainder of his term. Thereafter, appointments to the commission shall continue to be made pursuant to the provisions of section 110.041, Florida Statutes, except that the governor shall make all appointments, including those to fill a vacancy, subject to confirmation by the senate. The governor may suspend a commissioner only for cause subject to removal or reinstatement by the senate.*

*(b) The powers, duties and functions of the state personnel board set forth in section 110.061, Florida Statutes, and the powers, duties and functions of the state personnel board to make rules and to hear appeals set forth in section 110.021, Florida Statutes, are transferred by a type four (4) transfer to the career service commission and the exercise by the commission of such powers duties and functions shall be reviewable only by the judiciary as authorized by law.*

*(c) Section 110.051 (2) (j), Florida Statutes, is repealed.*

#### (14) BUREAU OF PURCHASING.—

(a) The following definitions shall apply in this subsection:

1. "Agency" means any of the various state officers, departments, boards, commissions, divisions, bureaus, councils and any other unit of organization, however designated.

2. "Commodity" means any of the various supplies, materials, goods, merchandise, class B printing, equipment, insurance, and other personal property purchased, leased or otherwise contracted for by the state and its agencies. However, commodities purchased for resale except class B printing are excluded from this definition.

3. "Bureau" means the bureau of purchasing of the department of administration.

(b) It shall be the purpose of the bureau to promote efficiency and economy and effect coordination in the purchase of commodities for the state.

(c) The purchasing bureau shall have the following powers, duties and functions pertaining to commodities:

1. To canvass all sources of supply, and to contract for the purchase, lease or acquisition in any manner of all commodities required by the state government, or any of its agencies under competitive bidding or by contractual negotiation in the manner as hereinafter provided.

2. To plan and coordinate purchases in volume; to negotiate and execute purchasing agreements and contracts under which the bureau shall require state agencies to purchase and, under which a county, municipal or other local public authority may purchase. Purchases by any county, municipal or other local public agency or authority under the provisions in the state

purchasing contracts, shall be exempt from the competitive bid requirements otherwise applying to their purchases.

3. To have general supervision through the state agencies of all storerooms and stores operated by the agencies; to provide for transfer to or exchange between all state agencies, or to sell all commodities which are surplus, obsolete or unused; and to have supervision of inventories of all commodities belonging to the state agencies. The duties imposed by this subsection shall not relieve any state agency from accountability for commodities under its control.

4. To prescribe the methods of securing bids or negotiating and awarding contracts.

5. To prescribe items and quantities to be purchased locally.

6. In the event that no bids are received, to have the authority to negotiate on the best terms and conditions.

7. To govern the purchase by any agency of any commodity; to establish standards and specifications for a commodity; and to set the maximum fair prices that shall be paid for a commodity.

8. To furnish copies of any purchasing regulation to the comptroller and all agencies affected thereby. Thereafter, no agency shall purchase any commodity covered by purchasing regulations without prior approval of the bureau. The comptroller shall not approve any account nor direct any payment of any account for the purchase of any commodity covered by a purchasing regulation except as authorized therein. The bureau shall furnish to any county or municipality or other local public agency requesting same, copies of regulations adopted by the bureau.

9. If any of the funds appropriated to any agency are to be expended for equipping, operating or maintaining, printing, duplicating or reproduction services or facilities, then each such agency shall furnish such cost records to the bureau as may be prescribed by the bureau. Nothing herein shall authorize the purchase of any printing, duplicating or reproduction equipment except under such rules and regulations as are adopted by the bureau.

10. To require that each and every agency furnish information relative to its purchases and as to its methods of purchasing to the bureau.

11. To have all necessary authority to adopt rules and regulations necessary to carry out the purposes of this subsection, including the authority to delegate to any state agency any and all of the authority conferred by this subsection, retaining to the bureau any and all authority for supervision thereof.

(d) Commodities shall not be acquired by any agency pursuant to any contract for services or incidental to the services performed thereunder. Any contract providing for the acquisition of both services and commodities shall be deemed to be a contract for the acquisition or purchase of commodities, except that service contracts may provide for purchase of reports on the findings of consultants engaged thereunder.

(e) No purchase of commodities shall be made where the purchase price thereof is in excess of one thousand dollars (\$1,000) unless made upon competitive bids received, except:

1. If the head of any state agency shall maintain that an emergency exists in regard to the purchase of any commodity, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency shall file with the bureau a statement under oath certifying the conditions and circumstances.

2. Purchasing agreements, contracts and maximum price regulations executed by the bureau are excepted from bid requirements.

3. Commodities available only from a single source may be excepted from the bid requirements herein upon the filing by the head of an agency of a certification of conditions and circumstances with the bureau if, subsequent thereto, the bureau authorizes the exception in writing.

(f) The bureau may delegate the authority for the purchase, contracting for, lease or acquisition of commodities in the following cases:

1. Technical instruments and supplies and technical books and other printed matter on technical subjects; manuscripts, maps, books, pamphlets and periodicals for the use of the state library or any other library in the state, supported in whole or in part by state funds.

2. Perishable articles, such as fresh vegetables, fresh fruit, fresh fish, fresh meat, eggs and milk; providing, that no other article shall be considered perishable within the meaning of this clause, unless so classified by the bureau.

3. All purchases, contracts for, leases or acquisitions of commodities described in this paragraph made directly by the agencies shall, whenever possible, be based on two (2) or more competitive bids. Whenever an order, contract, lease or acquisition of such commodities is awarded by any agency, a copy of such order, contract, lease or other document together with a record of the competitive bids, if any, upon which it was based shall be forwarded to the bureau.

(g) Whenever two (2) or more competitive bids are received, one (1) or more of which relates to commodities manufactured within this state and whenever all things stated in such received bids are equal with respect to price, quality and service, the commodities manufactured within this state shall be given preference.

(h) Any foreign manufacturing company with a factory in the state and with over two hundred (200) employees working in the state shall have preference over any other foreign company where price, quality and service are the same, regardless of where the product is manufactured.

(i) No general contract shall be let to cover the printing designated as class B, but each job coming under this classification shall be let separately under regulations adopted by the bureau to the lowest responsible bidder. Such contract shall apply only to the work under consideration and shall require competitive bids on all purchases in excess of fifty dollars (\$50). *All the public printing of this state shall be done in the state, and the bond given by any contractor for such printing shall so state.*

(j) The attorney general shall assist in the preparation of forms of contracts and of contractual language for use in all contracts governed herein.

(k) The insurance commissioner shall provide the bureau with technical assistance in all matters pertaining to the purchase of insurance for all agencies.

(1) Notwithstanding any of the provisions herein, the bureau may follow whatever procedure is deemed necessary to enable agencies to take advantage of the sale of any surplus material sold by the federal government or its disposal agencies.

(m) All personnel, property and appropriations of the state purchasing commission created under chapter 287, Florida Statutes, are transferred to the bureau.

(15) The Florida electronic data processing management board, created under chapter 23, part II, Florida Statutes, is transferred to the bureau of electronic data processing by a type three (3) transfer.

#### (16) BUREAU OF BUILDING CONSTRUCTION AND MAINTENANCE.—

(a) No state agency shall construct a building for state use unless prior approval of the architectural design and preliminary construction plans is first obtained from the bureau of building construction and maintenance.

(b) No state agency shall lease a building or any part thereof for state use unless prior approval of the lease conditions and of the need therefor is first obtained from the bureau of building construction and maintenance.

(c) The capitol safety committee, created under section 255.24, Florida Statutes, is transferred to the bureau of building construction and maintenance by a type three (3) transfer.

(d) The capitol center planning committee, created under section 272.121, Florida Statutes, is transferred to the bureau of building construction and maintenance by a type three (3) transfer.

(e) All powers, duties and functions of the board of commissioners of state institutions having to do with design and construction of state buildings and the general supervision of maintenance therein and the specific powers of the board of commissioners of state institutions relating to the general office building construction division, the heating and electrical division, the grounds division and the state office building division as prescribed in chapters 116 (powers and duties of officers), 215 (Financial matters, generally), 217 (surplus property), 255 (public property and public buildings), 270 (public lands), 272 (board of commissioners of state institutions), 284 (state fire insurance trust fund), 285 (Indian reservations and affairs), 288 (Florida development commission), 393 (sunland training centers), 394 (Florida state hospitals; psychiatric centers), 396 (rehabilitation of alcoholics), 801 (child molester act), 944 (Florida corrections code) and 965 (board of commissioners of state institutions; divisions), Florida Statutes, are transferred to the bureau of building construction and maintenance by a type four (4) transfer.

(f) All powers, duties and functions of the secretary of state as prescribed in section 21 of article IV of the constitution of Florida of 1885 relating to his having charge of the capitol building and grounds are transferred to the bureau of building construction and maintenance by a type four (4) transfer.

(g) All powers, duties and functions of the board of regents and the institutions under the board of regents relating to building construction, additions to buildings and to substantial modifications and alterations of buildings as prescribed in chapters 239, 240 and 241, Florida Statutes, are transferred to the building construction and maintenance bureau by type four (4) transfers.

(h) The governor's mansion commission, created under section 272.18, Florida Statutes, is transferred to the bureau of building construction and maintenance by a type five (5) transfer.

#### (17) BUREAU OF MOTOR POOL.—

(a) The bureau of motor pool shall be divided into no less than two (2) sections. There shall be a section for motor vehicles and watercraft of all types and a separate section for aircraft. The bureau shall be responsible for obtaining the most effective and efficient use of motor vehicles, watercraft and aircraft for state purposes.

(b) No state agency shall henceforth purchase, lease or acquire [for other than casual use] any motor vehicle, watercraft or aircraft of any type unless prior approval is first obtained from the bureau of motor pool; provided, however, that nothing herein shall *prohibit the lease for casual use of motor vehicles, nor shall* remove the requirement that all purchases be in compliance with the rules and regulations of the bureau of purchasing.

(c) The motor pool bureau shall have the following powers, duties and responsibilities:

[1. To establish and operate central facilities for the acquisition, operation, maintenance, repair, storage, supervision, control and regulation of all state-owned or leased aircraft; and to operate any state facilities for those purposes.]

*1. To establish and operate central facilities for the acquisition, disposal, operation, maintenance, repair, storage, supervision, control and regulation of all state-owned or leased aircraft; and to operate any state facilities for those purposes. Acquisition may be made by purchase, lease, loan or in any other legal manner.*

[2. To require any state agency to transfer its ownership, custody and control of any or all aircraft to the department of administration and to acquire additional aircraft by purchase, lease, loan or in any other manner;]

*2. To require every state agency to transfer its ownership, custody and control of every aircraft to the department of administration.*

[3. To maintain, store, repair, dispose of and replace state-owned or leased aircraft under the control of the bureau;

4. Upon requisition and showing of need, to assign suitable aircraft transportation, on a temporary or permanent basis to any state agency;]

3. Upon requisition and showing of need, to assign suitable aircraft transportation, on a temporary (any time up to and including one (1) month) or permanent (any time from one month up to and including one (1) full year) basis to any state agency.

4. To allocate and charge the state agencies to which aircraft transportation is furnished fees, based upon any reasonable criteria;

5. To adopt and to enforce rules and regulations for the efficient use, operation, maintenance, repair and replacement of all state-owned or leased aircraft; to require the placement of appropriate stickers, decals or other markings upon the aircraft of the state. The bureau may delegate to the respective heads of the agencies to which aircraft are assigned the duty of enforcing the rules and regulations adopted by the bureau;

6. To require any state agency to keep records and make reports regarding aircraft to the bureau as may be required; and

7. To submit written recommendations to the legislature, no later than sixty (60) days prior to the commencement of the next regular session of the legislature, as to efficient and effective methods by which central facilities could be established and operated for the acquisition, operation, maintenance, repair, storage, supervision, control and regulation of all state-owned or leased motor vehicles and watercraft.

(d) The aircraft in the central motor pool or any branch thereof shall be available for official state business only.

(e) The chief of the bureau of motor pool may require a department or any state agency having facilities for the repair of aircraft and for the storage and distribution of gasoline and other petroleum products to repair aircraft and to furnish gasoline and other petroleum products to any other department or agency and shall compensate for the cost of such services and products.

#### (18) BUREAU OF COMMUNICATIONS.—

(a) The bureau of communications shall have the following powers, duties and functions:

1. To develop a state plan for communications services for all state agencies;

2. To coordinate the purchase, lease and use of all communications services for state government;

3. To advise state agencies and political subdivisions of the state as to systems or methods to be used to meet communications requirements efficiently and effectively;

4. To consolidate the communications systems and services of state agencies and to provide for their joint use by the agencies;

5. To assume management responsibility for any consolidated system or service;

6. To enter into agreements for the support and use of the communications services of state agencies and of political subdivisions of the state;

7. To provide for the rendering of aid between state government and its political subdivisions with respect to the organizing of communication systems;

8. To use or acquire communications facilities now owned or operated by any state agency;

9. To standardize policies and procedures for the use of such services;

10. To delegate to state agencies the powers of acquisition, lease and utilization of communications facilities and services;

11. To purchase from or contract with suppliers and communications common carriers for communications facilities or services, including private line services;

12. To apply for, receive and hold or assist agencies in applying for, receiving or holding such authorizations, licenses and allocations or channels and frequencies to carry out the purposes of this act;

13. To acquire real estate, equipment and other property;

14. To cooperate with any civil defense agency, federal, state or local in providing for emergency communications services;

15. Unless delegated to the agencies, to control and approve the additional installation of all communications equipment and facilities;

16. To take custody and control of existing communications equipment and facilities to carry out the purposes of this act;

17. To prescribe rules and regulations for the use of the state communications system.

18. To provide a means whereby political subdivisions of the state may utilize the state communications system upon such terms and under such conditions as the division may establish; and

19. To apply for and accept federal funds for any of the purposes of this act as well as gifts and donations from individuals, foundations and private organizations.

(b) Any reference herein to communications or communications system means any transmission, emission [or] and reception of signs, signals, writings, images and sounds of intelligence of any nature by wire, radio, optical or other electromagnetic systems and shall include all facilities and equipment owned, leased or used by all agencies and political subdivisions of state government.

(c) State departments shall cooperate and assist in the joint use of communications systems and services. The chief of communications shall develop a system of equitable billings and charges for communication services provided in any consolidated or joint-use system of communications.

(d) In the event of an emergency, the governor may direct civil defense assumption of control over all or part of the state communications system.

(19) All personnel, assets and liabilities of the revenue bond department of the Florida development commission are transferred to the bureau of bond marketing by a type four (4) transfer. All obligations of said commission in connection with outstanding bond issues shall be assumed and performed either by the bureau of bond marketing or by the state board of administration, as provided by law or by contract. Any bond proceedings taken by the Florida development commission prior to July 1, 1969, when ratified by the state board of administration shall be deemed to have been taken by the board and the bureau of bond marketing on behalf of said commission and any further necessary services in connection with such bond issues shall be performed by the board or the bureau in the manner provided by this action as otherwise provided by law. Any legal commitments, contracts or other obligations heretofore entered into or assumed by the Florida development commission in connection with its revenue bond program outstanding on July 1, 1969, are hereby charged to and shall be performed by the bureau of bond marketing. All of the powers and duties granted to and vested in the Florida development commission by any statutes and laws of this state relating to the revenue bond program of said commission are granted to, vested in and shall be exercised by the bureau, and all of said statutes and laws not expressly repealed hereby shall remain in full force and effect, subject to the powers and duties therein prescribed being performed by the bureau.

(20) The board of commissioners of state institutions, created under section 17 of article IV of the constitution of Florida of 1885, is assigned a type three (3) transfer to the department of administration.

Section 16. Department of business regulation.—There is created a department of business regulation.

(1) The head of the department of business regulation is the secretary of business regulation.

The secretary shall be appointed by the governor subject to confirmation by the senate. The secretary shall serve at the pleasure of the governor.

(2) The following divisions of the department of business regulation are established:

- (a) Division of pari-mutuel wagering.
  - (b) Division of hotels and restaurants.
  - (c) Division of installment land sales.
  - (d) Division of beverage.
  - (e) Division of general regulation.
  - (f) *Division of securities.*
- (3) *The Florida securities commission, created under chapter 517, Florida Statutes, is assigned by a type three (3) transfer to the department of business regulation, division of securities.*
- (4) All powers, duties and functions of the comptroller in his capacity as director of state cemeteries, as prescribed by part IV, chapter 559, Florida Statutes, are assigned by a type four (4) transfer to the department of business regulation, division of general regulation.
- (5) The state racing commission, created under chapter 550, Florida Statutes, is assigned by a type three (3) transfer to the department of business regulation, division of pari-mutuel wagering.
- (6) The land sales board, created under chapter 478, Florida Statutes, is assigned by a type five (5) transfer to the department of business regulation, division of installment land sales.
- (7) The hotel and restaurant commission, created under chapter 509, Florida Statutes, is transferred by a type three (3) transfer to the department of business regulation, and becomes the division of hotels and restaurants.
- (8) The state beverage department, created under chapter 561, Florida Statutes, is assigned by a type three (3) transfer to the department of business regulation, division of beverage.
- (9) All powers, duties and functions of the state board of conservation relating to the regulation and licensing of yacht and ship brokers, as prescribed by chapter 537, Florida Statutes, are transferred by a type four (4) transfer to the department of business regulation, division of general regulation.
- (10) All powers, duties and functions of the secretary of state relating to the regulation of private employment agencies, under chapter 449, Florida Statutes, regulation of labor organizations, under chapter 447, Florida Statutes, regulation of shorthand court reporting, under chapter 457, Florida Statutes, and regulation of investigative agencies, under chapter 493, Florida Statutes, are assigned by a type four (4) transfer to the department of business regulation, division of general regulation.
- (11) The labor business agents licensing board, created under section 447.04(3), Florida Statutes, is transferred by a type three (3) transfer to the department of business regulation, division of general regulation.
- (12) All powers, duties and functions of the Florida industrial commission relating to the enforcement of the elevator inspection law, under chapter 399, Florida Statutes, are assigned by a type four (4) transfer to the department of business regulation, division of general regulation.
- (13) All powers, duties and functions of the department of motor vehicles relating to the enforcement of the uniform standards code for mobile homes, under sections 320.821 through 320.832, Florida Statutes, are assigned by a type four (4) transfer to the department of business regulation, division of general regulation.
- (14) The secretary of the department of business regulation is authorized to establish procedures for the administration of each division. In each of the divisions of the department, hearing examiners may be appointed to assist the division directors in exercising the discretionary powers, duties and functions of their divisions. Any interested person may appeal an adverse decision by a division or by the department to the business regulation commission established herein.
- (15) There is established a business regulation commission which is an administrative board of review within the department of business regulation to be composed of five (5) commissioners appointed by the governor for staggered terms of 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. The governor shall make all appointments, including those to fill a vacancy, subject to the confirmation of the senate. The governor may suspend a commissioner only for cause subject to removal or reinstatement by the senate. The terms of the original commissioners shall be as follows, all beginning July 1, 1969: [two (2) commissioners shall serve for one (1) year; one (1) commissioner shall serve for two (2) years;] *one (1) commissioner shall serve for one (1) year; two (2) commissioners shall serve for (2) years; one (1) commissioner shall serve for three (3) years; and one (1) commissioner shall serve for four (4) years.* At no time may more than three (3) members of the commission be registered members of the same political party.

(a) The business regulation commission shall elect a chairman from its own membership, employ a commission secretary and adopt such rules and procedures as are necessary to effectuate the purposes of this act.

(b) The business regulation commission may in its discretion hear and decide appeals from the divisions of or from the department of business regulation. Appeals may be initiated at the request of any person affected by any ruling or decision of the divisions, the department or at the request of the commission itself. At the discretion of the commission the proceedings before it may be de novo. All decisions of the business regulation commission are reviewable only by the supreme court by writ of certiorari, pursuant to rules promulgated by the supreme court.

(c) The business regulation commission has the final authority to adopt and promulgate all rules of the department of business regulation and its divisions. The commission may, in its discretion, assign to the department or its divisions the authority to adopt and promulgate such rules subject to the final authority of the commission.

Section 17. Department of commerce.—There is created a department of commerce.

(1) The head of the department of commerce is the secretary of commerce. The secretary shall be appointed by the governor subject to confirmation by the senate. The secretary shall serve at the pleasure of the governor.

(2) The following divisions of the department of commerce are established:

(a) Division of labor[.] *and employment opportunities.*

(b) Division of commercial development.

(3) The apprenticeship council, created under section 446.041, Florida Statutes, is assigned by a type five (5) transfer to the division of labor, with the director of the division of labor designated as ex officio chairman.

(4) The Florida industrial commission, created under section 440.44, Florida Statutes, is assigned by a type three (3) transfer to the division of labor; except that the appellate jurisdiction of the Florida industrial commission over questions relating to workmen's compensation as provided in section 440.34, Florida Statutes, is abolished, and such appeals shall be made directly to the judiciary as provided by law.

(5) The Florida development commission, created under chapter 288, Florida Statutes, is assigned by a type three (3) transfer to the division of commercial development.

(6) The Florida egg commission, created under chapter 504, Florida Statutes, is assigned by a type one (1) transfer to the division of commercial development.

(7) The inter-American center authority, created under chapter 554, Florida Statutes, is assigned by a type five (5) transfer to the division of commercial development.

(8) The Florida nuclear and space commission, created under section 290.01, Florida Statutes, is assigned a type five (5) transfer to the department of commerce.

(9) There is created within the division of labor *and employment opportunities* an industrial relations commission to consist of the director of the division of labor as chairman and two (2)

other members to be appointed by the governor. Not more than one (1) appointee shall be a person who on account of his previous vocation, employment or affiliation shall be classified as a representative of employers, and not more than one (1) such appointee shall be a person who on account of his previous vocation, employment or affiliation shall be classified as a representative of employees.

(a) All powers, duties and functions of the Florida industrial commission relating to rule making, provided in section 440.56 and section 443.12, Florida Statutes, are assigned by a type four (4) transfer to the industrial relations commission.

(b) All powers, duties and functions of the Florida industrial commission relating to unemployment compensation hearings and appeals, as provided in chapter 443, Florida Statutes, are assigned by a type four (4) transfer to the industrial relations commission.

(10) *There is created within the division of labor and employment opportunities a bureau of human resources. This bureau shall encourage the development of state programs by the various departments for the productive use of human resources.*

(11) The secretary of commerce has the authority until July 1, 1971, to create new divisions within the department and reorganize functions of existing divisions within the department as is necessary for efficient and effective management.

Section 18. Department of community affairs.—There is created a department of community affairs.

(1) The head of the department of community affairs is the secretary of community affairs. The secretary shall be appointed by the governor subject to confirmation by the senate. The secretary shall serve at the pleasure of the governor.

(2) The following divisions of the department of community affairs are established:

- (a) Division of economic opportunity.
- (b) Division of local finance.
- (c) Division of emergency government.
- (d) Division of technical assistance.
- (e) Division of training and professional development.

(3) Within the department of community affairs, there is created a council on community affairs consisting of nine (9) members appointed by the governor from among the citizens of the state. In making the appointments, the governor shall give representation to local officials and community leaders and to the various geographical areas of the state. Of the members first to be appointed, three (3) shall be appointed for terms of one (1) year each; three (3) shall be appointed for terms of two (2) years each; and three (3) shall be appointed for terms of three (3) years each. The successors of the members first appointed shall be appointed for three-year terms. Vacancies other than by expiration of terms shall be filled by appointment of the governor for the remainder of the unexpired term. All members of the council shall serve without compensation, except for the reimbursement of their necessary expenses as provided by law.

(a) The council on community affairs shall annually select a chairman and a vice chairman. The chairman shall annually submit a report to the governor with recommendations of appropriate legislative or executive action.

(b) The council shall meet at least monthly and at such other times as the governor, the secretary or the council determines.

(c) The council on community affairs shall consult with and advise the secretary of community affairs, the governor and the legislature regarding the affairs and problems of local government and other problems within the jurisdictional concern of the department, and shall conduct such studies of specific community problems as may be referred to the council by the governor, the legislature or the secretary of community affairs. In conducting studies, the council shall hold hearings throughout the state as are necessary.

(d) The department of community affairs shall furnish equipment and staff necessary to implement the work of the council.

(4) Within the department of community affairs, there is created an inter-departmental coordinating council on community services consisting of the secretary of community affairs, as chairman, and the following: director of the division of family rehabilitation of the department of social and rehabilitative services; the secretary of health; the director of the division of labor of the department of commerce; the director of the division of environmental protection of the department of natural resources; the adjutant general of Florida; the director of the division of recreation and parks of the department of natural resources; the chancellor of the board of regents; the assistant commissioner of education in charge of coordinating vocational-technical education programs and activities; the secretary of transportation; a representative of the department of administration in charge of budgeting; and a representative of the department of administration in charge of planning. In the event that any of the foregoing offices are changed, renamed, abolished or merged with other offices, membership on the inter-departmental coordinating council on community services shall devolve upon the office assuming the duties of the former office and the provisions of this section shall apply equally upon the new office as they did upon the former.

(a) The chairman of the coordinating council is authorized to convene, within his discretion, meetings of the coordinating council at appropriate times and places and for purposes which enable the department of community affairs to exercise its powers and perform its duties.

(b) The chairman of the coordinating council is authorized to make appointments to ad hoc working groups of the council to consider special problems within the scope of the responsibilities of the department.

(c) The members of the coordinating council, or policy-making representatives designated by them, shall participate in council meetings and ad hoc working group meetings called by the chairman and, to the extent permitted by law and available funds, shall furnish information, at the request of the chairman, pertaining to programs within the responsibilities of such department.

(d) The department of community affairs shall provide the necessary administrative services for the coordinating council.

(e) The chairman shall make periodically, and at the request of the governor, a report to the governor of the activities of the council.

(5) The secretary of community affairs shall:

(a) Supervise and administer the activities of the department and shall advise the governor, the cabinet and the legislature with respect to matters affecting community affairs and local government and participate in the formulation of policies which best utilize the resources of state government for the benefit of local government;

(b) Render services to local governments by assisting, upon request, in applying for and securing federal and state funds, and by assisting the department of administration in coordinating the activities of the state with federal programs for assistance in and solution of urban problems;

(c) Under the direction of the governor, administer programs to apply rapidly all available aid to disaster-stricken communities and, for this purpose, provide liaison with federal agencies and other public and private agencies;

(d) When requested, administer programs which will assist the efforts of local governments in developing mutual and cooperative solutions to their common problems;

(e) Conduct programs to encourage and promote the involvement of private enterprise in the solution of urban problems;

(f) Consult with governmental, academic and private organizations which conduct research on metropolitan and other local problems and report to the governor and the legislature concerning the findings and recommendations of these organizations;

(g) Conduct continuing programs of analysis and evaluation of local governments and recommend to the governor programs and changes in the powers and organization of local government as may seem necessary to strengthen local governments;

(h) Provide an informational service for local governments or interested persons by referring inquiries to the appropriate departments and agencies of the state and federal governments for advice, assistance and available services in connection with particular problems;

(i) Assist the governor and the cabinet in coordinating and making more effective the activities and services of those departments and agencies of the state which may be of service to units of local government;

(j) Provide consultative services and technical assistance to local officials in the fields of housing, redevelopment and renewal, [industrial and commercial development,] local public improvement programs, planning and zoning and other local programs and collect and disseminate information pertaining thereto, including information concerning federal, state and private assistance programs and services;

(k) Conduct research and studies and prepare model ordinances, charters and codes relating to the areas referred to in (j) above;

(l) Cooperate with other state agencies in the preparation of statewide plans relating to housing, redevelopment and renewal, human resources development, local planning and zoning, transportation and traffic and other matters relating to the purposes of this section; and

(m) Conduct a program of pre-service and in-service training for local officials in technical and specialized areas of local administration, in cooperation with appropriate state agencies whose professional personnel possess specialized or technical knowledge which would be useful in conducting such training programs. Included in such programs shall be short courses in fiscal and debt management and other areas in which the secretary determines that there is sufficient interest among local officials to warrant training programs.

(6) The powers, duties and functions of the division of economic opportunity in the office of the governor is assigned by a type four (4) transfer to the department of community affairs, division of economic opportunity.

[(7) The division of economic opportunity, in addition to its other functions, shall encourage the development of state programs by the various departments for the productive use of human resources. The division shall:

(a) Cooperate with the department of commerce in the development of employment opportunities;

(b) Cooperate with the departments of education and social and rehabilitative services in the development of educational programs consistent with the needs of industry; and]

(c) Encourage local governments to actively participate in state and federal programs to reduce unemployment and develop industrial and commercial growth.]

(7) *The division of economic opportunity, in addition to its other functions, shall assist the department of commerce in the development of employment opportunities.*

(8) The department of civil defense, created under chapter 252, Florida Statutes, is assigned by a type three (3) transfer to the department of community affairs, division of emergency government.

(9) The state civil defense council, created under section 252.05, Florida Statutes, is assigned by a type three (3) transfer to the department of community affairs, division of emergency government.

(10) The Florida civil defense advisory board, created under section 252.05(2), Florida Statutes, is assigned by a type six (6) transfer to the department of community affairs, division of emergency government.

(11) The powers, duties and functions of the comptroller of the State of Florida, as prescribed by chapter 116, Florida Statutes (supervision of financial affairs of state and county officers), chapter 128, Florida Statutes (examination of county financial reports), and chapter 129, Florida Statutes (supervision of county budgets), are assigned by a type four (4) transfer to the division of local finance.

(12) The powers, duties and functions of the Florida development commission relating to local planning assistance are assigned by a type four (4) transfer to the department of community affairs, division of technical assistance.

(13) The state housing board, created under chapter 424, Florida Statutes, is assigned by a type three (3) transfer to the department of community affairs, division of technical assistance.

(14) The role of state government required by chapter 421, Florida Statutes (housing authorities law), chapter 422, Florida Statutes (housing cooperation law), chapter 423, Florida Statutes (tax exemption of housing authorities), and chapter 424, Florida Statutes (limited dividend housing companies), is the responsibility of the department of community affairs and the department is the agency of state government responsible for the state's role in housing and urban development.

(15) The police standards council, created under chapter 23, Florida Statutes, is assigned by a type two (2) transfer to the department of community affairs, division of training and professional development.

(16) The board of trustees of the Florida state fire college, created under section 242.52, Florida Statutes, is assigned by a type five (5) transfer to the department of community affairs, division of training and professional development, and the Florida state fire college, created under section 242.52, Florida Statutes, shall be operated by the division of the department of community affairs.

(17) The board of appeals of county budgets, created under section 30.49, Florida Statutes, is assigned by a type six (6) transfer to the department of community affairs.

Section 19. Department of health.—There is created a department of health.

(1) The head of the department is the secretary of health who shall be a physician with training in public health and who shall be appointed by the governor subject to confirmation by the senate. The secretary shall serve at the pleasure of the governor.

(2) The following divisions of the department of health are established:

(a) Division of general administration.

(b) Division of health research and planning.

(c) Division of laboratories.

(d) Division of local health services.

(e) Division of disease control.

(f) Division of general health services.

(g) Division of public health protection.

(3) There is created a medical coordinating council as part of the department of health. The coordinating council shall advise the head of the department of health and the head of the department of social and rehabilitative services. The coordinating council shall be composed of seven (7) members appointed by the governor; three (3) of whom shall be physicians licensed to practice in Florida; one (1) of whom shall be a pharmacist licensed to practice in Florida; one (1) of whom shall be a psychologist licensed to practice in Florida; one (1) of whom shall be a veterinarian licensed to practice in Florida; and one (1) of whom shall be a dentist license; to practice in Florida. The terms of the members of the coordinating council shall be for 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 otherwise provided herein. The initial membership shall be appointed as soon as practical after the act creating the coordinating council becomes effective and the terms of the initial members shall expire as follows: two (2) on July 1, 1970; two (2) on July 1, 1971; two (2) on July 1, 1972; and one (1) on July 1, 1973.

(4) The state board of health, created under chapter 381, Florida Statutes, is assigned by a type three (3) transfer to the department of health.

(5) The state tuberculosis board, created under section 392.01, Florida Statutes, is assigned by a type three (3) transfer to the department of health.

(6) All powers, duties and functions of the state health officer, an office authorized in chapter 381, Florida Statutes, are assigned by a type four (4) transfer to the department of health and the position of state health officer is abolished.

Section 20. Department of law enforcement.—There is created a department of law enforcement.

[(1) The head of the department of law enforcement is the secretary of law enforcement. The secretary shall be appointed by the governor subject to confirmation by the senate. The governor may suspend the secretary subject to removal or reinstatement by the senate.]

*(1) The head of the department of law enforcement is the governor and cabinet. The executive director of the department shall be appointed by the governor with the approval of three (3) members of the cabinet and subject to confirmation by the senate. The executive director shall serve at the pleasure of the governor and cabinet.*

[(2) The following divisions of the department of law enforcement are established:

- (a) Division of administration.
- (b) Division of intelligence and investigation.]

(2) The bureau of law enforcement, created under chapter 23, Florida Statutes, is assigned by a type three (3) transfer to the department of law enforcement.

Section 21. Department of military affairs.—The agency known as the military department of the state is renamed and continued as the department of military affairs.

(1) The head of the department of military affairs is the adjutant general, selected as provided by law.

(2) The following divisions of the department of military affairs are established:

- (a) Division of air.
- (b) Division of army.
- (c) Division of veterans' affairs.

(3) The armory board, created under chapter 250, Florida Statutes, is assigned by a type three (3) transfer to the department of military affairs.

(4) The department of veterans' affairs, created under chapter 292, Florida Statutes, is assigned by a type five (5) transfer to the department of military affairs, division of veterans' affairs.

Section 22. Department of revenue.—There is created a department of revenue.

(1) The head of the department of revenue is the secretary of revenue. The secretary shall be appointed by the governor subject to confirmation by the senate. The secretary shall serve at the pleasure of the governor.

(2) The state revenue commission, created under section 213.02, Florida Statutes, is assigned by a type three (3) transfer to the department of revenue.

(3) All powers, duties and functions of the comptroller relative to the collection of all state revenues presently required or authorized to be collected pursuant to chapter 198, Florida Statutes (inheritance and estate tax), chapter 201, Florida Statutes (excise taxes on documents, land acquisition), chapter 205, Florida Statutes (occupational licenses), chapter 211, Florida Statutes (tax on production of oil and gas), chapter 194, Florida Statutes (tax redemptions), and chapter 367, Florida Statutes (water and sewer tax), are assigned by a type four (4) transfer to the department of revenue.

(4) The powers, duties and functions of the comptroller of the State of Florida, as prescribed by chapter 192, Florida Statutes (supervision of county tax assessors, uniformity of assessments), chapter 193, Florida Statutes (approval of county

tax assessors' budgets), chapter 195, Florida Statutes (railroad and telegraph taxes, pullman and express gross receipts tax), chapter 196, Florida Statutes (court proceedings relating to taxation), chapter 199, Florida Statutes (supervision of intangible personal property tax) chapter 200, Florida Statutes (supervision of tangible personal property tax), are assigned by a type four (4) transfer to the department of revenue.

(5) All powers, duties and functions of the state treasurer relating to the collection of all state revenues presently required or authorized to be collected pursuant to chapter 624, Florida Statutes (taxes on insurance premiums or assessments), chapter 175, Florida Statutes (municipal firemen's pension trust fund), and chapter 185, Florida Statutes (municipal police officers retirement trust fund), are assigned by a type four (4) transfer to the department of revenue.

(6) The provisions of subsection (2) through (5) of section 21 of this act do not in any way alter the discretion of other agencies over such activities as the granting, revoking or suspending of licenses, the disciplining of licenses, the promulgating of rules and regulations and other functions not related to the collection of revenue or the supervision of assessments.

(7) The railroad assessment board, created under chapter 195, Florida Statutes, is assigned by a type three (3) transfer to the department of revenue.

Section 23. Department of social and rehabilitative services.—There is created a department of social and rehabilitative services.

(1) The head of the department of social and rehabilitative services is the secretary of social and rehabilitative services. The secretary shall be appointed by the governor, subject to confirmation by the senate. The secretary shall serve at the pleasure of the governor.

(2) The following divisions of the department of social and rehabilitative services are established:

- (a) Division of general administration.
- (b) Division of program planning and facilities design.
- (c) Division of field operations.
- [(d) Division of corrections.]
- [(d) Division of youth services.]
- (d) Division of mental health.
- (e) Division of retardation.
- (f) Division of vocational rehabilitation.
- (g) Division of health care administration.
- (h) Division of family rehabilitation.

(i) Division of blind services.

(3) The specified divisions of the department of social and rehabilitative services shall include bureaus as follows:

[(a) Division of corrections:

- 1. Bureau of youth services.
- 2. Bureau of adult services.]

(a) Division of mental health:

- 1. Bureau of alcoholic rehabilitation.

(b) Division of vocational rehabilitation:

- 1. Bureau of deaf and blind school.

[2. Bureau of blind services.]

(c) The division of health care administration:

- 1. Bureau of crippled children's services.

(4) The secretary of social and rehabilitative services shall be advised by a citizens advisory council, composed of five (5) Florida citizens appointed by and serving at the pleasure of the governor.

(5) The medical coordinating council of the department of health shall also advise the head of the department of social and rehabilitative services.

(6) The commission on aging, created under chapter 412, Florida Statutes, is assigned by a type five (5) transfer to the division of family rehabilitation.

(7) The powers, duties and functions of the board of commissioners of state institutions relating to the program for rehabilitation of alcoholics as prescribed in chapter 396, Florida Statutes, are assigned by a type four (4) transfer to the division of mental health.

(8) The advisory council pertaining to rehabilitation of alcoholics, created under section 396.101, Florida Statutes, is assigned by a type five (5) transfer to the bureau of alcoholic rehabilitation.

(9) The Florida council for the blind, created under chapter 413, Florida Statutes, is assigned by a type five (5) transfer to the [division of vocational rehabilitation, bureau of blind services.] *division of blind services.*

(10) The Florida crippled children's commission, created under chapter 391, Florida Statutes, is assigned by a type five (5) transfer to the division of health care administration, bureau of crippled children's services.

(11) The powers, duties and functions of the board of commissioners of state institutions, relating to the division of mental health created under section 965.01(3), Florida Statutes, is assigned by a type four (4) transfer to the division of mental health.

(12) The powers, duties and functions of the board of commissioners of state institutions, relating to the division of mental retardation created under section 965.01(4), Florida Statutes, and chapter 393, Florida Statutes, are assigned by a type four (4) transfer to the division of retardation.

[(13) The powers, duties and functions of the board of commissioners of state institutions, relating to the division of corrections created under section 965.01(1), Florida Statutes, and chapters 944 and 945, Florida Statutes, are assigned by a type four (4) transfer to the division of corrections, bureau of adult services.]

(14) The powers, duties and functions of the board of commissioners of state institutions, relating to the division of youth services created under section 965.01(2), Florida Statutes, are assigned by a type four (4) transfer to the division of corrections, bureau of youth services.

(15) The advisory committee to the director of youth services, created under section 965.13, Florida Statutes, is assigned by a type five (5) transfer to the division of corrections, bureau of youth services.]

(13) The state department of public welfare, created under chapter 409, Florida Statutes, is assigned by a type five (5) transfer to the division of family rehabilitation.

(14) The medical assistance functions of the state department of public welfare, prescribed in chapter 409, Florida Statutes, are assigned by a type four (4) transfer to the division of health care administration.

(15) The powers, duties and functions of the state board of education relating to the division of vocational rehabilitation created under chapter 229, part IV, Florida Statutes, are assigned by a type four (4) transfer to the division of vocational rehabilitation.

(16) The board of trustees for the Florida school for the deaf and blind, created under chapter 242, Florida Statutes, is assigned by a type five (5) transfer to the division of vocational rehabilitation, bureau of deaf and blind school.

(17) The powers, duties and functions of the board of commissioners of state institutions relating to the division of community hospitals and medical facilities created under section

965.01(5), Florida Statutes, are assigned by a type four (4) transfer to the division of program planning and facilities design.

(18) All powers, duties and functions of the board of commissioners of state institutions prescribed in section 380.01, Florida Statutes (survey of state hospital facilities), are assigned by a type four (4) transfer to the division of program planning and facilities design.

(19) The advisory council relating to hospitals and other institutions, authorized in section 380.01(2), Florida Statutes, is assigned by a type five (5) transfer to the division of program planning and facilities design.

*Section 24. Department of youth and adult correctional services—There is hereby established the department of youth and adult correctional services.*

(1) *The head of the department of youth and adult correctional services is the governor.*

(2) *The following divisions of the department of youth and adult correctional services are established:*

(a) *Division of youth services*

(b) *Division of adult services*

(3) *The powers, duties, and functions of the board of commissioners of state institutions, relating to the division of corrections created under Section 965.01(1), Florida statutes, and chapters 944 and 945, Florida statutes, are assigned by a type four (4) transfer to the division of adult services.*

(4) *The duties, powers, and functions of the board of commissioners of state institutions, relating to the division of youth services created under Section 965.01(2) Florida statutes are assigned by a type four (4) transfer to the division of youth services.*

(5) *The advisory committee to the director of youth services, created under section 965.13, Florida statutes, is assigned by a type five (5) transfer to the division of youth services.*

[Section 23. The probation and parole commission.—The probation and parole commission, created by chapters 947, 948 and 949, Florida Statutes, is continued and retains its powers, duties and functions.]

Section 25. The probation and parole commission.—

(1) The probation and parole commission, authorized by article IV, section 8(c), Florida Constitution of 1968, is continued and retains its powers, duties and functions.

(2) All powers, duties and functions of the board of commissioners of state institutions relating to the appointment of the probation and parole commission as provided in section 947.02, Florida Statutes, shall be exercised and performed by the governor and the cabinet. Henceforth, however, each appointment shall be made from among the first three (3) eligible persons on the list of the persons eligible for said position.

Section 26. Department of transportation.—There is created a department of transportation.

[(1) The head of the department of transportation is the secretary of transportation. The secretary shall be appointed by the governor subject to confirmation by the senate. The secretary shall serve at the pleasure of the governor.]

(1) *The head of the department of transportation is the secretary of transportation. The secretary shall be a professional civil engineer registered by the state board of engineer examiners. The secretary shall be appointed by the governor subject to confirmation by the senate. The secretary shall serve at the pleasure of the governor.*

(2) The following divisions of the department of transportation are established:

(a) *Division of administration.*

(b) *Division of transportation planning.*

[(c) *Division of highway safety.*]

- (d) Division of motor vehicles.]
- (c) Division of road operations.
- (d) Division of mass transit operations.

(3) All powers, duties and functions of the board of commissioners of state institutions as prescribed by section 330.261, Florida Statutes (aviation; board of commissioners of state institutions; powers and duties), are assigned by a type seven (7) transfer to the department of transportation, division of transportation planning.

(4) All powers, duties and functions of the board of commissioners of state institutions as prescribed by sections 330.27 through 330.36, 330.38 and 330.39, Florida Statutes (airport licensing law), are assigned by a type seven (7) transfer to the department of transportation, division of transportation planning.

(5) The board of highway secondary trust fund trustees created under section 339.031, Florida Statutes, is assigned by a type [six (6)] *three (3)* transfer to the department of transportation, division of transportation planning.

[(6) The department of motor vehicles, created under chapter 318, Florida Statutes, is assigned by a type three (3) transfer to the department of transportation, division of motor vehicles.

(7) The department of public safety, created under chapter 321, Florida Statutes, is assigned by a type three (3) transfer to the department of transportation, division of highway safety.]

(6) The state road board, created under chapter 334, Florida Statutes, is assigned by a type three (3) transfer to the department of transportation.

(7) The state road department, created under chapter 334, Florida Statutes, is assigned by a type three (3) transfer to the department of transportation, division of road operations.

(8) All powers, duties and functions of the state road department relating to long-range planning are assigned by a type four (4) transfer to the department of transportation, division of transportation planning, and all powers, duties and functions of the state road department relating to condemnation proceedings and the acquisition of right-of-way are assigned by a type four (4) transfer to the department of transportation, division of administration.

(9) The transportation commission, created under chapter 23, Florida Statutes, is assigned a type six (6) transfer to the department of transportation[.], *except that any unexpended balances of appropriations, allocations, or other funds of said commission are transferred to the department of transportation.*

(10) The transportation authority, created under chapter 23, Florida Statutes, is assigned a type six (6) transfer to the department of transportation[.], *except that any unexpended balances of appropriations, allocations, or other funds of said authority are transferred to the department of transportation.*

(11) The department of transportation, created under chapter 23, Florida Statutes, is assigned a type six (6) transfer to the department of transportation[.], *except that any unexpended balances of appropriations, allocations, or other funds of said department of transportation created under Chapter 23, Florida Statutes, are transferred to the department of transportation.*

(12) The Florida state turnpike authority, created under chapter 340, Florida Statutes, is assigned by a type three (3) transfer to the department of transportation, division of road operations.

[(15) All powers, duties and functions of the governor in coordinating Florida's participation in the federal highway safety act of 1966, as prescribed in section 321.001, Florida Statutes, are assigned by a type 7 transfer to the department of transportation, division of highway safety.

(16) All powers, duties and functions of the state treasurer and insurance commissioner relating to the administration and enforcement of the financial responsibility law, chapter 324, Florida Statutes, are assigned by a type four (4) transfer to the department of transportation, division of motor vehicles.]

(13) It is the duty of the department of transportation, division of transportation planning, to coordinate and assist the activities of all public bodies, authorities, agencies and special districts charged with the development of expressway systems within the state or any of its counties, whether such bodies, authorities, agencies or special districts now exist or may hereafter be created by general or special act of the legislature. All powers, duties and functions of the state road department in supervising local expressway authorities, as prescribed in chapters 348 and 349, Florida Statutes, are transferred by a type four (4) transfer to the department of transportation to be assigned to divisions by the secretary of the department.

(14) The secretary of the department of transportation shall have the authority to reallocate within the divisions of the department all functions relating to planning, administrative services and record keeping, when such transfers are in the interest of efficiency and effective administration. This subsection shall apply to those functions of agencies specifically assigned to a unit of the department.

*Section 27. Department of Highway Safety and Motor Vehicles.—There is hereby created a department of highway safety and motor vehicles.*

(1) *The head of the department of highway safety and motor vehicles is the board of highway safety and motor vehicles composed of the governor and cabinet.*

(2) *The following divisions of the department of highway safety and motor vehicles are established:*

- (a) *Division of the Florida highway patrol.*
- (b) *Division of driver licenses.*
- (c) *Division of motor vehicles.*

(3) *Department of motor vehicles created under chapter 318, Florida Statutes, is assigned by type three (3) transfer to the department of highway safety and motor vehicles.*

(4) *Department of public safety created under chapter 321, Florida Statutes, is assigned by type three (3) transfer to the department of highway safety and motor vehicles.*

(5) *Powers, duties and functions of the governor in coordinating Florida's participation in the federal highway safety act of 1966 as prescribed in chapter 321.001, Florida Statutes, are assigned by type seven (7) transfer to the department of highway safety and motor vehicles.*

(6) *All powers, duties and functions of the state treasurer and insurance commissioner relating to the administration and enforcement of the financial responsibility law, chapter 324, Florida Statutes are assigned by a type four (4) transfer to the department of highway safety and motor vehicles.*

*Section 28. Department of natural resources.—There is created a department of natural resources.*

(1) The head of the department of natural resources is the secretary of natural resources. The secretary shall be appointed by the governor subject to confirmation by the senate. The secretary shall serve at the pleasure of the governor.

(2) The following divisions of the department of natural resources are established:

- (a) Division of administrative services.
- (b) Division of marine resources.
- (c) Division of interior resources.
- (d) Division of game and fresh water fish.
- (e) Division of recreation and parks.
- (f) Division of environmental protection.

(3) The department of natural resources is charged with the administration, supervision, development and conservation of the natural resources of the state.

(4) In addition to his other duties, it is the responsibility of the secretary of natural resources to advise and make recommendations to the board of trustees of the internal improvement trust fund on all matters pertaining to the natural resources of the state.

(5) The commission on marine sciences and technology, created under chapter 369, Florida Statutes, is assigned by a

type one (1) transfer to the department of natural resources, division of marine resources.

(6) The supervisory powers of the state board of conservation relating to flood control and water management districts, prescribed in chapter 378, Florida Statutes, are assigned by a type four (4) transfer to the department of natural resources, division of interior resources.

(7) The supervisory powers of the state board of conservation relating to navigation districts, prescribed in parts II and III, chapter 374, Florida Statutes, are assigned by a type four (4) transfer to the department of natural resources, division of interior resources.

(8) The canal authority of Florida, created under chapter 374, part I, Florida Statutes, is assigned by a type one (1) transfer to the department of natural resources.

(9) The state board of conservation, division of administration, created under section 370.02(4), Florida Statutes, is assigned by a type four (4) transfer to the department of natural resources, division of administrative services.

(10) The state board of conservation functions relating to issuance of weather modification permits, authorized under chapter 373, Florida Statutes, are assigned by a type seven (7) transfer to the department of natural resources, division of environmental protection.

(11) The state board of conservation, division of waterways development, created under section 370.02(7), Florida Statutes, is assigned by a type four (4) transfer to the department of natural resources, division of interior resources.

(12) The state board of conservation, division of salt water fisheries, created under section 370.02(5), Florida Statutes, is assigned by a type four (4) transfer to the department of natural resources, division of marine resources.

(13) The state board of conservation, division of water resources and conservation, created under section 370.02(6), Florida Statutes, is assigned by a type four (4) transfer to the department of natural resources, division of interior resources.

(14) The state board of conservation, division of geology, created under section 370.02(8), Florida Statutes, is assigned by a type four (4) transfer to the department of natural resources, division of interior resources.

(15) The state board of conservation, division of beaches and shores, created under section 370.02(9), Florida Statutes, is assigned by a type four (4) transfer to the department of natural resources, division of marine resources.

(16) The state board of conservation, created under section 370.02, Florida Statutes, is assigned by a type three (3) transfer to the department of natural resources.

(17) The Florida keys aqueduct commission, created under special act, is assigned by a type one (1) transfer to the department of natural resources, division of interior resources.

(18) The Florida air and water pollution control commission, created under chapter 403, Florida Statutes, is assigned by a type three (3) transfer to the department of natural resources, division of environmental protection.

(19) The state board of health functions relating to control of air and water pollution, prescribed by chapter 381, Florida Statutes, are assigned by a type four (4) transfer to the department of natural resources, division of environmental protection.

(20) The Florida board of parks and historic memorials, created under chapter 592, Florida Statutes, is assigned by a type three (3) transfer to the department of natural resources, division of recreation and parks.

(21) The outdoor recreational development council, created under chapter 375, Florida Statutes, is assigned by a type three (3) transfer to the department of natural resources, division of recreation and parks.

[(22) The state soil and water conservation board, created under chapter 582, Florida Statutes, is assigned by a type five (5) transfer to the department of natural resources, division of interior resources.]

(22) The game and fresh water fish commission functions, prescribed by chapter 372, Florida Statutes, are assigned by a type one (1) transfer to the department of natural resources, except that the commission shall exercise its powers prescribed by section 9 of article IV of the state constitution, independently of the head of the department of natural resources.

(23) The board of drainage commissioners, created under section 298.69, Florida Statutes, is assigned a type six (6) transfer to the department of natural resources.

*(24) The Suwannee River Development authority, created under special act, is assigned by a type one (1) transfer to the department of natural resources.*

(25) Among its functions, the division of recreation and parks shall:

(a) Study and appraise the recreation needs of the state and assemble and disseminate information relative to recreation;

(b) Provide consultation assistance to the department of community affairs and to local governing units as to the promotion, organization and administration of local recreation systems and as to the planning and design of local recreation areas and facilities;

(c) Assist in recruiting, training and placing recreation personnel;

(d) Sponsor and promote recreation institutes, workshops, seminars and conferences throughout the state;

(e) Cooperate with state and federal agencies, private organizations and commercial and industrial interests in the promotion of a state recreation program; and

(f) Coordinate recreation functions and facilities of flood control and water management districts.

(26) There is created an environmental appeals commission which is an administrative board of review within the department of natural resources to be composed of five (5) commissioners appointed by the governor for staggered terms of 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. The governor shall make all appointments, including those to fill a vacancy, with the confirmation of the senate. The governor may suspend a commissioner only for cause subject to removal or reinstatement by the senate. The terms of the original commissioners shall be as follows, all beginning July 1, 1969: [two (2) commissioners shall serve for one (1) year; one (1) commissioner shall serve for two (2) years;] *one (1) commissioner shall serve for one (1) year; two (2) commissioners shall serve for two (2) years; one (1) commissioner shall serve for three (3) years; and one (1) commissioner shall serve for four (4) years.*

(a) The environmental appeals commission shall elect a chairman from its membership, shall employ a commission secretary and shall adopt such rules and procedures as are necessary to effectuate its purposes as set forth in this act.

(b) The environmental appeals commission shall:

1. *Have the final authority to adopt and promulgate all rules and regulations of the department of natural resources and its divisions pertaining to air and water pollution. The commission may, in its discretion, assign to the department or its divisions the authority to adopt and promulgate such rules subject to the final authority of the commission.*

2. Hear and make final administrative determination of all appeals from decisions of the division of environmental protection and the department of natural resources as to rules and regulations pertaining to air and water pollution and as to the approving of plans for compliance with the rules and regulations pertaining to air and water pollution[.] *provided however that it shall have no jurisdiction over local acts of a stricter or more stringent nature.*

3. Provide assistance and advice to the head of the department of natural resources and the director of the division of environmental protection in fostering sound programs for environmental protection.

Section 29. Board of trustees of the internal improvement trust fund.—The trustees of the internal improvement trust fund, established in chapter 253, Florida Statutes, are renamed the "board of trustees of the internal improvement trust fund" and, except as otherwise provided herein, their powers, duties and functions prescribed by law continue.

Section 30. The state board of administration.—The state board administration, continued by section 9 of article XII of the state constitution, retains all of its powers, duties and functions as prescribed by law.

(1) The state finance committee, created under section 18.10, Florida Statutes, is assigned by a type six (6) transfer to the state board of administration.

(2) The bond review board, created under section 215.56, Florida Statutes, is assigned by a type three (3) transfer to the state board of administration.

Section 31. Department of citrus marketing.—The state citrus commission, created under chapter 601, Florida Statutes, is continued and renamed the department of citrus marketing.

(1) The head of the department of citrus marketing is the board, established by section 601.04, Florida Statutes, and said board is hereby named the "Florida citrus commission".

(2) Members of the board shall continue to be appointed by the governor in accordance with the qualifications and terms established in section 601.04, Florida Statutes, from the citrus districts established in section 601.09, Florida Statutes.

(3) Each person holding office as a member of the Florida citrus commission when this act becomes effective shall continue in office for the remainder of his term. Thereafter, confirmation by the senate shall be required for appointment to or removal from the board.

(4) All of the powers, duties and functions of the Florida citrus commission are continued in the board, as head of the department. The board shall derive all of its powers, duties and functions from chapter 601, Florida Statutes.

(5) All of the personnel, records, property and unexpended balances of appropriations and other funds are continued with the department of citrus marketing as presently held.

(6) The concentrate quality committee, canned juice quality committee and the chilled juice quality committee, all created under section 601.01151, Florida Statutes, are assigned by type five (5) transfers to the department of citrus marketing.

(7) The processors advertising committee, created under section 601.153(8) (b), Florida Statutes, is assigned by a type five (5) transfer to the department of citrus marketing.

Section 32. Department of professional and vocational regulation.—There is created a department of professional and vocational regulation.

(1) The head of the department of professional and vocational regulation is the secretary of professional and vocational regulation. The secretary shall be appointed by the governor subject to confirmation by the senate. The secretary shall serve at the pleasure of the governor.

(2) The following divisions of the department of professional and vocational regulation are established with the powers, duties and functions as specified:

(a) The division of records administration is responsible for the following administrative functions: issuance of licenses, collection of fees and maintenance of non-confidential records of the department. Nothing herein affects the responsibilities prescribed by law of the licensing and examining boards assigned to this department in regard to the maintenance of confidential records.

(b) The division of examinations shall provide services for the preparation of and administration of written examinations, at the request of any licensing and examining board.

(c) The division of legal services shall provide legal services at the request of any licensing and examining board.

(d) The division of investigative services shall provide investigative services at the request of any licensing and examining board.

(3) The costs of the examination, legal and investigative services provided for the licensing and examining boards herein shall be prorated among the boards according to the amount of services used, pursuant to rules promulgated by the head of the department.

(4) The following licensing and examining boards are assigned by type two (2) transfers to the department of professional and vocational regulation:

(a) State board of accountancy, created under chapter 473, Florida Statutes.

(b) State board of architecture, created under chapter 467, Florida Statutes.

(c) Barbers sanitary commission, created under chapter 476, Florida Statutes.

(d) Board of chiropractic examiners, created under chapter 460, Florida Statutes.

(e) Construction industry licensing board, created under chapter 468, part II, Florida Statutes.

(f) State board of cosmetology, created under chapter 477, Florida Statutes.

(g) State board of dentistry, created under chapter 466, Florida Statutes.

(h) State board of engineer examiners, created under chapter 471, Florida Statutes.

(i) Board of registration for foresters, created under chapter 492, Florida Statutes.

(j) Board of funeral directors and embalmers, created under chapter 470, Florida Statutes.

(k) Board of landscape architects, created under chapter 481, Florida Statutes.

(l) Florida board of massage, created under chapter 480, Florida Statutes.

(m) State board of medical examiners, created under chapter 458, Florida Statutes.

(n) Board of naturopathic examiners, created under chapter 462, Florida Statutes.

(o) Florida state board of nursing, created under chapter 464, Florida Statutes.

(p) Board of dispensing opticians, created under chapter 484, Florida Statutes.

(q) State board of optometry, created under chapter 463, Florida Statutes.

(r) Board of osteopathic medical examiners, created under chapter 459, Florida Statutes.

(s) Pest control commission of Florida, created under chapter 482, Florida Statutes. The pest control commission is renamed the "board of pest control regulation".

(t) Board of pharmacy, created under chapter 465, Florida Statutes.

(u) State board of podiatry examiners, created under chapter 461, Florida Statutes.

(v) Board of examiners of psychology, created under chapter 490, Florida Statutes.

(w) Florida real estate commission, created under chapter 475, Florida Statutes.

(x) Sanitarians registration board, created under chapter 491, Florida Statutes.

(y) Board of veterinary medicine, created under chapter 474, Florida Statutes.

(z) Florida watchmakers commission, created under chapter 489, Florida Statutes.

(5) Effective July 1, 1970, each occupational and licensing board shall maintain an office in the City of Tallahassee.

### Section 33. Agencies abolished.—

(1) The state auditing department and the position of state auditor, both created under chapter 21, Florida Statutes, are abolished and sections 21.021, 21.031, 21.041, 21.051, 21.061, 21.071, 21.081, 21.091, 21.101, 21.111, 21.121, 21.13, 21.14, 21.15, 21.16, 21.17, 21.18, 21.19, 21.20, 21.21, 21.22, and 21.23, Florida Statutes, are repealed.

(2) The governmental reorganization committee, created under section 13.80, Florida Statutes, is abolished and sections 13.80, 13.81, 13.82, 13.83, 13.84, 13.85, 13.86, 13.87, 13.88, and 13.881, Florida Statutes, are repealed.

(3) The Florida children's commission, created under section 417.01, Florida Statutes, is abolished and sections 417.01, 417.02, 417.03, and 417.04, Florida Statutes, are repealed.

(4) The milk commission, created under chapter 501, Florida Statutes, is abolished and sections 501.01, 501.02, 501.03, 501.04, 501.05, 501.051, 501.06, 501.07, 501.08, 501.09, 501.10, 501.11, 501.13, 501.15, 501.16, 501.17, 501.18, 501.19, 501.20, 501.21, and 501.23, Florida Statutes, are repealed. All unexpended balances of appropriations, allocations or other funds of the milk commission revert to the general fund.

(5) The state committee on libraries, created under section 257.27, Florida Statutes, is abolished and section 257.27, Florida Statutes, is repealed.

(6) The board of private education, created under section 247.06, Florida Statutes, is abolished and sections 247.01, 247.02, 247.03, 247.04, 247.05, 247.06, 247.07, 247.08, 247.09, 247.10, 247.11, 247.12, 247.13, 247.14, 247.15, 247.16, 247.17, 247.18, 247.19, and 247.20, Florida Statutes, are repealed.

(7) The Florida boating council, created under section 371.032, Florida Statutes, is abolished and section 371.032, Florida Statutes, is repealed.

(8) The Florida commission on constitutional government, created under section 13.21, Florida Statutes, is abolished and sections 13.20, 13.21, 13.22, 13.23, and 13.24, Florida Statutes, are repealed.

(9) The advisory committee pertaining to the charitable funds act, provided for in section 496.14, Florida Statutes, is abolished and section 496.14, Florida Statutes, is repealed.

(10) The state purchasing commission, created under chapter 287, Florida Statutes, is abolished and sections 287.011, 287.021, 287.031, 287.041, 287.051, 287.061, 287.071, 287.081, 287.101, and 287.111, Florida Statutes, are repealed.

(11) The Florida commission for tax reform, created under section 13.74, Florida Statutes, is abolished and section 13.74, Florida Statutes, is repealed.

(12) The state water resources appeal board, created under section 373.172, Florida Statutes, is abolished and section 373.172, Florida Statutes, is repealed.

*Section 34. Interstate compacts.—It is the finding of the legislature that compacts, agreements and commissions created among states in which Florida is a participant do not require allotment among the departments of the executive branch, under the provisions of section 6, article IV, of the constitution of the State of Florida.*

*Section 35. Legal services.—The legal services needed by each board or commission on which the attorney general is a member, shall be provided by the department in which the board or commission is located rather than by the attorney general or the department of legal affairs.*

Section 36. Rules and regulations.—Except when it is inconsistent with the other provisions of this act, all rules and regulations of the agencies involved in this reorganization that are in effect on June 30, 1969, shall remain in effect until they are specifically altered, amended or revoked in the manner provided by law.

Section 37. Severability provision.—If any section, subsection, paragraph, subparagraph, sentence, clause, phrase or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the legislature hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases or words hereof may be declared to be unconstitutional, invalid or otherwise ineffective.

Section 38. Preparation of statutory changes for further clarification.—The statutory revision department of the legislative reference bureau shall prepare bills, for introduction by the appropriate committees of the house of representatives and the senate at a subsequent session of the legislature, to further clarify the statutes so as to reflect the changes made by this act.

Section 39. Effective date.—This act shall take effect on July 1, 1969.

### Amendment 2—

In Title, on page 1, line 3, strike: entire title and insert the following:

A bill to be entitled An act relating to the executive branch of government; restructuring the executive branch of government and consolidating and reorganizing existing agencies into named departments pursuant to section 6 of article IV of the state constitution; providing definitions; providing powers and duties of the departments; providing for rules and regulations; creating commissions within departments with certain rule-making and review authority, namely, the budget appeals commission, elections canvassing commission, career service commission, business regulation commission, industrial relations commission, and environmental appeals commission; providing for central services and procedures in purchasing, data processing, motor pool, communications and building construction, use and maintenance; creating a department of community affairs with powers and duties in assisting and supervising local governments and officers; providing for advisory bodies; abolishing the state auditing department and the position of state auditor by repealing each section of chapter 21, Florida Statutes; abolishing the governmental reorganization committee by repealing each section of chapter 13, part V, Florida Statutes; abolishing the Florida children's commission by repealing each section of chapter 417, Florida Statutes; abolishing the milk commission by repealing each section of chapter 501, Florida Statutes; abolishing the state committee on libraries by repealing section 257.27, Florida Statutes; abolishing the board of private education by repealing each section of chapter 247, Florida Statutes; abolishing the Florida boating council by repealing section 371.032, Florida Statutes; abolishing the Florida commission on constitutional government by repealing each section of chapter 13, part II, Florida Statutes; abolishing the advisory committee pertaining to the charitable funds act by repealing section 496.14, Florida Statutes; abolishing the state purchasing commission by repealing each section of chapter 287, Florida Statutes; abolishing the Florida commission for tax reform by repealing section 13.74, Florida Statutes; abolishing the state water resources appeal board by repealing section 373.172, Florida Statutes; providing for severability; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

On motions by Senator Daniel, the Senate refused to concur in House amendments 1 and 2 to SB 650, and the House was requested to recede therefrom. The action of the Senate was certified to the House.

On motion by Senator Horne, the President appointed Senators Horne, Williams and Karl as a committee to escort Congressman

William V. Chappell, and Judge Thomas H. Barkdull, Jr., of Miami to the rostrum. They received a standing ovation and addressed the Senate briefly.

On motion by Senator Friday, the rules were waived and time of adjournment was extended until final action on CS for SB 1192 or the hour of 1:30 p.m., whichever should occur later.

The Senate resumed—

#### SPECIAL AND CONTINUING ORDER

CS for SB 1192—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1969, and ending June 30, 1970, to pay salaries, other expenses, capital outlay—buildings and improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

Senator Pope offered the following amendment which failed:

In Section 3, line 7, page 70, strike "\$36,000" and insert the following: \$36,001

Senator Shevin offered the following amendment which failed:

In Section 1, following item 522, page 36, insert the following:

- 522a. Education, treatment and rehabilitation of narcotic drug addicts; the Board is hereby authorized to distribute all or any portion of these funds to public and private clinics or hospital departments presently or hereinafter engaged in the education, treatment and rehabilitation of narcotic drug addicts.
- From General Revenue Fund* 500,000

The President presiding.

Senator Weissenborn offered the following amendment which failed:

In Section 1, page 50, following Item 761 after *From State Welfare Trust Fund* 387,582 add a new Item 761a, such item to read:

- 761a. Administration of Surplus Commodity Distribution Programs and Food Stamp Programs
- From General Revenue Fund* \$2,000,000

Effective October 1, 1969, the Department of Public Welfare shall be responsible for the administration and operation of a surplus commodity distribution or food stamp program within each county. The board of commissioners of each county may decide which program they choose to have operated within their county; provided that one program or the other shall be put into operation.

Senator Myers offered the following amendment which was adopted:

In Section 8, line 7, page 77, strike the following: "and no assistant state attorney shall receive from any county or municipality any supplemental salary except in those circuits where the state attorney also serves as the county solicitor." and insert the following: a period (.)

Senator Horne offered the following amendment which was adopted:

In Section 17, page 79, strike: entire Section 17 and insert the following: Section 17. No moneys appropriated in this act shall be expended for air travel other than on a scheduled licensed commercial carrier flying regular schedules, except that moneys may be expended for air travel in state-owned aircraft, which may not exceed a model in excess of a twin engine prop jet, operated through a state aircraft pool which has been specifically authorized by law. The pool may assign an aircraft for the exclusive use of the governor or any member of the cabinet. Nothing in this section shall prohibit reimbursement of travel expenses as provided in section 112.061, F. S.

Senator Weissenborn offered and moved the following amendment:

In Section 1, Item 350, page 27, strike:

"From General Revenue Fund	\$759,840
From CO & DS Trust Fund	\$26,305,600"
and insert the following:	
From General Revenue Fund	\$759,840
From CO & DS Trust Fund	\$26,493,200

Pending consideration thereof, on motion by Senator Friday, the rules were waived and the Senate reverted to the order of—

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

May 16, 1969

Sir:

I am directed to inform the Senate that the House of Representatives has refused to recede from House amendments to—

By Senators Daniel and Hollahan—

SB 650—A bill to be entitled An act relating to the reorganization of the executive branch of government; providing for the creation of seventeen (17) executive departments of government, to be named: the department of general administrative services, the department of banking and finance, the department of community affairs, the department of highway safety and motor vehicles, the department of law enforcement, the department of transportation, the department of conservation and natural resources, the department of air and water pollution control, the department of records, archives, and history, the department of education, the department of agriculture, the department of business and professional regulation, the department of commerce, the department of insurance, the department of labor and industry, the department of citrus promotion and development, and the department of health and rehabilitative services; providing for their administration and supervision; providing definitions; providing for the employment of department directors and other personnel; providing for rules and regulations for each department; providing authorization for each department to acquire property; providing for advisory committees; authorizing each department to enter into contracts; authorizing each department to accept gifts, grants, loans, and endowments; providing for divisions of each department; providing for the transfer to said departments of all executive functions of government not excluded by the State Constitution of 1968; creating a board of regents; providing for its membership; creating an air and water pollution control board; providing for its membership; abolishing those agencies, boards, commissions, authorities, and committees, the duties and powers of which have been transferred to any department created by this act; repealing Chapters 21, 417, 501, and 290, Florida Statutes, and Sections 119.04 and 573.63, Florida Statutes; providing for confirmation by the senate; providing a severability clause; providing for conflicts; providing an effective date.

And requests the President of the Senate to appoint a Conference Committee to confer with a like Committee to be appointed by the Speaker of the House to adjust the differences on House amendments to SB 650.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The President announced the appointment of Senators Hollahan, Daniel, Chiles, de la Parte, Myers, Horne, Plante and Trask as the Committee on the part of the Senate. The action of the Senate was certified to the House.

The Senate resumed consideration of Special and Continuing order.

The pending amendment by Senator Weissenborn to CS for SB 1192 failed.

Senator Weissenborn also offered the following amendment which failed:

In Section 1, Item 353, page 27, strike:  
 "From General Revenue Fund \$517,315,038  
 From Principal State School Trust Fund \$1,175,000  
 From Interest State School Trust Fund \$825,000"  
 and insert the following:  
 From General Revenue Fund \$521,760,220  
 From Principal State School Trust Fund 1,175,000  
 From Interest State School Trust Fund 825,000

Senator Weissenborn also offered the following amendment which failed:

In Section 2, Item 1 and 2, page 69, strike:  
 "(1) County School Additional Capital Outlay (See 236.074, F. S.) 23,500,000  
 (2) County School Sales Tax (See Section 236.075, F.S.) 36,196,950  
 59,696,950"  
 and insert the following:  
 (1) County School Additional Capital Outlay (See 236.074, F. S.) 23,500,000  
 (2) County School Sales Tax (See Section 236.075, F. S.) 36,431,450  
 59,931,450

Senator Weissenborn also offered the following amendment which failed:

Page 64, in Item 933 following "From Primary Trust Fund 176, 708, 673"

insert:

" , of which amount twenty-one million dollars (\$21,000,000) is appropriated for the express purpose of construction, including the acquisition of the necessary rights of way, of that portion of the proposed South Dade Expressway to run from Cutler Ridge to Florida City, which portion of the said proposed South Dade Expressway shall be a toll-free limited access highway. Acquisition of rights of way on said proposed limited access highway shall begin as early as practicable and construction thereof as soon thereafter as practicable.

Senators Stone and Young offered the following amendment which was moved by Senator Stone and failed:

Line 14, page 81 insert the following: Section 22

2½% of the amount appropriated for each agency or program included herein shall be withheld by the State Planning and Budget Commission.

(renumber the following sections)

Senators Stone and Young also offered the following amendment which was moved by Senator Stone and failed:

Line 14, page 81, insert the following: Section 22

one-fourth (¼) percent of the amount appropriated for each agency or program included herein shall be withheld by the State Planning and Budget Commission.

(renumber the following sections)

Senator Pope offered and moved the following amendment:

In Section 1, page 25, insert 341. A lump sum from general revenue fund 50,000.00 to be released for salary adjustment of teachers and house mothers only upon information to the budget director that such monies are necessary and only on approval of the budget director.

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

In Section 1, page 25, after words "House Mothers" add at the State School for the Deaf and Blind at St. Augustine.

The amendment as amended failed.

Senators Shevin and Weissenborn offered the following amendment which was moved by Senator Shevin and failed:

In Section 22, line 15, page 81, insert new Section 22. It is the intent of the legislature that any additional investigators as may be hired by the several state attorneys with the funds provided by this act, may be made available to the sheriffs and municipal police agencies of the respective circuits to aid and assist said law enforcement agencies in the performance of their investigative duties. Renumber remaining Sections.

Senator Weissenborn offered the following amendment which failed:

Item 113, page 10, strike:

"Item 113. Expenses \$101,298"

and insert the following:

Item 113. Expenses \$50,000

On motion by Senator Chiles, the rules were waived and CS for SB 1192 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—41

Mr. President	de la Parte	Karl	Stone
Askew	Ducker	Knopke	Thomas
Bafalis	Fincher	Myers	Trask
Barron	Friday	Ott	Weber
Beaufort	Gong	Poston	Weissenborn
Bell	Gunter	Reuter	Williams
Bishop	Haverfield	Saunders	Wilson
Boyd	Henderson	Sayler	Young
Broxson	Hollahan	Scarborough	
Chiles	Horne	Shevin	
Daniel	Johnson	Stolzenburg	

Nays—1

Pope

Senator Plante was recorded as voting yea.

EXPLANATIONS OF VOTE

We voted for the General Appropriations Act because of its implementation of the Brown report because of its support of education and the deaf and blind, and because of its appropriations for law enforcement. However, we regret the inclusion of money for medicaid and reserve the right to oppose the approval of medicaid when it is presented to the Senate.

Senator Ducker, 17th District  
 Senator Bafalis, 33rd District  
 Senator Thomas, 35th District  
 Senator Plante, 16th District

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable John E. Mathews, Jr. May 16, 1969  
 President of the Senate

Sir:

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed Representatives Pettigrew, Reeves, Rowell, Shaw, Pratt, D'Alemberte, Caldwell and Gustafson as a Conference Committee to confer with a like committee on the part of the Senate to adjust the differences on House amendments to SB 650.

Respectfully,  
 ALLEN MORRIS  
 Clerk, House of Representatives

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 1:41 p.m. to reconvene at 10:00 a.m., May 19, 1969.

# JOURNAL OF THE SENATE

Monday, May 19, 1969

The Senate was called to order by the President at 9:30 a.m. for the purpose of conducting the order of business of Introduction and reference of Resolutions, Memorials, Bills and Joint Resolutions, pursuant to Rule 4.3.

## INTRODUCTION

By Senators Askew and Broxson—

SB 1280—A bill to be entitled An act amending section 2 of chapter 57-1720, Laws of Florida; defining the boundaries of the City of Pensacola as of March 28, 1968.

Evidence of notice and publication was established by the Senate as to SB 1280.

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

By Senator Broxson—

SB 1281—A bill to be entitled An act relating to motor fuels, taxes; amending section 207.16(1), Florida Statutes, relating to records maintained by distributor by requiring such records to be retained for three (3) rather than two (2) years; amending section 207.17, Florida Statutes, relating to inspection of records by revenue commission and actions for collection of taxes; requiring action be commenced within three (3) years from due date of taxes and by declaring assessments by the commission as to tax due, penalties and interest prima facie evidence of claim of the state; providing an effective date.

Was read the first time by title and referred to the Committees on Transportation and Ways and Means.

By Senator Broxson—

SB 1282—A bill to be entitled An act relating to tax on sales, use and other transactions; amending section 212.06(1), Florida Statutes, as amended by section 7 of chapter 68-27, Laws of Florida, by adding paragraph (b) providing tax on tangible personal property manufactured, produced, compounded, processed or fabricated by a person for his own use and providing exception thereto; amending section 212.06(8), Florida Statutes, making use tax applicable on imported tangible personal property unless used in another state six (6) months prior to importation and taxing rental of such property for use in this state; providing an effective date.

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

By Senator Broxson—

SB 1283—A bill to be entitled An act relating to taxes on gasoline and like products, and on motor fuels other than gasoline; amending section 208.57(3), Florida Statutes, by requiring retention of records of sales and purchases under refund permit by distributors of gasoline and like products for a period of three (3) years rather than two (2) years; amending section 209.12(1), Florida Statutes, by requiring retention of records by user-dealers of motor fuels other than gasoline for three (3) years rather than two (2) years; amending section 209.10 (2), Florida Statutes, by changing time limitation for commencement of action by state revenue commission for collection from two (2) years to three (3) years; providing an effective date.

Was read the first time by title and referred to the Committees on Transportation and Ways and Means.

By Senator Daniel—

SB 1284—A bill to be entitled An act relating to the Pinellas County Expressway Authority, amending the definition of "Pinellas county gasoline tax funds," to include all available "second gas tax" funds; amending the provisions relative to the creation of such authority; clarifying provisions relating to refunding or redeeming of outstanding bonds; amending appropriate provisions of the law to conform with the new definition of "Pinellas county gasoline tax fund"; amending the prohibition

on the authority's power to pledge the credit or taxing power of the state to allow the pledging of state credit as provided in Article XII, Section 9(c)(5), of the Florida Constitution as revised in 1968; raising the interest limitation on bonds to seven per cent per annum; and providing for the sale of bonds upon receipt of at least one qualified bid; providing an effective date.

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

By Senators Daniel, Reuter and Johnson—

SB 1285—A bill to be entitled An act relating to the Brevard County Expressway Authority, amending the definition of "Brevard County gasoline tax funds," to include all available "second gas tax" funds; amending the provisions relative to the creation of such authority; clarifying provisions relating to refunding or redeeming of outstanding bonds; amending appropriate provisions of the law to conform with the new definition of "Brevard County gasoline tax fund"; amending the type of bonds issued by the authority to allow bonds pledging credit as provided in Article XII, Section 9(c)(5), of the Florida Constitution as revised in 1968; and raising the interest limitation on bonds to seven percent per annum; providing an effective date.

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

By Senators Daniel, Mathews, Beaufort and Pope—

SB 1286—A bill to be entitled An act relating to the Jacksonville Expressway Authority, amending the definition of "Duval county gasoline tax funds," to include all available "second gas tax" funds; amending the provisions relative to the creation of such authority; clarifying provisions relating to refunding or redeeming of outstanding bonds; amending appropriate provisions of the law to conform with the new definition of "Duval county gasoline tax fund"; amending the prohibition on the authority's power to pledge the credit or taxing power of the state to allow the pledging of state credit as provided in Article XII, Section 9(c)(5), of the Florida Constitution as revised in 1968; and raising the interest limitation on bonds to seven per cent per annum; providing an effective date.

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

By Senators Daniel, Gunter, Plante and Ducker—

SB 1287—A bill to be entitled An act relating to the Orlando-Orange County expressway authority, amending the definition of "Orange county gasoline tax funds," to include all available "second gas tax" funds; amending the provisions relative to the creation of such authority; amending appropriate provisions of the law to conform with the new definition of "Orange county gasoline tax fund"; amending the type of bonds issued by the authority to allow bonds pledging credit as provided in Article XII, Section 9(c)(5), of the Florida Constitution as revised in 1968; raising the interest limitation on bonds to seven per cent per annum; and providing for the sale of bonds upon receipt of at least one qualified bid; providing an effective date.

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

By Senators Poston, Henderson, Reuter, Friday and Wilson—

SB 1288—A bill to be entitled An act relating to oil and mineral leases on public lands; requiring annual reports; providing for progress data of drilling operations, mining operations and sums paid over to the state from lands under lease; providing an effective date.

Was read the first time by title and referred to the Committee on Natural Resources and Conservation.