

1968

Session Law 68-008

Florida Senate & House of Representatives

Follow this and additional works at: <https://ir.law.fsu.edu/staff-analysis>



Part of the Legislation Commons

Recommended Citation

House of Representatives, Florida Senate &, "Session Law 68-008" (1968). *Staff Analysis*. 83.
<https://ir.law.fsu.edu/staff-analysis/83>

This Article is brought to you for free and open access by the Florida Legislative Documents at Scholarship Repository. It has been accepted for inclusion in Staff Analysis by an authorized administrator of Scholarship Repository. For more information, please contact efarrell@law.fsu.edu.

68-8/sec. 1 (HB 292-X)

EXTRAORDINARY SESSIONS

1967

ACTS and RESOLUTIONS

ADOPTED BY THE

LEGISLATURE OF FLORIDA

At Extraordinary Sessions

July 24, 1967 to July 28, 1967

July 31, 1967 to August 18, 1967

August 21, 1967 to September 1, 1967

UNDER THE CONSTITUTION OF A.D. 1885



Published by Authority of Law

under the direction of

TOM ADAMS, SECRETARY OF STATE

1968

among the several counties, basing such apportionment upon the amount expended for the payment of jurors in each county at the last regular term of said courts. In such case the state treasurer shall remit only the amount so apportioned to each county, and when the amount so apportioned is insufficient to pay in full all the jurors at any term of the said court, the clerk of the circuit court, criminal court of record, courts having jurisdiction of noncapital felony cases only, civil court of record, or county court, or *small claims-magistrate court* shall apportion the money received by him pro rata among the jurors entitled to pay at such term, and shall give to each juror a certificate of the amount of compensation still due, which certificate shall be held by the comptroller as other demands against the state.

Section 5. Section 40.32 is amended to read:

Section 40.32 Clerks to disburse money.—All moneys drawn from the treasury under the provisions of this chapter by the clerk of the circuit court, criminal court of record, courts having jurisdiction of noncapital felony cases only, civil court of record, or county court of any county or *small claims-magistrate court* shall be disbursed by the clerk of said court as far as needed in payment of jurors for the legal compensation for service at the term of the court for which said moneys were drawn, and for no other purposes. Jurors shall be paid by the appropriate clerk either in cash as now permitted under this chapter or by warrant within ten (10) days of jury service. Whenever the clerk pays a juror by cash said juror shall sign the pay roll in the presence of the clerk, a deputy clerk or some other person designated by the clerk. Whenever the clerk pays a juror by warrant he shall endorse on the pay roll opposite the juror's name the words "Paid by warrant" giving the number and date of the warrant. Should any of the said moneys remain in the hands of said clerks unexpended after the payment of all of said jurors properly on the pay roll at any term of the circuit court, criminal court of record, courts having jurisdiction of noncapital felony cases only, civil court of record, or county court, or *small claims-magistrate court*, the clerk of any such court shall transmit the same to the comptroller within ten (10) days after the adjournment of

such court, and upon failure to do so shall be suspended from office by the governor until the next meeting of the legislature when the governor shall report his action to the senate.

Section 6. Section 40.33 is amended to read:

Section 40.33 Deficiency.—Should the compensation of jurors at any time of the circuit court, criminal court of record, courts having jurisdiction of noncapital felony cases only, civil court of record, or county court or *small claims-magistrate court*, exceed the amount estimated by the clerk, and therefore be insufficient to pay in full said jurors, said clerk shall make his further requisition upon the comptroller for the amount necessary to pay such default and the amount required shall be transmitted to the clerk in the same manner as the original requisition or order.

Section 7. It is declared to be the legislative intent that, if any section, subsection, sentence, clause, or provision of this act is held invalid, the remainder of the act shall not be affected.

Section 8. This act shall take effect on October 1, 1967.

Approved by the Governor March 5, 1968.

Filed in Office Secretary of State March 5, 1968.

CHAPTER 68-8

House Bill No. 292-X(68)

AN ACT relating to the Orlando-Orange county expressway authority; amending sections 348.0103(2) (g) 2. and 348.0104(1), Florida Statutes, clarifying the issuance of bonds for the funding or refunding of outstanding bonds; authorizing said authority to sell bonds at an interest cost not to exceed six per cent (6%) per annum; providing an effective date.

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

Section 1. Subparagraph 2. of paragraph (g) of subsection (2) of section 348.0103, Florida Statutes, is amended to read:

348.0103 Purposes and powers.—

(2) The authority is hereby granted, and shall have and may exercise all powers necessary, appurtenant, convenient or incidental to the carrying out of the aforesaid purposes, including, but without being limited to, the following rights and powers:

(g) To borrow money, make and issue negotiable notes, bonds, refunding bonds, and other evidences of indebtedness or obligations, either in temporary or definitive form, hereinafter in this chapter sometimes called "bonds" of the authority, for the purpose of financing all or part of the improvement or extension of the Orlando-Orange county expressway system, and appurtenant facilities, including all approaches, streets, roads, bridges and avenues of access for said Orlando-Orange county expressway system and for any other purpose authorized by this part, said bonds to mature in not exceeding forty (40) years from the date of the issuance thereof, and to secure the payment of such bonds or any part thereof by a pledge of any or all of its revenues, rates, fees, rentals or other charges, including all or any portion of the Orange county gasoline tax funds received by the authority pursuant to the terms of any lease-purchase agreement between the authority and the state road department; and in general to provide for the security of said bonds and the rights and remedies of the holders thereof. Provided, hereover, that no portion of the Orange county gasoline tax funds shall be pledged for the construction of any project for which a toll is to be charged unless the anticipated tolls are reasonably estimated by the board of county commissioners, at the date of its resolution pledging said funds, to be sufficient to cover the principal and interest of such obligations during the period when said pledge of funds shall be in effect.

2. In the event that the authority shall determine to fund or refund any bonds theretofore issued by said authority, or by said commission as aforesaid prior to the maturity thereof, the proceeds of such funding or refunding bonds shall, pending the prior redemption of the bonds to be funded or refunded, be invested in direct obligations of the United States, and it is the express intention of this part that such outstand-

ing bonds may be funded or refunded by the issuance of bonds pursuant to this part.

Section 2. Subsection (1) of section 348.0104, Florida Statutes, is amended to read:

348.0104 Bonds of the authority.

(1) (a) The bonds of the authority issued pursuant to the provisions of this part, whether on original issuance or on refunding, shall be authorized by resolution of the members thereof and may be either term or serial bonds, shall bear such date or dates, mature at such time or times, not exceeding forty (40) years from their respective dates, bear interest at such rate or rates, not exceeding six per cent (6%) per annum, payable semiannually, be in such denominations, be in such form, either coupon or fully registered, shall carry such registration, exchangeability and interchangeability privileges, be payable in such medium of payment and at such place or places, be subject to such terms of redemption and be entitled to such priorities on the revenues, rates, fees, rentals or other charges or receipts of the authority including the Orange county gasoline tax funds received by the authority pursuant to the terms of any lease-purchase agreement between the authority and the state road department, as such resolution or any resolution subsequent thereto may provide. The bonds shall be executed either by manual or facsimile signature by such officers as the authority shall determine, provided that such bonds shall bear at least one (1) signature which is manually executed thereon, and the coupons attached to such bonds shall bear the facsimile signature or signatures of such officer or officers as shall be designated by the authority and shall have the seal of the authority affixed, imprinted, reproduced or lithographed thereon, all as may be prescribed in such resolution or resolutions.

(b) Said bonds shall be sold at such price or prices as the authority shall determine to be in its best interest; provided that all such sales shall be made upon the receipt of competitive bids from at least two (2) qualified bidders and provided further that the interest cost to the authority on such bonds shall not exceed six per cent (6%) per annum. Pending the preparation of definitive bonds, interim certificates may be is-

sued to the purchaser or purchasers of such bonds and may contain such terms and conditions as the authority may determine.

Section 3. This act shall take effect immediately upon becoming a law.

Approved by the Governor March 5, 1968.

Filed in Office Secretary of State March 5, 1968.

CHAPTER 68-9

House Bill No. 43-X(68)

AN ACT relating to the police standards council as created by house bill no. 398, chapter 67-230, laws of Florida; providing for educational and training implementation; providing an additional appropriation therefor.

Whereas, the legislature created the police standards council by the passage of house bill no. 398, chapter 67-230, laws of Florida under an effective date of June 21, 1967 and appropriated the sum of \$38,000 from the general revenue fund for the 1967-1969 biennium for the purpose of carrying out the provisions of this act, and

Whereas, the police standards council needs personnel and funds for long-range educational planning and programming, and

Whereas, establishing state police training programs on a regional basis will require supervisory educational personnel, and

Whereas, field surveys and inspection tours are essential parts of this educational program, and

Whereas, the funds appropriated for the 1967-1969 biennium are not sufficient to permit the police standards council to properly develop its training and educational programs; also funds with which to reimburse local employing agencies who participate in the approved training programs of the council, and

Whereas, the state has accepted the responsibility to help insure effective law enforcement by education and training through the passage of the act creating the council and in so accepting has the responsibility to provide sufficient funds with which to implement its programs, Now, Therefore,

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

Section 1. Notwithstanding the provisions of Section 282.-061, Florida Statutes, the state planning and budget commission may transfer one hundred thousand dollars (\$100,000.00) from the appropriation contained in item number 610a of Section 1, Chapter 67-300, Laws of Florida, to the police standards council which sum is in addition to the sum previously appropriated in this biennium for the purpose of carrying out the provisions of Chapter 67-230, Laws of Florida.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor March 6, 1968.

Filed in Office Secretary of State March 6, 1968.

CHAPTER 68-10

Senate Bill No.166-X(68)

AN ACT relating to the prohibition against secret societies in public schools; amending section 232.39, Florida Statutes, by adding the Florida federation of womens' clubs to the approved group of organizations which may sponsor any junior organization or society.

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

Section 1. Section 232.39, Florida Statutes, is amended to read:

232.39 Secret societies prohibited in public schools.—It is unlawful for any person, group or organization to organize or establish a fraternity, sorority or other secret society in the state whose membership shall be comprised in whole or in part of pupils enrolled in any public school whether elementary or secondary or to go upon any school premises for the purpose of

FLORIDA LEGISLATIVE SERVICE

LEGISLATIVE COUNCIL AND REFERENCE BUREAU

SUMMARY OF

HOUSE BILLS

Legislative Day: 18-X(68) Day: Thursday Date: Feb. 15, 1968

HOUSE BILLS 291-X to 297-X

House Bill No. 291-X By: Davis & Others
Subject: Indian River County- Passed
Hospital District
Board of Trustees

House Bill No. 292-X By: Ducker & Others
Subject: Orlando - Orange Passed
County Expressway Authority

Companion to Senate Bill No. 163-X.

House Bill No. 293-X By: Tillman
Subject: Florida State Fire Reference: Public School Educ.
College - Board of Trustees

Increases the membership of the Board of Trustees of the Florida State Fire College from 3 to 5. Provides staggered terms for the two new members.

House Bill No. 294-X By: Yarborough & Others
Subject: Eleventh Judicial Passed
Circuit - Census Committee

Companion to Senate Bill No. 176-X.

House Con. Res. No. 295-X By: Shadley & Others
Subject: Police Officer Adopted
Mitchell L. Nutter
Memoriam

Expresses gratitude for the service of Police Officer Mitchell L. Nutter of Orlando, who was killed in line of duty, and sympathy to his family.

House Bill No. 296-X By: Pratt & Others
Subject: Manatee County- Passed
Court of Record

House Bill No. 297-X By: Bassett & Others
Subject: Longwood, City of- Passed

By Representative Ducker and Others

February 15, 1968

HOUSE BILL NO. 292-X (68)

1 **TO BE ENTITLED**

2 AN ACT relating to the Orlando-Orange
3 county expressway authority; amending
4 sections 348.0103 (2) (g) 2. and 348.0104
5 (1), Florida Statutes, clarifying the
6 issuance of bonds for the funding or
7 refunding of outstanding bonds; au-
8 thorizing said authority to sell bonds
9 at an interest cost not to exceed six
10 per cent (6%) per annum; providing
11 an effective date.

12 Be It Enacted by the Legislature of the State of
13 Florida:

14 Section 1. Subparagraph 2. of paragraph
15 (g) of subsection (2) of section 348.0103, Florida
16 Statutes, is amended to read:

17 348.0103 Purposes and powers.—

18 (2) The authority is hereby granted, and
19 shall have and may exercise all powers necessary,
20 appurtenant, convenient or incidental to the
21 carrying out of the aforesaid purposes, including,
22 but without being limited to, the following rights
23 and powers:

24 (g) To borrow money, make and issue nego-
25 tiable notes, bonds, refunding bonds, and other
26 evidences of indebtedness or obligations, either

PAGE 1

27 in temporary or definitive form, hereinafter in
28 this chapter sometimes called "bonds" of the
29 authority, for the purpose of financing all or

PAGE 2

1 part of the improvement or extension of the Orlando-
2 Orange county expressway system, and appurtenant
3 facilities, including all approaches, streets,
4 roads, bridges and avenues of access for said Orlando-
5 Orange county expressway system and for any other
6 purpose authorized by this part, said bonds to mature
7 in not exceeding forty (40) years from the date of
8 the issuance thereof, and to secure the payment of
9 such bonds or any part thereof by a pledge of any
10 or all of its revenues, rates, fees, rentals or
11 other charges, including all or any portion of
12 the Orange county gasoline tax funds received
13 by the authority pursuant to the terms of any
14 lease-purchase agreement between the authority
15 and the state road department; and in general to
16 provide for the security of said bonds and the
17 rights and remedies of the holders thereof. Pro-
18 vided, however, that no portion of the Orange county
19 gasoline tax funds shall be pledged for the con-
20 struction of any project for which a toll is to
21 be charged unless the anticipated tolls are rea-
22 sonably estimated by the board of county commis-
23 sioners, at the date of its resolution pledging
24 said funds, to be sufficient to cover the principal
25 and interest of such obligations during the period

PAGE 2

26 when said pledge of funds shall be in effect.
27 2. In the event that the authority shall de-
28 termine to fund or refund any bonds theretofore
29 issued by said authority, or by said commission as

PAGE 3

1 aforesaid prior to the maturity thereof, the pro-
2 ceeds of such funding or refunding bonds shall,
3 pending the prior redemption of the bonds to be
4 funded or refunded, be invested in direct obli-
5 gations of the United States, and it is the ex-
6 press intention of this part that such outstanding
7 bonds may be funded or refunded by the issuance of
8 bonds pursuant to this part. [notwithstanding that
9 part of such outstanding bonds will not mature or
10 become redeemable until six years after the date
11 of issuance of bonds pursuant to this part to fund
12 or refund such outstanding bonds.]

13 Section 2. Subsection (1) of section
14 348.0104, Florida Statutes, is amended to read:

15 348.0104 Bonds of the authority.—

16 (1) (a) The bonds of the authority issued
17 pursuant to the provisions of this part, whether
18 on original issuance or on refunding, shall be
19 authorized by resolution of the members thereof
20 and may be either term or serial bonds, shall
21 bear such date or dates, mature at such time or
22 times, not exceeding forty (40) years from their
23 respective dates, bear interest at such rate or