

JOURNAL OF THE SENATE

30

Friday, April 10, 1953

The Senate convened at 11:00 o'clock A.M., pursuant to adjournment on Thursday, April 9, 1953.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Davis	Houghton	Ripley
Baker	Dayton	Johnson	Rodgers
Black	Douglas	King	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	Melvin	Tapper
Clarke	Gautier (28th)	Morrow	
Collins	Gautier (13th)	Pearce	
Connor	Hodges	Pope	

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A quorum present.

Senators Beall, Boyle, Crary, Leaird and McArthur were excused from attendance upon the session today.

Prayer was offered by the Senate Chaplain, Reverend W. E. Hall.

The reading of the Journal was dispensed with.

The Senate daily Journal of Thursday, April 9, 1953, was corrected as follows:

On page 5, column 1, line 1, strike the figures "62" and insert in lieu thereof the following: "63,"

Page 9, column 1, strike line 17 and insert in lieu thereof the following:

"By Senators Floyd, Connor, Melvin, Douglas, Shands, Johnson, Davis, Leaird, Beall, Hodges, Crary, Tapper, Black, Johns, McArthur, Houghton, Gautier (13th) and Gautier (28th)—",

Also—

Page 9, column 1, line 30, strike out "McArthur and Houghton—" and insert in lieu thereof the following: "McArthur, Houghton and Gautier (28th)—",

Also—

Page 9, column 2, strike lines 29 and 30, counting from the bottom of the column.

Also—

Page 14, column 1, strike line 23, counting from the bottom of the column, and insert in lieu thereof the following:

"By Senators Franklin and Collins—"

And as corrected was approved.

Senator Lindler moved that Mrs. Faye Jones be named Head Stenographer, and that Mrs. T. C. Coody be named Head of the Journal Room for the 1953 Session.

Which was agreed to and it was so ordered.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Lindler—

S. B. No. 67—A bill to be entitled An Act appropriating the sum of \$600,000 to the Stephen Foster Memorial Commission for the construction of the Stephen Foster Memorial Amphitheatre at a certain site in Hamilton County, Florida; and providing certain powers and duties of said Commission.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Branch—

S. B. No. 68—A bill to be entitled An Act declaring certain blind and partially sighted persons who are licensed vending stand operators by the Florida Council for the Blind to be State Employees and entitled to the benefits of the State Officers and Employees Retirement System; providing for an election of the benefits of this Act; that blindness shall not constitute a retirable disability for such employees as are contemplated by this Act and that participation in the State Officers and Employees Retirement System by subsequently employed or licensed vending stand operators shall be compulsory.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senators King, Rodgers, Connor, Morrow and Branch

S. J. R. No. 69—A joint resolution providing for a referendum election to be held at the General Election in 1954 calling for a revision of the Constitution of the State of Florida by constitutional convention.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. That pursuant to Section 2 of Article XVII of the Florida Constitution The Legislature of the State of Florida hereby agreed by a two-thirds vote of all members of both Houses, that a revision of the constitution of the State of Florida is necessary and the following question shall be submitted to the electors of the State of Florida for ratification or rejection at the general election to be held in the year 1954:

For revision of the Constitution of the State of Florida by a Constitutional Convention.

Against revision of the Constitution of the State of Florida by a Constitutional Convention.

Section 2. That the Secretary of State shall give due notice of said referendum election and take all steps necessary to comply with Section 2 of Article XVII of the Florida Constitution.

Section 3. If a majority of the electors voting on the question be in favor of revision the legislature chosen at such election shall provide by law for a convention to revise the Constitution in accordance with Section 2 of Article XVII of the Florida Constitution.

• Which was read the first time by title only and referred to the Committee on Constitutional Amendments.

By Senators Dayton, Floyd and Clarke—

S. B. No. 70—A bill to be entitled An Act providing for the financing by counties and municipalities in the State of Florida of certain self-liquidating projects without the incurring of indebtedness or the levy of taxes, providing for the purchase, construction, improvement, extension, betterment, repair, operation and maintenance of bridges, causeways, tunnels by counties and waterworks systems, bridges, causeways, tunnels, and Harbor and port facilities by municipalities authorizing the issuance of revenue bonds, payable solely from revenues, to pay the cost of such projects, providing that the debt of any such county or municipality shall be incurred without the exercise of any of the powers granted by this act, and that no county or municipality shall have the power to levy taxes for the payment of such revenue bonds; providing for the collection of rates, fees, rentals and tolls for the payment of such revenue bonds and for the cost of maintenance, repair and operation of such projects; providing for the exer-

tion of trust agreements to secure the payment of such revenue bonds without mortgaging or encumbering any such projects; authorizing the issuance of revenue refunding bonds; and prescribing the powers and duties of counties and municipalities in connection with the foregoing and the rights and remedies of the holders of any bonds issued pursuant to the provisions of this act.

Which was read the first time by title only and referred to the Committee on Cities and Towns.

By Senators Morrow and Black—

S. B. No. 71—A bill to be entitled An Act relating to education: Amending Sub-sections (3), (4), and (5) of Section 236.07, Florida Statutes, 1951, prescribing procedure for determining annual apportionment from the minimum foundation program fund to each County for instructional salaries, transportation, and current expenses.

Which was read the first time by title only and referred to the Committee on Education and the Committee on Appropriations, in the order named.

By Senator Ripley—

S. B. No. 72—A bill to be entitled An Act to amend Section 234.01, Florida Statutes, relating to transportation of school children and to amend Sub-section (1) of Section 236.05, Florida Statutes, relating to procedure for determining number of transportation units; by providing for transportation of school children whose homes are more than one mile from the nearest school and to provide financing therefor.

Which was read the first time by title only and referred to the Committee on Education.

By Senator Rodgers—

S. B. No. 73—A bill to be entitled An Act amending Section 440.57 Florida Statutes 1951, relating to pooling liabilities under Workmen's Compensation Law; declaring such pools to constitute the business of insurance; providing that two or more employers may pool their liabilities to qualify as self insurers only after compliance with Chapter 628 Florida Statutes 1951, and all applicable insurance laws of Florida; providing for certification of such compliance by insurance commissioner to Florida Industrial Commission before approval of agreement to pool liabilities; repealing all laws in conflict herewith, and providing an effective date of this Act.

Which was read the first time by title only and referred to the Committee on Insurance.

By Senator Rodgers—

S. B. No. 74—A bill to be entitled An Act amending Section 733.01, Florida Statutes, relating to personal representatives taking possession of entire estate of decedents and the application of estate income.

Which was read the first time by title only and referred to the Committee on Judiciary "B".

By Senator Melvin—

S. B. No. 75—A bill to be entitled An Act abolishing all justice of peace districts in Okaloosa County, Florida, subject to approval at a referendum election.

Which was read the first time by title only.

Senator Melvin moved that the rules be waived and Senate bill No. 75 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 75 was read the second time by title only.

Senator Melvin moved that the rules be further waived and Senate Bill No. 75 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 75 was read the third time in full.

Upon the passage of Senate Bill No. 75 the roll was called and the vote was:

Yeas—33.

Mr. President,	Davis	Houghton	Ripley
Baker	Dayton	Johnson	Rodgers
Black	Douglas	King	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	Melvin	Tapper
Clarke	Gautier (28th)	Morrow	
Collins	Gautier (13th)	Pearce	
Connor	Hodges	Pope	

Nays—None.

So Senate Bill No. 75 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Melvin—

S. B. No. 76—A bill to be entitled An Act abolishing all justice of peace districts in Santa Rosa County, Florida, subject to approval at a referendum election.

Which was read the first time by title only.

Senator Melvin moved that the rules be waived and Senate Bill No. 76 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 76 was read the second time by title only.

Senator Melvin moved that the rules be further waived and Senate Bill No. 76 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 76 was read the third time in full.

Upon the passage of Senate Bill No. 76 the roll was called and the vote was:

Yeas—33.

Mr. President	Davis	Houghton	Ripley
Baker	Dayton	Johnson	Rodgers
Black	Douglas	King	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	Melvin	Tapper
Clarke	Gautier (28th)	Morrow	
Collins	Gautier (13th)	Pearce	
Connor	Hodges	Pope	

Nays—None.

So Senate Bill No. 76 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Gautier (28th) and Boyle—

S. B. No. 77—A bill to be entitled An Act relating to worthless checks; making it unlawful to make, issue, utter and deliver checks or other written orders for money on banks without sufficient funds on deposit to pay same or to receive goods or other things of value in exchange for such checks, establishing evidence of worthless checks and providing penalties for violations.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Gautier (28th)—

S. B. No. 78—A bill to be entitled An Act providing that whenever any form of bid on any proposed public contract requires a good faith deposit of a certified check, to accompany the bid, such requirement shall be satisfied by deposit of either a certified check, a cashier's check, treasurer's check or bank draft of any national or state bank.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Pope—

S. B. No. 79—A bill to be entitled An Act providing that in

computing time of service of an officer or enlisted man in the organized militia of the State of Florida for purposes of retirement, service in federal military forces during the period from the first day of July, A.D. 1950, to the date of termination of hostilities in the present Korean emergency (as such date may be proclaimed by the President of the United States or by action of the Congress of the United States) when the entrance into such federal service has been as a member of the National Guard of Florida, shall be included at double the time of actual service.

Which was read the first time by title only and referred to the Committee on Veterans Affairs.

By Senator Pope—

S. B. No. 80—A bill to be entitled An Act amending Section 250.42, Florida Statutes, pertaining to the Armory Board, State of Florida, and authorizing the Armory Board to acquire real and personal property and to sell and convey title to all such property not required for military uses and to apply any proceeds accruing to Armory Board purposes.

Which was read the first time by title only and referred to the Committee on Veterans Affairs.

By Senator Pope—

S. B. No. 81—A bill to be entitled An Act amending Sub-section (1) of Section 250.22, Florida Statutes, relating to the military code; and providing for retirement.

Which was read the first time by title only and referred to the Committee on Veterans Affairs.

By Senator Pope—

S. B. No. 82—A bill to be entitled An Act amending Section 876.05, Florida Statutes, relating to loyalty oaths of State employees.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Melvin—

S. B. No. 83—A bill to be entitled An Act relating to the negligent or careless shooting, wounding or killing of human beings while hunting in this State, providing for the cancellation of the hunting licenses, of persons so convicted within or without this State, and prohibiting the sale of hunting licenses to such persons.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senators Melvin and Tapper—

S. B. No. 84—A bill to be entitled An Act relating to State and County officers and employees retirement; to authorize persons to continue or to come back into retirement systems to which they belong or belonged upon changing position, or being reclassified or that have in the past changed positions or been reclassified under certain conditions; and excepting certain State officers and employees from the provisions of this Act.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

Senator King moved that the rules be waived and when the Senate adjourns it adjourn to reconvene at 3:00 o'clock P. M. Monday, April 13, 1953.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Dayton moved that Senate Bill No. 43, previously referred to the Committee on Insurance, be also referred to the Committee on Appropriations.

Which was agreed to and Senate Bill No. 43 was referred to the Committee on Insurance and the Committee on Appropriations, in the order named.

Senator King moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 11:38 o'clock A. M., until 3:00 o'clock P. M., Monday, April 13, 1953.