

JOURNAL OF THE SENATE

Monday, April 11, 1955

33

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Thursday, April 7, 1955.

The President in the Chair.

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

Mr. President	Connor	Johns	Pope
Baker	Douglas	Johnson	Rawls
Barber	Edwards	Kicklitter	Rodgers
Beall	Floyd	King	Rood
Black	Fraser	Melvin	Shands
Bronson	Gautier (28th)	Morgan	Stenstrom
Cabot	Gautier (13th)	Morrow	Stratton
Carlton	Getzen	Neblett	Tapper
Carraway	Hodges	Pearce	
Clarke	Houghton	Phillips	

—38

A quorum present.

Prayer was offered by the Senate Chaplain, Reverend E. E. Snow.

The reading of the Journal was dispensed with.

The Senate daily Journal of Tuesday, April 5, 1955, was further corrected as follows:

Page 8, column 2, lines 2 and 3, strike out the name "Gibbons" and insert in lieu thereof the name "Moody."

Also—

Page 8, column 2, between lines 5 and 6, counting from the bottom of the column, insert the following: "—38"

And as further corrected was approved.

The Senate daily Journal of Thursday, April 7, 1955, was corrected as follows:

Page 12, column 1, at the end of line 25 strike the period and add the following: "and Population."

Also—

Page 15, column 1, line 37, following the word "Management" and before the word "on" insert the following: "and Population."

Also—

Page 15, column 1, line 42, following the word "Management" and before the word "and" insert the following: "and Population."

Also—

Page 15, column 1, line 46, following the word "Management" and before the word "and" insert the following: "and Population."

Also—

Page 15, column 1, line 6, counting from the bottom of the column, between the words "Management" and "and" insert the words: "and Population."

Also—

Page 15, column 1, line 17, counting from the bottom of the column, between the words "Management" and "with" insert the words "and Population."

Also—

Page 15, column 2, line 17, between the words "Management" and "may" insert the words "and Population."

Also—

Page 16, column 2, line 1, between the words "Management" and "and" insert the words "and Population."

Also—

Page 17, column 1, strike out line 12 counting from the bottom of the column, and insert in lieu thereof the following:

"Neblett, Pope and Bronson."

Also—

Page 17, column 2, line 13, strike out "(28th)" and insert in lieu thereof the following: "(13th)".

Also—

Page 19, column 1, line 8, counting from the bottom of the column, strike out the word "or" and insert in lieu thereof the word "of."

Also—

Page 19, column 2, line 33, strike out the words "by title only" and insert in lieu thereof the words "in full."

And as corrected was approved.

REPORTS OF COMMITTEES

Senator Carraway, Chairman of the Committee on Legislative Management and Population, reported that the Committee had carefully considered the following Resolution:

Senate Resolution No. 27:

A RESOLUTION ALLOWING EACH MEMBER OF THE SENATE OF FLORIDA PAYMENT FOR MILEAGE FROM THEIR HOMES TO THE SEAT OF GOVERNMENT FOR FOUR ROUND TRIPS DURING THE 1955 REGULAR SESSION OF THE LEGISLATURE.

—and recommends that the same be adopted.

And the Resolution contained in the preceding report was placed on the Calendar of Senate Resolutions.

Senator Carraway, Chairman of the Committee on Legislative Management and Population, reported that the Committee had carefully considered the following Resolution—

Senate Resolution No. 28:

A RESOLUTION PROVIDING FOR PAY OF OFFICERS AND ATTACHES OF THE SENATE.

—and recommends that the same be adopted.

And the Resolution contained in the preceding report was placed on the Calendar of Senate Resolutions.

Senator Carraway, Chairman of the Committee on Legislative Management and Population, reported that the Committee had carefully considered the following Resolution—

Senate Resolution No. 29:

A RESOLUTION RELATING TO ADDITIONAL SERVICES AND COMPENSATION FOR SENATE EMPLOYEES AND INDEXERS.

—and recommends that the same be adopted.

And the Resolution contained in the preceding report was placed on the Calendar of Senate Resolutions.

Senator Carraway, Chairman of the Committee on Legislative Management and Population, reported that the Committee had carefully considered the following Bill:

S. B. No. 32—A bill to be entitled An Act prescribing the amount and authorizing the compensation to be paid to the members of the County Boards of Public Instruction in coun-

ties of the State of Florida having a population not less than 36,400 nor more than 37,000 according to the 1950 Federal Census; providing for the payment of expenses of such board members and specifying the effective date of said Act.

--and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Pursuant to the invitation extended to the Congressional Delegation from Florida in accordance with the provisions of Senate Resolution No. 105 adopted on April 7, 1955, Honorable Bob Sikes, Honorable A. S. (Syd) Herlong, Jr., Honorable James A. Haley, Honorable D. R. Matthews, Honorable Dante B. Fascell and Honorable Paul G. Rogers, Members of The Congress from Florida, appeared in the foyer of the Senate.

Senator Rawls moved that a committee be appointed to escort the Members of Congress to the rostrum.

Which was agreed to.

And the President appointed Senators Rawls, Johnson and Gautier (13th) as the committee which escorted the Members of Congress to the rostrum where they were received by the Senate standing.

At the request of the President, Congressman Sikes, Congressman Herlong, Congressman Haley, Congressman Matthews, Congressman Fascell and Congressman Rogers addressed the Senate in the order named.

Following the addresses of the Congressmen Senator Carraway moved that Mrs. Clelia D. Pugh be named Head Stenographer of the Senate for the 1955 Session.

Which was agreed to and Mrs. Clelia D. Pugh was unanimously elected Head Stenographer of the Senate for the 1955 Session.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Carraway—

S. B. No. 106—A bill to be entitled An Act amending Subsection 1, Section 17.26 Florida Statutes, by changing the limitation on State Warrants from six months to one year, effective July 1, 1955.

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

By Senator Johns—

Senate Joint Resolution No. 107—

A JOINT RESOLUTION PROPOSING AN AMENDMENT OF ARTICLE IX OF THE FLORIDA CONSTITUTION RELATING TO TAXATION AND FINANCE, BY ADDING THERETO AN ADDITIONAL SECTION, RELATING TO TAX EXEMPTION, TO BE KNOWN AND DESIGNATED AS SECTION 9A.

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

That the following Amendment to Article IX of the Florida Constitution is hereby agreed to and shall be submitted to the electors of this State for ratification or rejection at the next general election, to be held in the year 1956, that is to say: A new Section shall be added to said Article IX to be known and designated as Section 9A, reading and providing as follows:

Section 9A. Exemption of household goods and personal effects.—The household goods and personal effects of every person residing and making his permanent home in this State shall be exempt from taxation. Title to such household goods and personal effects may be held individually, by the entireties, jointly, or in common with others.

Which was read the first time in full and referred to the Committee on Finance and Taxation and the Committee on Constitutional Amendments, in the order named.

By Senator Carraway—

S. B. No. 108—A bill to be entitled An Act relating to the prohibition against maintaining secret societies in public schools;

amending Section 242.49, Florida Statutes, exempting certain institutions of higher learning.

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

By Senator Johns—

Senate Concurrent Resolution No. 109:

A CONCURRENT RESOLUTION MEMORIALIZING CONGRESS TO CALL A CONVENTION FOR THE PURPOSE OF CONSIDERING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATIVE TO THE ADMINISTRATION BY THE SEVERAL STATES OF THEIR RESPECTIVE SCHOOL SYSTEMS.

WHEREAS, Recent decisions of the Supreme Court of the United States have tended to withdraw from the sovereign states the power to administer their respective school systems in a fashion never contemplated by the ratifiers of the Fourteenth Amendment; and

WHEREAS, This unconscionable usurpation of power, if not restricted, will ultimately result in the destruction of every vestige of state supported and regulated public education.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Legislature of Florida respectfully petition the Congress of the United States to call a convention for the purpose of proposing the following Article as an Amendment to the Constitution of the United States:

"ARTICLE—

"Section 1. Anything in this Constitution to the contrary notwithstanding, the several states shall have exclusive authority to regulate, administer and operate their respective educational systems as they may deem necessary and proper, and neither the Congress, the President, nor anything in this Constitution shall in anywise interfere therewith or otherwise affect same.

"Section 2. The Supreme Court, the several District Courts and Courts of Appeal, and any and all other federal judicial tribunals, quasi-judicial tribunals, and all administrative or executive agencies, shall have no jurisdiction to decide or consider, either originally, on appeal, or by other means of review, any matter drawing in question the administration by the several states of their respective educational systems."

BE IT FURTHER RESOLVED, That the Congress of the United States be, and it hereby is, requested to provide as the mode of ratification that said Amendment shall be valid to all intents and purposes, as part of the Constitution of the United States, when ratified by the Legislatures of three-fourths of the several states.

BE IT FURTHER RESOLVED, That a duly attested copy of this Resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from the State of Florida.

BE IT FURTHER RESOLVED, That a duly attested copy of this Resolution be immediately transmitted to the Governor of every state and the President of the State Senate of every state and the Speaker of the House of every state for the express purpose of encouraging these sovereign states to take similar action in their Legislatures.

Which was read the first time in full and referred to the Committee on Education.

By Senator Connor—

S. B. No. 110—A bill to be entitled An Act relating to the regulation of traffic on highways; amending Section 317.06, Florida Statutes, providing for traffic control signal device to be used between the green and red signal, and vice versa; and providing the effective date.

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

By Senator Pearce—

S. B. No. 111—A bill to be entitled An Act to amend Subsections (3) and (5) of Section 11.21, and Subsection (1) of Sec-

tion 11.23, Florida Statutes, relating to the Legislative Council and Reference Bureau to provide for additional membership on select committees of the Legislative Council and the payment of expenses of such members and to provide a method of establishing quarters for the Legislative Reference Bureau.

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

By Senator Pearce—

S. B. No. 112—A bill to be entitled An Act to declare and clarify Legislative intent as expressed in Chapter 28165, Laws of Florida, Acts of 1953, relating to the Legislative Council and Reference Bureau, and in Chapters 28115 and 28231, Laws of Florida, Acts of 1953, relating to powers of the Budget Commission to determine the number and fix the compensation of employees of the State.

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

By the Committee on Appropriations—

S. B. No. 113—A bill to be entitled An Act repealing Section 409.43 Florida Statutes Chapter 409 Laws of 1953 pertaining to appropriations for the program of public assistance for the indigent permanently and totally disabled; and providing in lieu thereof appropriations from the General Revenue Fund.

Which was read the first time by title only and placed on the Calendar of Bills on Second Reading without reference.

By Senators Rood, Popc, Bronson, Stenstrom, Tapper, Caraway and Edwards—

S. B. No. 114—A bill to be entitled An Act providing that all meetings of state, county, municipal and other local boards or commissions exercising legislative or administrative powers, except as otherwise provided by the State Constitution, shall be open to the general public; and providing punishment for violation thereof.

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

By Senator Pearce—

S. B. No. 115—A bill to be entitled An Act relating to State Budget Commission; amending Chapter 216, Florida Statutes, by adding new sections thereto; and amending Section 216.16, Florida Statutes; providing for separate budget procedure for the Legislature and Legislative Council and Reference Bureau.

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

By Senator Pearce—

S. B. No. 116—A bill to be entitled An Act providing for the County Tax Assessor and County Tax Collector of Putnam County, Florida, to act as the Tax Assessor and Tax Collector for the Town of Pomona Park. Providing for the method of assessing and collecting municipal taxes; providing for the County Commissioners to act as the Municipal Board of Equalization; prescribing the duties and powers of the Tax Assessor and Tax Collector necessary to carry out the provisions of this Act and providing for the abolition of the offices of Town Tax Collector and Town Tax Assessor for the Town of Pomona Park.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to Senate Bill No. 116 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

By Senators Johns and Johnson—

S. B. No. 117—A bill to be entitled An Act relating to the membership of school officials and employees as defined, in educational associations; prohibiting influence or pressure upon school officials and employees to join or refrain from joining Florida Educational Association or other educational associations and providing a penalty for violation of the provisions of the Act.

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

By Senator Gautier (28th)—

S. B. No. 118—A bill to be entitled An Act relating to death certificates; amending Section 382.08, Florida Statutes, providing for inclusion of name of deceased's spouse and fingerprints of deceased on death certificates.

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

By Senator Gautier (28th)—

Senate Joint Resolution No. 119:

A JOINT RESOLUTION PROPOSING AN AMENDMENT OF SECTION 2, ARTICLE III OF THE CONSTITUTION, RELATING TO REGULAR AND EXTRA SESSIONS OF THE LEGISLATURE, BY ADDING TO SAID SECTION A PROVISION FOR THE CONVENING OF THE LEGISLATURE INTO EXTRA SESSION BY THE MEMBERS THEREOF.

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

That the following amendment to Article III, Section 2 of the Constitution of Florida is hereby agreed and shall be submitted to the electors of the State of Florida for ratification or rejection at the next general election to be held in the year 1956, as follows:

Section 2. **Regular and Extra Sessions.**—The Regular Sessions of the Legislature shall be held biennially, commencing on the first Tuesday after the first Monday in April, 1887, and on the corresponding day of every second year thereafter, but the Governor may convene the same in Extra Session by his proclamation. Regular Sessions of the Legislature may extend to sixty (60) days, but no Special Session convened by the Governor shall exceed twenty (20) days. The regular sixty (60) day biennial Session of the Legislature may, by a three-fifths vote of the membership of both Houses, be extended not exceeding a total of thirty (30) days which need not be consecutive. Recesses in such extended Session shall be taken only by joint action of both Houses. No extended Session may last beyond September 1st following the regular biennial Session. During such extended Session, no additional proposed legislation shall be introduced unless consent is first obtained by a two-thirds ($\frac{2}{3}$) vote of the members of the House into which it is sought to be introduced.

Provided, that the Legislature may also be convened in extra Session in the following manner: When twenty per cent (20%) of the members of the Legislature shall execute in writing and file with the Secretary of State their certificates that conditions warrant the convening of the Legislature into extra Session, the Secretary of State shall, within seven (7) days after receiving the requisite number of such certificates, poll the members of the Legislature, and upon the affirmative vote of three-fifths ($\frac{3}{5}$) of the members of both Houses, shall forthwith fix the day and hour for convening of such extra Session. Notice thereof shall be given each member by registered mail within seven (7) days after receiving the requisite number of said certificates. The time for convening of said Session shall be not less than fourteen (14) days nor more than twenty-one (21) days from the date of mailing said notices. In pursuance of said certificates, affirmative vote of the membership and notice, the Legislature shall convene in extra Session for all purposes as if convened in regular Session; provided, however, that any such extra Session shall be limited to a period of thirty (30) days. Should the Secretary of State fail to receive the requisite number of said certificates requesting the convening of an extra Session of the Legislature within a period of sixty (60) days after receipt of the first of said certificates, all certificates previously filed shall be rendered null and void and no extra Session shall be called and said certificates shall not be used at any future time for the convening of the Legislature.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Gautier (28th)—

S. B. No. 120—A bill to be entitled An Act amending Section 370.11, Subsection 3 by adding additional Subsection, per-

mitting fishing for shad with hook and line during closed season, providing penalty, fixing effective date.

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

By Senator Gautier (28th)—

S. B. No. 121—A bill to be entitled An Act relating to drivers' licenses amending Section 322.14, Florida Statutes, to provide for a space upon which licensee's blood type may be inserted if known or available; and providing an effective date.

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

By Senator Beall—

S. B. No. 122—A bill to be entitled An Act relating to the public welfare; repealing Subsections (2) and (3) of Section 409.36, Florida Statutes, relating to the investigations of applicants or recipients under Chapter 409, Florida Statutes, and prosecutions for fraud for the violations of the provisions of Chapter 409, Florida Statutes.

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

By Senator Pearce—

S. B. No. 123—A bill to be entitled An Act authorizing and providing for the issuance and sale of \$400,000.00 of bonds by the Putnam County Public Hospital Authority; authorizing and providing for the levy and collection of taxes for the payment of the said bonds and the interest thereon; providing for the pledging of a portion of the race track funds allocated to Putnam County to the payment of the principal of and interest on said bonds; and providing for a referendum election on this Act.

Which was read the first time by title only.

Senator Pearce moved that the rules be waived and Senate Bill No. 123 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 123 was read the second time by title only.

Senator Pearce moved that the rules be further waived and Senate Bill No. 123 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. 123 was read the third time in full.

Upon the passage of Senate Bill No. 123 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Johns	Pope
Baker	Douglas	Johnson	Rawls
Barber	Edwards	Kickliter	Rodgers
Beall	Floyd	King	Rood
Black	Fraser	Melvin	Shands
Bronson	Gautier (28th)	Morgan	Stenstrom
Cabot	Gautier (13th)	Morrow	Stratton
Carlton	Getzen	Neblett	Tapper
Carraway	Hodges	Pearce	
Clarke	Houghton	Phillips	

Nays—None.

So Senate Bill No. 123 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johns—

S. B. No. 124—A bill to be entitled An Act relating to the management of the public schools at the local level; prescribing student admission policies with power to make appropriate rules and regulations; prescribing the duties of certain school officials; authorizing the creation of advisory committees and study groups; authorizing employment of legal counsel; providing for surveys; authorizing redistricting of attendance areas and reallocation of school bus transportation routes; all pursuant to the police and welfare powers of the State.

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

By Senator Johns—

S. B. No. 125—A bill to be entitled An Act relating to educational associations and requiring that they furnish financial statements and cause the same to be posted on school bulletin boards.

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

By Senators Johns and Fraser—

S. B. No. 126—A bill to be entitled An Act relating to the widow of J. G. Godwin, late Assistant Superintendent at the Florida State Prison at Raiford; providing a pension for her; making an appropriation therefor and setting the effective date.

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

By Senator Johns—

S. B. No. 127—A bill to be entitled An Act amending Section 192.16, Florida Statutes, relating to the filing of claims for homestead tax exemption, and providing that such claims need not be filed annually.

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

By Senator Stratton—

S. B. No. 128—A bill to be entitled An Act providing for a maximum number of one hundred twenty duty hours (120 hrs.) in any two (2) consecutive calendar weeks, for firemen of municipalities with a population of fifteen thousand (15,000) or more, according to the most recent official census, and providing that the shifts shall be alternated from night to day, or otherwise, that neither shift shall be discriminated against, providing for twenty-four (24) hours duty on alternate days and in emergencies; providing that the Act shall not repeal any law or ordinance of any city allowing vacation for firemen; repealing Sections 167.63 and 167.632, Florida Statutes; providing an effective date.

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

By Senator Beall—

S. B. No. 129—A bill to be entitled An Act relating to public aid to needy persons who are permanently and totally disabled; amending Subsection (5) of Section (1) and Section 4 of Chapter 28161, Laws of Florida, 1953, relating to eligibility for such assistance.

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

By Senator Beall—

S. B. No. 130—A bill to be entitled An Act relating to the public welfare; amending Subsections (1) and (3) of Section 409.17, Florida Statutes, relating to eligibility for aid to the blind.

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

By Senator Beall—

S. B. No. 131—A bill to be entitled An Act relating to the public welfare; authorizing the State Welfare Board to expend funds appropriated for expenses for the retirement of revenue certificates issued relative to the building or purchase of office space used for the State Department of Public Welfare; providing an effective date.

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

By Senator Beall—

S. B. No. 132—A bill to be entitled An Act relating to the public welfare; amending paragraph (b) of Subsection (1) of Section 409.18, Florida Statutes, relating to assistance to dependent children.

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

By Senator Beall—

S. B. No. 133—A bill to be entitled An Act relating to the public welfare; amending Subsection (4) of Section 409.16, Florida Statutes, and adding Subsection (8), restricting eligibility for old age assistance; providing an effective date.

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

By Senators Davis, Shands, Melvin, Pearce, Stratton, Cabot, Gautier (28th), Hodges, Kickliter, Clarke, Black, Carraway, Beall, Houghton, Edwards, Barber, Neblett, Fraser, Johnson, Baker, Connor, Douglas, Johns, Phillips, Floyd, Rawls, Getzen, Tapper, Morgan and Rodgers—

S. B. No. 134—A bill to be entitled An Act to create a Department of Revenue for the purpose of consolidating the collection of taxes now collected by Comptroller, Motor Vehicle Commissioner, Beverage Director, and Racing Commission; providing for the Comptroller to be the Executive Officer of the Commission; amending Section 210.01 (10) F. S., relative to cigarette taxes to define the director to be the Comptroller, as Executive Officer of the Commission; amending Sections 318.01 and 319.08(1) F. S., to substitute for the State Motor Vehicle Commissioner, the Comptroller, as Executive Officer; authorizing the State Budget Commission to make appropriate transfers of appropriations; providing for rights of certain employees; repealing Section 210.10 Subsection (2) F. S., relative to administration of the cigarette tax by the Beverage Director, and Subsection (3) relative to additional salary of Beverage Director for enforcing the Cigarette Tax Law; providing effective date of Act.

Which was read the first time by title only.

Senator Tapper moved that the rules be waived and Senate Bill No. 134 be placed on the Calendar of Bills on Second Reading, without reference.

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

By Senators Gautier (28th), Gautier (13th), Cabot and Houghton—

S. B. No. 135—A bill to be entitled An Act relating to the taking possession, sale of snook, making snook a game fish; fixing length, bag limit; providing penalty, repealing conflicting laws; fixing effect date.

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

By Senator Gautier (28th)—

S. B. No. 136—A bill to be entitled An Act relating to intangible personal property taxes; amending Subsection (5) of Section 199.31, Florida Statutes; making appropriations to the state officers and employees and the county officers and employees retirement systems and the cost of administering same; and providing an effective date.

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

By Senator Gautier (28th)—

S. B. No. 137—A bill to be entitled An Act relating to the state officers and employees retirement system; amending Subsection (2) of Section 121.02, Florida Statutes, defining basis of retirement compensation; creating Section 121.031, Florida Statutes, permitting credit for prior service under certain conditions; amending Section 121.08, Florida Statutes, providing for refunds of contributions; and Section 121.15, Florida Statutes, making an appropriation to said fund.

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

By Senator Gautier (28th)—

S. B. No. 138—A bill to be entitled An Act relating to the county officers and employees retirement system; amending Subsection (2) of Section 134.02, Florida Statutes, defining basis of retirement compensation; creating Section 134.031, Florida Statutes, permitting credit for prior service under

certain conditions; amending Section 134.08, Florida Statutes, providing for refunds of contributions; and Section 134.15, Florida Statutes, making an appropriation to said fund.

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

By Senator Morgan—

S. B. No. 139—A bill to be entitled An Act relating to dentistry and dental hygiene; amending Chapter 466, Florida Statutes, by amending Sections 466.06, 466.07, 466.20, 466.32, 466.34, 466.37, 466.38, and 466.41, Florida Statutes, and adding thereto Section 466.43, Florida Statutes; providing for five (5) geographical districts in the State; increasing the number of members of the Florida State Board of Dental Examiners from five (5) to seven (7); fixing the qualifications and tenure of members of the Board; fixing an examination fee and compensation to be paid members of the Board; providing for compensation to be paid to the Secretary-Treasurer of the Board and his assistants; providing restrictions on employment of unlicensed dentists; fixing fees and qualifications for dental hygienists and dental internes; authorizing the Board to fix qualifications for licensed dentists to qualify as specialists; and providing penalties for violation of this Act.

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

By Senator Neblett—

S. B. No. 140—A bill to be entitled An Act declaring the Municipal Judge of the City of Key West, Florida, who now holds the office of Municipal Judge of said city to be a member of the Civil Service of said city without the necessity of any examination, physical or mental; and providing that persons employed in the future as such municipal judge shall become members of the Civil Service after they have been employed pursuant to the provisions of Article I of Chapter H of Chapter 23374, Laws of Florida, Acts of the Legislature year 1945, as amended, and rules and regulations adopted under its authority; repealing all laws and parts of laws, whether general or special, in conflict with this Act to the extent of such conflict; and providing for this Act to take effect upon its becoming a Law.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 140 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Neblett moved that the rules be waived and Senate Bill No. 140 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 140 was read the second time by title only.

Senator Neblett moved that the rules be further waived and Senate Bill No. 140 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. 140 was read the third time in full.

Upon the passage of Senate Bill No. 140 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Johns	Pope
Baker	Douglas	Johnson	Rawls
Barber	Edwards	Kickliter	Rodgers
Beall	Floyd	King	Rood
Black	Fraser	Melvin	Shands
Bronson	Gautier (28th)	Morgan	Stenstrom
Cabot	Gautier (13th)	Morrow	Stratton
Carlton	Getzen	Neblett	Tapper
Carraway	Hodges	Pearce	
Clarke	Houghton	Phillips	

Nays—None.

So Senate Bill No. 140 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

A RESOLUTION HONORING CLARENCE M. GAY

WHEREAS, On the eleventh day of April, 1955, there comes to a temporary, we hope, end of a career of public service to the people of the State of Florida of which any man could well be proud, and

WHEREAS, Clarence Myers Gay first served as a public official and manager of the Chamber of Commerce of his home City of Orlando, whence after three (3) years, he was elected to the office of Clerk of the Circuit Court of Orange County and thereafter was elected to and served faithfully and well the good people of Orange County for three (3) successive terms in this office, and

WHEREAS, On October 9, 1946, Mr. Gay broadened the nature of his public service to a state-wide basis, when he accepted the appointment to the office of Comptroller upon the death of J. M. Lee, to which office he was reelected in 1948 and 1954, and

WHEREAS, As Comptroller he has fought the battles of state finances as a servant of the people of the State of Florida unselfishly and ably so that our system of fiscal affairs and administration is now at its highest point of efficiency in history, and

WHEREAS, With the knowledge that Clarence M. Gay has accepted unprecedented additional responsibility by the threefold enlargement of the duties of this office during the course of his service with an ability and perception that defies comparison, and

WHEREAS, It is just and fitting that recognition be made for a job well and faithfully done, NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA:

That the Honorable Clarence Myers Gay is invited to attend at the Senate Chamber at twelve o'clock noon on this eleventh day of April, 1955, at which time this body desires to do him honor upon his retirement from the office of Comptroller of the State of Florida.

BE IT FURTHER RESOLVED That a copy of this resolution be delivered to Mr. Gay and that a page be set aside in the journal in his honor.

By Senators Rodgers and King—

Senate Resolution No. 141:

A RESOLUTION HONORING CLARENCE M. GAY—

WHEREAS, On the eleventh day of April, 1955, there comes to a temporary, we hope, end of a career of public service to the people of the State of Florida of which any man could well be proud, and

WHEREAS, Clarence Myers Gay first served as a public official and manager of the Chamber of Commerce of his home City of Orlando, whence after three (3) years, he was elected to the office of Clerk of the Circuit Court of Orange County and thereafter was elected to and served faithfully and well the good people of Orange County for three (3) successive terms in this office, and

WHEREAS, On October 9, 1946, Mr. Gay broadened the nature of his public service to a statewide basis, when he accepted the appointment to the office of Comptroller upon the death of J. M. Lee, to which office he was reelected in 1948 and 1954, and

WHEREAS, As Comptroller he has fought the battles of state finances as a servant of the people of the State of Florida unselfishly and ably so that our system of fiscal affairs and administration is now at its highest point of efficiency in history, and

WHEREAS, With the knowledge that Clarence M. Gay has accepted unprecedented additional responsibility by the threefold enlargement of the duties of this office during the course of his service with an ability and perception that defies comparison, and

WHEREAS, It is just and fitting that recognition be made for a job well and faithfully done, NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA:

That the Honorable Clarence Myers Gay is invited to attend at the Senate Chamber at twelve o'clock noon on this eleventh day of April, 1955, at which time this body desires to do him honor upon his retirement from the office of Comptroller of the State of Florida.

BE IT FURTHER RESOLVED That a copy of this Resolution be delivered to Mr. Gay and that a page be set aside in the Journal in his honor.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Which was unanimously agreed to by a standing vote of the Senate and Senate Resolution No. 141 was adopted.

Following the adoption of Senate Resolution No. 141, Senator Rodgers moved that a committee of five members be appointed to escort Honorable Clarence M. Gay, retiring Comptroller of the State of Florida, to a seat on the rostrum.

Which was agreed to.

And the President appointed Senators Clarke, King, Shands, Rodgers and Carraway as the committee which escorted Mr. Gay to the rostrum where he was presented to the Senate by the President and responded with an address.

MESSAGES FROM THE GOVERNOR

The following Communications from the Governor were received:

STATE OF FLORIDA

EXECUTIVE DEPARTMENT

TALLAHASSEE
April 7, 1955

Honorable W. Turner Davis
President of the Senate
State Capitol

Sir:

I have the honor to inform you that I have today approved the following Act, which originated in your Honorable Body,

Regular Session, 1955, and have caused the same to be filed in the office of the Secretary of State:

S. B. NO. 1 RELATING TO ST. AUGUSTINE

Respectfully,

LeROY COLLINS
Governor

STATE OF FLORIDA

EXECUTIVE DEPARTMENT

TALLAHASSEE
April 5, 1955.

GENTLEMEN OF THE LEGISLATURE:

In Pursuance of the requirement of Section 11 of Article IV of the State Constitution, I have the honor to transmit herewith a report covering every case of fine or forfeiture remitted, or reprieve, pardon or commutation granted, stating the name of the convict, the crime for which he was convicted, the sentence, its date, and the date of its remission, commutation, pardon or reprieve since making report to the Legislature, April 7, 1953.

Respectfully submitted

LeROY COLLINS
Governor

And the report mentioned in the foregoing message from the Governor was filed.

CONSIDERATION OF BILLS AND JOINT RESOLUTIONS ON SECOND READING.

S. B. No. 31—A bill to be entitled An Act providing a deficiency appropriation to the county schools under the Minimum Foundation Program, as provided by Section 236.03, Florida Statutes, for increased average daily attendance during school fiscal years 1953-54—1954-55.

Was taken up in its order.

Senator Pope moved that the rules be waived and Senate Bill No. 31 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 31 was read the second time by title only.

Senator Pope moved that the rules be further waived and Senate Bill No. 31 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. 31 was read the third time in full.

Upon the passage of Senate Bill No. 31 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Johns	Pope
Baker	Douglas	Johnson	Rawls
Barber	Edwards	Kickliter	Rodgers
Beall	Floyd	King	Rood
Black	Fraser	Melvin	Shands
Bronson	Gautier (28th)	Morgan	Stenstrom
Cabot	Gautier (13th)	Morrow	Stratton
Carlton	Getzen	Neblett	Tapper
Carraway	Hodges	Pearce	
Clarke	Houghton	Phillips	

Nays—None.

So Senate Bill No. 31 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Melvin moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 12:21 o'clock P. M., until 11:00 o'clock A. M., Tuesday, April 12, 1955.