

# JOURNAL OF THE SENATE

40

Tuesday, April 12, 1955

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, April 11, 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 Thursday, April 7, 1955, was further corrected as follows:

Page 12, column 2, between lines 21 and 22, insert the following:

"A standing committee may introduce Bills, Joint Resolutions, Concurrent Resolutions, Memorials and Resolutions, and when so introduced by a standing committee, and if the subject thereof properly relates to the business of such committee, then the same shall be referred to the calendar without committee reference."

Also—

Page 14, column 1, line 21, counting from the bottom of the column, following the word "Management" add the words: "and Population."

Also—

Page 16, column 1, line 13, counting from the bottom of the column, following the word "Management" add the words: "and Population."

And as further corrected was approved.

The Senate daily Journal of Monday, April 11, 1955, was corrected as follows:

Page 37, column 1, strike out line 38, and insert in lieu thereof the following:

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

And as corrected was approved.

## REPORTS OF COMMITTEES

Senator Pope, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Bill:

S. B. No. 21—A bill to be entitled An Act to specifically appropriate monies for the construction of a teaching hospital as a part of the medical and nursing schools, as provided for by Sections 241.471 and 241.472, Florida Statutes.

—and recommends that the same pass.

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

Senator King, Chairman of the Committee on Judiciary "A,"

reported that the Committee had carefully considered the following Bills:

S. B. No. 22—A bill to be entitled An Act relating to divorce by amending Section 65.02, Florida Statutes, to provide for a residence requirement of six months; providing for effective date.

S. B. No. 26—A bill to be entitled An Act relating to larceny of goods held for sale; providing that detaining a person under suspicion by a peace officer, merchant, or merchant's employee, shall not constitute an arrest; providing for arrest without a warrant by a peace officer upon probable cause, and exempting merchants or their employees from civil or criminal liability where probable cause exists to believe a person committed larceny of goods held for sale.

S. B. No. 55—A bill to be entitled An Act relating to incompetency and restoration to competency proceedings; amending Sections 62.32 and 62.35, Florida Statutes; to except from their operation persons adjudged incompetent under provisions of Chapter 394, Florida Statutes; adding a Section to Chapter 394, Florida Statutes, to authorize Circuit Judges to substitute for County Judges; amending Sub-section (4), Section 394.22, Florida Statutes, to provide procedure for restoration to competency of persons adjudged incompetent under provisions of Chapter 394, Florida Statutes; and providing for appeal.

—and recommends that they do pass.

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

Senator King, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bills:

S. B. No. 57—A bill to be entitled An Act relating to the Florida National Guard amending Section 250.50, Florida Statutes, to provide certain exemptions for officers and enlisted men of the Florida National Guard while on active duty.

S. B. No. 58—A bill to be entitled An Act relating to appeals; amending Subsection (2) of Section 59.01, Florida Statutes, to provide same general procedure shall be applicable to all appeals from all courts; and repealing Chapter 61, Florida Statutes, relating to appellate proceedings from county courts and other inferior courts.

S. B. No. 60—A bill to be entitled An Act relating to taxable costs to authorize the court in its discretion to allow as taxable costs depositions and certain illustrative evidence.

—and recommends that they do pass.

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

Senator King, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bills:

S. B. No. 63—A bill to be entitled An Act relating to taxable costs in civil proceedings to authorize the court in its discretion to allow as taxable costs expense of court reporter.

S. B. No. 64—A bill to be entitled An Act relating to the custody of children, making it a felony for any party to an action to remove a child from Florida in violation of a court order; and providing a penalty therefor.

S. B. No. 65—A bill to be entitled An Act relating to partition proceedings by amending Subsection (2) of Section 66.06, Florida Statutes, as amended by Section 1, Chapter 28200, Laws of 1953.

—and recommends that they do pass.

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

Senator King, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bills:

S. B. No. 66—A bill to be entitled An Act relating to withdrawal of funds deposited in court registry by amending Section 54.05, Florida Statutes.

S. B. No. 67—A bill to be entitled An Act relating to eminent domain; amending Section 73.10, Florida Statutes; limiting conditions under which property will be viewed by jury.

S. B. No. 68—A bill to be entitled An Act fixing maximum compensation to be allowed counsel for defendant in capital cases, by amending Section 909.21, Florida Statutes.

—and recommends that they do pass.

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

Senator King, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bills:

S. B. No. 69—A bill to be entitled An Act relating to constructive service of process, amending Sections 48.10, 48.11 and 48.12, Florida Statutes to eliminate necessity for recording proof of publication and posting in minutes of court or Chancery Order Books; and to provide for certificate of publication or posting

S. B. No. 70—A bill to be entitled An Act relating to court costs; amending Section 58.09, Florida Statutes, to make its provisions state-wide; requiring the approval of the clerk of court.

S. B. No. 97—A bill to be entitled An Act relating to fines and costs in criminal proceeding, amending Section 922.04, Florida Statutes, to limit the operation of the law to cases where fine and costs do not exceed three hundred dollars (\$300.00).

—and recommends that they do pass.

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

Senator King, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bills:

S. B. No. 99—A bill to be entitled An Act relating to regulation of traffic on highways; amending Subsection (1) of Section 317.20, Florida Statutes; to extend its provisions to include persons driving under the influence of drugs other than narcotics.

S. B. No. 100—A bill to be entitled An Act relating to appeals, amending Subsection (3) of Section 59.02, Florida Statutes, to limit interlocutory equity appeals granting injunctions and appointing receivers.

—and recommends that they do pass.

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

Senator King, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bills:

S. B. No. 54—A bill to be entitled An Act relating to residence requirements in divorce proceedings, amending Section 65.02, Florida Statutes, to require one year's residence in this State before filing complaint.

S. B. No. 56—A bill to be entitled An Act relating to conduct of trial; amending Section 918.09, Florida Statutes, to eliminate provision awarding concluding argument to defendant in certain instances.

S. B. No. 71—A bill to be entitled An Act to provide for the taking of the population census of the State in the year 1955; making appropriation therefor.

—and recommends that the same do not pass.

And the Bills contained in the preceding report were laid on the table.

Senator King, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bill:

S. B. No. 98—A bill to be entitled An Act relating to corporations; amending Chapter 608, Florida Statutes, to add a section to require that corporations file with the Secretary of State any change of address of principal office.

—and recommends that the same do not pass.

And the Bill contained in the preceding report was laid on the table.

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 the Committee recommends that the Committee Substitute therefor, as reported herewith, does pass.

And the Resolution contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Senate Resolutions.

Senator Gautier (28th), Chairman of the Committee on Judiciary "C", reported that the Committee had carefully considered the following Bill:

S. B. No. 102—A bill to be entitled An Act relating to the Legislature; providing that members of the Legislature shall be immune from prosecution for civil liability for any remarks or publications made while on the floor of the Legislature or in official committee hearings.

—and recommends that the same pass.

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

**INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS.**

By Senator Pope—

S. B. No. 142—A bill to be entitled An Act relating to publishing the Florida Statutes, financing the publication and sale; amending Subsection (2) of Section 16.46, Florida Statutes; adding Subsections (3), (4), (5), and (6); providing for a revolving fund and disposal of obsolete Statutes by Secretary of State.

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

By Senator Stratton—

S. B. No. 143—A bill to be entitled An Act legalizing and validating certain bonds of the City of Fernandina Beach, Nassau County, Florida, the indebtedness being refunded by part of such bonds, and all proceedings had in connection with the authorization of such bonds; providing for the security and payment of such bonds; authorizing the governing body of said city to adopt such additional proceedings and to do all things necessary to the issuance of such bonds and declaring such bonds when issued to be valid and binding.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 143 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 Stratton moved that the rules be waived and Senate Bill No. 143 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 143 was read the second time by title only.

Senator Stratton moved that the rules be further waived and Senate Bill No. 143 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. 143 was read the third time in full.

Upon the passage of Senate Bill No. 143 the roll was called and the vote was:

Yeas—38.

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	

Nays—None.

So Senate Bill No. 143 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Black—

S. B. No. 144—a bill to be entitled An Act for the relief of Edward Howland; making an appropriation therefor; setting effective date.

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

By Senator Davis—

S. B. No. 145—A bill to be entitled An Act providing police protection for, and the policing of, the Florida Capitol Center; providing a Capitol Center police force and fixing its authority; providing for rules, regulations and ordinances for the government of said Capitol Center; and declaring the powers, jurisdiction and duties of the City of Tallahassee, its officers and police court in this connection, and making appropriation therefor.

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

By Senator Cabot—

S. B. No. 146—A bill to be entitled An Act relating to motor vehicle licenses, etc. amending Section 320.10, Florida Statutes, to provide exemption for motor vehicles operated by volunteer fire departments not connected with a municipality.

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

By Senators Black, Phillips, Hodges and Davis—

S. B. No. 147—A bill to be entitled An Act relating to the time for holding the terms of the Circuit Court of the Third Judicial Circuit of Florida; amending Section 26.24, Florida Statutes; setting effective date.

Which was read the first time by title only.

Senator Black moved that the rules be waived and Senate Bill No. 147 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 147 was read the second time by title only.

Senator Black moved that the rules be further waived and Senate Bill No. 147 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. 147 was read the third time in full.

Upon the passage of Senate Bill No. 147 the roll was called and the vote was:

Yeas—38.

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	

Nays—None.

So Senate Bill No. 147 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Carlton—

S. B. No. 148—A bill to be entitled An Act to amend Sections 19.47 and 19.49, Florida Statutes, relating to the creation of a Bureau of Inspection in the Department of Agriculture of the State of Florida and the creation of a general inspection fund in the office of State Treasurer into which all funds collected by or through the Department of Agriculture shall be paid, and repealing Section 19.48, Florida Statutes.

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

By Senators Melvin, Floyd and Gautier (13th)—

S. B. No. 149—A bill to be entitled An Act to amend Subsection (2) and Paragraph (a) of Subsection (4) of Section 443.04, Florida Statutes, relating to unemployment compensation benefits, by increasing maximum weekly benefit amount to \$26.00 and maximum duration to 20 weeks, and making this Act effective upon becoming a law.

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

By Senator Carraway—

S. B. No. 150—A bill to be entitled An Act relating to physical therapy practice; amending Subsection (1) of Section 486.06, Florida Statutes, relating to the time and place of holding examinations for applicants for registration as physical therapists.

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

By Senator Cabot—

S. B. No. 151—A bill to be entitled An Act relating to taxes on gasoline and like products amending Section 208.47, Florida Statutes, adding Subsection (8) defining "Operators of A Chartered Boat"; amending Section 208.48, Florida Statutes, to provide for refunds to operators of boats for fishing excursions; providing effective date.

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

By Senators Gautier (13th) and Pope—

Senate Joint Resolution No. 152:

A JOINT RESOLUTION DECLARING THAT AN EMERGENCY EXISTS WITH RESPECT TO CONSTITUTIONAL REVISION; PROPOSING AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF FLORIDA BY ADDING THERETO AN ADDITIONAL SECTION FOR A CONSTITUTIONAL REVISION COMMISSION; PRESCRIBING THE POWERS AND DUTIES THEREOF; FIXING THE COMPENSATION OF ITS MEMBERS, AND PROVIDING FOR A SPECIAL ELECTION UPON THE PROPOSED EMERGENCY AMENDMENT.

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

It is hereby determined that an emergency exists in the State of Florida with respect to the need for an immediate revision of the state constitution; and, therefore, the following amendment to Article XVII of the constitution of the State of Florida, to be known as Section 4, is hereby agreed to, and shall be submitted to the electors of the State of Florida for approval or rejection:

SECTION 4 (a) There shall be a Constitutional Revision Commission, hereinafter called Commission, to be appointed by the majority vote of the governor, chief justice of the Supreme Court, the president of the senate, the speaker of the house, and the attorney general. The Commission shall consist of twenty-seven (27) members, all of whom shall be qualified electors of the State of Florida. At least two (2) members of the Commission shall be appointed from each congressional district, and the remainder shall be appointed from the State at large. The members of the Commission shall be appointed not later than thirty (30) days after the approval of this amendment by the electors of this state.

(b) The governor shall designate some member of the Commission as its temporary chairman. The first meeting of the Commission shall be held at Tallahassee, Florida, at a time and place to be designated by the temporary chairman.

(c) The Commission shall have power to prepare for submission to the electors of the State of Florida a revision of all or any portion of the constitution, subject to the limitations hereinafter specifically imposed by subsection (f).

(d) Not later than July 1, 1956, the Commission shall submit a preliminary draft of its proposals to the governor. Such draft shall be made available to all officials of the state and to other interested persons. Not later than September 1, 1956, the Commission shall submit to the governor a completed draft thereof.

(e) The proposals made by the Commission shall be placed upon the ballot for the general election in 1956, and shall be voted upon by the electors of this state in the manner determined by the Commission.

(f) In proposing revisions of the constitution the Commission shall neither curtail the inalienable and immemorial rights of the people which are presently set forth in the declaration of rights; nor alter in any manner the substance of Sections 6, 7, 9, 10, 11 and 15 of Article IX, or Section 7 of Article X; nor impair the obligation of any existing contract or agreement which has been made under the provisions of Section 16 of Article IX or Section 18 of Article XII.

(g) The provisions of the present section shall not supersede the other provisions of Article XVII of the constitution of Florida, but shall provide an additional method for amending the constitution.

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

By Senators Morrow and Gautier (13th)—

S. B. No. 153—A bill to be entitled An Act amending Sections 253.12 and 253.13, Florida Statutes, relating to sovereignty tidal lands in this State; vesting the title to said lands in the Trustees of the Internal Revenue Fund of this State; validating the conveyances of such lands heretofore made by the said trustees; and repealing certain Statutes and Laws.

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

By Senator Gautier (28th)—

S. B. No. 154—A bill to be entitled An Act relating to the public school system and to scholarships for courses in education in the institutions of higher learning; amending, repealing, and re-arranging Sections of the Florida Statutes in eliminating ineffective and obsolete provisions thereof; creating from existing Sections, or non-obsolete parts thereof, new Sections 228.001, 228.002, 228.041, 229.081, 229.301, 229.40, 230.201, 235.39 and 239.191; amending Sections 228.14, 228.15, 228.16, 229.07, 229.08, 229.15, 229.16, 229.18, 229.23, 229.31, 230.01, 230.03, 230.05, 230.06, 230.07, 230.08, 230.23, 230.28, 230.30, 230.33, 230.35, 230.38, 230.45, 231.10, 231.11, 232.03, 232.04, 232.07, 232.17, 232.18, 232.19, 233.01, 233.03, 233.13, 234.03, 234.06, 234.08, 234.10, 234.14, 235.07, 235.09, 235.18, 235.19,

235.24, 235.25, 236.03, 236.04, 236.07, 236.09, 236.30, 236.32, 236.34, 236.36, 236.37, 236.38, 236.39, 236.55, 236.58, 237.08, 237.09, 237.15, 237.17, 237.20, 237.25, 237.26, 237.27, 237.28, 239.01, and 239.02; repealing Chapter 227, Sections 228.05, 228.08, 228.12, 228.17, 228.18, 229.02, 229.03, 229.09, 229.10, 229.11, 229.13, 229.14, 230.09, 230.13, 230.14, 230.20, 230.231, 230.25, 230.27, 230.36, 230.44, 233.19, 233.20, 236.121, 236.54, 236.59, 239.19, 239.191, 239.20-239.24, 239.39-239.40, 242.02, 242.24, 242.50, and 242.51; and Section 7 of Chapter 26869, Acts of 1951; and providing an effective date of this Act.

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

By Senator Gautier (28th)—

S. B. No. 155—A bill to be entitled An Act relating to the State Board of Health; revising, amending and consolidating Chapter 381, Florida Statutes, to eliminate inoperative and obsolete provisions thereof by repealing Sections 381.01-381.11, 381.13-381.16, 381.161, 381.17-381.30, 381.301, 381.31-381.64, 381.66-381.72, Florida Statutes, and creating Sections 381.011-381.151, 381.171-381.291, 381.311-381.391, Florida Statutes, to provide for the creation and administration of the State Board of Health; providing severability clause; and fixing an effective date.

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

By Senator Gautier (28th)—

S. B. No. 156—A bill to be entitled An Act to amend Chapter 16, Florida Statutes, by adding a Section to be numbered 16.501; to provide for the distribution of free copies of Florida Statutes.

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

By the Committee on Judiciary "C"—

S. B. No. 157—A bill to be entitled An Act relating to the revision of the Florida Statutes to conform with the Florida rules of civil procedure by repealing Sections 25.47 (3), 25.47 (4), 25.47 (5), 25.47 (6), 36.12, 36.13, 45.01, 45.06, 45.07, 45.08, 45.09, 45.10, 45.12, 45.13, 45.14, 45.15, 45.16, 45.17, 46.07, 47.06, 47.31, 50.10, 50.111, 50.23, 51.08, 51.09, 51.10, 51.11, 52.07, 52.09, 52.11, 52.14, 52.22, 52.24 (2), 54.19, 54.20, 54.21, 54.25, 54.26, 54.27, 62.04, 62.06, 70.02, 70.04, 76.15, 90.12, 90.13, 90.16, 90.17, 90.18, 90.19, Chapter 91, 95.01, 99.231, 703.12, 703.16, Florida Statutes, as superseded by the rules of civil procedure; amending terminology in Sections 47.08, 47.09, 47.23, 47.25, 47.28, 48.08, 48.09, 48.10, 48.11, 48.12, 48.15, 50.11, 50.12, 51.12, 52.08, 62.18, 62.32, 62.33, 62.34, 64.01, 64.02, 64.03, 64.11, 64.12, 64.13, 64.14, 64.16, 65.01, 65.06, 65.07, 65.09, 65.10, 66.01, 66.11, 66.14, 66.17, 66.18, 66.20, 66.25, 66.27, 66.29, 66.31, 66.32, 66.33, 66.35, 66.36, 66.37, 66.40, 66.43, 70.06, 70.08, 71.19, 76.11, 77.05, 77.15, 77.18, 80.10, 86.03, 86.05, 86.06 (8), 87.01, 87.12, 196.01, 196.09, 196.10, 196.13, 298.07, 298.33, 298.46, 298.75, 350.36, 377.33, 378.10, 447.10, 467.18, 470.29, 473.05, 475.39, 523.14, 567.12, 589.16, 601.15 (9) (b) 3, 601.66, 615.11, 616.09, 699.02, 699.12, 732.09 (3), 732.13, 732.33, 732.42, Florida Statutes, to conform with the rules of civil procedure; amending statutory provisions of Sections 25.47 (1), 27.06, 47.10, 47.13, 48.13, 52.20, 52.21, 62.22, 66.04, 66.19, 66.30, 70.07, 76.24, 78.17, 86.12, 90.23 (1) (2) (3), 90.231 (2), 298.02, 298.05, 298.30, 377.32 (2), 478.08 (2), 487.12, 531.32, 534.19, 576.11, 604.30 (2), 768.09, 36.09, 45.19, 62.14, 167.25, 298.03, 350.28, Florida Statutes, to conform with the rules of civil procedure; providing effective date.

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

By the Committee on Judiciary "C"—

S. B. No. 158—A bill to be entitled An Act adopting the official Florida Statutes by enacting all the statutory laws included in the officially published Florida Statutes, 1953, as the official Florida Statutes, 1955; together with corrections, changes, repeals of inoperative and obsolete sections, and sections held unconstitutional by the Florida Supreme Court; authorizing the inclusion of general laws of state-wide application in statutory form enacted in 1955, as prima facie evidence of such laws; authorizing the revision and reprinting of material contained therein; and providing effective date.

(Accompanied by Florida Statutes 1953—Volumes 1 and 2.)

Which was read the first time by title only.

Senator Gautier (28th) moved that the rules be waived and Senate Bill No. 158 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 158 was read the second time by title only.

Senator Gautier (28th) moved that the rules be further waived and Senate Bill No. 158 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. 158 was read the third time in full.

Upon the passage of Senate Bill No. 158 the roll was called and the vote was:

Yeas—38.

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	

Nays—None.

So Senate Bill No. 158 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Carlton—

S. B. No. 159—A bill to be entitled An Act relating to Sheriff's fees at automobile race meets; amending Section 549.04, Florida Statutes, to increase the fee to twelve dollars (\$12.00).

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

By Senator Carlton—

S. B. No. 160—A bill to be entitled An Act amending Section 843.01, Florida Statutes, relative to resisting lawful arrests; and providing an effective date.

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

By Senator Carlton—

S. B. No. 161—A bill to be entitled An Act relating to invasion of privacy of individuals by a person who trespasses upon the property of another and peeks in windows; defines such person as "Peeping Tom;" providing for exemption of law enforcement officers acting in line of duty; providing penalty; and providing an effective date.

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

By Senator Carlton—

S. B. No. 162—A bill to be entitled An Act relating to criminal conspiracy; amending Section 833.01, Florida Statutes, defining the offenses of conspiracy and providing penalties therefor; and providing effective date.

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

By Senator Carlton—

S. B. No. 163—A bill to be entitled An Act to provide for the inclusion of costs in all fines assessed against persons convicted of crimes in any court of the State; and providing an effective date.

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

By Senators Shands, Pope, Carlton, Fraser, Gautier (28th), Rodgers and Johns—

S. B. No. 164—A bill to be entitled An Act relating to the rehabilitation of alcoholics; amending Sections 396.031 and 396.121 (1), Florida Statutes; revising the legal description of the site of the rehabilitation center; authorizing the purchase of additional land for the center; providing an appropriation for the board; and providing the effective date.

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

By Senator Morgan—

S. B. No. 165—A bill to be entitled An Act to amend Sections 603.02, 603.03, 603.07 and 603.09, Florida Statutes, fixing the headquarters of the state marketing commissioner and providing for the employment of his assistants and clerical help; relating to the duties of the state marketing commissioner and the salaries and expenses of the state marketing commissioner, his assistants and clerical help and the payment thereof from the general inspection fund of the State of Florida, and repealing Section 603.17, Florida Statutes, and all laws and parts of laws in conflict herewith.

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

By Senator Morgan—

S. B. No. 166—A bill to be entitled An Act to amend Chapter 603, Florida Statutes, by adding a section thereto to be designated 603.20 requiring the State Agricultural Marketing Board of Florida to keep a suitable seal of office with the following inscription thereon, "Florida State Agricultural Marketing Board," requiring an impression of said seal to be made upon all deeds and leases to land and real property executed by the State Agricultural Marketing Board of Florida, and providing that all such deeds and leases signed by the members of said Board and impressed with said seal shall be operative and valid without witnesses to the execution thereof and entitled to record and to be received as evidence in all courts.

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

By Senators Floyd, Douglas, Clarke and Tapper—

Senate Resolution No. 167:

A RESOLUTION COMMEMORATING THE 50TH ANNIVERSARY OF W. D. BUZZETT'S OPERATION OF A PHARMACY AND DRUG BUSINESS IN APALACHICOLA, FRANKLIN COUNTY, FLORIDA.

WHEREAS, W. D. Buzzett has served the people of Apalachicola and Franklin County, faithfully and well for 50 years as a pharmacist, as a neighbor and as a friend, and

WHEREAS, W. D. Buzzett is a self-made man and one of the leaders in his community, is liked and respected by all and always lends a kindly ear and helping hand to the problems of his innumerable friends, and

WHEREAS, It is only fitting and proper that recognition be given him on this 50th anniversary of his business and meritorious service to his fellow man in Apalachicola and Franklin County, NOW THEREFORE,

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

That in commemoration of 50 years of continuous service as a pharmacist, a neighbor and a friend to the citizens and residents of Apalachicola and Franklin County and in recognition of great and untiring services to his community and the people thereof, we do hereby extend to W. D. Buzzett the commendation of the Senate of the State of Florida.

That a copy of this Resolution be sent to W. D. Buzzett.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 167 was adopted.

By Senator Clarke—

S. B. No. 168—A bill to be entitled An Act amending Subsection (1) Sub-paragraph (c) of Section 659.17, Florida

Statutes, 1953, relating to loans by banks and trust companies.

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

By Senator Clarke—

S. B. No. 169—A bill to be entitled An Act to amend Section 660.04, Florida Statutes 1953, relating to security required before trust company may deposit uninvested trust funds in its banking department or any other bank.

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

By Senator Clarke—

S. B. No. 170—A bill to be entitled An Act relating to chattel mortgages on house and cargo trailers, motor boats and motor vehicles providing for right of possession in the event of default in the mortgagee and granting unto the mortgagee, or holder of said mortgage, a power of sale and providing a method for the enforcement of such power and the transfer of title to the mortgaged property.

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

By Senator Clarke—

S. B. No. 171—A bill to be entitled An Act to amend Section 674.11, Florida Statutes, 1953, relating to negotiable instruments when payable to bearer.

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

By Senator Clarke—

S. B. No. 172—A bill to be entitled An Act to amend Sections 659.28, 659.29, 659.411 and 659.51 of Chapter 659, Florida Statutes, 1953, relating to banking.

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

By Senator Clarke—

S. B. No. 173—A bill to be entitled An Act to provide for and permit in the State of Florida the permissive closing of banks and trust companies on Saturday or Wednesday, and providing that as to all banking transactions Saturday or Wednesday shall be a legal holiday as to banks or trust companies closing under this law, and providing for the repeal of all laws in conflict herewith.

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

By Senator Clarke—

S. B. No. 174—A bill to be entitled An Act to amend Section 659.20, Florida Statutes 1953, relating to investments by banks and trust companies.

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

By Senator Clarke—

S. B. No. 175—A bill to be entitled An Act amending Subsection (5) of Section 656.06, Florida Statutes, 1953, relating to powers of Morris Plan banks.

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

By Senator Clarke—

S. B. No. 176—A bill to be entitled An Act governing the handling of deposits of minors by Morris Plan banks.

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

By Senator Beall—

Senate Joint Resolution No. 177:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VIII OF THE CONSTITUTION OF FLORIDA

RELATING TO COUNTIES AND CITIES BY ADDING THERETO A SECTION RELATING TO THE FEES AND COMPENSATION OF COUNTY OFFICERS OF ESCAMBIA COUNTY.

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

That the following amendment to Article VIII of the Constitution of Florida, by adding a section to be designated by an appropriate section number of Article VIII, is hereby agreed to 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 1956, as follows:

Section . . . All fees, revenues or other charges collected by the several county officers of Escambia County shall be paid into the general county fund of Escambia County subject to disbursement as provided by law. The legislature shall provide by local or special legislation for the salaries, expenses and compensation to be paid the several county officers of Escambia County.

Which was read the first time in full.

Senator Beall moved that the rules be waived and Senate Joint Resolution No. 177 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 Senator Johns—

S. B. No. 178—A bill to be entitled An Act amending Subsection (3) of Section 236.07, Florida Statutes, 1953, relating to the Minimum Foundation Program by increasing the amount to be included for instructional salaries, and requiring payment of such increase.

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

By Senators King, Rodgers, Carlton, Stenstrom, Gautier (28th), Cabot, Gautier (13th), Pope, Houghton, Morrow, Morgan, Fraser, Rood, Edwards, Neblett, Barber, Carraway, Kickliter, Bronson, Stratton and Getzen—

S. B. No. 179—A bill to be entitled An Act creating and providing for the appointment of a Constitutional Revision Commission to make a study of the Florida Constitution and to report its findings and recommendations for revision thereof; specifying the powers and duties of such Commission and making an appropriation therefor.

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

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

S. B. No. 180—A bill to be entitled An Act to provide for the establishment of a branch of the Florida State Hospital in Baker County, Florida, on lands to be deeded to the State by Baker County.

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

By Senator Phillips—

S. B. No. 181—A bill to be entitled An Act relating to schools; amending Subsection (10) of Section 236.07, Florida Statutes, by providing for the continuance in Rank III of teachers holding certain certificates issued prior to October 1, 1939.

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

By Senators Pope, Tapper, Stratton, Houghton, Kickliter, Gautier (13th), Cabot, Carraway, Douglas, Morrow, Black and Connor—

S. B. No. 182—A bill to be entitled An Act to amend Sections 464.051 (4), 464.071 (3), 464.091, 464.111 (6), 464.121 (3), 464.131, 464.151 (1) and 464.22 of Chapter 464, Florida

Statutes, relating to the practice of nursing; adding additional sections to Chapter 464, Florida Statutes; repealing Sections 464.101, 464.141, 464.161 and 464.171 of Chapter 464, Florida Statutes; repealing conflicting laws, fixing effect date.

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

By Senator Phillips—

S. B. No. 183—A bill to be entitled An Act relating to teachers retirement; amending Subsections (1) (a), (2) and adding paragraph (d) to Subsection (3) of Section 238.05, Florida Statutes; providing for prior service credit; armed forces time to be counted for retirement.

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

By Senators Rodgers, King and Morrow—

S. B. No. 184—A bill to be entitled An Act to provide for drivers' education in the public secondary schools to be financed by additional drivers license fees; making an appropriation and prescribing the manner of its disbursement; requiring adoption of rules and regulations by the State Board of Education and for administration of the program by the State Superintendent of Public Instruction; and providing an effective date.

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 Cabot—

S. B. No. 185—A bill to be entitled An Act relating to lotteries and gambling; providing for the forfeiture of vessels, vehicles, animals and other means of transportation used for or in connection with the violation of the Statutes and Laws of this State prohibiting or regulating lotteries and gambling in this State; providing for the forfeiture of gambling paraphernalia; providing for the proceedings for the forfeiting of such property; and otherwise providing for the more effective prosecution of such Statutes and Laws prohibiting and regulating lotteries and gambling in this State.

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

By Senator Cabot—

S. B. No. 186—A bill to be entitled An Act relating to rules of practice in the courts of Florida; providing that evidence of the violation of all felonies and any misdemeanors relating to lotteries, gambling, bookmaking, concealed weapons, narcotic drugs or habit forming drugs and alcoholic beverages, shall be admissible against any person charged with the commission of any felony or any such misdemeanor without regard to the legality of its obtention; providing for punishment of officer making unreasonable search or seizure.

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

By Senator Cabot—

S. B. No. 187—A bill to be entitled An Act to amend Section 933.14, Florida Statutes, relating to the return of property taken under search warrants or taken by search without a warrant.

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

By Senator Cabot—

S. B. No. 188—A bill to be entitled An Act relating to the granting of ex parte orders by Circuit Courts for the interception of telegraphic and telephonic communications upon oath of certain public officers and employees that evidence of violation of laws against setting up, conducting and operating lotteries, bookmaking, other gambling and fraud of public agencies may be obtained thereby; providing the maximum limitation on the existence of such orders and providing that evidence thus obtained may be admitted in any court of competent jurisdiction in this State.

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

By Senator Gautier (28th)—

Senate Joint Resolution No. 189:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE IV OF THE CONSTITUTION, RELATING TO THE EXECUTIVE DEPARTMENT; CREATING THE OFFICE OF LIEUTENANT GOVERNOR; PROVIDING FOR THE ELECTION TO, AND PRESCRIBING THE TERM, DUTIES AND COMPENSATION OF SUCH OFFICE.

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

That the following amendment to Article IV, Section 19 of the constitution of Florida is hereby agreed to and shall be submitted to the electors of the state for ratification or rejection of the next general election to be held in November, 1956:

Section 19. Office of lieutenant governor; duties; succession to the office of governor in case of vacancy.

(1) A lieutenant governor shall be elected at the same time and in the same manner as the governor. The term of office and eligibility for office of lieutenant governor shall also be the same as in the case of the governor.

(2) In the case of the impeachment of the governor, his removal from office, death, resignation or inability to discharge his official duties, the powers and duties of the office shall devolve upon the lieutenant governor for the residue of the term, or until the disability shall cease; and in case the lieutenant governor succeeds to the office of governor and is subsequently impeached, removed from office, dies, resigns or is unable to discharge his official duties the powers and duties of the office shall devolve upon the president of the senate for the residue of the term or until such disability shall cease; and in case the president of the senate succeeds to the office of governor as herein provided and is subsequently impeached, removed from office, dies or is unable to discharge his official duties, the powers and duties of the office shall devolve upon the speaker of the house of representatives for the residue of the term or until such disability shall cease.

(3) The lieutenant governor shall, by virtue of his office, be the chief assistant to the governor, and assist him in the performance of his duties. He shall be a member of the cabinet and a member of all boards upon which the governor serves with the authority to preside over cabinet meetings and board meetings, in the absence of the governor. The lieutenant governor shall receive the same compensation as the maximum compensation received by any cabinet member other than the governor.

Which was read the first time in full and referred to the Committee on Constitutional Amendments and the Committee on Judiciary "B", in the order named.

By Senator Gautier (13th)—

S. B. No. 190—A bill to be entitled An Act amending Section 40 of Chapter 7672, Laws of Florida, Acts of 1917, being the Charter of the City of Miami Beach, Florida, entitled "An Act to abolish the present municipal government of the Town of Miami Beach, in the County of Dade and State of Florida, and to establish, organize and incorporate a city government for the City of Miami Beach, to define its territorial boundaries, to prescribe its jurisdiction, powers and privileges, and for the exercise of same and to authorize the imposition of penalties for the violation of its ordinances"; by providing for the method of electing members of the City Council of the City of Miami Beach, Florida, by providing for a primary election for the nomination of candidates for City Council when there are more than eight candidates qualified, and by providing for the qualifications of candidates for City Council.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 190 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 Gautier (13th) moved that the rules be waived and Senate Bill No. 190 be read the second time by title only.

Which was agreed to by a two-thirds vote.

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

We hereby permanently record our regret and great sorrow at the passing of this distinguished, good and beloved citizen, and inscribe upon the record of our proceedings, on a separate page of the Journal to be set apart for that purpose, our testimonial and tribute to his memory:

## IN MEMORIAM

Albert Lee Ward was born in DeFuniak Springs, Florida, on the 20th day of January, 1913, the son of George Washington Ward and Ella Jernigan Ward. He attended Palmer College and Defuniak Springs High School where he graduated in 1930. He attended Tulane University from 1931 to 1936 and was graduated with an M. D. degree. He served his internship at the Sacred Heart Hospital in Pensacola, Florida. He began the active practice of his profession in Port St. Joe in 1938.

He married Monica Mary Lister in 1938 and three daughters were born as the fruits of this union: Monica Barbara, Margaret Elizabeth and Brenda Lee.

In 1951 he was appointed a member of the State Board of Health where he served until his death on March 27, 1955.

"Doc," as he was known to his many friends and acquaintances all over the State of Florida, established in the City of Port St. Joe the Ward Clinic, where he administered to all those in need of his help and medical skill, this in addition to the many thousands of personal calls which he made to the sick in Gulf and adjoining counties.

This native son of Florida was a great lover of nature and spent what little spare time he found available from his duties, among the woods, rivers and streams of Florida, fishing and hunting.

The zeal with which he went about his duties to his fellow man and the State of Florida, contributed to a great degree to his early demise.

A loving husband and father, a true Christian, a great and understanding physician and surgeon, in truth and in deed a friend of the people; his loss will be mourned not only by those to whom he so unselfishly gave of his services and brought back to good health, but by all of the people of Florida.

BE IT FURTHER RESOLVED:

That a copy of this Resolution, signed by the President and certified by the Secretary of the Senate, be immediately forwarded to each member of the bereaved family of Dr. Albert Lee Ward.

And Senate Bill No. 190 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 190 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. 190 was read the third time in full.

Upon the passage of Senate Bill No. 190 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. 190 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senators Tapper, Floyd, Douglas and Johns—

Senate Resolution No. 191:

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

We hereby permanently record our regret and great sorrow at the passing of this distinguished, good and beloved citizen, and inscribe upon the record of our proceedings, on a separate page of the Journal to be set apart for that purpose, our testimonial and tribute to his memory:

#### IN MEMORIAM

Albert Lee Ward was born in DeFuniak Springs, Florida, on the 20th day of January, 1913, the son of George Washington Ward and Ella Jernigan Ward. He attended Palmer College and DeFuniak Springs High School where he graduated in 1930. He attended Tulane University from 1931 to 1936 and was graduated with an M.D. degree. He served his internship at the Sacred Heart Hospital in Pensacola, Florida. He began the active practice of his profession in Port St. Joe in 1938.

He married Monica Mary Lister in 1938 and three daughters were born as the fruits of this union: Monica Barbara, Margaret Elizabeth and Brenda Lee.

In 1951 he was appointed a member of the State Board of Health where he served until his death on March 27, 1955.

"Doc", as he was known to his many friends and acquaintances all over the State of Florida, established in the City of Port St. Joe the Ward Clinic, where he administered to all those in need of his help and medical skill, this in addition to the many thousands of personal calls which he made to the sick in Gulf and adjoining counties.

This native son of Florida was a great lover of nature and spent what little spare time he found available from his duties, among the woods, rivers and streams of Florida, fishing and hunting.

The zeal with which he went about his duties to his fellow man and the State of Florida, contributed to a great degree to his early demise.

A loving husband and father, a true Christian, a great and understanding physician and surgeon, in truth and in deed a friend of the people; his loss will be mourned not only by those to whom he so unselfishly gave of his services and brought back to good health, but by all of the people of Florida.

BE IT FURTHER RESOLVED:

That a copy of this Resolution, signed by the President and certified by the Secretary of the Senate, be immediately forwarded to each member of the bereaved family of Dr. Albert Lee Ward.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 191 was adopted.

#### CONSIDERATION OF SENATE RESOLUTIONS

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.

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

Section 1. That each member of the Florida Senate shall receive payment for mileage from their homes to the seat of government for four round trips during the 1955 Regular Session of the Legislature, irrespective of the number of trips actually travelled.

Was taken up in its order and read in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 27 was adopted.

Senate Resolution No. 28:

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

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

Section 1. All officers and all attaches of the Senate shall receive ten dollars (\$10.00) per diem except messengers and pages who shall receive six dollars (\$6.00) per diem.

Section 2. This Resolution shall also include all necessary attaches employed before and after the Session.

Was taken up in its order and read in full.

Senators Douglas and Floyd offered the following amendment to Senate Resolution No. 28:

Strike out Section 1 and insert in lieu thereof the following:

"Section 1. All elective attaches of the Senate, secretaries of the committees of the Senate, and the chief secretary of each Senator shall receive fifteen (\$15.00) dollars per diem; and pages shall receive eight (\$8.00) dollars per diem, and all other attaches of the Senate shall receive twelve (\$12.00) dollars per diem."

Senator Douglas moved the adoption of the amendment.

Pending consideration of the motion made by Senator Douglas, Senator Shands offered as a substitute motion that Senate Resolution No. 28, with pending amendment, be recommitted to the Committee on Legislative Management and Population for further consideration.

The question was put on the substitute motion.

Which was agreed to and Senate Resolution No. 28, with pending amendment, was recommitted to the Committee on Legislative Management and Population.

Senate Resolution No. 29:

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

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

Section 1. That all attaches of the Senate including indexers for the House and Senate Journals shall be entitled

to and receive additional compensation for additional services they perform both before and after the regular 1955 Session of the Legislature upon their names and amounts therefor being certified to the Comptroller by the Chairman of the Legislative Management of the Senate.

Was taken up in its order and read in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 29 was adopted.

Senator Clarke presiding.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 12, 1955.

*The Honorable W. T. Davis,  
President of the Senate.*

Sir:

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

By Mr. Costin of Gulf—

H. B. No. 56—A bill to be entitled An Act relating to surplus funds of Gulf County providing that the Board of County Commissioners be authorized to deposit surplus funds with qualified Federal Savings and Loan Associations; and providing for withdrawal procedures of deposited funds.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 56 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.

And House Bill No. 56, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 12, 1955.

*The Honorable W. T. Davis,  
President of the Senate.*

Sir:

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

By Mr. Papy of Monroe—

H. B. No. 12—A bill to be entitled An Act relating to and providing for the employment and compensation of a secretary to each judge of the circuit court of the State of Florida residing in and a resident of a county having a population of not less than 25,000 and not more than 75,000 inhabitants, according to the last preceding state or federal census and in a circuit composed of not more than one county and providing that the compensation for such secretary shall be paid by such county from the general revenue fund and repealing all laws in conflict herewith.

Also—

By Mr. Papy of Monroe—

H. B. No. 16—A bill to be entitled An Act relating to the salaries of the Judges of the Circuit Court residing in and

a resident of a county of the State of Florida having a population of not less than 25,000 and not more than 75,000 inhabitants, according to the last preceding State or Federal census and in a circuit composed of not more than one county, and providing for additional salary to be paid from the General Revenue Fund from such county, making the same a county purpose and repealing all laws in conflict herewith.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 12, contained in the above message, was read the first time by title only.

Senator Neblett moved that the rules be waived and House Bill No. 12 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 12 was read the second time by title only.

Senator Neblett moved that the rules be further waived and House Bill No. 12 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 12 was read the third time in full.

Upon the passage of House Bill No. 12 the roll was called and the vote was:

Yeas—38.

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	

Nays—None.

So House Bill No. 12 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 16, contained in the above message, was read the first time by title only.

Senator Neblett moved that the rules be waived and House Bill No. 16 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 16 was read the second time by title only.

Senator Neblett moved that the rules be further waived and House Bill No. 16 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 16 was read the third time in full.

Upon the passage of House Bill No. 16 the roll was called and the vote was:

Yeas—38.

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	

Nays—None.

So House Bill No. 16 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 12, 1955.

*The Honorable W. T. Davis,  
President of the Senate.*

Sir:

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

By Mr. Musselman, of Broward—

H. B. No. 159—A bill to be entitled An Act relating to the City of Hollywood, Broward County, Florida; to abolish the present municipal government of said city, and to create, establish and organize a municipality to be known and designated as the "City of Hollywood" and to define its territorial boundaries, and to provide for its government, jurisdiction, powers, franchises and privileges; and providing for a referendum.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 159, contained in the above message, was read the first time by title only.

Senator Cabot moved that the rules be waived and House Bill No. 159 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 159 was read the second time by title only.

Senator Cabot moved that the rules be further waived and House Bill No. 159 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 159 was read the third time in full.

Upon the passage of House Bill No. 159 the roll was called and the vote was:

Yeas—38.

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	

Nays—None.

So House Bill No. 159 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

#### CONSIDERATION OF BILLS AND JOINT RESOLUTIONS ON SECOND READING

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.

Was taken up in its order.

Senator Pope moved that the rules be waived and Senate Bill No. 113 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 113 was read the second time by title only.

Senator Pope moved that the rules be further waived and Senate Bill No. 113 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. 113 was read the third time in full.

Upon the passage of Senate Bill No. 113 the roll was called and the vote was:

Yeas—38.

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	

Nays—None.

So Senate Bill No. 113 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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.

Was taken up in its order.

Senator Davis moved that the rules be waived and Senate Bill No. 134 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 134 was read the second time by title only.

Senator Shands offered the following amendment to Senate Bill No. 134:

In Title, line 1 (typewritten bill) strike out the word "Department" and insert in lieu thereof the following: "Commission".

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Davis moved that the rules be further waived and Senate Bill No. 134, as amended, 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. 134, as amended, was read the third time in full.

Pending roll call on the passage of Senate Bill No. 134, as amended, Senator Fraser moved that the rules be waived and the time of adjournment be extended until final roll call on Senate Bill No. 134, as amended.

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

Upon the passage of Senate Bill No. 134, as amended, the roll was called and the vote was:

Yeas—32.

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

Nays—6.

Carlton	King	Pope
Gautier (13th)	Morrow	Stenstrom

So Senate Bill No. 134 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Edwards moved that a committee be appointed to escort Honorable Wallace E. Sturgis, former member of the Senate from the Twentieth Senatorial District, and a former President of the Senate, to a seat on the rostrum.

Which was agreed to.

And the President appointed Senators Edwards, Shands and Gautier (28th) as the committee to escort former Senator Sturgis to the rostrum.

By Senator Johnson—

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 counties 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.

Was taken up in its order.

Senator Johnson moved that the rules be waived and Senate Bill No. 32 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 32 was read the second time by title only.

Senator Johnson moved that the rules be further waived and Senate Bill No. 32 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. 32 was read the third time in full.

Upon the passage of Senate Bill No. 32 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. 32 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:01 o'clock P. M., until 11:00 o'clock A. M., Wednesday, April 13, 1955.