

JOURNAL OF THE SENATE

Friday, April 22, 1955

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The Senate convened at 10:00 o'clock A. M., pursuant to adjournment on Thursday, April 21, 1955.

The President in the Chair.

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

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

—37.

A quorum present.

Senator Gautier (28th) was excused from attendance upon the Session today.

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

O God, our Heavenly Father, we are deeply grateful for all Thy goodness to us, for our heritage and the great freedoms that are ours.

We thank Thee for the freedom of speech. In this freedom help us to not only "do unto others as we would have them do unto us" but also say unto others as we would have them say unto us.

Let our conversation and our speech be such as becometh statesmen of the highest order. Challenge us by Thy Spirit to think soberly before we unbridle our tongues.

We thank Thee for the hard work the members of our Legislature are doing. Some may be tired in mind, body and spirit. Almighty God, pour Thy power upon them, refreshing them physically, mentally and spiritually. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Thursday, April 21, 1955, was corrected and as corrected was approved.

The President announced the appointment as of April 20, 1955, of Senator Harry E. King as a member and Vice-Chairman of the Committee on Oil and Natural Resources, and Senator J. Ed Baker as a member of the Committee on County Organizations, to fill vacancies created by resignations.

REPORTS OF COMMITTEES

Senator Fraser, Chairman of the Committee on Miscellaneous Legislation, reported that the Committee had carefully considered the following Bill:

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).

—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 Stenstrom, Chairman of the Committee on Citrus Fruits, reported that the Committee had carefully considered the following Bill:

S. B. No. 421—A bill to be entitled An Act providing for the continued payment of the proceeds of the one percent (1%) of the General Inspection Fund of Florida and of the Florida Citrus Advertising Fund made available by executive order of the Governor of Florida dated November 30, 1948, effective December 1, 1948, to the Florida State Improvement Commission as rental payments until such time as the certificates of indebtedness of the Florida State Improvement

Commission to be issued for the purpose of financing the construction of a building for the Florida Citrus Commission in Lakeland, Florida, have been paid including the interest thereon, or provision for the payment thereof has been made.

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

S. B. No. 418—A bill to be entitled An Act relating to all counties of the State having a population of more than fourteen thousand two hundred (14,200) and less than fourteen thousand seven hundred (14,700) by the latest official census; fixing the compensation of the superintendent of public instruction; setting effective date.

—and reports that said Bill affects Clay County only.

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

Senator Baker, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bill:

S. B. No. 233—A bill to be entitled An Act amending Section 340.03, Florida Statutes, (Section 3 of Chapter 28128, Laws of Florida, Acts of 1953) relating to the authorization of a specific turnpike project, by authorizing construction of an additional turnpike project from a point in St. Lucie County, Florida, to a point in Nassau County, Florida, or Duval County, Florida, through Lake County, Florida, and authorizing the study and, if determined feasible, construction of a specific turnpike project from a point in Hillsborough or Pinellas County, easterly and northeasterly to intersect the additional turnpike project above described.

—and recommends that the same pass with Committee Amendments as attached thereto.

And the Bill contained in the preceding report, together with the Committee Amendments attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Baker, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bill:

S. B. No. 362—A bill to be entitled An Act to amend Chapter 28865, General Laws of 1953, to include all counties with a population in excess of one hundred thousand (100,000) and to authorize the State Board of Administration to act as agent for the State Road Department in the issuance of fuel tax anticipation certificates.

—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 Morrow, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bill:

S. B. No. 320—A bill to be entitled An Act relating to retirement of teachers; enacting Section 238.071, Florida Statutes, to provide certain retirement benefits for teachers having service in excess of fifteen years; and making an appropriation.

—and recommends that the same pass.

And the Bill contained in the preceding report was referred to the Committee on Appropriations, under the original joint reference.

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

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.

—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. 255—A bill to be entitled An Act relating to form and manner of presenting claims against estates of decedents, and limiting time for presentation; and relating to order of payment of claims against estates of decedents; and amending Section 733.16 and Section 733.20, Subsection (1), Paragraph (g), Florida Statutes, respectively concerning such matters.

S. B. No. 256—A bill to be entitled An Act to provide for corporate executors, administrators and guardians to cause any stock or other securities held in the capacity of corporate executor, administrator or guardian to be registered and held in the name of a nominee.

S. B. No. 257—A bill to be entitled An Act repealing Section 731.26, Florida Statutes, establishing a presumption of order of death when there is no clear and convincing evidence of the order of the deaths of two or more persons.

—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 Bill:

S. B. No. 226—A bill to be entitled An Act relating to liability of cities and villages for torts; limitation on actions, by amending Subsection (1) of Section 95.24, Florida Statutes.

—and the Committee recommends that the Committee Substitute therefor, as reported herewith, do pass.

And the Bill contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Rodgers, Chairman of the Committee on Prisons and Convicts, reported that the Committee had carefully considered the following Bill:

S. B. No. 269—A bill to be entitled An Act relating to inmates of penal institutions; amending Section 954.30, Florida Statutes, by providing that the offense of escaping or attempting to escape from any state, county or municipal prison, jail or penal institution shall constitute a felony; providing a penalty; and providing an effective date.

—and the Committee recommends that the Committee Substitute therefor, as reported herewith, do pass.

And the Bill contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Fraser, Chairman of the Committee on Miscellaneous Legislation, reported that the Committee had carefully considered the following Bill:

S. B. No. 333—A bill to be entitled An Act to establish intercollegiate athletic relations between University of Florida and Florida State University in all major and minor sports.

—and the Committee reports same without recommendation.

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

ENGROSSING REPORT

Your Engrossing Clerk to whom was referred, with Senate Amendments, for engrossing—

Committee Substitute for S. B. No. 13— A bill to be entitled An Act relating to scholarships to students for basic and advanced nursing education in professional schools of nursing and practical schools of nursing; value of scholarships, qualifications for scholarships; administration of Act and award of scholarships by State Department of Education; providing for an appropriation of \$250,000.00; fixing effect date.

—begs leave to report that the Senate Amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very Respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Engrossing Clerk
of the Senate.

And Committee Substitute for Senate Bill No. 13, contained in the above report was ordered certified to the House of Representatives.

INTRODUCTIONS OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Johnson—

S. B. No. 427—A bill to be entitled An Act relating to adoptions; amending Sections 72.15, 72.17, 72.18, 72.20 and 72.28, Florida Statutes, relating to investigations prior to adoption; appointment of guardian ad litem in certain circumstances; hearings; removal of custody of child upon denial of adoption; repealing Section 72.19, Florida Statutes, relating to interlocutory orders; and providing an effective date.

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

By Senator Johnson—

S. B. No. 428—A bill to be entitled An Act appropriating twelve thousand five hundred dollars (\$12,500), for the relief of Lois Carpenter for loss due to negligence of the State Road Department.

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

By Senator Rawls—

S. B. No. 429—A bill to be entitled An Act for the relief of West Florida Livestock Auction Market, Marianna, Florida, for quarantine of cattle and hogs for vesicular eradication, which after test, proved negative.

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

By Senator Rawls—

S. B. No. 430—A bill to be entitled An Act for the relief of H. C. Neel, livestock dealer, Greenwood, Florida, for quarantine of cattle and hogs for vesicular eradication, which after test, proved negative.

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

By Senator Rawls—

S. B. No. 431—A bill to be entitled An Act for the relief of Tindall-Williams Livestock Auction Market, Graceville, Florida, for quarantine of cattle and hogs for vesicular eradication, which after test, proved negative.

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

By Senator Rawls—

Senate Memorial No. 432:

A MEMORIAL TO THE CONGRESS OF THE UNITED STATES OF AMERICA URGING THEM TO ENACT SUCH LEGISLATION, OR PROPOSE SUCH AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES, OR BOTH, AS MAY BE DESIGNED AND CALCULATED TO ENABLE THE SOVEREIGN STATES TO CONTINUE TO CONTROL AND SUPERVISE THE EDUCATION OF THEIR PEOPLES UNDER SUCH SYSTEMS AS THEY MAY SEE FIT, INCLUDING A SEGREGATED SYSTEM.

WHEREAS, The several states of this Union, and they alone, have traditionally, since the very birth and inception of this Nation, in the proper exercise of their sovereign powers, regulated their own systems of public schools, each free and sovereign state regulating as it may see fit those public schools within its own boundaries, and

WHEREAS, Any means or acts calculated to terminate segregation and bring about integration of the white and negro races in the public schools of the sovereign State of Florida, would endanger, imperil, jeopardize and in divers ways threaten, the public health and safety, and

WHEREAS, Civil strife, riot, breaches of the peace and all the human misery, heartache, and physical suffering attendant thereto would be the inevitable result of any such attempt to co-mingle and integrate the white and negro races in the public schools of the State of Florida, and

WHEREAS, The Constitution of the State of Florida has, since the day of its adoption, wisely provided for the maintenance of separate but equal facilities for whites and negroes in the public school system of Florida, thus lending legal force to the time honored custom and native inclination of the people of Florida, both negro and white, to maintain and preserve a segregated public school system, and

WHEREAS, The integration of the white and negro races in the public schools of the State of Florida would tend to encourage the reprehensible, unnatural, abominable, abhorrent, execrable and revolting practice of miscegenation which is recognized, both in conscience and by the law of the State of Florida as a criminal offense, and

WHEREAS, Such integration would tend toward genocide, that is, racial suicide, and the utter, absolute and complete destruction of the identity of the races, both white and negro, thus forever depriving the State of Florida and her citizens of the bountiful blessings and benefits to be realized and reaped from a proper and wise nurture, development and exploitation of the peculiar genius and abilities of each race, and leaving us a mongrel breed devoid of culture, tradition, background and inherent character, and further depriving both the white and negro races of the right and opportunity to achieve that ultimate destiny for which the Supreme Architect of the Universe, in his infinite wisdom intended them, and

WHEREAS, Such integration of whites and negroes in the public schools of Florida would serve to foster a rebirth of secret societies, sororities, and fraternities, which would exclude negroes, and thus work irreparable and immeasurable psychological damage to such negro children as might have the misfortune to be forced to attend such a school, and

WHEREAS, Each race, because each is possessed of different valuable and praiseworthy talents, abilities and propensities, and for the further reason that each is the product, not only of a different racial genesis, but also of a different cultural background and tradition, will progress, develop and more fully realize the fruits and rewards of its said talents, abilities, and propensities under a separate and segregated school system, and

WHEREAS, It is not the purpose of this Memorial, nor the desire of this Legislature to deprive the members of either the white or the negro race of equal, and, indeed, the best possible educational facilities, in the public schools of the State of Florida, but it is rather the intention and aim of this Legislature to provide such equal facilities, and to do so for the mutual advantage of both races in such a manner as to preserve and perpetuate the time venerated, traditional and mutually and immensely beneficial system of segregation in Florida's public schools, and

WHEREAS, This Legislature deplures, despises, decries, dis-sents, and demurs to any and every effort on the part of the

National Government of the United States, or any agency or instrumentality thereof, to invade, usurp, or undermine the rights and rightful powers of our sovereign states and especially of the State of Florida, by the fostering, promotion or promulgation of the integration of the white and negro races in our public school system, and

WHEREAS, All these things are true not of the State of Florida alone, but are equally applicable to other sovereign states of this Union; NOW, THEREFORE,

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

That the Congress of the United States is hereby memorialized and respectfully urged to enact such legislation or propose such amendments to the Constitution of the United States, or both, as may be designed, contrived, calculated, effective and efficacious to allow, authorize, aid, enable and empower our sovereign states to continue to supervise and control the education of their peoples under whatever system may seem to them in the exercise of their proven wisdom, most practicable and beneficial, including a system under which whites and negroes are segregated in the public schools, as they have traditionally done pursuant to the custom and to the Constitution of the United States of America, and

BE IT FURTHER RESOLVED That duly attested copies of this Memorial be transmitted forthwith by the Secretary of the Senate of the State of Florida to the Secretary of the United States, the Clerk of the House of Representatives of the United States, and to the Senators and Representatives of the Federal Congress from the states of Florida, Georgia, Alabama, Virginia, Louisiana, Mississippi, North Carolina, South Carolina, Maryland, Kentucky, Tennessee, Oklahoma, Texas and Arkansas, and

BE IT FURTHER RESOLVED That a copy of this Memorial be spread upon the Journal of both the Senate and House of Representatives of the State of Florida and sufficient copies thereof be furnished to the press.

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

By Senators Tapper and Stenstrom—

S. B. No. 433—A bill to be entitled An Act defining the practice of optometry and the practice of an optometrist, and the trade of opticianry and the business of a dispensing optician; prescribing the scope of such respective professions and trade; and providing the penalty for the violation of this Act.

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

By Senator Shands—

S. B. No. 434—A bill to be entitled An Act relating to public accountants; amending Section 473.09, Florida Statutes; regulating application; fee; disposition of fee for taking the certified public accountant examination.

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

By Senator Morgan—

S. B. No. 435—A bill to be entitled An Act to amend Section 486.05, Florida Statutes, relating to registration prior to January 1, 1956, of certain persons to practice physical therapy; and also amending Section 486.16, Florida Statutes, relating to exemptions of certain persons from Chapter 486, Florida Statutes, pertaining to physical therapy.

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

By Senators King, Beall, Melvin, Tapper, Barber, Fraser, Connor, Baker, Gautier (13th), Floyd, Shands and Johns—

S. B. No. 436—A bill to be entitled An Act authorizing the development of a stream sanitation control staff under the supervision and direction of the state health officer, authorizing the Florida State Board of Health to enter into a cooperative lease with the Board of Commissioners of Polk County for a laboratory and office space for said stream sanitation control staff, and making an appropriation to the State Board of

Health for carrying out the provisions of this Act.

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

By Senator Connor—

S. B. No. 437—A bill to be entitled An Act making larceny of a dog a felony and providing a penalty by amending the first paragraph of Section 811.19, Florida Statutes.

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

By Senator King—

S. B. No. 438—A bill to be entitled An Act making unlawful the severing, taking, or carrying away, injuring or destroying of products of farm, garden, orchard, vineyard, grove or other improved land, and certain other trespasses and making it unlawful to be an accessory, or to knowingly receive any such property and providing penalties for violations.

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

By Senator King—

S. B. No. 439—A bill to be entitled An Act vesting the trustees of the internal improvement fund with authority under certain conditions to extend the time of performance of certain oil, gas and mineral leases granted under the provisions of certain exploration contracts entered into prior to the enactment of Chapter 22824, Laws of Florida, Acts of 1945, (Sections 253.51 to 253.61 inclusive, Florida Statutes.)

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

By Senator King—

S. B. No. 440—A bill to be entitled An Act relating to certain classes of corporations, conferring rights and remedies upon minority stockholders and authorizing courts of equity to grant relief to stockholders, including partition and distribution of corporate assets with or without corporate dissolution.

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

By Senators Morgan, Melvin, Hodges and Fraser—

S. B. No. 441—A bill to be entitled An Act relating to the sale of intoxicating liquors; requiring distributors to file a schedule of minimum consumer resale prices with the Director of Beverage Department of the State of Florida; authorizing the director to set such schedules as the minimum resale price in the State of Florida to prevent abuses injurious to the public health, safety and morals of the citizens of the State of Florida; providing for the promulgation of rules and regulations for the enforcement under the director, and providing penalties for the violation hereof.

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

By Senator Clarke—

S. B. No. 442—A bill to be entitled An Act to amend Chapter 85, Florida Statutes relating to statutory liens by adding thereto a new section providing for a banker's lien.

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

By Senator Morgan—

S. B. No. 443—A bill to be entitled An Act providing for organization of development credit corporations; providing for definition of terms used; providing the purpose of such corporations; providing that such corporations may be organized under provisions of the General Laws of Florida, subject to certain limitations; providing that such corporations may borrow money from members and issue securities and evidences of indebtedness and secure the same; providing said corporations may make loans, may acquire the good will, business and assets of persons, firms and corporations and undertake to pay the debts and liabilities of such persons, firms or corporations; may acquire real estate and use the same for the purposes of the corporation; providing that said corporation shall cooperate with Florida Development Commission and other agencies for the accomplishment of the purposes of the corporation; providing that corporations or-

ganized under the Laws of Florida or transacting business in Florida are authorized to purchase, hold and dispose of the securities of stock of development credit corporations; providing financial institutions are authorized to become members and make loans to such corporations, subject to certain limitations; providing that financial institutions are authorized to acquire the securities and stock of such corporation; providing such corporations shall set apart a portion of earned surplus from year to year as reserve fund; providing for selecting depositories for funds of such corporations; providing such corporation shall be subject to examination of the comptroller and shall make reports to the comptroller; providing that such corporations shall be exempt from paying filing fees, capital stock taxes, excise taxes on stock certificates, and exempt from compliance with Chapter 517, Florida Statutes, 1953; providing that the provisions of the Act are severable; and providing when said Act shall take effect.

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

By Senator Shands, Rood, Pearce, Getzen, Gautier (28th), Stratton, Edwards, Carraway, Fraser, Johnson, Cabot, Phillips, Clarke, Neblett, Barber, Morgan, Beall, Kickliter, Bronson, Gautier (13th), Floyd, Connor, King, Rodgers, Tapper, Hodges, Baker, Pope, Carlton, Houghton, Douglas, Stenstrom and Morrow—

S. B. No. 444—A bill to be entitled An Act creating and establishing Florida Development Commission; providing for the appointment, qualification and removal of a chairman and members of the commission; providing for oath of office to be subscribed by members; providing for location of headquarters of the commission and authorizing branch offices; providing for duties of the commission; providing for the appointment, removal, compensation, and duties of a director of the commission; providing that the work of the commission may be conducted by divisions, as authorized; authorizing the commission to make use of data and information in possession of other state agencies; providing for sale of publications of the commission; authorizing the commission to accept grants or funds or property made by the United States or any department or agency thereof or by individuals, corporations, municipalities or counties for any of the purposes of the commission; providing the commission shall encourage organization of agencies, boards or groups among interested citizens to further work of the commission; providing for abolishing Florida State Advertising Commission and repeal of Chapter 286, Florida Statutes; providing for abolishing Florida State Improvement Commission created under Section 420.02, Florida Statutes, but retaining the remainder of Chapter 420, Florida Statutes, and vesting powers therein and in other described laws in Florida Development Commission; providing that Florida Development Commission shall assume obligations of Florida State Advertising Commission and Florida State Improvement Commission; transferring to Florida Development Commission assets and unexpended funds or appropriations of said abolished commissions; providing that all laws and parts of laws in conflict herewith shall be repealed; and providing for the effective date of this Act.

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

By Senator Carlton—

S. B. No. 445—A bill to be entitled An Act to regulate the sale and distribution of commercial feeds in the State of Florida; providing for registration and labeling; refusal or cancellation of registration; providing also for inspection fees either by use of tags or stamps or, upon approval of the commissioner, by use of reporting system; providing against adulteration and misbranding; providing for inspection, sampling and analysis; further providing for rules and regulations, standards and definitions; providing for the detention of commercial feeds which fall short of guarantees and the condemnation and confiscation thereof; providing penalties for violations of this Bill punishable as misdemeanors and also providing for penalties or damages payable to purchasers-consumers; providing for publications of information and data pertaining to analysis of commercial feeds and for other purposes; repealing Chapter 580, Florida Statutes and providing an effective date.

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

By Senators Phillips, Shands, Carraway, Neblett, Barber, Stratton, Johnson, Rawls, Pearce, Gautier (28th), Edwards,

Clarke, Rood, Kickliter, Getzen, Houghton, Melvin, Douglas, Gautier (13th), Floyd, Hodges, Baker, Tapper, Carlton, Connor, King, Black, Johns, Rodgers, Stenstrom, Morrow, Fraser, Bronson, Morgan, Pope and Beall—

S. B. No. 446—A bill to be entitled An Act creating the position of legislative auditor: providing for the method of selection, compensation, term of employment, duties, and the fund from which compensation is to come; requiring state offices and officials to make records available to said auditor; setting effective date.

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

By Senator Hodges—

S. B. No. 447—A bill to be entitled An Act to provide for the creation of a municipal corporation to be known as Town of Inglis, in Levy County, Florida; to fix and determine the territorial limits, jurisdiction, powers and privileges of said town and the jurisdiction, powers and privileges of its officers.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 447 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 Hodges moved that the rules be waived and Senate Bill No. 447 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 447 was read the second time by title only.

Senator Hodges moved that the rules be further waived and Senate Bill No. 447 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. 447 was read the third time in full.

Upon the passage of Senate Bill No. 447 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 447 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Hodges, Connor and Johns—

S. B. No. 448—A bill to be entitled An Act relating to pensions of confederate veterans; amending Section 291.04, Florida Statutes; providing for an increase of ten dollars (\$10.00) per month for widows of deceased soldiers or sailors entitled to pensions.

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

MESSAGE FROM THE GOVERNOR

The following Communication from the Governor was received:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE
April 21, 1955

Honorable W. T. Davis
President of the Senate
State Capitol

Sir:

I have the honor to inform you that yesterday I approved Concurrent Resolution No. 287, 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. C. R. NO. 287 RELATING TO SENATORS HOLLAND AND SMATHERS

Respectfully,

LeROY COLLINS
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
April 21, 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 Senator Gautier (13th)—

S. B. No. 350—A bill to be entitled An Act to abolish the present municipality known as Hialeah and to recreate the municipality of the City of Hialeah, in Dade County, Florida; to fix the territorial limits, jurisdiction, and powers of said city and the jurisdiction and powers of its officers; and provide for its government, privileges, and franchises.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 350, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,
April 21, 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 Senator King—

S. B. No. 244—A bill to be entitled An Act to amend Section 4 of Chapter 10463 of the Laws of Florida, Special Acts of 1925, entitled "An Act to abolish the present municipal government of the Town of Davenport, in the County of Polk and the State of Florida, and to establish, organize and constitute a municipality to be known and designated as the Town of Davenport; to define its territorial boundaries; to provide for its jurisdiction, powers and privileges and for the exercise of same"; and providing a referendum.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 244, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,
April 21, 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 Messrs. Allen and Bodiford of Bay—

H. B. No. 464—A bill to be entitled An Act amending Chapter 27812, Laws of Florida, Acts of 1951, relating to Firemen's Relief and Pension Fund Plan in Panama City, Bay County, Florida.

Proof of publication attached.

Also—

By Messrs. David and Musselman of Broward and Dickinson and Roberts of Palm Beach—

H. B. No. 474—A bill to be entitled An Act to recognize and declare official the census taken in Broward and Palm Beach Counties, Florida, by the Federal Bureau of the Census or the Commissioner of Agriculture of the State of Florida in the year 1955 or subsequent years thereto, whichever census is the last, as certified to the respective boards of county commissioners of said counties and entitling the Fifteenth Judicial Circuit of Florida, comprised of Broward and Palm Beach Counties, to the benefits of the provisions of Section 45, Article V of the Constitution of Florida, and Section 26.16, Florida Statutes, 1953.

—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. 464 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. 464, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

And House Bill No. 474, contained in the above message, was read the first time by title only.

Senator Morrow moved that the rules be waived and House Bill No. 474 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 474 was read the second time by title only.

Senator Morrow moved that the rules be further waived and House Bill No. 474 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. 474 was read the third time in full.

Upon the passage of House Bill No. 474 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 474 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 21, 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. Duncan of Lake—

H. B. No. 431—A bill to be entitled An Act creating the position of and providing for the employment, duties and compensation of a librarian for the Lake County Law Library situated in the court house at Tavares, Lake County, Florida.

Proof of publication attached.

Also—

By Mr. Papy of Monroe—

H. B. No. 433—A bill to be entitled An Act amending Paragraph "a" of Section 1 of Article I of Chapter C of Chapter 23374, Laws of Florida, Acts of the Legislature year 1945, being the Charter of the City of Key West, Florida, as amended by Chapter 29197, Laws of Florida, Acts of the Legislature year 1953, by changing the date for holding the regular or general municipal election for election of City Commissioners for the City of Key West, Florida, from the second Tuesday in November, A.D. 1955, to the third Tuesday in November, A.D. 1955, and biennially thereafter on the aforesaid day of November; repealing all laws and parts of laws, whether general or special, particularly Chapter 23374, Laws of Florida, Acts of the Legislature year 1945, as amended, in conflict with this Act to the extent of such conflict; and providing for this Act to take effect upon its becoming a law.

Proof of publication attached.

Also—

By Messrs. Mahon, Maness and Westberry of Duval—

H. B. No. 434—A bill to be entitled An Act affecting the government of the City of Jacksonville; authorizing the City of Jacksonville to abate as nuisances weeds, grass or underbrush, upon real property within the city, and to place a lien for the costs and expenses of such abatement against the property on which such nuisances exist; providing for the manner and method of collection of the amount of such liens, and validating sanitary liens of the City of Jacksonville which have been assessed in substantial conformity herewith.

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. 431 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. 431, contained in the above message, was read the first time by title only.

Senator Baker moved that the rules be waived and House Bill No. 431 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 431 was read the second time by title only.

Senator Baker moved that the rules be further waived and House Bill No. 431 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. 431 was read the third time in full.

Upon the passage of House Bill No. 431 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 431 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 433 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. 433, 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. 433 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 433 was read the second time by title only.

Senator Neblett moved that the rules be further waived and House Bill No. 433 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. 433 was read the third time in full.

Upon the passage of House Bill No. 433 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 433 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 434 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. 434, contained in the above message, was read the first time by title only.

Senator Morgan moved that the rules be waived and House Bill No. 434 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 434 was read the second time by title only.

Senator Morgan moved that the rules be further waived and House Bill No. 434 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. 434 was read the third time in full.

Upon the passage of House Bill No. 434 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 434 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 21, 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 Messrs. Mahon, Westberry and Maness of Duval—

H. B. No. 435—A bill to be entitled An Act affecting the government of the City of Jacksonville; authorizing any member of the police force of said city to pursue across the city limits line and arrest where apprehended in Duval County any person suspected of having committed an offense against the ordinances of the City of Jacksonville provided such pursuit is continuous after having originated within the limits of said city; defining hot pursuit; and authorizing any member of the police force of said city to continue a hot pursuit beyond the limits of said city.

Proof of publication attached.

Also—

By Mrs. Patton of Franklin—

H. B. No. 461—A bill to be entitled An Act authorizing the taking and possession of shrimp of a certain size in Franklin County; authorizing the transportation of said shrimp through any county for the purpose of disposing same beyond the territorial limits of Florida; and providing an effective date.

Proof of publication attached.

Also—

By Mrs. Patton of Franklin—

H. B. No. 462—A bill to be entitled An Act relating to fishing repealing Chapter 26533, General Acts of Florida, 1951, prohibiting fishing with nets in a certain area in and for all counties having a population of not less than five thousand five hundred (5,500) and not more than six thousand (6,000) inhabitants, according to the last official census insofar as it affects Franklin County.

—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. 435 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. 435, contained in the above message, was read the first time by title only.

Senator Morgan moved that the rules be waived and House Bill No. 435 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 435 was read the second time by title only.

Senator Morgan moved that the rules be further waived and House Bill No. 435 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. 435 was read the third time in full.

Upon the passage of House Bill No. 435 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 435 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 461 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. 461, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

And House Bill No. 462, 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 21, 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. Hopkins of Escambia—

H. B. No. 80—A bill to be entitled An Act relating to proceedings for restoration of disabilities of persons adjudged to be insane; amending Sections 62.33 and 62.34, Florida Statutes; relating to the appearance of state attorney at hearings and issuance of orders by circuit judge under certain circumstances.

Also—

By Mrs. Patton of Franklin—

H. B. No. 207—A bill to be entitled An Act relating to poisons and adulterated drugs, amending Section 859.04, Florida Statutes, to provide that pharmacists require proper identification, name, address, and signing of record book by purchasers of poisons.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 80, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "A."

And House Bill No. 207, contained in the above message, was read the first time by title only and referred to the Committee on Public Health.

The following message from the House of Representatives was read:

Tallahassee, Florida,
April 21, 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 The Legislative Council—

H. B. No. 47—A bill to be entitled An Act to amend Subsection (3) of Section 236.07, Florida Statutes, relating to the Minimum Foundation Program, by providing a minimum salary for teachers under the program; and making this Act effective July 1, 1955.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 47, contained in the above message, was read the first time by title only and referred to the Committee on Education.

CONSIDERATION OF SENATE BILLS AND JOINT RESOLUTIONS ON SECOND READING

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.

Was taken up in its order.

Senator Stratton moved that the rules be waived and Senate Bill No. 128 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 128 was read the second time by title only.

Senator Carraway offered the following amendment to Senate Bill No. 128:

At the end of Section 1 add the following paragraph:

"This section shall not be applicable to the City of Tallahassee nor the Fire Department of said city."

Senator Carraway moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Rood offered the following amendment to Senate Bill No. 128:

In Section 1, line 2, (typewritten bill) strike after the words: "or more" the comma and insert in lieu thereof the following: "and less than eighteen thousand (18,000) and more than nineteen thousand (19,000)"

Senator Rood moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Houghton offered the following amendment to Senate Bill No. 128:

In Section 1, last line, (typewritten bill) strike out the period, make a semicolon and add "provided, however, that this section shall not apply to the cities of St. Petersburg and Clearwater, in Pinellas County."

Senator Houghton moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Rood offered the following amendment to Senate Bill No. 128:

In Title, line 7 (typewritten bill) strike after the words: "or more" the comma and insert in lieu thereof the following: "and less than eighteen thousand (18,000) and more than nineteen thousand (19,000)."

Senator Rood moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator Stratton withdrew Senate Bill No. 128, as amended, from the further consideration of the Senate.

S. B. No. 216—A bill to be entitled An Act relating to salt water fisheries and conservation; amending Subsections (14) and (15) of Section 370.01, Florida Statutes; amending Subsection (1) of Section 370.02, Florida Statutes; redefining certain words; providing for changing the name of the Board of Conservation to Salt Water Fisheries Commission.

Was taken up in its order.

Senator Hodges moved that the rules be waived and Senate Bill No. 216 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 216 was read the second time by title only.

Senator Hodges offered the following amendment to Senate Bill No. 216:

In Section 1, lines 7 and 8 (typewritten bill), strike out the words: "Salt Water Fisheries Commission" and insert in lieu thereof the following: "State Board of Conservation and Salt Water Fisheries"

Senator Hodges moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hodges also offered the following amendment to Senate Bill No. 216:

In Section 1, lines 9 and 10 (typewritten bill), strike out the words "Salt Water Fisheries Commissioners" and insert in lieu thereof the following: "State Board of Conservation and Salt Water Fisheries Commissioners"

Senator Hodges moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hodges also offered the following amendment to Senate Bill No. 216:

In Section 1, line 13 (typewritten bill), strike out the words: Salt Water Fisheries Commission and insert in lieu thereof the following: State Board of Conservation and Salt Water Fisheries

Senator Hodges moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hodges moved that the rules be further waived and Senate Bill No. 216, 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. 216, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 216, as amended, the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 216 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Shands moved that a committee be appointed to escort to seats on the rostrum, Walter R. Lee, III, and Van Fitzgerald, members of the Lanier School Safety Patrol, Gainesville, and recipients of the Distinguished Service Medals from Governor LeRoy Collins, on behalf of the American Automobile Association, in recognition of their bravery in saving at the risk of their own lives two of their schoolmates from serious injury or death on January 5, 1955.

Which was agreed to.

The President appointed Senators Shands, Edwards and Carraway as the committee which escorted the young gentlemen to the rostrum, where they were acclaimed by the Senate standing.

S. B. No. 274—A bill to be entitled An Act prohibiting any person from changing, altering, removing, or obliterating the name of the maker or the model, manufacturer's number or other marks of identification on any pistol, rifle or shotgun; providing that possession of any pistol, rifle or shotgun upon which such marks shall have been changed, altered, removed or obliterated, shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same; providing this shall not apply to antiques, curios or ornament pistols; providing a penalty; and providing an effective date.

Was taken up in its order.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 274 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 274 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 274 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. 274 was read the third time in full.

Upon the passage of Senate Bill No. 274 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 274 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Pearce moved that the rules be waived and the Senate immediately reconsider the vote by which Senate Bill No. 274 passed the Senate on April 22, 1955.

S. B. No. 274—A bill to be entitled An Act prohibiting any person from changing, altering, removing, or obliterating the

name of the maker or the model, manufacturer's number or other marks of identification on any pistol, rifle or shotgun; providing that possession of any pistol, rifle or shotgun upon which such marks shall have been changed, altered, removed or obliterated, shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same; providing this shall not apply to antiques, curios or ornament pistols; providing a penalty; and providing an effective date.

The President put the question: "Will the Senate reconsider the vote by which Senate Bill No. 274 passed the Senate on April 22, 1955?"

Which was agreed to by a two-thirds vote.

So the Senate reconsidered the vote by which Senate Bill No. 274 passed the Senate on April 22, 1955.

The question recurred on the passage of Senate Bill No. 274.

Pending roll call on the passage of Senate Bill No. 274, Senator Pearce moved that the further consideration thereof be informally passed.

Which was agreed to and it was so ordered.

S. B. No. 275—A bill to be entitled An Act prohibiting any person who has been convicted of a felony from owning or having in his care, custody, possession or control any pistol, sawed-off rifle or sawed-off shotgun; excepting from the provisions of the act any person who has had his civil rights restored; providing a penalty; and providing an effective date.

Was taken up in its order.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 275 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 275 was read the second time by title only.

The Committee on Judiciary "C" offered the following amendment to Senate Bill No. 275:

In Section 1, line 4, (typewritten bill) after the period add the following: "A sawed off rifle or sawed off shotgun is defined for the purposes of this Act as being any rifle or shotgun with a caliber greater than twenty-two caliber and with a barrel less than eighteen inches long."

Senator Gautier (13th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 275, 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. 275, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 275, as amended, the roll was called and the vote was:

Yeas—32.

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

Nays—None.

So Senate Bill No. 275 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Clarke presiding.

S. B. No. 276—A bill to be entitled An Act regulating the sale of pistols; making it unlawful to sell or otherwise dispose of a pistol without an application therefor and providing that

said application shall contain therein a statement that the purchaser has never been convicted of a felony, and further containing in said application the full name, address, occupation, race, sex, age, place of birth of the purchaser and true date of the said application; providing that the pistol shall not be delivered until five (5) days after the date of said application; making it unlawful for any person to make any loan of money or other thing of value, secured by a mortgage, deposit or pledge of a pistol; providing that this Act shall not apply to sales at wholesale to licensed dealers; providing that the seller shall within twenty-four (24) hours after application sign and forward by registered mail a copy of the application to the sheriff of the county of which the seller is a resident; making it unlawful to give false information in purchasing or otherwise securing a pistol; providing a penalty; and providing an effective date.

Was taken up in its order.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 276 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 276 was read the second time by title only.

Senator Gautier (13th) offered the following amendment to Senate Bill No. 276:

In Section 1, (typewritten bill) strike out the last sentence reading as follows: "It shall be unlawful for the seller to deliver the custody, care, control or possession of said pistol pursuant to said application until five (5) days after the true date of said application for purchase of said pistol."

Senator Gautier (13th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gautier (13th) also offered the following amendment to Senate Bill No. 276:

In Section 2, line 2, (typewritten bill) strike out the words: "such application" and insert in lieu thereof the following: "said sale"

Senator Gautier (13th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gautier (13th) also offered the following amendment to Senate Bill No. 276:

In Section 5, (typewritten bill) after the word "wholesale" strike the period (.) and insert in lieu thereof the following: "to licensed dealers."

Senator Gautier (13th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gautier (13th) also offered the following amendment to Senate Bill No. 276:

In Section 2, line 3, (typewritten bill) strike out the word: "registered"

Senator Gautier (13th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gautier (13th) also offered the following amendment to Senate Bill No. 276:

In Sections 3, 4, 5, 6, 7 and 8 (typewritten bill) strike out the entire section three (3) and renumber Section 4 "Section 3"; renumber Section 5 "Section 4"; renumber Section 6 "Section 5"; renumber Section 7 "Section 6"; renumber Section 8 "Section 7."

Senator Gautier (13th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gautier (13th) also offered the following amendment to Senate Bill No. 276:

In Section 5, (typewritten bill) strike out Section (a).

Senator Gautier (13th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gautier (13th) moved that the further consideration of Senate Bill No. 276, as amended, be informally passed, the bill retaining its place on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

Senate Bill No. 277 was taken up in its order and the consideration thereof was informally passed, the Bill retaining its place on the Calendar of Bills on Second Reading.

The President presiding.

S. B. No. 290—A bill to be entitled An Act providing for the inspection of motor vehicles under the administration and enforcement of the Department of Public Safety as to certain mechanism and equipment and vesting in said department power to make rules and regulations for orderly administration of this Act; defining certain words; requiring owners to present their vehicles twice each year at six (6) months intervals for such inspection, authorizing said department through its supervisor to license official inspection stations under certain circumstances and conditions; providing for revocation of licenses after notice and hearing; providing use of stickers for inspections and allowing ten (10) days for owner to correct defects and obtain certificate of inspection; providing for the revocation of registration for vehicles not passing inspection and surrender of license tag; placing enforcement of this Act under Department of Public Safety, sheriffs and other police officers; making it unlawful for owner to operate motor vehicle when registration has been suspended; making it a misdemeanor to willfully issue a certificate of inspection when mechanisms and equipment does not comply with rules and regulations or imitate or counterfeit or unlawfully display a certificate issued without inspection or display or advertise as an official inspection station without a lawful license; providing for inspection fee and division of same; making certain exceptions; providing for an appropriation; providing for hearings for rejection of licenses or suspension or revocation and trial de novo in circuit court; authorizing supervisor to postpone date of initial inspection not to exceed six (6) months and fixing date of taking effect of this Act.

Was taken up in its order.

Senator Johns moved that the rules be waived and Senate Bill No. 290 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 290 was read the second time by title only.

Senator Pope offered the following amendment to Senate Bill No. 290:

In Section 12, page 12, (typewritten bill) at the end of Section 12 change the period to a comma and add "Provided, however, that no monies may be expended in excess of the fees collected under this Act."

Senator Pope moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Stratton offered the following amendment to Senate Bill No. 290:

By adding Section at end of Section 11:

'Goats' shall not be exempt from the provisions hereof."

Senator Stratton moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Connor offered the following amendment to Senate Bill No. 290:

In Section 9e, line 11, (typewritten bill) after the word "registration" and period, strike out the remaining portion of said subsection.

Senator Connor moved the adoption of the amendment.

Which was not agreed to so the amendment failed of adoption.

Senator King moved that the rules be waived and the Senate immediately reconsider the vote by which the following amendment offered by Senator Stratton to Senate Bill No. 290 was adopted this day:

By adding Section at end of Section 11:

'Goats' shall not be exempt from the provisions hereof.

The President put the question: "Will the Senate reconsider the vote by which the foregoing amendment offered by Senator Stratton to Senate Bill No. 290 was adopted this day?"

Which was agreed to by a two-thirds vote.

So the Senate reconsidered the vote by which the foregoing amendment to Senate Bill No. 290 was adopted this day.

The question recurred on the adoption of the foregoing amendment.

Pending consideration thereof by unanimous consent Senator Stratton withdrew the foregoing amendment.

Senator Phillips offered the following amendment to Senate Bill No. 290:

In Section 4, strike "90 days" and insert in lieu thereof the following: "1 day"

Senator Phillips moved the adoption of the amendment.

Which was not agreed to so the amendment failed of adoption.

Senator Johns moved that the rules be further waived and Senate Bill No. 290, 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. 290, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 290, as amended, the roll was called and the vote was:

Yeas—27.

Barber	Connor	Johnson	Pearce
Beall	Douglas	Kicklitter	Pope
Black	Edwards	King	Rawls
Bronson	Fraser	Melvin	Rodgers
Cabot	Gautier (13th)	Morgan	Shands
Carraway	Houghton	Morrow	Tapper
Clarke	Johns	Neblett	

Nays—8.

Mr. President	Getzen	Phillips	Stenstrom
Carlton	Hodges	Rood	Stratton

So Senate Bill No. 290 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Morrow asked to be relieved of his membership on the Committee on Constitutional Amendments.

The request was granted and the President announced that a successor to Senator Morrow as a member of the Committee on Constitutional Amendments would be appointed at an early date.

Senator King presiding.

Senator Johnson moved that the further consideration of Senate Bills Nos. 274, 276 and 277 be postponed until Thursday, April 28, 1955.

Which was agreed to and it was so ordered.

Senator Pearce moved that the further consideration of Senate Bill No. 346 be postponed until Thursday, April 28, 1955.

Which was agreed to and it was so ordered.

S. B. No. 327—A bill to be entitled An Act for the relief of Edwin Lee Mason, Justice of the Peace, First District of Dade County, Florida, from liability of fees and collections in the amount of \$570.77, belonging to the State of Florida and County of Dade, which were stolen from his office on March 13, 1950.

Was taken up in its order.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 327 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 327 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 327 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. 327 was read the third time in full.

Upon the passage of Senate Bill No. 327 the roll was called and the vote was:

Yeas—30.

Barber	Douglas	Kickliter	Rawls
Beall	Edwards	King	Rodgers
Black	Floyd	Melvin	Rood
Cabot	Fraser	Morgan	Shands
Carlton	Gautier (13th)	Morrow	Stenstrom
Carraway	Houghton	Neblett	Stratton
Clarke	Johns	Pearce	
Connor	Johnson	Pope	

Nays—None.

So Senate Bill No. 327 passed, title as stated, by the required Constitutional two-thirds vote of all members elected to the Senate for the 1955 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 336—A bill to be entitled An Act for the relief of Arthur L. Smith and making an appropriation to compensate him for damage caused by escaped convicts.

Was taken up in its order.

Senator Beall moved that the rules be waived and Senate Bill No. 336 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 336 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 336 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. 336 was read the third time in full.

Upon the passage of Senate Bill No. 336 the roll was called and the vote was:

Yeas—31.

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

Nays—None.

So Senate Bill No. 336 passed, title as stated, by the required Constitutional two-thirds vote of all members elected to the Senate for the 1955 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

Senate Joint Resolutions Nos. 7, 204 and 119 were taken up in their order and the consideration thereof was informally passed, the Resolutions retaining their respective places on the Calendar of Bills on Second Reading.

S. B. No. 78—A bill to be entitled An Act relating to fire, casualty and surety insurance companies; prohibiting such companies from exposing themselves to a loss from any one risk in an amount exceeding twenty percent of its surplus to policyholders except as provided herein; repealing all laws in conflict herewith, and providing for the effective date of this Act.

Was taken up in its order.

Senator Floyd moved that the rules be waived and Senate Bill No. 78 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 78 was read the second time by title only.

The following Committee Substitute for Senate Bill No. 78:

By the Committee on Insurance—

Committee Substitute for S. B. No. 78—A bill to be entitled An Act relating to fire, casualty and surety insurance companies; prohibiting such companies from exposing themselves to a loss from any one risk in an amount exceeding twenty percent of its surplus to policyholders except as provided herein; repealing all laws in conflict herewith, and providing for the effective date of this Act.

Was taken up and read the first time by title only.

Senator Floyd moved that the rules be waived and the Committee Substitute for Senate Bill No. 78 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And the Committee Substitute for Senate Bill No. 78 was read the second time by title only.

Senator Floyd moved the adoption of the Committee Substitute for Senate Bill No. 78.

Which was agreed to and the Committee Substitute for Senate Bill No. 78 was adopted.

Senator Floyd moved that the rules be further waived and Committee Substitute for Senate Bill No. 78 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Bill No. 78 was read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 78 the roll was called and the vote was:

Yeas—29.

Mr. President	Floyd	King	Rodgers
Bronson	Fraser	Melvin	Rood
Cabot	Gautier (13th)	Morrow	Shands
Carlton	Hodges	Neblett	Stenstrom
Carraway	Houghton	Pearce	Tapper
Clarke	Johns	Phillips	
Douglas	Johnson	Pope	
Edwards	Kickliter	Rawls	

Nays—None.

So Committee Substitute for Senate Bill No. 78 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 285—A bill to be entitled An Act providing for the return to the rightful owner of money or property which has been taken from the rightful owner under circumstances constituting larceny; providing the procedure for the return thereof in the court having criminal jurisdiction; providing for notice to be served upon parties interested in such property

and the manner of such service; providing for the admission of secondary evidence in criminal trials charging larceny wherein money or property has been returned to the rightful owner; providing that failure to object to the return of such property shall not be received as evidence in any criminal proceeding involving larceny of such money or property; repealing all laws or parts of laws in conflict herewith; and providing the effective date of this Act.

Was taken up in its order.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 285 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 285 was read the second time by title only.

The following Committee Substitute for Senate Bill No. 285:

By the Committee on Judiciary "C"—

Committee Substitute for S. B. No. 285—A bill to be entitled An Act providing for the return to the rightful owner of money or motor vehicle which has been taken from the rightful owner under circumstances constituting larceny; providing the procedure for the return thereof in the court having criminal jurisdiction; providing for notice to be served upon parties interested in such money or motor vehicle and the manner of such service; providing for the admission of secondary evidence in criminal trials charging larceny wherein money or motor vehicle has been returned to the rightful owner; providing that failure to object to the return of such money or motor vehicle shall not be received as evidence in any criminal proceeding involving larceny of such money or motor vehicle; repealing all laws or parts of laws in conflict herewith; and providing the effective date of this Act.

Was taken up and read the first time by title only.

Senator Gautier (13th) moved that the rules be waived and the Committee Substitute for Senate Bill No. 285 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And the Committee Substitute for Senate Bill No. 285 was read the second time by title only.

Senator Gautier (13th) moved the adoption of the Committee Substitute for Senate Bill No. 285.

Which was agreed to and the Committee Substitute for Senate Bill No. 285 was adopted.

Senator Gautier (13th) moved that the rules be further waived and Committee Substitute for Senate Bill No. 285 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Bill No. 285 was read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 285 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Committee Substitute for Senate Bill No. 285 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Baker was excused from further attendance upon the Session today.

S. B. No. 341—A bill to be entitled An Act relating to

examinations for insurance licenses; providing that such examinations shall be held in the office of the insurance commissioner which is located nearest the place of residence of the applicant; repealing conflicting laws, and providing for effective date of this Act.

Was taken up in its order.

Senator Floyd moved that the rules be waived and Senate Bill No. 341 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 341 was read the second time by title only.

Senator Floyd moved that the rules be further waived and Senate Bill No. 341 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. 341 was read the third time in full.

Upon the passage of Senate Bill No. 341 the roll was called and the vote was:

Yeas—32.

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

Nays—None.

So Senate Bill No. 341 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 339—A bill to be entitled An Act relating to master in suits in equity and repealing Sections 62.07 and 62.071 F. S. (1953) relating to masters.

Was taken up in its order.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 339 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 339 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 339 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. 339 was read the third time in full.

Upon the passage of Senate Bill No. 339 the roll was called and the vote was:

Yeas—27.

Mr. President	Douglas	Johns	Pearce
Barber	Edwards	Johnson	Phillips
Bronson	Floyd	Kicklitter	Shands
Cabot	Fraser	King	Stenstrom
Carlton	Gautier (13th)	Melvin	Stratton
Carraway	Getzen	Morrow	Tapper
Clarke	Houghton	Neblett	

Nays—None.

So Senate Bill No. 339 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 325—A bill to be entitled An Act to provide for the registration and protection of trade-marks.

Was taken up in its order.

Senator Melvin moved that the rules be waived and Senate Bill No. 325 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 325 was read the second time by title only.

Senator Melvin moved that the rules be further waived and Senate Bill No. 325 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. 325 was read the third time in full.

Upon the passage of Senate Bill No. 325 the roll was called and the vote was:

Yeas—29.

Mr. President	Edwards	King	Rood
Barber	Floyd	Melvin	Shands
Bronson	Fraser	Morrow	Stenstrom
Cabot	Getzen	Neblett	Stratton
Carlton	Hodges	Pearce	Tapper
Carraway	Houghton	Pope	
Clarke	Johns	Rawls	
Douglas	Johnson	Rodgers	

Nays—None.

So Senate Bill No. 325 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The President presiding.

Senator Melvin, Chairman of the Committee on Rules and Calendar, moved that the rules be waived and when the Senate adjourns it adjourn to reconvene at 2:00 o'clock P. M., Monday, April 25, 1955.

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

Senator Melvin, Chairman of the Committee on Rules and Calendar, moved that the rules be waived and when the Senate adjourns at the morning Session on Tuesday, April 26, 1955, it recess to reconvene at 2:30 o'clock P. M.

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

Senator Douglas, Chairman of the Committee on Public Health, moved that the rules be waived and the committee allowed an additional ten days in which to report on Bills heretofore referred to said committee.

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

Senator Tapper, Chairman of the Committee on Governmental Reorganization, moved that the rules be waived and the committee allowed an additional five days in which to report on Bills heretofore referred to said committee.

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

Senator Stratton moved that Senate Bill No. 247 be recalled from the Committee on Insurance.

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

By unanimous consent Senator Stratton withdrew Senate Bill No. 247 from further consideration of the Senate.

Senator Melvin moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 12:59 o'clock, P. M., until 2:00 o'clock, P. M., Monday, April 25, 1955.