

# JOURNAL OF THE SENATE

Thursday, April 28, 1955

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The Senate convened at 10:00 o'clock A. M., pursuant to adjournment on Wednesday, April 27, 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.

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

O God, we pray for the spirit of humility. We thank Thee that Thy word tells us: "Humble yourselves in the sight of the Lord, and He will lift you up." We covet this wonderful grace of humility with its lifting power.

We do not feel that it is our job in this Legislature to pass personal judgment on each other. We do know it is the job of the members of the Legislature to pass careful judgment on all proposed legislation. Grant unto them the high courage to vote their honest convictions.

Bless us all together this day and cause Thy Spirit to guide us and give to each one Thy peace. In the name of Christ we pray. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Monday, April 25, 1955, was further corrected as follows:

Page 209, column 1, between lines 2 and 3, counting from the bottom of the column, insert the following:

## EXPLANATION OF VOTE

I voted "No" on Senate Bill No. 25 for the following two reasons which I request to be recorded in the Senate Journal:

First: I followed the well-known standard or maxim of state government which has been adhered to from time immemorial, known as "separation of Church and State". This bill appeared to infringe upon and violate this standard of government.

Second: That the bill was a step toward the segregation problem which I felt was the wrong approach.

Concluding, I want it known to all the people of Florida that I consider the Jewish people some of the best and most loyal friends I have, and my vote was, in no way, any indication to the contrary.

In the past I have given freely of my time, services and assistance to the Jewish people and will continue to do so in the future.

PAUL KICKLITTER  
34th Senatorial District

And as further corrected was approved.

The Senate daily Journal of Tuesday, April 26, 1955, was further corrected as follows:

Page 219, column 1, line 31, strike out the words "peeking tom," and insert in lieu thereof the words "Peeping Tom."

Also—

Page 219, column 1, line 6, counting from the bottom of the column, strike out the words "to amend" and insert in lieu thereof the word "amending."

And as further corrected was approved.

The Senate daily Journal of Wednesday, April 27, 1955, was corrected and as corrected was approved.

## REPORTS OF COMMITTEES

Senator Cabot, Chairman of the Committee on Drainage and Water Conservation, reported that the Committee had carefully considered the following Bill:

S. B. No. 377—A bill to be entitled An Act declaring the water policy of the State; creating and establishing a water resources study commission to conduct a study and report its findings and recommendations to the next regular session of the Legislature; providing an appropriation; and providing an effective date.

—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 Cabot, Chairman of the Committee on Drainage and Water Conservation, reported that the Committee had carefully considered the following Bill:

S. B. No. 378—A bill to be entitled An Act relating to salt water fisheries and conservation; repealing Section 370.05, Florida Statutes, providing for employment of engineer and assistants to conduct survey in connection with water conservation in the State; and providing for disposition of records, equipment and supplies.

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

S. B. No. 81—A bill to be entitled An Act relating to proof of financial responsibility by owners and operators of motor vehicles; prescribing the duties, powers and authority of the Insurance Commissioner; providing for the suspension and revocation of licenses and motor vehicle registration and providing for other matters in connection with the financial responsibility of owners and operators of motor vehicles and providing the penalties for violation of the provisions of this Act; providing that Chapter 324, Florida Statutes, 1953, relating to proof of financial responsibility of operators of motor vehicles, be repealed and superseded by this Act; and providing an appropriation.

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

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

Senator Douglas, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bill:

S. B. No. 265—A bill to be entitled An Act creating the Sanitarians' Registration Board, defining its powers and duties; providing penalties for violation of this Act and providing effective date.

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

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

Senator Shands, Chairman of the Committee on Constitutional Amendments, reported that the Committee had carefully considered the following Concurrent Resolution:

Senate Concurrent Resolution No. 555—

Senate Concurrent Resolution relating to constitutional revision.

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

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

Senator Shands, Chairman of the Committee on Constitutional Amendments, reported that the Committee had carefully considered the following Joint Resolution:

Senate Joint Resolution No. 282—

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.

—and recommends that the same pass.

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

Senator Shands, Chairman of the Committee on Constitutional Amendments, reported that the Committee had carefully considered the following Joint Resolutions:

Senate Joint Resolution No. 283—

A Joint Resolution proposing an amendment to the Declaration of Rights of the Constitution of the State of Florida by adding an additional section thereto relating to the forfeiture of office or employment of state, county and municipal officers and employees who refuse to sign a waiver of immunity against subsequent criminal prosecution, or who refuse to answer any relevant question concerning the conduct of his office or employment and the performance of his official duties.

Senate Joint Resolution No. 371—

A Joint Resolution proposing an amendment of Article IX of the Florida Constitution relating to taxation and finance, by adding thereto an additional section, relating to tax exemption, to be known and designated as Section 9a.

Senate Joint Resolution No. 372—

A Joint Resolution proposing an amendment to Article IX, Section 11 of the State Constitution; relating to exemption of personal property from taxation to the head of a family.

—and recommends that the same not pass.

And the Joint Resolutions contained in the preceding report were laid on the table.

Senator Floyd, Chairman of the Committee on Insurance, reported that the Committee had carefully considered the following Bills:

S. B. No. 505— A bill to be entitled An Act declaring that delivery of a contract of fire or casualty insurance as an inducement for or incident of a sale of property in this State shall constitute the negotiation, sale and delivery of a contract of insurance in this State, subject to the laws of this State, regardless of where such contract is issued.

S. B. No. 526—A bill to be entitled An Act to amend Section 642.09, Florida Statutes, 1953, relating to definition of the term "insurer" as used in Chapter 642, Florida Statutes, 1953, relating to accident and sickness insurance.

S. B. No. 531—A bill to be entitled An Act amending Sub-

section (1) of Section 634.08, Florida Statutes, relating to the licensing of a nonresident life agent, by adding to the provisions thereof the requirement that the applicant for such license has no place of business within this State; and fixing the effective date of this Act.

—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 Johns, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bills:

S. B. No. 289—A bill to be entitled An Act relating to dog racing and parimutuel wagering, making certain legislative findings and providing a daily operational cost allowance to each and every dog track in Florida, and limiting the number of days such allowance may be given.

S. B. No. 292—A bill to be entitled An Act relating to dog racing and pari-mutuel wagering, making certain legislative findings and providing a daily operational cost allowance to each and every dog track in Florida and limiting the number of days such credit may be given.

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

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

Senator Johns, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bills:

S. B. No. 294—A bill to be entitled An Act amending Subsections (1), (2), and (8) of Section 550.16, Florida Statutes, relating to excise taxes on horse and dog racing pari-mutuel pools in Florida; setting forth where such pools may be conducted; providing for the commission which may be withheld from pari-mutuel pools by the State and the licensee and the distribution thereof; levying an increased excise tax upon pari-mutuel pools at dog tracks and providing for the distribution of said taxes.

S. B. No. 288—A bill to be entitled An Act amending Subsections (1), (2), and (8) of Section 550.16, Florida Statutes, relating to excise taxes on horse and dog racing pari-mutuel pools in Florida; setting forth where such pools may be conducted; providing for the commission which may be withheld from pari-mutuel pools by the State and the licensee and the distribution thereof; levying an increased excise tax upon pari-mutuel pools at dog tracks and providing for the distribution of said taxes.

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

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

Senator Johns, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bills:

S. B. No. 24—A bill to be entitled An Act to amend Section 550.26 Florida Statutes relating to the "breaks tax," by levying on every permittee and licensee authorized to operate or conduct pari-mutuel pools in this State, a tax equal to the "breaks," defining "breaks," designating such tax fund as the "Old Age Assistance Fund" and for the use of such fund, and providing for the time and manner of payment of such tax, and repealing all laws in conflict.

S. B. No. 293—A bill to be entitled An Act relating to pari-mutuel wagering; providing for a tax upon pari-mutuel pools conducted by horse tracks, dog tracks and jai alai frontons with reference to "breaks" of said pari-mutuel pools as the same is defined in Section 550.16, Subsection (6), Florida Statutes, and providing for the licensed operator of such horse track, dog track, or jai alai fronton, to pay said tax to the State Treasurer.

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

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

Senator Floyd, Chairman of the Committee on Insurance, reported that the Committee had carefully considered the following Bill:

S. B. No. 192—A bill to be entitled An Act relating to indemnity and surety insurance; adding a new section, Section 625.36, to Chapter 625, Florida Statutes, providing for notice of bankruptcy of an insurer to the policyholders of the insurer, providing for a penalty.

—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 Phillips, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following Bill:

S. B. No. 401—A bill to be entitled An Act relating to the State Highway Patrol; amending Section 321.04, Florida Statutes; providing for the employment of certain number of patrol officers exclusive of those members assigned to special departments.

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

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

Senator Phillips, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following Bill:

S. B. No. 556—A bill to be entitled An Act to amend Sub-section (1) and Sub-section (2) of Section 319.14 Florida Statutes and Sub-section (1) of Section 320.36 Florida Statutes to provide that when a motor vehicle is being used or has been used as a police car or for long term lease, the certificate of title should show the use thereof.

—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 Phillips, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following Bill:

S. B. No. 544—A bill to be entitled An Act amending Section 317.96, Florida Statutes, relating to weights and sizes of vehicles or combinations of vehicles.

—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 Phillips, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following Bill:

S. B. No. 334—A bill to be entitled An Act providing for an alternate method of delivering annual renewals of motor vehicle registrations and license plates to applicants by permitting county tax collectors to deliver said registrations and plates by mail and providing for charge for said mail service.

—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 Phillips, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following Bill:

S. B. No. 399—A bill to be entitled An Act relating to the Florida Highway Patrol, amending Section 321.04, Florida Statutes; making the chief of the weight division equal in pay and allowance to a captain.

—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 Phillips, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following Bill:

S. B. No. 332—A bill to be entitled An Act amending Chapter 320, Florida Statutes 1953, relating to motor vehicle licenses, etc.; by adding Section 320.171 authorizing the motor vehicle commissioner to permit certain motor bus common carriers using the highways of Florida for transporting persons for compensation an alternative method of registering and licensing motor buses for operation in the State, and providing for such method.

—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 Phillips, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following Bill:

H. B. No. 126—A bill to be entitled An Act relating to applications for drivers' licenses for minors; amending Sub-section (1) of Section 322.09, Florida Statutes, by requiring submission of a certified copy of a birth certificate by such applicant.

—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 Phillips, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following Bill:

H. B. No. 125—A bill to be entitled An Act relating to drivers' licenses; amending Sub-section (2) of Section 322.16, Florida Statutes, relating to restricted licenses issued to persons under sixteen (16) years of age.

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

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

Senator Barber, Chairman of the Committee on Transportation and Traffic, reported that the Committee had carefully considered the following Bill:

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

—and recommends that the same do 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 Barber, Chairman of the Committee on Transportation and Traffic, reported that the Committee had carefully considered the following Bill:

S. B. No. 506—A bill to be entitled An Act relating to traffic on highways; amending Sub-section (1) of Section 317.54, Florida Statutes, requiring stoplights; amending Section 317.63, relating to mufflers.

—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 Barber, Charman of the Committee on Transportation and Traffic, reported that the Committee had carefully considered the following Bill:

S. B. No. 532—A bill to be entitled An Act relating to Florida

Highway Patrol amending Section 321.07, Florida Statutes, compensation of employees and officers; providing appropriation; providing effective date.

—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 Pearce, Chairman of the Committee on Public Utilities, reported that the Committee had carefully considered the following Bill:

S. B. No. 35—A bill to be entitled An Act to amend Subsection 4 of Section 425.04, Florida Statutes 1953, relating to the powers of rural electric cooperatives by authorizing continued operation by cooperatives in areas which become incorporated as municipal corporations or which are included within the corporate limits of an established municipal corporation under certain conditions and with certain limitations.

—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.

#### ENGROSSING REPORTS

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

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.

—begs leave to report that the Senate Amendment has 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 Senate Bill No. 187, contained in the above report, was ordered certified to the House of Representatives.

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

S. B. No. 338—A bill to be entitled An Act amending Section 731.19, Florida Statutes 1953, to provide that if the will of a testator leaving issue of his body, or an adopted child, or lineal descendant of either, devises or bequeaths one-half or more of the estate of a testator to a benevolent, charitable, literary, scientific, religious or missionary institution, corporation or purpose, or to any state or country, city or town, that such devise or bequest shall be invalid unless such will is executed at least six months prior to the death of the testator; providing an effective 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 Senate Bill No. 338, contained in the above report was ordered certified to the House of Representatives.

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

S. B. No. 245—A bill to be entitled An Act prohibiting the use of public funds to pay contributions to any state organization promoting the principles of UNESCO.

—begs leave to report that the Senate Amendment has 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 Senate Bill No. 245, contained in the above report was ordered certified to the House of Representatives.

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

S. B. No. 386—A bill to be entitled An Act relating to education; amending Sections 230.151, 230.23 (3), 230.33, 230.43 (2), (5), (10), 231.17, 231.28, 232.05, 234.01, 234.04, 234.08 (2), 235.25, 235.26 (2), (13), 235.32, 235.33, 236.07 (6), 236.35, 236.49, 236.50, 237.02 (7), 237.19 (2), 237.31 (2), 237.32 (4), 230.15, 236.02; relating to the county boards of public instruction; the county superintendents of public instruction; the trustees of special tax school districts; issuance of teachers' certificates by the State Superintendent of Public Instruction; ages of children in nursery schools; transportation of school children and school busses; specifications, contracts and bonds of contractors in construction of school buildings; annual apportionment of funds under Minimum Foundation Program; the district bond construction fund; disposition of proceeds of sale of bonds; expenditure of county school funds; the county school budget; bonds required of school officials; and withdrawing of school funds from depositories; enacting Sections 230.201, 235.321 and 236.14, Florida Statutes, relating to changes in construction requirements after award of school construction contracts; defining the state textbook fund and relating to compensation of school board members; and repealing Sections 235.26 (18), (22), (23) and 239.14, Florida Statutes, relating to minimum standards of school construction and to appointment of teachers in summer schools; providing effective 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 Senate Bill No. 386, contained in the above report was ordered certified to the House of Representatives.

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

S. B. No. 273—A bill to be entitled An Act to amend certain sections and subsections of Chapter 657, Florida Statutes, relative to credit unions; to amend Section 657.04, Subsections (4) and (5) relative to deposit of funds in state and national banks, and investment of funds; to amend Section 657.09 (4) by changing the provision that the board of directors declare dividends to recommend dividends; to amend Section 657.15 by changing borrowing power from 50% of its assets to 50% of its capital; by adding a new section to be numbered 657.161 setting forth the investments that may be made; to amend Section 657.18 relative to payment of dividends.

—begs leave to report that the Senate Amendment has 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 Senate Bill No. 273, contained in the above report was ordered certified to the House of Representatives.

#### ENROLLING REPORT

Your Enrolling Clerk, to whom was referred—

S. B. No. 473

—begs leave to report same has been properly enrolled, signed

by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on April 28, 1955, for his approval.

Very Respectfully,

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

Senator Connor moved that Senate Bill No. 301, now on the Calendar of Senate Bills on Second Reading, be referred to the Committee on Banking.

Which was agreed to and it was so ordered.

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

By Senators Stenstrom and Johns—

Senate Resolution No. 563:

#### A RESOLUTION IN MEMORY OF SENATOR LLOYD BOYLE.

WHEREAS, To the memory of one who though no longer with us in person still stays in our hearts, we dedicate this time and this page in our Journal to the memory of Senator Lloyd Fargo Boyle, and

WHEREAS, With the knowledge that somewhere he looks on with that keen sense of humor and quizzical insight we all knew so well, that he would not have this company to be of solemn demeanor, but rather that we join together here in remembrance of the happy times together, and

WHEREAS, Though physically short of stature his was a spirit and ability that stood tall in the crowd, a natural kindness and compassion toward all people that never failed to respond to the needs of lesser beings; this with a demeanor of tolerance and consideration toward the shortcomings of others made of his presence a joy to all with whom he met, and

WHEREAS, To those of his family and most especially his wife, we do urge that you take recompense and consolation from the memory of the years of his love and companionship which is yours, that this gift of having such a man for husband and father is granted to few of us, NOW, THEREFORE,

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

#### IN MEMORIAM

Lloyd Fargo Boyle was born in Oak Park, Illinois, December 26, 1898; attended Oak Park schools and was graduated from high school in 1916. Went to Mexico with Pershing's troops. After returning from Mexico he was with the 42nd Rainbow Division in First World War. Among the medals he won were two purple hearts, the French Croix de Guerre and eleven battle stars including seven major engagements. Suffering from the effects of mustard gas during the war, he came to Florida for its climate and entered Rollins College the fall of 1919. After three years there he transferred to Stetson and graduated with an LLB degree in 1924. He had the distinction of having served as captain of the football team at both Rollins and Stetson.

In 1924 he began the practice of law in Sanford. Was appointed state's attorney in 1932, of Seminole and Brevard counties. Following that he also served as assistant state's attorney for several years. He was county attorney from 1943 until his death on May 30, 1954.

He was Commander of the Sanford American Legion post on two different occasions; post service officer from 1935 until his death.

He drew up the charter for and served on the civil service board until his death.

Was elected to the State Senate in 1944 and was reelected in 1948 and 1952, dying while still in office.

Senator Boyle introduced and passed through the Legislature our uniform election closing law, three-day marriage law,

a bill providing call numbers on automobile license plates for "ham" radio operators. Worked unceasingly for the establishment of hospital in Sanford, which is now almost completed.

Director of Florida State Bank, Sanford, Florida, member of the First Presbyterian Church, Sanford, Masonic Lodge, Shrine Club, Elks Club and Veterans of Foreign Wars.

Married Rosa Gray, Laurens, South Carolina, April 9, 1927; of this union there were born three daughters: Lyllian Gray (now Mrs. Robert M. Frisch), Dial Gray and Rosa Coke.

Which was read the first time in full.

Senator Stenstrom moved that the consideration of Senate Resolution No. 563 be postponed until 2:00 o'clock P. M., Monday, May 2, 1955.

Which was agreed to and it was so ordered.

By Senators Rawls and Johns—

Senate Resolution No. 564:

#### A RESOLUTION IN MEMORIAM OF SENATOR AMOS E. LEWIS.

WHEREAS, Our beloved and esteemed colleague, Senator Amos E. Lewis, has been summoned to answer that final roll call that awaits each of us, and

WHEREAS, In varied fields of human endeavor, Senator Lewis, during a full and long life, has seen distinguished and honorable services as an advocate, a judge and a statesman, and excelled in each, and

WHEREAS, By his brilliance he has earned the admiration of his fellows, by his kindness and compassion, their love, and by his honesty, their respect, and

WHEREAS, On behalf of this body, the people of the State and of his native City of Marianna, we do hereby pay our respects to Senator Lewis, and tender our sympathy to his family in their bereavement, NOW, THEREFORE,

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

#### IN MEMORIAM

Senator Amos E. Lewis

Born in Jackson County, 1876. Educated in the public schools of Jackson County. Attended law school at the University of Virginia, graduating with honors. Senator Lewis was a lifelong resident of Jackson County and a member of one of its most distinguished families.

He served continuously as secretary of three U. S. Senators in the early 1900's and served three terms as judge of the 14th Judicial Circuit, beginning in 1923. He was also a former law partner of retired State Supreme Court Justice Rivers Buford.

He represented Jackson County in the House in 1917, 1919, and 1923, and was a senator in 1939, 1941, 1943, 1945, 1951, and 1953. A bachelor, he was extremely fond of young people, and directed a major portion of his time and efforts toward helping them gain a successful start in life. Senator Lewis authored the "Lewis Senatorial Scholarship" Bill in the State Legislature which provides aid for high school graduates wanting to study for teaching or political careers.

Senator Lewis was a devoted sportsman and derived much pleasure in the woods and streams. He loved a good fight and was an implacable foe of those aligned against the interests of the people.

Which was read the first time in full.

Senator Rawls moved that the further consideration of Senate Resolution No. 564 be postponed until 2:00 o'clock P. M., Monday, May 2, 1955.

Which was agreed to and it was so ordered.

By Senator Morrow—

S. B. No. 565—A bill to be entitled An Act to require the filing of rules and regulations and amendments thereof and the names and addresses of board chairmen and secretaries with the Secretary of State by all boards, commissions,

departments, officers or agencies of the State; to provide for the certification thereof by the Secretary of State and to appropriate funds to the Secretary of State for the administration of the provisions of this Act.

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

By Senator Morrow—

S. B. No 566—A bill to be entitled An Act relating to adult education as related to the Minimum Foundation Program; amending Section 236.04, Florida Statutes, relating to instruction units for adult education; and Section 236.07, Florida Statutes, relating to ranks of certificates of teachers in adult education.

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

By Senator Connor—

S. B. No. 567—A bill to be entitled An Act to provide for the salary of the Superintendent of Public Instruction of Citrus County; repealing Chapter 22161, Laws of Florida, Acts of 1943, and providing an effective date.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 567 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 Connor moved that the rules be waived and Senate Bill No. 567 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 567 was read the second time by title only.

Senator Connor moved that the rules be further waived and Senate Bill No. 567 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. 567 was read the third time in full.

Upon the passage of Senate Bill No. 567 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. 567 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Connor—

S. B. No. 568—A bill to be entitled An Act providing for a prosecuting attorney for Citrus County, Florida; providing for his compensation; and repealing Chapter 28803, Laws of Florida, Acts of 1953.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 568 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 Connor moved that the rules be waived and Senate Bill No. 568 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 568 was read the second time by title only.

Senator Connor moved that the rules be further waived and Senate Bill No. 568 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. 568 was read the third time in full.

Upon the passage of Senate Bill No. 568 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. 568 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (13th)—

S. B. No. 569—A bill to be entitled An Act prohibiting dog track licensees from refusing entry of greyhounds whelped, developed, trained and owned by bona fide Florida residents, provided such greyhounds qualify according to minimum standards established by the licensees; prohibiting discrimination by the licensees in qualifying trials; providing penalties for the violation of the provisions of this Act.

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

By Senators Clarke, Cabot, Shands, Kickliter and Gautier (28th)—

S. B. No. 570—A bill to be entitled An Act for the relief of Richard H. Simpson, W. Howard Frankland, Greer Kirkpatrick, Thomas B. Manuel and J. Saxton Lloyd by providing for the reimbursement to them of salary lost in consequence of their suspension from office by the Acting Governor pursuant to Section 15 of Article IV of the Constitution of Florida.

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

By Senator Gautier (13th)—

S. B. No. 571—A bill to be entitled An Act to provide retirement compensation for teachers who have taught in the public schools for ten (10) years or more prior to July 1, 1939, who are not eligible for a pension under any law of the State; and providing an effective date.

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

By the Committee on Judiciary "B"—

S. B. No. 572—A bill to be entitled An Act amending Section 92.05, Florida Statutes, relating to the introduction in evidence of final judgments and decrees of circuit courts of this State, and certified copies thereof, and to the effect of such introduction, so as to enlarge the same and make it apply to final judgments and decrees of all courts of record of this State; and prescribing the effective date hereof.

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

By Senator Hodges—

S. B. No. 573—A bill to be entitled An Act relating to city charter of City of Cedar Key, a municipality located in the

County of Levy, State of Florida, abolishing the elective position of mayor and providing for a new office of mayor to be filled by a member of the city council, amending Subsection (a) and repealing Subsection (j) of Section 6, Chapter 18447, Acts of 1937 and amending Subsection (a) and Subsection (d) of Section 7, Chapter 18447, Acts of 1937, and providing for a referendum.

Which was read the first time by title only.

Senator Hodges moved that the rules be waived and Senate Bill No. 573 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 573 was read the second time by title only.

Senator Hodges moved that the rules be further waived and Senate Bill No. 573 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. 573 was read the third time in full.

Upon the passage of Senate Bill No. 573 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
Carroway	Hodges	Pearce	
Clarke	Houghton	Phillips	

Nays—None.

So Senate Bill No. 573 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 Baker—

S. B. No. 574—A bill to be entitled An Act amending Subsection (2) of Section 98.051, Section 98.091, and Section 98.361, Florida Statutes, relating to the registration of electors; the preparation of the registration list; and its use by municipalities.

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

By Senator Johnson—

S. B. No. 575—A bill to be entitled An Act relating to juvenile courts; amending Subsection (6) of Section 39.02, Florida Statutes, to provide for transfer of certain cases involving children to other courts.

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

By Senator Douglas—

S. B. No. 576—A bill to be entitled An Act relating to uniform narcotic drug law; amending Sections 398.02 (12a), 398.02 by adding Subsections (14) and (15), 398.07 (1), 398.09 (3) (a), 398.10 (5), Florida Statutes; clarifying definition of "isonipicaine"; defining additional terms; authorizing the selling and dispensing of narcotic drugs by apothecaries upon written and oral prescriptions, prescribing information prescriptions shall contain and the records to be kept by apothecaries; prohibiting the purchase and possession of specified quantities of narcotic drugs; prescribing records to be kept by physicians, dentists, veterinarians and others of narcotic drugs received, administered and dispensed by them; and providing an effective date.

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

By Senator Stratton—

S. B. No. 577—A bill to be entitled An Act to validate all proceedings heretofore taken and had by the Board of County

Commissioners of Nassau County, Florida, the State Board of Administration, and the State Road Department, relating to the issuance of \$2,000,000.00 general obligation and revenue bonds of said county dated August 1, 1954; validating the combined pledge of the full faith, credit and taxing power of said county and the pledge of a portion of the 80% surplus gasoline tax funds allocated to Nassau County, Florida, for the payment of said bonds; validating the lease purchase agreement between the State Road Department of Florida and Nassau County, Florida, dated October 21, 1954, and validating the freeholder election held in said county on May 4, 1954, to which the issuance of the above bonds were approved.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 577 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. 577 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 577 was read the second time by title only.

Senator Stratton moved that the rules be further waived and Senate Bill No. 577 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. 577 was read the third time in full.

Upon the passage of Senate Bill No. 577 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
Carroway	Hodges	Pearce	
Clarke	Houghton	Phillips	

Nays—None.

So Senate Bill No. 577 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Rood—

S. B. No. 578—A bill to be entitled An Act relating to the Game and Fresh Water Fish Commission; allowing said commission to exchange certain Charlotte County lands to which it holds title for equivalent lands, fixing effective date.

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

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 28, 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. 473—A bill to be entitled An Act amending Section 39 of Chapter 7672, Laws of Florida, Acts of 1917, 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"; so as to provide for absentee voting by qualified electors serving in the armed forces of the United States.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 473, 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 28, 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. 476—A bill to be entitled An Act amending Section 1 of Chapter 18691, Laws of Florida, Acts of 1937, entitled "An Act to authorize the City Council of the City of Miami Beach, Florida, to establish by ordinance a pension, annuity and retirement system for any or all groups of officers and employees in the service of said city; to provide disability and death benefits; to provide for contribution to the costs thereof on an actuarial basis; providing for the manner in which officers and/or employees may come under the operation of said system; providing for repayment to members leaving the service of the city; providing for the investment of funds created under said system; providing for the administration of said system; and providing for the submission of said ordinance to referendum of qualified voters of said city; when said Act shall take effect and other matters related thereto."

Proof of publication attached.

Also—

By Senator Gautier (13th)—

S. B. No. 475—A bill to be entitled An Act defining the word "Kosher" and authorizing and empowering the City of Miami Beach, Florida to prohibit by ordinance the sale, the offering or advertising for sale, with intent to defraud, of food, food products, beverages and merchandise as Kosher when, in fact, such are not Kosher; to provide for inspection of food, food products, beverages and merchandise held out to be Kosher and inspection of premises wherein such are sold; to establish requirements for labeling, identification, preparation, display, storing and sale of food, food products, beverages and merchandise held out to be Kosher; to provide that possession of food, food products, beverages and merchandise which are not Kosher in premises wherein it is held out that only such food, food products, beverages and merchandise as are Kosher are sold therein shall be prima facie evidence that the person in possession exposes the same for sale with intent to defraud; to provide penalties for violations of such ordinance or ordinances.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bills Nos. 476 and 475, contained in the above message, were 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 28, 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 with Amendment—

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.

Proof of publication attached.

Which Amendment reads as follows:

In Article III, Section 4, following the words "by the method above made and provided." strike out:

"All regular meetings of the Town Commission shall be public, but the members of the Commission may, by a majority vote of those present, at any regular meeting, go into executive session which will not be open to the public. Special meetings of the Town Commission and Committee meetings shall not be public, unless by a majority vote of the members of the Town Commission or members of the Committee present at any such meeting, it is decided that such meeting shall be open to the public." and insert the following in lieu thereof:

"All regular and special meetings of the Town Commission shall be public."

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 447, contained in the above message, was read by title, together with the House Amendment thereto.

Senator Hodges moved that the Senate concur in the House Amendment to Senate Bill No. 447.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 447.

And Senate Bill No. 447, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, 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 28, 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, with amendment—

By Senator Johns—

S. B. No. 23—A bill to be entitled An Act making an appropriation of twenty five thousand (\$25,000) dollars to the Junior Chamber International with headquarters at Miami Beach in Dade County, Florida.

Which amendment reads as follows:

In Section 1, at the end thereof strike out the period and insert the following in lieu thereof: "for the construction of the International World Headquarters of Junior Chamber International in Dade County, Florida."

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 23, contained in the above message, was read by title, together with the House Amendment thereto.

Senator Johns moved that the Senate concur in the House Amendment to Senate Bill No. 23.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 23.

And Senate Bill No. 23, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, 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 27, 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 granted the request of the Senate and returns herewith—

By Senator Cabot—

S. B. No. 361—A bill to be entitled An Act to authorize and empower the Board of Commissioners of Napoleon B. Broward Drainage District, in Broward County, Florida, as the budget commission for said drainage district, to fix and levy a specific tax upon all of the lands within the boundaries of said drainage district in Broward County, Florida in an amount up to and including but not to exceed the sum of one dollar fifty cents (\$1.50) per acre per year for the year 1955 and subsequent years, providing that the tax so fixed and levied shall be a lien against the respective lands in said drainage district until paid and enforceable under the laws of the State of Florida pertaining to Napoleon B. Broward Drainage District, providing for the repeal of all laws or parts of laws in conflict herewith and providing that if any provision of this Act be held unconstitutional it shall not affect the remainder thereof.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Senator Cabot moved that the further consideration of Senate Bill No. 361 be informally passed and the Bill placed on the Calendar of Senate Local Bills.

Which was agreed to and it was so ordered.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 27, 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 refused to concur in Senate Amendment to—

By Mr. Beasley of Walton—

H. B. No. 116—A bill to be entitled An Act providing for and creating a jury commission in Walton County, Florida; prescribing their qualifications, method of appointment, powers, duties, functions, terms of office; and providing for the selection, listing and procurement of jurors in said county.

Proof of publication attached.

Which amendment reads as follows:

Add the following Section 6:

Section 6. This Act shall not become effective until the question has been voted upon by the qualified electors of the county, and ratified by a majority of those voting on the question, which shall be placed on the regular election ballot at the next general election. Should a majority of the qualified electors voting on the question vote "Yes," then this Act shall become effective immediately.

—and respectfully requests the Senate to recede therefrom.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 116, contained in the above message, was read by title, together with the pending Senate Amendment.

Senator Douglas moved that further consideration of House Bill No. 116, together with the pending Senate Amendment thereto, be informally passed and the same be placed on the Calendar of Local Bills.

Which was agreed to and it was so ordered.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 27, 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 refused to concur in Senate Amendment to—

By Mr. Beasley of Walton—

H. B. No. 117—A bill to be entitled An Act relating to primaries and elections in Walton County, creating a county election commission; prescribing the qualifications, terms of office, method of appointment of members, fixing their compensation, prescribing their powers and duties making the County Supervisor of Registration ex officio the clerk and the County Attorney the attorney for the commission, providing for a canvassing board, and providing for penalties for violations of this Act.

Proof of publication attached.

Which amendment reads as follows:

Add the following Section 12:

Section 12. This Act shall not become effective until the question has been voted upon by the qualified electors of the county, and ratified by a majority of those voting on the question, which shall be placed on the regular election ballot at the next general election. Should a majority of the qualified electors voting on the question vote "Yes," then this Act shall become effective immediately.

—and respectfully requests the Senate to recede therefrom.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 117, contained in the above message, was read by title, together with the pending Senate Amendment.

Senator Douglas moved that further consideration of House Bill No. 117, together with the pending Senate Amendment thereto, be informally passed and the same be placed on the Calendar of Local Bills.

Which was agreed to and it was so ordered.

The following message from the House of Representatives was read:

Tallahassee, Florida,

April 27, 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 refused to concur in Senate Amendment to—

By Mr. Beasley of Walton—

H. B. No. 118—A bill to be entitled An Act creating the office of county attorney in and for Walton County, Florida; providing that the initial county attorney shall be appointed by the governor; providing that the initial appointment shall be until his successor is duly elected and qualified; providing for subsequent election of county attorneys; fixing the term of office of said officer; fixing his duties and compensation; repealing all laws and parts of laws in conflict herewith; providing for effective date.

Proof of publication attached.

Which Amendment reads as follows:

Strike out Section 9, and insert in lieu thereof the following:

Section 9. This Act shall not become effective until the question has been voted upon by the qualified electors of the county, and ratified by a majority of those voting on the question, which shall be placed on the regular election ballot at the next general election. Should a majority of the qualified electors voting on the question vote "yes," then this Act shall become effective immediately.

—and respectfully requests the Senate to recede therefrom.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 118, contained in the above message, was read by title, together with the pending Senate Amendment.

Senator Douglas moved that further consideration of House Bill No. 118, together with the pending Senate Amendment thereto, be informally passed and the same be placed on the Calendar of Local Bills.

Which was agreed to and it was so ordered.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 27, 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. Pruitt of Jefferson—

H. B. No. 168—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.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 168, contained in the above message,

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

#### SPECIAL AND CONTINUING ORDER

Pursuant to the motion made by Senator Pope on April 27, 1955, and the hour having arrived, the Senate took up for consideration Senate Bill No. 53 as a Special and Continuing Order of Business.

S. B. No. 53—A bill to be entitled An Act relating to education: amending Subsection (3) and (5) of Section 236.07, Florida Statutes, relating to the method of determining the amounts to be included for instructional salaries and for current expenses under the Minimum Foundation Program.

Was taken up in its order.

Senator Pope moved that the rules be waived and Senate Bill No. 53 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 53 was read the second time by title only.

The following Committee Substitute for Senate Bill No. 53:

By the Committee on Appropriations—

Committee Substitute for S. B. No. 53—A bill to be entitled An Act relating to education; amending Subsections (3) and (5) of Section 236.07, Florida Statutes, relating to the method of determining the amounts to be included for instructional salaries and for current expenses under the Minimum Foundation Program.

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

Senator Pope moved that the rules be waived and the Committee Substitute for Senate Bill No. 53 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. 53 was read the second time by title only.

Senator Pope moved the adoption of the Committee Substitute for Senate Bill No. 53.

Which was agreed to and the Committee Substitute for Senate Bill No. 53 was adopted.

Senators Melvin, Connor, Hodges, Floyd and Black offered the following amendment to Committee Substitute for Senate Bill No. 53:

In Section 1, Subsection (3) (typewritten bill) strike out all of Subsection (3) and insert in lieu thereof a new Subsection (3) to read as follows:

"(3) **Determining the Amount to be Included for Instructional Salaries.**—Multiply the number of instruction units in Rank I by four thousand two hundred dollars, in Rank II by three thousand six hundred dollars, in Rank III by three thousand one hundred fifty dollars, in Rank IV by two thousand two hundred dollars, and in Rank V by two thousand dollars; provided, however, that the amounts included for supervisors, administrative and special instructional service personnel and vocational teachers shall be increased by twenty per cent for such personnel as are employed on a twelve months basis under plans prescribed by the state board. These amounts are to be used only for apportionment purposes and are not to be construed as a state salary schedule. The sum of these products shall be the total amount included in the minimum foundation program for instructional salaries, which shall not exceed the amount paid.

Senator Melvin moved the adoption of the amendment.

A roll call was demanded.

Upon call of the roll on the adoption of the amendment offered by Senators Melvin, Connor, Hodges, Floyd and Black to Committee Substitute for Senate Bill No. 53, the vote was:

Yeas—7.

Black	Floyd	Johns	Rodgers
Connor	Hodges	Melvin	

Nays—31.

Mr. President	Bronson	Clarke	Gautier (28th)
Baker	Cabot	Douglas	Gautier (13th)
Barber	Carlton	Edwards	Getzen
Beall	Carraway	Fraser	Houghton

Johnson	Morrow	Pope	Stenstrom
Kickliter	Neblett	Rawls	Stratton
King	Pearce	Rood	Tapper
Morgan	Phillips	Shands	

Roberts, H. W.	Smith, S. N., Jr.	Usina	Williams,
Rowell	Stewart, C. D.	Varn	J. R. A.
Saunders	Stewart, E. L.	Webb	Williams,
Shaffer	Surles	Weinstein	V. A., Jr.
Sheppard	Sweeny	Westberry	Youngberg
Shipp	Tillett	Williams, G. W.	Zelmenovitz
Smith, S. C.	Turlington		

So the amendment failed of adoption.

Senators Morgan, Johns, Floyd, Hodges and Black offered the following amendment to Committee Substitute for Senate Bill No. 53:

In Section 1, Subsection 3, last line, (typewritten bill) following the words "which shall not exceed the amount paid" strike the period (.) and insert the following: "; provided further, that it shall be mandatory beginning July 1, 1955, that teacher salary schedules for the school year 1955-56 and for subsequent years adopted for instructional personnel in the county school systems shall reflect the increase in state funds in the full amount of five hundred fifty dollars (\$550.00) (being \$350.00 provided in 1953 and a \$200 increase herein) as provided for in this section, over and above respective teacher salary schedules that were adopted for the year 1952-53; provided further, that any county failing to increase teacher salary schedules in accordance with the foregoing, shall not be entitled to receive any part of that portion of the raise not passed on to said teachers."

Senator Morgan moved the adoption of the amendment.

Pending consideration of the amendment offered by Senators Morgan, Johns, Floyd, Hodges and Black to Committee Substitute for Senate Bill No. 53, Senators Melvin and Tapper offered the following substitute amendment for the amendment offered by Senators Morgan, Johns, Floyd, Hodges and Black:

In Section 1, (typewritten bill) at the end of Subsection (3) insert the following:

"The increase of \$200 from state funds provided by the 1955 Legislature shall be included in 1955-56 in all county salary schedules for teachers over and above state funds provided in the county salary schedules for teachers in the year 1954-55."

Senator Melvin moved the adoption of the Substitute Amendment.

Pending consideration of the Substitute Amendment offered by Senators Melvin and Tapper to the amendment offered by Senators Morgan, Johns, Floyd, Hodges and Black to Committee Substitute for Senate Bill No. 53, and pursuant to Senate Concurrent Resolution No. 287, the Senate formed in processional order and marched in a body to the Chamber of the House of Representatives in the order of their services as Senators, preceded by the President and the President Pro Tempore of the Senate, the way being opened to the hall of the House of Representatives for the Senators by the Sergeant-at-Arms of the Senate.

Honorable Ted David, Speaker of the House of Representatives, received the President of the Senate on the rostrum and requested him to preside over the joint assembly.

The President in the Chair.

By direction of the President, the Chief Clerk of the House of Representatives called the roll of the House of Representatives and the following members answered to their names:

Mr. Speaker	Chappell	Hopkins	Marshburn
Alexander	Cleveland	Horne	McAlpin
Allen	Cobb	Inman	Merritt
Andrews	Coleman	Jernigan	Moody
Arrington	Conner	Johnson,	Musselman
Ballinger	Cook	C. R., Jr.	Okell
Bartholomew	Costin	Johnson, Tom	Orr
Beasley	Crews	Jones,	Page
Beck	Cross	D. C., Jr.	Papy
Belser	Dickinson	Jones, E. B.	Patton
Bishop	Dukes	Jones, O. W.	Peeples
Bodiford	Duncan	King	Petersen
Boyd	Gibbons	Knight	Pittman
Brewer	Gleaton	Lancaster	Pratt
Bryant	Griffin	Land	Pruitt
Burton	Grimes	Livingston	Putnal
Carmin	Hathaway	Mahon	Revelle
Chaires	Herrell	Maness	Roberts, E. S.

—94.

A quorum of the House of Representatives was declared present.

By direction of the President, the Secretary of the Senate called the roll of the Senate and the following Senators answered to their names:

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	

—38.

A quorum of the Senate was declared present.

The President announced a quorum of the joint assembly present.

Prayer was offered by the Reverend Robert Excell Fry, Chaplain of the House of Representatives.

Senator King moved that a committee be appointed to escort the Honorable Spessard L. Holland and the Honorable George A. Smathers, United States Senators from Florida, together with the Governor, Members of the Cabinet and Supreme Court Justices to the House Chamber.

Which was agreed to.

The President appointed Messrs. Bryant of Marion, Surles of Polk and Herrell of Dade as the committee on the part of the House of Representatives; and Senators King and Gautier (13th) on the part of the Senate, as the committee.

The committee reappeared in the Chamber of the House of Representatives escorting Senator Holland, Senator Smathers, and His Excellency, LeRoy Collins, Governor of Florida; accompanied by Members of the Cabinet and Justices of the Supreme Court.

Senator Holland, Senator Smathers and Governor Collins were received by the joint assembly standing and were escorted to the rostrum. Members of the Cabinet and members of the Supreme Court were seated immediately in front of the rostrum. The committee was discharged.

Speaker Ted David presented Governor LeRoy Collins to the Body.

Senator Smathers was presented to the Body by Governor Collins and addressed the joint assembly.

Following the address of Senator Smathers, Senator Holland was presented to the Body by Governor Collins and addressed the joint assembly.

At the conclusion of Senator Holland's address, Senator Melvin moved that the Senate repair to the Senate Chamber and resume its session.

Which was agreed to and it was so ordered.

The President declared the Joint Session dissolved and the Senate returned to the Senate Chamber in processional order and resumed its session at 1:05 o'clock P. M.

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

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	

—38.

A quorum present.

The Senate resumed the consideration of Committee Substitute for Senate Bill No. 53 as a Special and Continuing Order of Business.

Committee Substitute for S. B. No. 53—A bill to be entitled An Act relating to education; amending Subsections (3) and (5) of Section 236.07, Florida Statutes, relating to the method of determining the amounts to be included for instructional salaries and for current expenses under the Minimum Foundation Program.

Which was pending amendment when the hour arrived for the Senate to proceed to the Chamber of the House of Representatives pursuant to Senate Concurrent Resolution No. 287.

Consideration of the following substitute amendment offered by Senators Melvin and Tapper for the amendment offered by Senators Morgan, Johns, Floyd, Hodges and Black to Committee Substitute for Senate Bill No. 53 was resumed, Senator Melvin having previously moved the adoption thereof:

In Section 1, (typewritten bill) at the end of Subsection (3) insert the following:

The increase of \$200 from state funds provided by the 1955 Legislature shall be included in 1955-56 in all county salary schedules for teachers over and above state funds provided in the county salary schedules for teachers in the year 1954-55.

Pending consideration of the substitute amendment offered by Senators Melvin and Tapper, Senator Morgan offered the following amendment to the substitute amendment to Committee Substitute for Senate Bill No. 53:

Strike out everything after "(typewritten bill)" and insert in lieu thereof the following:

In Section 1, Subsection 3, last line, (typewritten bill) following the words "which shall not exceed the amount paid" strike the period (.) and insert in lieu thereof the following: "; provided further that it shall be mandatory beginning July 1, 1955, that teacher salary schedules for the school year 1955-56 and for subsequent years adopted for instructional personnel in the county school systems shall reflect the increase in state funds in the full amount of two hundred dollars (\$200.00) as provided for in this section, over and above respective teacher salary schedules that were in force and effect for the year 1954-55; provided further, that any county failing to increase teacher salary schedules in accordance with the foregoing, shall not be entitled to receive any part of that portion of the raise not passed on to said teachers."

Senator Morgan moved the adoption of the amendment to the substitute amendment offered by Senators Melvin and Tapper to Committee Substitute for Senate Bill No. 53.

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

The question recurred on the adoption of the substitute amendment offered by Senators Melvin and Tapper for the

amendment offered by Senators Morgan, Johns, Floyd, Hodges and Black to Committee Substitute for Senate Bill No. 53.

Which was agreed to and the substitute amendment was adopted.

Senators Floyd, Hodges and Johns offered the following amendment to Committee Substitute for Senate Bill No. 53:

In Section 1, Subsection (5), line 7 (typewritten bill), strike out the words: "twenty-five" and insert in lieu thereof the following: "one hundred and four."

Senator Floyd moved the adoption of the amendment.

A roll call was demanded.

Upon call of the roll on the adoption of the amendment offered by Senators Floyd, Hodges and Johns to Committee Substitute for Senate Bill No. 53, the vote was:

Yeas—4.

Connor	Floyd	Johns	Melvin
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Nays—32.

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

So the amendment failed of adoption.

Senator Pope moved that the rules be further waived and Committee Substitute for Senate Bill No. 53, as amended, 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. 53, as amended, was read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 53, as amended, the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So Committee Substitute for Senate Bill No. 53 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

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 10:00 o'clock A. M., Friday, April 29, 1955.

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

The hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 1:30 o'clock P. M., until 10:00 o'clock A. M., Friday, April 29, 1955.