

# JOURNAL OF THE SENATE

294

Monday, May 2, 1955

The Senate convened at 2:00 o'clock P. M., pursuant to adjournment on Friday, April 29, 1955.

The President in the Chair.

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

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

—36.

A quorum present.

Senators Gautier (13th) and Johns were excused from attendance upon the Session.

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

Our Heavenly Father, as our prayers ascend unto Thee this day, we, and our whole State, are saddened by the sudden death of a distinguished servant of the State, John E. Mathews, Chief Justice of the Supreme Court of Florida.

Our sympathy goes out to his entire family and a great multitude of friends. We share their sorrow with them. O Thou God of sustaining grace, assure us all once more that: "Underneath are the everlasting arms."

We thank Thee for his splendid devotion to his task and to his family, a devotion that manifested itself by hard labor to the last moment of his life.

We are grateful for sacred memories. We pray that Thy Spirit may guide in Memorial Services for three other distinguished servants of our State and our Nation, Senators Lloyd Boyle of Sanford, Amos Lewis of Marianna, and Woford Lindler of Lake City.

We are thankful that: "The light shines through the darkness, and the darkness cannot put it out." We do not sorrow as those without hope and without God in the world. Help us to draw close to Thee, and may these sorrows draw us closer to each other in the companionship of all those who love and labor for our beloved State and Country.

In the Name of Jesus Christ Our Lord and Saviour 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 214, column 1, line 2, counting from the bottom of the column, strike out the word "requests" and insert in lieu thereof the word "bequests."

And as further corrected was approved.

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

Page 223, column 2, line 24, between the words "of" and "nonresident" insert the word "a."

Also—

Page 223, column 2, line 38, strike out the word "an."

Also—

Page 239, column 1, strike out lines 3 to 8, both inclusive, counting from the bottom of the column, and insert in lieu thereof the following:

S. B. No. 242—A bill to be entitled An Act to prohibit the intentional allowance of the escape of certain phosphate mining waste into Peace River and its tributaries; requiring phosphate mines to maintain settling pools sufficient to prevent escape of said waste; authorizing certain state agencies and counties to institute suits to enjoin violation of Act; prescribing penalties for violation of this Act and providing the effective date.

And as further corrected was approved.

The Senate daily Journal of Wednesday, April 27, 1955, was further corrected as follows:

Page 245, column 1, line 22, counting from the bottom of the column, strike out the word "contracts" and insert in lieu thereof the word "contractors."

Also—

Page 256, column 1, line 11, counting from the bottom of the column, following "S. B. No." and before the word "Relating" insert the figures "237."

Also—

Page 256, column 2, line 6, between the words "City" and "Jacksonville" insert the word "of."

Also—

Page 267, column 1, line 28, counting from the bottom of the column, strike out the word "workships" and insert in lieu thereof the word "workshops."

And as further corrected was approved.

The Senate daily Journal of Thursday, April 28, 1955, was further corrected as follows:

Page 272, column 1, line 2, strike out the word "an."

Also—

Page 272, column 1, line 27, strike out the figures "993.14" and insert in lieu thereof the figures "933.14."

Also—

Page 273, column 1, line 24, counting from the bottom of the column, strike out "43nd" and insert in lieu thereof the following:

"42nd."

And as further corrected was approved.

The Senate daily Journal of Friday, April 29, 1955, was corrected and as corrected was approved.

## REPORTS OF COMMITTEES

Senator Hodges, Chairman of the Committee on Game and Fisheries, reported that the Committee had carefully considered the following Bill:

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.

—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 Hodges, Chairman of the Committee on Game and Fisheries, reported that the Committee had carefully considered the following Bill:

S. B. No. 396—A bill to be entitled An Act relating to licenses

to be collected by the State Board of Conservation; fixing effective date; amending parts of Sections 370.06, 370.07 and 370.17, Florida Statutes, repealing Subsections (3) and (4) of Section 370.06, Florida Statutes.

—and recommends that the same pass.

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

Senator Hodges, Chairman of the Committee on Game and Fisheries, reported that the Committee had carefully considered the following Bill:

S. B. No. 135—A bill to be entitled An Act relating to the taking possession, sale of snook; making snook a game fish; fixing length, bag limit; providing penalty, repealing conflicting laws; fixing 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 Hodges, Chairman of the Committee on Game and Fisheries, reported that the Committee had carefully considered the following Bill:

S. B. No. 375—A bill to be entitled An Act defining the place of deheading or breaking pink shrimp and providing for penalty for the violation thereof.

—and recommends that the same not pass.

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

Senator Hodges, Chairman of the Committee on Game and Fisheries, reported that the Committee had carefully considered the following Bill:

S. B. No. 376—A bill to be entitled An Act regulating the taking, possession, sale or barter of pink shrimp and providing for penalty for violation thereof.

—and recommends that the same not pass.

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

Senator Kickliter, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following Bill:

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.

—and recommends that the same pass.

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

Senator Kickliter, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following Bill:

S. B. No. 391—A bill to be entitled An Act for relief of L. F. Chapman for damages to his automobile sustained on U. S. Highway 301, caused by falling limb of oak tree.

—and recommends that the same do pass.

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

Senator Kickliter, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following Bill:

S. B. No. 419—A bill to be entitled An Act for relief of J. T. Williams, appropriating funds to reimburse him for damages caused by an escaped convict; setting 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 Kickliter, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following Bill:

S. B. No. 138—A bill to be entitled An Act relating to the County Officers and Employees Retirement System; amending Subsection (2) of Section 134.02, Florida Statutes, defining basis of retirement compensation; creating Section 134.031, Florida Statutes, permitting credit for prior service under certain conditions; amending Section 134.08, Florida Statutes, providing for refunds of contributions, and Section 134.15, Florida Statutes, making an appropriation to said fund.

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

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, (Section 253.51 to 253.61 inclusive, Florida Statutes.)

—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.

#### ENROLLING REPORTS

Your Enrolling Clerk, to whom was referred—

H. B. No. 429

—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 May 2, 1955.

Very respectfully,

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

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

By Senator Floyd—

S. B. No. 597—A bill to be entitled An Act relating to the City of Carrabelle; amending Section 9 of Chapter 28901, Special Acts of 1953, to provide for a primary election and a second primary if necessary to elect a city commission; adding a new section providing additional powers of mayor.

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

Proof of publication of Notice was attached to Senate Bill No. 597 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

By Senator Morrow—

S. B. No. 598—A bill to be entitled An Act to empower municipalities and counties, individually or jointly, to control their development through planning, zoning, subdivision regulation, the reservation of mapped street locations for future public acquisition and the regulation of building in the land reserved for such mapped streets; providing for the estab-

lishment, government and maintenance of planning and zoning commissions and their staffs, and boards of zoning appeals and their staffs: enabling the planning and zoning commissions and boards of zoning appeals to establish and collect reasonable fees for permits, inspections and public hearings in connection with their operation; providing for penalties for violation of the provisions of this Act and the regulations adopted pursuant thereto; and for certain appeals and for applications to courts for relief.

Which was read the first time by title only and referred to the Committee on County Organizations and the Committee on Cities and Towns, in the order named.

By Senator Shands—

Senate Joint Resolution No. 599:

**A JOINT RESOLUTION PROPOSING THE REVISION OF ARTICLE V OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO THE JUDICIAL DEPARTMENT OF THE GOVERNMENT AS PROVIDED BY SECTION 1 OF ARTICLE XVII.**

WHEREAS, The judicial council was created by the 1953 Legislature to survey the entire judicial system and as result of the study, this proposal has been prepared to revise Article V of the Constitution of Florida relating to the judicial department, and

WHEREAS, The council held numerous meetings throughout the State and has diligently studied the needs of the judiciary of the State of Florida, and

WHEREAS, The council has agreed that an amendment to the Constitution dealing with the appellate division of the court system, and with the administration, selection and tenure of judges of the appellate courts is an immediate pressing need in Florida, and

WHEREAS, The council has proposed for revision the entire article, renumbering several sections without any change in the present wording and adding new material in order to present a logically organized article to the Constitution of Florida on the judicial department, NOW, THEREFORE,

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

That the following revision of Article V of the Constitution of the State of Florida is hereby agreed to and shall be submitted to the electors of this state for ratification or rejection at the next general election to be held in November of 1956, as follows:

**Section 1. Courts.** The judicial power of the State of Florida is vested in a supreme court, district courts of appeal, circuit courts, Court of Record of Escambia County, criminal courts of record, county courts, county judge's courts, juvenile courts, courts of justices of the peace, and such other courts, including municipal courts, or commissions, as the legislature may from time to time ordain and establish.

**Section 2. Administration.** The chief justice of the supreme court is vested with, and shall exercise in accordance with rules of that court, general administrative authority over all courts in this state, including the authority temporarily to assign justices of the supreme court to district courts of appeal and circuit courts; judges of district courts of appeal and circuit judges to the supreme court, district courts of appeal, and circuit courts; and judges of other courts, except municipal courts, to judicial service in any court of the same or lesser jurisdiction. Any retired justice or judge may, with his consent, be likewise assigned to judicial service.

**Section 3. Practice and Procedure.** The practice and procedure in all courts shall be governed by rules adopted by the supreme court.

**Section 4. Organization of Supreme Court.** The supreme court shall consist of seven members, one of whom shall be the chief justice. Five justices shall constitute a quorum, but the concurrence of four shall be necessary to a decision.

**Section 5. Jurisdiction of Supreme Court.** Appeals from trial courts may be taken directly to the supreme court, as a matter of right, only from judgments imposing the death penalty, from final judgments or decrees directly passing

upon the validity of a state statute or a federal statute or treaty, or construing a controlling provision of the Florida or federal constitution, and from final judgments or decrees in proceedings for the validation of bonds and certificates of indebtedness. The supreme court may directly review by certiorari interlocutory orders or decrees passing upon chancery matters which upon a final decree would be directly appealable to the supreme court. In all direct appeals and interlocutory reviews by certiorari, the supreme court shall have such jurisdiction as may be necessary to complete determination of the cause on review.

Appeals from district courts of appeal may be taken to the supreme court, as a matter of right, only from decisions initially passing upon the validity of a state statute or a federal statute or treaty, or initially construing a controlling provision of the Florida or federal constitution. The supreme court may review by certiorari any decision of a district court of appeal that affects a class of constitutional or state officers, or that passes upon a question certified by the district court of appeal to be of great public interest, or that is in direct conflict with a decision of another district court of appeal or of the supreme court on the same point of law, and may issue writs of certiorari to commissions established by law.

The supreme court may issue writs of mandamus and quo warranto when a state officer, board, commission, or other agency authorized to represent the public generally, or a member of any such board, commission, or other agency, is named as respondent, and writs of prohibition to commissions established by law, to the district courts of appeal, and to the trial courts when questions are involved upon which a direct appeal to the supreme court is allowed as a matter of right.

The supreme court may issue all writs necessary or proper to the complete exercise of its jurisdiction.

The supreme court or any justice thereof may issue writs of habeas corpus returnable before the supreme court or any justice thereof, or before a district court of appeal or any judge thereof, or before any circuit judge.

The supreme court shall provide for the transfer to the court having jurisdiction of any matter subject to review when the jurisdiction of another appellate court has been improvidently invoked.

**Section 6. Chief Justice of Supreme Court.** The chief justice of the supreme court shall be chosen by the members of the court and shall serve for a term of six years. In the event of a vacancy, a successor shall be chosen within sixty days for a like term. During a vacancy or whenever the chief justice is unable to act for any reason, the justice longest in continuous service and able to act shall act as chief justice.

**Section 7. Clerk and Marshal.** The supreme court shall appoint a clerk and a marshal who shall hold office during the pleasure of the court and perform such duties as the court directs. Their compensation shall be fixed by law. The marshal shall have the power to execute the process of the court throughout the state, and in any county may deputize the sheriff or a deputy sheriff for such purpose.

**Section 8. Appellate Districts.** The state shall be divided into three or more appellate districts of contiguous counties as the legislature may prescribe.

**Section 9. District Courts of Appeal.** A district court of appeal shall be organized in each appellate district. There shall be three or more judges of each district court of appeal as the legislature may provide. Three judges shall consider each case and the concurrence of two shall be necessary to a decision. The court shall hold at least one session every year in each judicial circuit of the district.

**Section 10. Jurisdiction of District Courts of Appeal.** Appeals from trial courts in each appellate district may be taken to the court of appeal of such district, as a matter of right, from all final judgments or decrees except those from which appeals may be taken direct to the supreme court or to a circuit court.

The supreme court shall provide for expeditious and inexpensive procedure in appeals to the district courts of appeal, and may provide for review by such courts of interlocutory

orders or decrees in chancery matters not directly reviewable by the supreme court.

The district courts of appeal shall have such powers of direct review of administrative action as may be provided by law.

A district court of appeal or any judge thereof may issue writs of habeas corpus returnable before that district court of appeal or any judge thereof, or before any circuit judge in that district. A district court of appeal may issue writs of mandamus, certiorari, prohibition, and quo warranto, and also all writs necessary or proper to the complete exercise of its jurisdiction.

**Section 11. Clerks and Marshals.** Each district court of appeal shall appoint a clerk and a marshal who shall hold office during the pleasure of the court and perform such duties as the court may direct. Their compensation shall be fixed by law. The marshal shall have power to execute the process of the court throughout the state, and in any county may deputize the sheriff or a deputy sheriff for such purpose.

**Section 12. Judicial Circuits.** The legislature may establish not more than sixteen judicial circuits each composed of a county or contiguous counties and of not less than fifty thousand inhabitants according to the last census authorized by law, except that the county of Monroe shall constitute one of the circuits.

**Section 13. Circuit Judges.** The legislature shall provide for one circuit judge in each circuit for each fifty thousand inhabitants or major fraction thereof according to the last census authorized by law, and for additional circuit judges in any circuit upon the recommendations of the Judicial Council. In circuits having more than one judge the legislature may designate the place of residence of any such additional judge or judges.

**Section 14. Jurisdiction of Circuit Court.** The circuit courts shall have exclusive original jurisdiction in all cases in equity except such equity jurisdiction as may be conferred on juvenile courts, in all cases at law not cognizable by inferior courts, in all cases involving the legality of any tax, assessment, or toll, in the actions of ejectment, in all actions involving the titles or boundaries of real estate, and in all criminal cases not cognizable by inferior courts. They shall have original jurisdiction of actions of forcible entry and unlawful detainer, and of such other matters as the legislature may provide. They shall have final appellate jurisdiction in all civil and criminal cases arising in the county court, or before county judges' courts, of all misdemeanors tried in criminal courts of record, and of all cases arising in municipal courts, small claims courts, and courts of justices of the peace. The circuit courts and judges shall have power to issue writs of mandamus, injunction, quo warranto, certiorari, prohibition, and habeas corpus, and also all writs necessary or proper to the complete exercise of their jurisdiction.

The circuit courts and circuit judges shall have such extra-territorial jurisdiction in chancery cases as may be prescribed by law.

**Section 15. Court Commissioners.** A Circuit Judge may appoint in each county in his Circuit one or more attorneys at law, to be Court Commissioners, who shall have power in the absence from the county of the Circuit Judge, to allow writs of injunction and to issue writs of habeas corpus, returnable before himself or the Circuit Judge. Their orders in such matters may be reviewed by the Circuit Judge, and confirmed, qualified or vacated. They may be removed by the Circuit Judge. The Legislature may confer upon them further powers, not judicial, and shall fix their compensation.

**Section 16. Recommendation to Attorney General.** It shall be the duty of the Judges of the Circuit Courts to report to the Attorney General at least thirty days before each session of the Legislature such defects in the laws as may have been brought to their attention, and to suggest such amendments or additional Legislation as may be deemed necessary. The Attorney General shall report to the Legislature at each session such legislation as he may deem advisable.

**Section 17. State Attorneys.** In each judicial circuit a state attorney shall be elected by the qualified electors of that circuit in the same manner as other state and county

officials, to serve a term of four years and to fulfill duties prescribed by law.

**Section 18. Clerks of the Circuit Courts.** In each county a clerk of the circuit court, who shall also be clerk of the board of county commissioners, recorder, and ex officio auditor of the county, shall be elected by the qualified electors of that county in the same manner as other state and county officials, to serve a term of four years and to fulfill duties prescribed by law.

**Section 19. County Judges.** There shall be in each county a County Judge who shall be elected by the qualified electors of said county at the time and places of voting for other county officers and shall hold his office for four years. His compensation shall be provided for by law.

When and as the business of the office of the County Judge requires, in any county having a population of more than two hundred and fifty thousand according to the last census taken by the United States government, the Legislature may provide for one additional County Judge who shall be elected by the qualified electors of such county at the time and places of voting for other county officers and such additional County Judge shall hold his office for four years, and his compensation shall be provided for by law, and he shall have and exercise all the powers and perform all the duties that are or may be provided or prescribed by the Constitution or statutes for County Judges, and all laws relating to the County Judge shall apply to said additional County Judge.

When and as the business of the office of the County Judge requires, in any county having a population of more than 125,000 according to the last official census of Florida, the Legislature may provide for one or more additional County Judges who shall be elected by the qualified electors of such county at the time and places of voting for other county officers and such additional County Judge or Judges, shall hold said office for four years and said Judge's or Judges' compensation shall be provided for by law, and he or they shall have and exercise all the powers and perform all the duties that are or may be provided or prescribed by the Constitution or Statutes for County Judges, and all laws relating to the County Judge shall apply to said additional County Judge or Judges. Provided, however, that any law enacted by the Legislature providing for additional county judges shall require a referendum thereon, and such law shall not become effective until it is ratified by a majority of the voters of the County affected who participate in said election.

**Section 20. Jurisdiction of county judges.** The County Judge shall have original jurisdiction in all cases at law in which the demand or value or property involved shall not exceed one hundred dollars; of proceedings relating to the forcible entry or unlawful detention of lands and tenements; and of such criminal cases as the Legislature may prescribe. The County Judge shall have jurisdiction of the settlement of the estate of decedents and minors, to order the sale of real estate of decedents and minors, to take probate of wills, to grant letters testamentary and of administration and guardianship, and to discharge the duties usually pertaining to courts of probate. He shall have the power of a Committing Magistrate and shall issue all licenses required by law to be issued in the county.

**Section 21. County Courts.** The Legislature may organize in such counties, as it may think proper, County Courts which shall have jurisdiction of all cases at law in which the demand or value of the property involved shall not exceed five hundred dollars; of proceedings relating to the forcible entry or unlawful detention of lands and tenements, and of misdemeanors, and final appellate jurisdiction in civil cases arising in the Courts of Justices of the Peace. The trial of such appeals may be de nova at the option of appellant. The County Judge shall be the Judge of said Court. There shall be elected by the qualified electors of said county at the time when the said Judge is elected a Prosecuting Attorney for said county, who shall hold office for four years. His duties and compensation shall be prescribed by law. Such Courts may be abolished at the pleasure of the Legislature.

**Section 22. Criminal Courts of Record.** Upon application of a majority of the registered voters in any county, the legislature may provide for the establishment of a criminal court of record in that county, with one judge who shall be elected for a term of four years by the qualified electors of

the county in the same manner as other state and county officials, and whose compensation shall be fixed by law and paid by the county.

**Section 23. Jurisdiction of Criminal Courts of Record.** The said Courts shall have jurisdiction of all criminal cases not capital which shall arise in said counties respectively.

**Section 24. Terms of Criminal Courts of Record.** There shall be six terms of said courts in each year.

**Section 25. Prosecuting attorney; term.** There shall be for each of said courts a prosecuting attorney who shall be elected for a term of four years by the qualified electors of the county as other state and county officials are elected and whose compensation shall be fixed by law.

**Section 26. Indictment and information.** All offenses triable in said Court shall be prosecuted upon information under oath, to be filed by the prosecuting attorney, but the grand jury of the Circuit Court for the county in which said Criminal Court is held may indict for offenses triable in the Criminal Court. Upon the finding of such indictment the Circuit Judge shall commit or bail the accused for trial in the Criminal Court, which trial shall be upon information.

**Section 27. Criminal courts of record supersede criminal jurisdiction of county courts.** The County Courts in counties where such Criminal Courts are established shall have no criminal jurisdiction and no prosecuting Attorney.

**Section 28. Clerk of criminal court of record.** The Clerk of said Court shall be elected by the electors of the county in which the Court is held and shall hold office for four years, and his compensation shall be fixed by law. He shall also be Clerk of the County Court. The Sheriff of the County shall be the executive officer of said Court, and his duties and fees shall be fixed by law.

**Section 29. State attorney eligible for appointment as county solicitor.** The State Attorney residing in the county where such Court is held shall be eligible for appointment as County Solicitor for said county.

**Section 30. Criminal courts of record may be abolished by Legislature.** Such courts may be abolished by the Legislature.

**Section 31. Court of Record of Escambia County.** In Escambia County there shall be a court of record with two or more judges as the Legislature may provide who shall be elected for a term of six years by the qualified electors of said county as other county officials are elected. This court shall have exclusive jurisdiction of all criminal cases not capital and, concurrent with the circuit court of said county and the judges thereof, the same original jurisdiction of all cases and matters and the same power and authority to issue all writs as the circuit court of said county and the judges thereof, excepting the power to summon and empanel a grand jury, and jurisdiction of such other matters as the Legislature may provide. The rules of procedure and practice applicable to the circuit court of said county shall obtain in the court of record.

The provisions of this constitution and all laws enacted in consonance therewith pertaining to criminal courts of record and the officers thereof, including the manner of the appointment or election and the terms of office and compensation of said officers, shall apply with like effect to the court of record of Escambia County and the officers thereof except as otherwise provided in this section.

At the request of a judge of the circuit court of Escambia County a judge of the court of record may assume and perform in every respect the jurisdiction and duties of the circuit court of Escambia County or a judge thereof, including the trial of capital cases and the power to summon and empanel a grand jury. Likewise, at the request of a judge of the court of record a judge of the circuit court of Escambia County may assume and perform in every respect the duties and jurisdiction of the court of record of Escambia County or a judge thereof.

**Section 32. Justice Districts and Justices of the Peace.** There shall be not more than five Justice Districts in each county, and there shall be elected one Justice of the Peace for each Justice District, who shall hold office for four years. Existing Justice Districts are hereby recognized, but the Leg-

islature may, by special Act, from time to time change the boundaries of any such District now or hereafter established, and may establish new or abolish any such District now or hereafter existing. Provided however that any such changes shall be submitted to the people of any county so affected, by referendum at the next ensuing general election.

**Section 33. Jurisdiction of Justices of the Peace.** The Justices of the Peace shall have jurisdiction in cases at law in which the demand or value of the property involved does not exceed \$100.00, and in which the cause of action accrued or the defendant resides in his district; and in such criminal cases, except felonies as may be prescribed by law, and he shall have power to issue process for the arrest of all persons charged with felonies and misdemeanors not within his jurisdiction to try, and make the same returnable before himself or the county judge for examination, discharge, commitment or bail of the accused. Justices of the Peace shall have the power to hold inquests of the dead. Appeal from Justices of the Peace Courts in criminal cases may be tried de novo under such regulations as the Legislature may prescribe.

**Section 34. Constables.** A Constable shall be elected by the registered voters in each Justice's district, who shall perform such duties, and under such regulations as may be prescribed by law.

**Section 35. Juvenile Courts; establishment; jurisdiction; judge; officers; procedure.** The Legislature shall have power to create and establish Juvenile Courts in such County or Counties or Districts within the State as it may deem proper, and to define the jurisdiction and powers of such courts and the officers thereof, and to vest in such courts exclusive original jurisdiction of all or any criminal cases where minors under any age specified by the Legislature from time to time are accused, including the right to define any or all offenses committed by any such persons as acts of delinquency instead of crimes; to provide for the qualification, election or selection and appointment of judges, probation officers and such other officers and employees of such courts as the Legislature may determine, and to fix their compensation and term of office; all in such manner, for such time, and according to such methods as the Legislature may prescribe and determine, without being limited therein by the provisions in this Constitution as to trial by jury in Sections 3 and 11 of the Declaration of Rights, as to the use of the terms "prosecuting attorney" and "information" in Section 10 of the Declaration of Rights, as to election or appointment of officers in Section 27 of Article 3, as to jurisdiction of criminal cases in Sections 14, 20, 33, and 23 of Article 5, as to original jurisdiction of the interests of minors in Section 14 of Article 5, and as to style of process and prosecuting in the name of the State in Section 48 of Article 5, or other existing conflicting provisions of this Constitution.

**Section 36. Eligibility for Office.** No person shall be eligible for the office of justice of the supreme court or judge of a district court of appeal unless he is a citizen of this state, and unless he is, at the time, a member of the Florida Bar in good standing and for a period of at least ten years has been, a member of the bar of Florida; and no person shall be eligible for the office of judge of a circuit court or criminal court of record who is not twenty-five years of age and a member of the bar of Florida. Any senator or member of the House of Representatives otherwise qualified shall be eligible for appointment or election to any judicial office which may have been created, or the emoluments whereof may have been increased, during the time for which he was elected.

**Section 37. Methods of Selecting Circuit Judges.**

(a) At the instance of the Legislature, the voters in any judicial circuit, at a general election, by a majority vote of those voting on the question, may determine whether the office of judge of their judicial circuit shall be filled by the method provided in paragraph (b) hereof, or by the method provided in paragraph (c) hereof. Thereafter, at the instance of the Legislature, the question may again be submitted by referendum to the voters in a circuit or circuits in this state, but no such referendum shall be held in any judicial circuit more often than once in six years.

(b) Unless the voters in a judicial circuit determine to fill vacancies by the method provided in paragraph (c) hereof, circuit judges shall be elected by the qualified voters of such judicial circuit as other state and county officials are elected.

(c) If the voters in a judicial circuit so determine, as authorized in paragraph (a) hereof, each vacancy in the office of circuit judge shall be filled by appointment by the Governor from a list of three persons to be nominated by the circuit court judicial nominating commission, as hereinafter provided.

**Section 38. Judicial Appointments.** Whenever a vacancy occurs in the office of justice of the supreme court, judge of a district court of appeal, or judge of a circuit court in judicial circuits determining to follow the method of selection as provided in Section 37(c) of this Article, the Governor shall fill the vacancy by appointing one of three persons to be nominated by a commission as hereinafter provided. If the Governor fails to make the appointment within 30 days after the nominations have been certified to him by the appropriate commission, the supreme court shall make the appointment from the three persons nominated by the commission. Each justice or judge who is appointed as provided in this section shall hold office for a term ending on December 31 following the next general election after the expiration of 12 months in office. Whenever additional judges are authorized by law, or as the result of a census, their selection shall be made as in the case of vacancies.

**Section 39. Supreme Court Judicial Nominating Commission.** Nominations of justices of the supreme court shall be made by a nominating commission consisting of the chief justice of the supreme court, as chairman, and an equal number of members and non-members of the bar of this state. Three active members of the bar shall be elected by the active members of the bar from each appellate district, and three non-members of the bar from each appellate district shall be appointed by the Governor.

Of the commissioners first elected and appointed, one active member of the bar and one non-member of the bar shall serve for a term of two years, one of each for a term of four years, and one of each for a term of six years. Thereafter, members of the commission shall be elected or appointed for the full term of six years. Vacancies shall be filled by appointment or election for unexpired terms.

**Section 40. District Courts of Appeal Judicial Nominating Commissions.** Nominations of judges of each district court of appeal shall be made by a nominating commission in each appellate district, consisting of the chief justice of the supreme court as chairman, six active members of the bar residing in the appellate district, and six non-members of the bar residing in the district. The bar members of each commission shall be elected by the active members of the bar in each appellate district. The members of each commission who are non-members of the bar shall be appointed by the governor.

Of the commissioners first elected and appointed one active member of the bar and one non-member of the bar shall serve for a term of one year, one of each for a term of two years, one of each for a term of three years, one of each for a term of four years, one of each for a term of five years, and one of each for a term of six years. Thereafter, members of the commission shall be elected or appointed for the full term of six years. Vacancies shall be filled by appointment or election for unexpired terms.

**Section 41. Circuit Court Judicial Nominating Commissions.** Nominations of judges of the circuit court shall be made by a nominating commission in each circuit determining to follow the method of selection as provided in Section 37(c) of this Article. The commission shall consist of the chief justice of the supreme court as chairman, six active members of the bar residing in the judicial circuit, and six non-members of the bar residing in such judicial circuit. The bar members shall be elected by the active members of the bar in such judicial circuit. The members who are non-members of the bar shall be appointed by the governor.

Of the commissioners first elected and appointed one active member of the bar and one non-member of the bar shall serve for a term of one year, one of each for a term of two years, one of each for a term of three years, one of each for a term of four years, one of each for a term of five years, and one of each for a term of six years. Thereafter members of the commission shall be elected or appointed for the full term of six years. Vacancies shall be filled by appointment or election for unexpired terms.

**Section 42. Commissions, General Provisions.** Members of the several nominating commissions, other than the chief justice, shall not hold any public office or official position in any political party. They shall receive no compensation for their services, but they shall be entitled to reimbursement for necessary expenses.

The supreme court shall make rules for the government of the several nominating commissions and for the election of the bar members thereof, and may prescribe residence requirements for bar members of commissions within districts or circuits, so as to insure reasonably proportionate representation of the bar according to counties or judicial circuits.

Nominations shall be made by each commission only with the concurrence of a majority of the membership of the commission provided, however, that the chief justice of the supreme court shall not be entitled to a vote upon any of said commissions except in the case of a tie.

**Section 43. Elections.** Not less than 60 days prior to the general election next preceding the expiration of his term of office, any justice of the supreme court, judge of a district court of appeal, or circuit judge in a judicial circuit which has determined to follow the method of selection as provided in Section 37(c) of this Article may file in the office of the secretary of state a declaration of candidacy to succeed himself, and the secretary of state, not less than 45 days prior to the election, shall certify his candidacy to the proper election officials. At the election, the name of such justice or judge who has filed such declaration shall be submitted to the voters, on a special judicial ballot without party designation, on the sole question of whether he shall be retained in office. The elections as to the supreme court justices shall be conducted throughout the state, the elections as to the judges of the district courts of appeal shall be conducted in the appellate districts from which they were appointed, and the elections as to the circuit judges shall be conducted in the judicial circuits in which such judges are serving. If a majority of the electors voting on the question vote to retain a justice or a judge in office, he shall thereby be retained for a full term of office, commencing on January 1 following the election. If an incumbent has not filed a declaration or, having filed, fails to be retained, his office shall become vacant at the expiration of his term.

**Section 44. Terms of Office.** The terms of office of justices of the supreme court, judges of district courts of appeal, and circuit judges shall be six years.

**Section 45. Retirement, Suspension and Removal.** Notwithstanding the provisions of this Article relating to terms of office:

a. Any justice or judge otherwise eligible for retirement with compensation may retire without regard to the expiration of his term of office;

b. All justices and judges shall automatically retire at age 70;

c. Subject to rules of procedure to be established by the supreme court, and after notice and hearing, any justice or judge may be retired for disability at retirement pay to be fixed by law, which shall be not less than two-thirds of his then compensation if he has served for ten years or more, by a commission composed of one justice of the supreme court to be selected by that court, two judges of the district courts of appeal to be selected by the judges of said district courts of appeal, and two circuit judges and two county judges to be selected by the supreme court.

d. Any justice of the supreme court, judge of the district court of appeal, or circuit judge shall be liable to impeachment for any misdemeanor in office.

**Section 46. Prohibited Activities.** Justices of the supreme court, judges of district courts of appeal and circuit judges shall devote full time to their judicial duties, shall not engage in the practice of law or hold any office or position of profit under this state or any office of profit under the United States, and shall not hold office in any political party. No such justice or judge shall be a candidate for a non-judicial office until one year after he has relinquished his judicial office.

Compensation for service in the state militia or the armed forces of the United States or other defense agencies recog-

nized by the supreme court for such periods of time as may be determined by the supreme court shall not be deemed profit.

**Section 47. Judicial Salaries and Expenses.** Justices of the supreme court and judges of all other courts shall receive for their services salaries or compensation provided by law. A retired justice or judge assigned to active judicial service shall, while so serving, receive as additional compensation the difference between his retirement benefits and the compensation applicable to such service. Salaries of judges of district courts of appeal and circuit judges may be supplemented in any county or counties when authorized by law. The salaries of justices and judges shall not be diminished during their respective terms of office. Judicial officers shall be paid such actual and necessary expenses as may be authorized by law.

**Section 48. Style of Process.** The style of all process shall be "The State of Florida" and all prosecutions shall be conducted in the name and by the authority of the State.

**Section 49. Referees.** Any civil cause may be tried before a practicing attorney as referee upon the application of the parties and an order from the court in whose jurisdiction the case may be, authorizing such trial and appointing such referee. The referee shall keep a complete record of the case, including the evidence taken, and such record shall be filed with the papers in the case in the office of the Clerk; and the cause shall be subject to an appeal in the manner prescribed by law.

**Section 50. Juries.** The number of jurors for trial of causes in any court may be fixed by law but shall not be less than six in any case.

**Section 51. Admission and Discipline of Attorneys.** The supreme court shall have exclusive jurisdiction over the admission to the practice of law and the discipline of persons admitted. It may provide for an agency to handle admissions subject to its supervision. It may also provide for the handling of disciplinary matters in the circuit courts and the district courts of appeal, subject to its supervision and review.

**Section 52. Judicial Council.** The legislature shall provide for the establishment of a judicial council to study and make recommendations relating to the organization, procedure, practice and work of the courts of Florida and all matters concerning the more efficient administration of justice. The council shall be composed of nine laymen and eight members of the bench and bar, all to be appointed by the governor for staggered terms of three years each. The eight members appointed from the bench and bar shall include a justice or retired justice of the supreme court of Florida who shall be the presiding officer of the council, a judge of the circuit court, a judge of a court having probate jurisdiction, the attorney general or one of his assistants, and four active members of the bar.

**Section 53. Effect of Reduction of Number of Judges.** Any law reducing the number of judges of any court shall not shorten the term of any judge then in office.

**Section 54. Judicial Officers as Conservators of the Peace.** All judicial officers in this State shall be conservators of the peace.

**Section 55. Schedule.**

(1) This Article shall become effective on the first day of January of the second calendar year following its adoption by the people and shall replace all of Article V, and shall supersede any other provisions of the present constitution of Florida in conflict herewith, which shall then stand repealed.

(2) Until changed by law as authorized in this Article, the appellate districts shall be composed as follows:

**FIRST DISTRICT:** The 1st, 2nd, 3rd, 4th, 5th, 7th, 8th, and 14th judicial circuits as presently constituted.

**SECOND DISTRICT:** The 6th, 9th, 10th, 12th, and 13th judicial circuits as presently constituted.

**THIRD DISTRICT:** The 11th, 15th, and 16th judicial circuits as presently constituted.

(3) The provisions of the Article governing eligibility for

office shall not affect the right of any incumbent to continue in office or to seek reelection.

(4) Except to the extent inconsistent with the provisions of this Article, all provisions of law and rules of court in force on the effective date of this Article shall continue in effect until superseded in a manner authorized by the Constitution.

(5) Prior to the effective date of this Article, appointments of the judges of the district courts of appeal shall be made in the manner provided in this Article to take office on the effective date of this Article, such positions to be filled by appointment of one of three nominees for each judgeship.

(6) The supreme court may transfer to the respective district courts of appeal such causes, matters and proceedings as are pending in the supreme court on the effective date of this Article which are within the jurisdiction of such courts as the supreme court may see fit. No case that has been orally argued before the supreme court shall be so transferred. The supreme court shall have and retain jurisdiction and authority over all causes, matters and proceedings not so transferred to the district courts of appeal.

(7) All trial courts as organized and constituted on the effective date of this Article shall, except as otherwise provided herein, continue with their jurisdiction, judges and officers, including the manner of their election or appointment, until otherwise provided by the legislature.

(8) Until otherwise provided by law, there shall be an additional judge for the Fourth Judicial Circuit who shall reside in Duval County. The additional judge of the circuit court of Duval County holding office on the effective date of this Article under former Section 42 of Article V shall become the additional judge here provided for until the expiration of his then term of office.

(9) Until otherwise provided by the legislature, orders of the Florida Industrial Commission shall be subject to review only by petition to the district courts of appeal for writ of certiorari.

(10) All provisions of law pertaining to the State Board of Law Examiners shall continue in effect until superseded in a manner authorized by this Article.

(11) This Article shall not disturb the terms of incumbent judges.

(12) The provision for automatic retirement in Section 45 of this Article does not apply to any person now holding office.

(13) Upon the adoption of this Article, the legislature shall enact such laws and make such appropriations and the supreme court shall make such rules as may be necessary or proper to give effect to its provisions.

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

By the Committee on Appropriations—

S. B. No. 600—A bill to be entitled An Act providing a deficiency appropriation for bill drafting service; providing an effective date.

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

By the Committee on Appropriations—

S. B. No. 601—A bill to be entitled An Act relating to salaries of certain state administrative officers; amending and revising Sections 111.01, 239.10, 287.09, 318.01, 321.07, 341.03, 381.09, 393.02, 525.04, 550.03, 561.05, 589.05, 603.03, 954.35, 955.05, 947.12 and 956.07, Florida Statutes, by omitting therefrom references as to salaries; consolidating the provisions as to these salaries into Section 111.01; and repealing Sections 14.04, 21.08, 25.11 and 350.02, Florida Statutes.

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

By Senator Rood—

S. B. No. 602—A bill to be entitled An Act relating to salt

water fisheries and conservation; amending Section 370.08, Florida Statutes, to add a Subsection (6) prohibiting use of snatch hooks.

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

By Senator Rood—

S. B. No. 603—A bill to be entitled An Act relating to salt water fisheries and conservation; amending Section 370.01, Florida Statutes, to add Subsections (16) and (17) to define "commercial," and "seine," respectively; amending Subsection (2) of Section 370.03, Florida Statutes, to provide for control of water bottoms.

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

By Senator Rood—

S. B. No. 604—A bill to be entitled An Act relating to salt water fisheries and conservation; amending Section 370.11, Florida Statutes, to add a new Subsection (6) to provide for sailfish regulation.

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

By Senator Rood—

S. B. No. 605—A bill to be entitled An Act relating to the regulation of the issue, sale, gift, or other disposition or use of trading stamps as herein defined, for or with the sale of goods or services; defining certain terms as used in this Act; providing for registration and bonding of issuers and agents for redemption of trading stamps; providing for service of process upon the secretary of state with respect to issuers and agents for redemption of trading stamps; providing annual registration fee; requiring that certain information be printed upon the face of trading stamps; regulating the redemption of trading stamps; prohibiting discrimination against Florida residents on redemption of trading stamps; fixing liability for redemption of trading stamps; providing for the escheat to the State of the face value of trading stamps not redeemed within a specific period of time; providing for the keeping of records by issuers and agents for redemption of trading stamps and requiring the filing of annual reports with the treasurer of the State of Florida; providing for the posting of notice to the public of certain provisions hereof; providing for penalties for the violation of this Act; providing remedies for the enforcement of this Act; and providing the effective date of this Act.

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

By the Committee on Forestry and Parks—

S. B. No. 606—A bill to be entitled An Act relating to forest protection; amending Chapter 590, Florida Statutes, by adding thereto: Section 590.28 providing it shall be a crime to willfully, maliciously, or intentionally burn, set fire to or cause to be burned or cause the burning or any fire to be set to, any forest, grass or woodlands not owned by, or in the lawful possession of, the person setting such fire or burning such lands or causing such fire to be set or lands to be burned, and defining certain terms; Section 590.29 providing it shall be a crime to possess any incendiary device as herein defined within certain areas with the intent to use such device for the purpose of starting forest, grass, or woodlands fires on public property or the property of another, and providing that such possession of incendiary devices in such areas shall be prima facie evidence of intent to use same to start such fires, and defining the term incendiary device; Section 590.30 providing penalties for the violation of any of the provisions of Section 590.28, Section 590.29 or both such sections and providing that the provisions of Section 590.14, Florida Statutes, shall not apply to any violation of Section 590.28 or 590.29.

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

By Senator Pearce—

S. B. No. 607—A bill to be entitled An Act to amend Section 9 of the charter of the City of Palatka to read as fol-

lows: "Section 9: members of the city commission shall be residents of the city and have the qualification of electors and be freeholders therein. They shall each receive a salary of fifty (\$50.00) dollars per month, and shall each furnish a surety bond in such sum as shall be prescribed by ordinance, not less than five thousand (\$5,000.00) dollars payable to the City of Palatka, said bond to be approved by the city attorney. The city commission shall be the judge of the election and qualification of its own members;" and providing a referendum.

Which was read the first time by title only.

Senator Pearce moved that the rules be waived and Senate Bill No. 607 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 607 was read the second time by title only.

Senator Pearce moved that the rules be further waived and Senate Bill No. 607 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. 607 was read the third time in full.

Upon the passage of Senate Bill No. 607 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So Senate Bill No. 607 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Fraser presiding.

By Senator Rodgers—

S. B. No. 608—A bill to be entitled An Act creating a board of trustees of the Florida Peace Officer Academy, establishing an institution to be known as the Florida Peace Officer Academy, providing for the organization, establishment, operation and management of the institution; providing appropriation; setting effective date.

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

By Senator Black—

S. B. No. 609—A bill to be entitled An Act amending Section 7, of Chapter 21361, Laws of Florida, 1941, relating to the charter of the City of Live Oak, Suwannee County, by extending the territorial limits and boundaries of the City of Live Oak so as to include additional territory therein.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 609 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 Black moved that the rules be waived and Senate Bill No. 609 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 609 was read the second time by title only.

Senator Black moved that the rules be further waived and Senate Bill No. 609 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. 609 was read the third time in full.

Upon the passage of Senate Bill No. 609 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So Senate Bill No. 609 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Stenstrom—

S. B. No. 610—A bill to be entitled An Act relating to exemptions from the sale and use tax; amending Subsection (6) of Section 212.08, Florida Statutes, to include certain veterans' organizations; and providing an effective date.

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

By Senator Carraway—

S. B. No. 611—A bill to be entitled An Act for the relief of D. Mack Humphrey, former Florida hotel and restaurant commissioner; providing for payment of salary due during the period of one (1) year and twenty (20) days during time of suspension; providing effective date.

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 Morrow—

S. B. No. 612—A bill to be entitled An Act relating to auto transportation companies; amending Section 323.06 by adding Subsection (4); providing bond or insurance protection for agents of renters of u-drive-it vehicles.

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

By Senator Morrow—

S. B. No. 613—A bill to be entitled An Act relating to private employment agencies; amending Section 449.05, Florida Statutes; eliminating all provisions for registration fees.

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

By Senator Cabot—

Senate Joint Resolution No. 614:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 10 OF ARTICLE XII OF THE STATE CONSTITUTION RELATING TO SPECIAL TAX SCHOOL DISTRICTS; BY ABOLISHING THE OFFICE OF SCHOOL DISTRICT TRUSTEE AND PROVIDING THAT THE MEMBERS OF THE COUNTY BOARDS OF PUBLIC INSTRUCTION SHALL BE VESTED WITH ALL THE POWERS AND DUTIES OF TRUSTEES.

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

Section 1. That the following amendment to Section 10 of Article XII of the State Constitution shall be submitted to the qualified electors of the state for adoption or rejection at the general election to be held in November, 1956.

Section 10. County School districts; board members; tax.—The legislature may provide for the division of any county or counties into convenient school districts; and for the levy and collection of a district school tax, for the exclusive use of

public free schools within the district, whenever a majority of the qualified electors thereof that pay a tax on real, or personal property shall vote in favor of such levy; provided, that any tax authorized by this section shall not exceed ten (10) mills on the dollar in any one (1) year on the taxable property of the district. The office of special tax school district trustee is abolished and the members of the county boards of public instruction shall have supervision of all the schools within the districts and shall exercise and perform all powers and duties formerly vested in school district trustees.

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

By Senator Houghton—

S. B. No. 615—A bill to be entitled An Act to abolish the present municipality of the City of Gulfport Florida in Pinellas County, Florida: to create and establish a new municipality to be known as the City of Gulfport in Pinellas County, Florida and to fix the boundaries and provide for the government, prescribe the jurisdiction, powers, and privileges of said city, and the means for exercising the same; and to authorize the imposition of penalties for violation of ordinances; and to ratify and validate certain acts and proceedings of the council and officers of said town: and to repeal all laws and ordinances in conflict herewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 615 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 Houghton moved that the rules be waived and Senate Bill No. 615 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 615 was read the second time by title only.

Senator Houghton moved that the rules be further waived and Senate Bill No. 615 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. 615 was read the third time in full.

Upon the passage of Senate Bill No. 615 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So Senate Bill No. 615 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Houghton—

S. B. No. 616—A bill to be entitled An Act creating the St. Petersburg Beach Park Board as an agency of the City of St. Petersburg Beach having the exclusive right to regulate and control the property known as Upham Park; providing for the membership of said park board and their qualification and election to office; providing for the powers of said park board to contract; to erect and construct buildings; to establish parking facilities and meters; to pledge income from said park and to establish rules and regulations; to provide for the clerk of said board and the manner of keeping records; to provide for the deposit and expenditure of funds; to provide for the employment of personnel; to provide for a special election; to declare the legislative intent to be that this Act shall be in addition to Chapter 26,208, Special Acts of

Florida, 1949, which is the present Charter of the City of St. Petersburg Beach, and that any part of said Act in conflict herewith to be hereby repealed; and further to provide that said Act is additional to any legislative charter subsequently adopted by the City of St. Petersburg Beach unless this Act is specifically repealed therein; to provide for savings clause and for the effective date of this Act.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 616 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 Houghton moved that the rules be waived and Senate Bill No. 616 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 616 was read the second time by title only.

Senator Houghton moved that the rules be further waived and Senate Bill No. 616 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. 616 was read the third time in full.

Upon the passage of Senate Bill No. 616 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So Senate Bill No. 616 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Connor, Morgan, King and Fraser—

S. B. No. 617—A bill to be entitled An Act relating to beverage law administration; amending Subsection (4) of Section 561.01, Florida Statutes, defining the term "wine"; amending Subsections (1) and (2) of Section 561.091, Florida Statutes, providing for registration of brands and labels of spirituous liquors and fee for registration; amending Section 561.17, Florida Statutes, providing for license applications and procedure; amending Subsections (1) and (2) of Section 561.20, Florida Statutes, providing for limitation of spirituous liquor licenses according to population and special licenses for hotels and restaurants meeting certain requirements; amending Subsection (1) of Section 561.29, Florida Statutes, providing for revocation and suspension of license; adding Section 561.342, Florida Statutes, providing for twenty-four hour permit for non-profit organizations; amending Section 561.40, Florida Statutes providing no license for agents or employees of licensee except wholesale liquor salesmen; amending Subsections (2), (3) and (4) of Section 561.46, Florida Statutes, providing for excise tax on wine, fortified wine and natural sparkling wine, with reduced tax on Florida products; amending Subsection (1) of Section 561.471, Florida Statutes, providing for stamp on crown or can lid on malt beverages manufactured in continental United States possessed for sale in Florida; amending Section 561.48, Florida Statutes, providing for redemption of unused stamps; amending Section 561.54, Florida Statutes, providing for prohibition of certain deliveries of alcoholic beverages; repealing Section 561.241, Section 561.242 and Subsection (4) of Section 561.35, and Section 561.59, Florida Statutes; providing for effective date.

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

By Senator Houghton—

S. B. No. 618—A bill to be entitled An Act to amend Section 1 of Chapter 27,202, Acts of 1951, relating to the issuance of a beverage license to any municipality, county, airport authority or other governmental agency operating an airport where an airline transportation company or companies, properly certificated by the United States of America, operate and maintain a regular passenger service on scheduled flights, in each county of the State of Florida having a population of more than 200,000 but less than 400,000 according to the most recent census, by making said Chapter 27,202, Acts of 1951, applicable to counties having a population of more than 150,000 but less than 400,000 according to the most recent census; and providing for the effective date of this Act.

Which was read the first time by title only.

Senator Houghton moved that the rules be waived and Senate Bill No. 618 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 618 was read the second time by title only.

Senator Houghton moved that the rules be further waived and Senate Bill No. 618 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. 618 was read the third time in full.

Upon the passage of Senate Bill No. 618 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So Senate Bill No. 618 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The President presiding.

By Senator Melvin—

S. B. No. 619—A bill to be entitled An Act setting the procedure for the supplying of legal services to the various state boards, councils, commissions, departments and other agencies and providing how appropriations shall be made; appropriating funds for carrying out the provisions of this Act; repealing conflicting laws, fixing effective date.

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

By Senator Connor—

S. B. No. 620—A bill to be entitled An Act to determine and fix and provide for the payment of the salary of the County Superintendent of Public Instruction of Citrus County, Florida.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 620 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. 620 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 620 was read the second time by title only.

Senator Connor moved that the rules be further waived and Senate Bill No. 620 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. 620 was read the third time in full.

Upon the passage of Senate Bill No. 620 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So Senate Bill No. 620 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Pope moved that the rules be waived and Senate Bill No. 228, previously referred to the Committee on Governmental Reorganization, be also referred to the Committee on Appropriations.

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

By Senator Connor—

S. B. No. 621—A bill to be entitled An Act regulating absolute and conditional sales or offers to sell at auction, diamonds, precious or semi-precious stones, or imitations thereof, watches, clocks, jewelry, gold, silver, or plated ware; prescribing rules and regulations for auction sales of said classes of goods; providing for hours of such sales; providing for licenses for such sales, and fees for such licenses; providing for revocation of such licenses and prescribing penalties for violations; setting effective date.

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

By Senator Cabot—

S. B. No. 622—A bill to be entitled An Act granting rights to the Seminole Indians in the taking of wild game and fish as food for themselves, leasing of portions of Indian reservations, receiving of benefits from mineral deposits discovered on Indian reservations and maintaining of present home sites within the boundaries of flood control districts.

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

By Senator Kicklitter—(By Request)—

S. B. No. 623—A bill to be entitled An Act consolidating and revising Chapter 121, Florida Statutes, the State Officers and Employees Compulsory Retirement System, and Chapter 134 Florida Statutes, the County Officers and Employees Compulsory Retirement System.

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

By Senators Johnson, Johns, Floyd, Beall and Rodgers—

S. B. No. 624—A bill to be entitled An Act relating to salaries of Justices of the Supreme Court of Florida.

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

By Senators Carlton and Neblett—

S. B. No. 625—A bill to be entitled An Act to create a merit system of personnel administration; to include within such system the employees of the agencies now served by the Florida Merit System and the Merit System Council; to establish a state personnel board and specify the duties and powers

thereof; to authorize the establishment of a Merit System Council under the jurisdiction of the personnel board and to specify the powers and duties thereof and to make appropriations for the merit system; to fix the terms of office of the members of the Merit System Council; to authorize the adoption of rules and regulations for the administration of the merit system and to make the merit system regulations previously adopted by the Florida Merit System Council applicable to employees within the merit system and to authorize amendments to such regulations; to authorize the classification of positions and the establishment of compensation plans; to provide for appeals; to prohibit political activity; to provide penalties for violation of this Act or the rules and regulations promulgated pursuant hereto, and for other purposes.

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

By Senators Morgan, Davis, Shands, King, Pope, Pearce and Getzen—

Senate Concurrent Resolution No. 626:

A CONCURRENT RESOLUTION DEPLORING THE DEATH OF CHIEF JUSTICE JOHN E. MATHEWS.

WHEREAS, In the sudden passing of our honored and esteemed Chief Justice of the State Supreme Court, the people of the State have suffered an irreparable loss, and

WHEREAS, To his host of friends here, in Jacksonville, over the State and the country, the unexpected death of Chief Justice Mathews comes as a shock, leaving a void in the councils of the State and the hearts of his friends and neighbors, which cannot be filled, and

WHEREAS, It is the desire of this Legislature to extend our sympathies to Mrs. Mathews and his family, NOW, THEREFORE,

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

That the President of the Senate and the Speaker of the House do appoint a committee of his closest friends in the Legislature who shall accompany the earthly remains of Chief Justice John E. Mathews on his last journey to Jacksonville, and who shall represent this body at the funeral services in Jacksonville in his honor.

Which was read the first time in full.

Senator Morgan moved that the rules be waived and Senate Concurrent Resolution No. 626 be placed on the Calendar of Bills on Second Reading, without reference.

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

By Senator Stratton —

S. B. No. 627—A bill to be entitled An Act relating to the town of Hilliard, validating and confirming the issuance of water bonds of said town bearing date of November 1, 1954.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 627 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. 627 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 627 was read the second time by title only.

Senator Stratton moved that the rules be further waived and Senate Bill No. 627 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. 627 was read the third time in full.

Upon the passage of Senate Bill No. 627 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So Senate Bill No. 627 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 Shands—

S. B. No. 628—A bill to be entitled An Act to amend Chapter 27044, Laws of Florida, 1951, relating to the elective office of county prosecuting attorney in and for counties in Florida having a population of more than fifty-six thousand five hundred (56,500) and not more than fifty-seven thousand five hundred (57,500) according to the last Federal Census, by amending Section 5 so as to increase the compensation of said prosecuting attorneys from two thousand dollars (\$2,000.00) per annum to three thousand six hundred dollars (\$3,600.00) per annum, and by adding Section 10 providing for subpoena power for said prosecuting attorneys.

Which was read the first time by title only.

Senator Shands moved that the rules be waived and Senate Bill No. 628 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 628 was read the second time by title only.

Senator Shands moved that the rules be further waived and Senate Bill No. 628 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. 628 was read the third time in full.

Upon the passage of Senate Bill No. 628 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So Senate Bill No. 628 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Floyd, Rawls, Johnson and Tapper—

Senate Memorial No. 629:

A MEMORIAL TO THE CONGRESS OF THE UNITED STATES TO PROVIDE SUFFICIENT FUNDS FOR IMMEDIATE COMPLETION OF THE JIM WOODRUFF LOCK AND DAM AND CERTAIN OTHER PROJECTS ON THE CHATTAHOOCHEE, FLINT AND APALACHICOLA RIVERS.

WHEREAS, The Congress of the United States has authorized a public works project to improve the Chattahoochee, Flint and Apalachicola Rivers in Florida, Georgia and Alabama, and

WHEREAS, Two phases of this project are now under construction: the Jim Woodruff Lock and Dam on the Apalachicola River at Chattahoochee, Florida, and the Buford Dam on the Chattahoochee River at Buford, Georgia, and

WHEREAS, There are three additional phases of the project for which construction funds have not been provided, namely, the channel in the Apalachicola River between the intracoastal waterway near Apalachicola, Florida, and the Jim Woodruff Lock and Dam, the Columbia Lock and Dam on the Chattahoochee River near Columbia, Alabama, and the Fort Gaines Lock and Dam on the Chattahoochee River near Fort Gaines, Georgia, and

WHEREAS, Each phase must be completed in its entirety before maximum use can be realized and the cost benefit ratio be obtained as established by the U. S. Engineers, and

WHEREAS, The two million Americans living in the tri-river valley will be greatly benefited if an accelerated construction program is adopted whereby all approved phases of the authorized project are placed on a simultaneous construction status, NOW, THEREFORE,

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

That the Congress of the United States be and it is hereby requested to provide sufficient construction monies to continue construction of the Jim Woodruff Lock and Dam, the Buford Dam and to commence construction on the Apalachicola River channel, the Columbia Lock and Dam, and the Fort Gaines Lock and Dam, during the next fiscal year, July 1, 1955, to July 1, 1956.

BE IT FURTHER RESOLVED, That copies of this memorial be dispatched to the President of the United States; to the President of the United States Senate; to the Speaker of the United States House of Representatives; to each of the ablest congressional delegation in the United States Congress, the Florida delegation; to the Chief of Engineers, Corps of Engineers, Washington, D. C.; to each of the Governors of the states of Florida, Alabama and Georgia; and to the President of the Three Rivers Development Association, the Honorable Jim Woodruff, Senior, Columbus, Georgia.

Which was read the first time in full.

Senator Floyd moved that the rules be waived and Senate Memorial No. 629 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Memorial No. 629 was read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to and Senate Memorial No. 629 was adopted and the action of the Senate was ordered certified to the House of Representatives.

By Senator King—

S. B. No. 630—A bill to be entitled An Act relating to corporations; amending Section 608.03, Subsection (2), Paragraph (i), Section 608.03, Subsection (2) Paragraph (j), Section 608.05, Subsection (5) Paragraph (a), Section 608.13, Subsection (8) Paragraph (a), Section 608.13, Subsection (11) Paragraph (a), Section 608.28, Section 608.30, Subsection (2), Section 608.30, Subsection (3) Paragraph (c), Section 608.39, Subsection (1), Section 608.40, Section 608.42, Section 608.50, Section 608.67, Florida Statutes, and renumbering Section 608.13, Subsection (12), Florida Statutes, as Subsection (13) and inserting a new Subsection (12) thereto; providing changes in the provisions of the corporation law clarifying and clearly defining it; setting effective date.

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

Senator Morrow moved that the rules be waived and Senate Bill No. 343 be withdrawn from the Committee on Appropriations and placed on the Calendar of Bills on Second Reading.

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

CONSIDERATION OF SENATE RESOLUTIONS

Pursuant to the motion made by Senator Stenstrom on April 28, 1955, and the hour having arrived, the Senate took up for consideration Senate Resolution No. 563.

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: Lillian Gray (now Mrs. Robert M. Frisch), Dial Gray and Rosa Coke.

Was taken up and read in full.

The question was put on the adoption of the Resolution.

Which was unanimously agreed to and Senate Resolution No. 563 was adopted.

Pursuant to the motion made by Senator Rawls on April 28,

1955, and the hour having arrived, the Senate took up for consideration Senate Resolution No. 564:

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.

Was taken up and read in full.

The question was put on the adoption of the Resolution.

Which was unanimously agreed to and Senate Resolution No. 564 was adopted.

Pursuant to the motion made by Senator Phillips on April 29, 1955, and the hour having arrived, the Senate took up for consideration Senate Resolution No. 595:

Senate Resolution No. 595:

**A RESOLUTION IN MEMORY OF SENATOR JAMES WOFFORD LINDLER.**

WHEREAS, Death has interrupted a life of consecrated public service and has removed from our midst an outstanding citizen of friendly manner and forthright judgment in the passing of our former colleague, the Honorable James Wofford Lindler, from this earth on the 24th day of June A. D., 1954, to a brighter day in the unknown Beyond, and

WHEREAS, Senator Lindler served in this Senate for four (4) terms from 1939 through 1954, and in the House of Representatives of this State for one (1) term from 1931 through 1932, and was respected and loved by all of us here today who had the privilege to know him and to serve with him, and

WHEREAS, It is deemed fitting that public record be made of the dedicated life of James Wofford Lindler and of his

service to his beloved State of Florida, which were characterized by Christian conduct, chivalrous character, nobility of spirit, manly and gentlemanly bearing, integrity, ability of intellect and will, love and service of fellow man, and by ideals and noble deeds which were true measure of greatness, and

WHEREAS, The State of Florida and her people have lost a loyal, faithful, honorable, devoted and dearly beloved friend, neighbor, husband, father, soldier, citizen and statesman, and

WHEREAS, Even as we mourn our great loss, we acknowledge that, though he no longer moves among us, the spirit and example of fairness, justice, honor and right which he set, raises for us a standard to guide us through the years which are to be, NOW, THEREFORE,

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

That the Senate of the 1955 Session of the Legislature of the State of Florida does hereby express and record its regret and sorrow at the passing of Senator James Wofford Lindler, and extends its deep and heartfelt sympathy to the bereaved family of Senator Lindler.

BE IT FURTHER RESOLVED that a page of the Senate Journal be set aside in memory of the Honorable James Wofford Lindler and that a copy of this Resolution be sent to his family.

Was taken up and read in full.

The question was put on the adoption of the Resolution.

Which was unanimously agreed to and Senate Resolution No. 595 was adopted.

Senator Morgan asked unanimous consent of the Senate to take up and consider Senate Concurrent Resolution No. 626, out of its order.

Which was agreed to.

Senate Concurrent Resolution No. 626:

A CONCURRENT RESOLUTION DEPLORING THE DEATH OF CHIEF JUSTICE JOHN E. MATHEWS.

WHEREAS, In the sudden passing of our honored and esteemed Chief Justice of the State Supreme Court, the people of the State have suffered an irreparable loss, and

WHEREAS, To his host of friends here, in Jacksonville, over the State and the country, the unexpected death of Chief Justice Mathews comes as a shock, leaving a void in the councils of the State and the hearts of his friends and neighbors, which cannot be filled, and

WHEREAS, It is the desire of this Legislature to extend our sympathies to Mrs. Mathews and his family, NOW, THEREFORE,

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

That the President of the Senate and the Speaker of the House do appoint a committee of his closest friends in the Legislature who shall accompany the earthly remains of Chief Justice John E. Mathews on his last journey to Jacksonville, and who shall represent this body at the funeral services in Jacksonville in his honor.

Was taken up and read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

Upon the adoption of Senate Concurrent Resolution No. 626 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Concurrent Resolution No. 626 was adopted, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to the provisions of Senate Concurrent Resolution No. 626 the President appointed Senators Shands, Clarke, Johns and Morgan, and stated that with the permission of the Senate, he would consider it an honor to serve as the fifth member of the Committee.

Senator Connor moved that the rules be waived and the Senate immediately reconsider the vote by which Senate Bill No. 567 passed the Senate on April 28, 1955.

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.

The President put the question: "Will the Senate reconsider the vote by which Senate Bill No. 567 passed the Senate on April 28, 1955?"

Which was agreed to by a two-thirds vote.

So the Senate reconsidered the vote by which Senate Bill No. 567 passed the Senate on April 28, 1955.

The question recurred on the passage of Senate Bill No. 567.

Pending roll call on the passage of Senate Bill No. 567, by unanimous consent Senator Connor withdrew Senate Bill No. 567.

Senator Cabot moved that Senate Bill No. 367 be recommended to the Committee on Governmental Reorganization for further study.

Which was agreed to and it was so ordered.

MESSAGES FROM THE GOVERNOR

The following Communications from the Governor were received:

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT  
TALLAHASSEE  
April 29, 1955

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

Sir:

I have the honor to inform you that today I approved the following Acts, which originated in your Honorable Body, Regular Session, 1955, and have caused the same to be filed in the office of the Secretary of State:

S. B. No. 23—RELATING TO CHAMBER OF COMMERCE.

S. B. No. 473—RELATING TO MIAMI BEACH.

Respectfully,

LEROY COLLINS  
Governor

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT  
TALLAHASSEE  
April 29, 1955

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

Sir:

I have the honor to inform you that I have today approved the following Acts which originated in your Honorable Body, Regular Session 1955, and have caused same to be filed in the office of the Secretary of State:

S. B. No. 73—RELATING TO INSURANCE.

S. B. No. 74—RELATING TO INSURANCE.

S. B. No. 75—RELATING TO INSURANCE.

S. B. No. 80—RELATING TO INSURANCE.

S. B. No. 182—RELATING TO PRACTICE OF NURSING.

S. B. No. 201—RELATING TO PILOT COMMISSIONERS.

Respectfully,

LeROY COLLINS  
Governor

STATE OF FLORIDA

EXECUTIVE DEPARTMENT

TALLAHASSEE

April 30, 1955

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

Sir:

I have the honor to inform you that I have today filed in the office of the Secretary of State the following Act, which originated in your Honorable Body, Regular Session 1955, same having remained in my office for the full Constitutional period of five days, and will become law without my approval:

S. B. No. 350—RELATING TO HIALEAH.

Respectfully,

LeROY COLLINS  
Governor

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 2, 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 adopted—

By Messrs. Murray, Surles and Tillett of Polk—

House Concurrent Resolution No. 882:

A CONCURRENT RESOLUTION INVITING GENERAL JAMES ALVORD VAN FLEET, A DISTINGUISHED FLORIDA CITIZEN, TO ADDRESS A JOINT SESSION OF THE FLORIDA LEGISLATURE.

WHEREAS, Florida's distinguished citizen, former coach and professor at the University of Florida, a general in the United States Army of national and international reputation, is now retired and a resident of Florida, and

WHEREAS, General Van Fleet has honored our state and distinguished himself through service as a great general and a great soldier in World War I, World War II, and in Korea as Commander of the famous Eighth Army, and of all forces in Korea, and

WHEREAS, he was appointed at one time to head the military mission to Greece, commanded a regimental combat team on D-Day at the Normandy Invasion and commanded the 90th Division and was transferred to the Army of the late General Patton in Europe, was wounded once in World War I, and twice in World War II, and has the distinction of being one of the high ranking generals who earned the Combat Infantry Badge, and

WHEREAS, his decorations include the Distinguished Service Cross and the Distinguished Service Medal numerous times, and

WHEREAS, he is a graduate of West Point Military Academy and after being retired was called back into the active service of his country on numerous confidential and military missions, and

WHEREAS, he was recently honored by the President of the United States by being appointed as his personal Ambassador at Large and sent on a world-wide mission, and

WHEREAS, General Van Fleet is known personally by many Floridians who remember him as the head coach at the University of Florida, and by his many students who know him as a loyal friend and a distinguished gentleman of warm personal character, with a most cordial understanding and consideration of his fellow men, and

WHEREAS, this distinguished Florida national hero has now returned to the State of Florida at his home in Bartow, NOW, THEREFORE,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF FLORIDA, THE SENATE CONCURRING:

Section 1. That the Senate and the House of Representatives do extend to General James Alvord Van Fleet a cordial invitation to address a joint session of the Florida Legislature on Friday, May 6th, at 12:15 p.m. in the House of Representatives.

Section 2. That the Governor of the State of Florida, the members of the Supreme Court, and the Cabinet officers be invited to greet General Van Fleet in behalf of the executive and judicial departments.

Section 3. That the President of the Senate and the Speaker of the House of Representatives are hereby directed to extend to General James Alvord Van Fleet this invitation in behalf of the members of the Senate and the House of Representatives.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Concurrent Resolution No. 882, contained in the the above message, was read the first time in full.

Senator King moved that the rules be waived and House Concurrent Resolution No. 882 be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 882 was read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

Upon the adoption of House Concurrent Resolution No. 882 the roll was called and the vote was:

Yeas—32.

Mr. President	Carraway	Johnson	Pope
Baker	Connor	Kickliter	Rawls
Barber	Douglas	King	Rodgers
Beall	Edwards	Melvin	Rood
Black	Fraser	Morrow	Shands
Bronson	Getzen	Neblett	Stenstrom
Cabot	Hodges	Pearce	Stratton
Carlton	Houghton	Phillips	Tapper

Nays—0.

So House Concurrent Resolution No. 882 was adopted, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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 Cabot—

S. B. No. 414—A bill to be entitled An Act to abolish justice districts in Broward County, Florida, and providing for a referendum.

Which amendment reads as follows—

Strike out everything after the enacting clause and insert the following in lieu thereof:

“Section 1. All existing justice districts in Broward County, Florida, (in which this Act is approved as provided in Section 2 hereof) are hereby abolished as of the first Tuesday after the first Monday in January, 1957.

Section 2. The question of whether or not this Act shall take effect to abolish justice districts shall be submitted to the people of Broward County, Florida, by referendum at the next ensuing general election. The votes on this question shall be computed separately for each justice district. Each existing justice district, in which this Act shall be approved by a majority of the qualified electors of said district voting on the question, shall stand abolished as provided in Section 1 hereof. All other justice districts shall continue to exist undisturbed. The question to be submitted shall be as follows:

“Shall Justice Districts be abolished?” Yes  No

Section 3. All laws and parts of laws in conflict herewith are hereby repealed.”

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 414, contained in the above message, was read by title, together with the House Amendment thereto.

Senator Cabot moved that the Senate do not concur in the House Amendment to Senate Bill No. 414.

Which was agreed to and the Senate refused to concur in the House Amendment to Senate Bill No. 414.

Senator Cabot moved that the House of Representatives be requested to recede from the House Amendment to Senate Bill No. 414.

Which was agreed to and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 29, 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 (28th)—

S. B. No. 499—A bill to be entitled An Act authorizing the creation and establishment of special improvement service districts in unincorporated areas in Volusia County, Florida, to provide local improvements and special services, including water mains, sanitary sewers, storm sewers, street lighting, and police, fire and lifeguard protection; providing for the levy of special assessments upon the real property benefited by such improvements or services to pay for same; authorizing the imposition and collection of rates, fees and charges for the services and facilities furnished by any such water mains or sewers; authorizing the issuance of special obligation bonds of any such district payable from the proceeds of service charges or special assessments or both; requiring an election upon the

question of creating any such district or the levy of special assessments and the approval thereof by a majority of the votes cast in an election in which a majority of the freeholders who are qualified electors residing in such district shall participate; and prescribing the powers and duties of the Board of County Commissioners of Volusia County in relation to the foregoing.

Proof of publication attached.

Also—

By Senator Gautier (28th)—

S. B. No. 501—A bill to be entitled An Act to permit any special road and bridge district in Volusia County, Florida, or any county commissioner's district in Volusia County, Florida, to lend road and bridge equipment to another special road and bridge district in said county or to another county commissioner's district in said county on a daily, weekly or monthly rental basis.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bills Nos. 499 and 501, 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 29, 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 Melvin—

S. B. No. 452—A bill to be entitled An Act authorizing, requiring and directing the Board of County Commissioners of Santa Rosa County, Florida, to convert, apportion, and pay over to the Board of Public Instruction of Santa Rosa County, Florida, the first \$50,000.00 received, and thereafter one-half of all monies received by said county under the provisions of Chapter 550 and 551, Florida Statutes, 1953, and any amendatory or supplementary act thereto, said chapters being the Racetrack and Fronton Laws, respectively.

Proof of publication attached.

Also—

By Senator Melvin—

S. B. No. 453—A bill to be entitled An Act creating the elective office of county attorney in and for Santa Rosa County, Florida; fixing the term of said office and the method of filling same; prescribing the duties of said county attorney and fixing and prescribing his fees and compensation therefor.

Proof of publication attached.

Also—

By Senator Phillips—

S. B. No. 490—A bill to be entitled An Act to fix the compensation of the members of the Board of Public Instruction of Columbia County, Florida, at twelve hundred dollars (\$1200) per annum; providing for an effective date.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bills Nos. 452, 453 and 490, 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 29, 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 Houghton—

S. B. No. 483—A bill to be entitled An Act to amend Chapter 29477, Laws of Florida, Special Acts of 1953, entitled "An Act relating to the Town of Redington Beach; authorizing the said town to acquire and construct public improvement facilities as therein defined, and to finance the same as therein defined, and authorizing said town to lay out, grade, pave, or construct streets, or other public highways, parks or other public places, gas plants and appropriate system, electric light plants and appropriate system, waterworks and appropriate system, sewer systems (either sanitary or storm), and appropriate disposal or treatment plant or plants, seal walls, jetties, or breakwaters and other improvements; and acquire and construct public improvement facilities as therein defined as undertakings; and to finance any or all of the same in whole or in part, as therein defined, and authorizing said town to borrow money and issue as evidence thereof, general obligation bonds; general obligation bonds secured by pledge of assessments and/or revenues; assessment and/or revenue bonds and to guarantee payment of same as a general obligation of said town and authorizing the levy of ad valorem taxes upon all real or personal property within said town for payment of interest and principal as in the act specified; and authorizing said town to assess in whole or in part the costs thereof to benefited real property as therein provided; and to pledge such assessments and/or revenues from any revenue producing undertaking, in whole or in part, for payment of assessment or revenue bonds, or as additional security for general obligation bonds as therein provided, and as the board of commissioners of such town may determine; providing a lien upon property benefited and assessed; providing for election upon issue of bonds as required by the Constitution of Florida and as therein provided; providing procedure for all the foregoing; repealing Chapter 27846—Laws of Florida 1951 and superseding all laws in conflict with this Act; and providing such Act shall be effective upon approval by the qualified electors of the Town of Redington Beach at referendum election as therein specified." By amending Section III—Division B Paragraph (b) thereof so as to authorize the Board of Commissioners of the Town of Redington Beach by majority vote to use any just and equitable method of assessment; by adding thereto after Section III—Division B Subparagraph (b) (3), an additional subparagraph designated (4) providing for a fourth method of assessment: repealing all laws and parts of laws in conflict herewith, and providing for referendum.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No 483, 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 29, 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 (28th)—

S. B. No. 500—A bill to be entitled An Act to authorize the Board of County Commissioners of Volusia County, Florida, to maintain and keep up the grounds of any cemetery in said

county outside of the corporate limits of cities and towns in said county.

Proof of publication attached.

Also—

By Senator Rodgers—

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.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bills Nos. 500 and 362, 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 29, 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 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.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 573, 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 29, 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 Fraser—

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.

Also—

By Senator Gautier (28th)—

S. B. No. 498—A bill to be entitled An Act to allow and authorize the Board of County Commissioners of Volusia County, Florida, to pay all or any part of insurance premiums on county employees' insurance covering injury sustained after working hours or covering illness of such employees or both.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bills Nos. 418 and 498, 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,  
May 2, 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. 515—A bill to be entitled An Act authorizing and empowering the City of Miami, in Dade County, Florida, to grant, convey or sell the properties known as "The Graves Tract" to the Inter-American Center Authority; authorizing the authority to lease or exchange such property for any lawful purpose of the authority; authorizing the city to construct and operate buildings and structures on such property; and repealing Chapter 27716, Laws of Florida, Special Acts of 1951.

Proof of publication attached.

Also—

By Senator Houghton—

S. B. No. 534—A bill to be entitled An Act to abolish the present municipality of the City of St. Petersburg Beach in Pinellas County, Florida; to repeal House Bill No. 1438, Chapter 26,208, Special Laws of Florida, 1949; to create and establish a new municipality to be known as the City of St. Petersburg Beach, in Pinellas County, Florida; to fix and define the territorial boundaries of said city and provide for and authorize the extension of the boundaries hereby established, including incorporated and unincorporated areas; to provide for government powers and provisions of said city and means for exercising same in addition to those powers granted by the General Laws of the State of Florida; to require the districting and subsequent redistricting of said city; to provide for the mayor commissioner form of government with an option for a commissioner-manager form of government if such be subsequently approved by a referendum vote; to provide for the general powers and duties of the city commission; to provide for the election of district commissioners and the mayor-commissioner and qualification of said mayor commissioner and district commissioners; to authorize adoption of ordinances and manner of same; to ratify and validate certain acts and procedures of the governing authority and officers of said city heretofore in existence, and to continue in effect the ordinances of the city hereby abolished insofar as same are not in conflict herewith; to provide for the manner of holding elections and the qualification and registration of candidates and electors. To provide for recall elections; to provide for the operation of the mayor-commissioner form of government and its general powers; to provide for the operation of the commission-city manager form of government if such be adopted by a subsequent referendum of the people; to provide for the appointed officials and prescribe their duties; to provide for a municipal court and authorize the imposition of penalties for the violation of ordinances; to provide for an annual budget for the fiscal practice of said city and to further provide for the levy of taxes and other financial matters: to authorize the vesting of all powers and rights with reference to municipal electric, gas works, other public works, and zoning, according to the General Laws of the State of Florida; to repeal all laws and ordinances in conflict herewith, and to provide for the adoption of this Act through referendum.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bills Nos. 515 and 534, 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,  
May 2, 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 Edwards—

S. B. No. 511—A bill to be entitled An Act relating to the Town of McIntosh; enlarging the territorial limits of the Town of McIntosh; providing for registration and referendum on extending town limits; providing for increase of town council to five (5) members; providing for terms of office of mayor and town council; providing for referendum on said increase and terms of office.

Also—

By Senator Gautier (13th)—

S. B. No. 523—A bill to be entitled An Act to repeal Chapter 19892, Laws of 1939, creating Indian Creek Village, a municipal corporation in Dade County, Florida, and to recreate Indian Creek Village, a municipal corporation in Dade County, Florida, defining its boundaries, providing for its government, jurisdiction, powers, franchises, privileges and functions, prescribing qualifications of its electors, and relating generally to said village.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bills Nos. 511 and 523, 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,  
May 2, 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 (28th)—

S. B. No. 516—A bill to be entitled An Act to amend Chapter 11,272, Laws of Florida, Acts of 1925 entitled "An Act creating and incorporating a special tax district in Volusia County, Florida, to be known as the 'Halifax Hospital District,' fixing and prescribing the boundaries of said district; providing for the governing and administration of the same; providing and defining the powers and purposes of said district and of the board of commissioners thereof; authorizing and empowering such board to establish, contract, operate and maintain such hospital or hospitals as may be established and constructed by said board in said district; authorizing and providing for the issuance and sale of bonds of said district; authorizing and empowering such board to borrow money on the note or notes of said district; authorizing the providing for the levy and collection of taxes for the payment of the said bonds and the interest thereon, and authorizing and providing for the levy and collection of additional taxes for the repair and maintenance of said hospital or hospitals; authorizing and providing generally the powers and duties of said board on its behalf" as amended, by adding thereto Section Fourteen-C (14-C), authorizing the board of commissioners of said district to build an addition or additions to said

hospital known as the Halifax District Hospital and to levy against the taxable property within said district a tax not to exceed 1.75 mills on the dollar for two years only, to be collected and paid into the district building fund and used for the construction of said addition or additions to said hospital, and reducing the authority of said board of commissioners of said district to levy an annual tax of four mills for the maintenance, operation and repair of said hospital by the amount of millage levied for said addition or additions to said hospital during the years said levy for said addition or additions are made and to authorize said board of commissioners of said district to transfer any surplus or other unobligated funds or assets into said building fund for the construction of said addition or additions and to authorize said board of commissioners to borrow in the course of current governmental budgetary operations money not to exceed the sum of three hundred thousand (\$300,000.00) dollars for a period of time not to exceed two years and to issue building fund notes payable within two years solely from said building fund and providing that the holder or holders of said building fund notes shall have no right, remedy or lien to collect the same or the unpaid balance thereof from the taxpayers of said district or said board of commissioners, and providing that said Act shall take effect immediately upon its becoming a Law.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 516, 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,  
May 2, 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 Cabot—

S. B. No. 554—A bill to be entitled An Act to amend Article 3 of Chapter 29077, Special Acts of 1953, (said Chapter being An Act creating the Fort Lauderdale Firemens Relief and Pension Fund), said amendment deleting Article 3 and inserting in lieu thereof the new Article 3, said section relating to income to the fund and said amendment herein providing that the City of Fort Lauderdale shall only contribute to this fund such sums as an employer shall pay under Federal Social Security Laws.

Proof of publication attached.

Also—

By Senator Gautier (13th)—

S. B. No. 539—A bill to be entitled An Act to provide for special application of Chapter 28230, Laws of Florida, Acts of 1953, to the City of Miami Beach, Florida; providing for the creation of a Miami Beach Policemen's Relief and Pension Fund; creating a board of trustees for the administration of said fund, providing for means of crediting accumulated and prospective funds to the accounts of individual policemen, disbursements and payments of benefits from said fund.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bills Nos. 554 and 539, 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,  
May 2, 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. 522—A bill to be entitled An Act to provide a permanent bailiff for the grand jury in all counties in the State of Florida having a population of 450,000, or more, according to the last preceding Federal Census, and fixing the powers and duties and salary of such bailiff and appropriating monies for the payment of said salary.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 522, 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,  
May 2, 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 Stratton—

S. B. No. 455—A bill to be entitled An Act relating to the jurisdiction of the justice of the peace courts within Nassau County; providing for transfer of defendant, after being advised of constitutional rights and upon his demand of a trial by jury, to proper court of competent jurisdiction; providing for procedure if defendant elects to waive jury trial or enters a plea of guilty; providing savings clause; providing referendum.

Also—

By Senator Houghton—

S. B. No. 484—A bill to be entitled An Act to amend Chapter 29476, Laws of Florida, Special Acts of 1953, entitled "An Act authorizing the Town of Redington Beach in Pinellas County to contract with any legal entity or agency thereof to furnish, or to obtain any service incident to any municipal function, and providing for referendum"; by amending Section 1 thereof so as to authorize the board of commissioners to enter into and bind the Town of Redington Beach to a contract or contracts requiring the expenditure of up to and including the sum of \$7,500.00 without the necessity of passing a resolution and submitting such resolution to a referendum vote; repealing all laws or parts of laws in conflict herewith, and providing for referendum.

Also—

By Senator Houghton—

S. B. No. 482—A bill to be entitled An Act to amend Chapter 29473, Laws of Florida Special Acts of 1953, entitled "An Act authorizing the Town of Redington Beach to lay out, grade and pave streets within such town and make other improvements as therein specified and to assess, in whole or in part, the cost thereof to the property benefited; providing method of assessment and collection of same and for a lien upon property so assessed, providing for issuance and sale of assessment bonds, and for guarantee of same when approved by freeholders as required by Constitution, and providing same shall be effective upon approval at referendum election by the qualified electors of the Town of Redington Beach as therein specified." By amending Section III thereof so as to authorize the Board of Commissioners of the Town of Redington Beach

by majority vote to use any just and equitable method of assessment; by adding thereto after Section III, Subparagraph (c), an additional subparagraph designated (d) providing for a fourth method of assessment; repealing all laws or parts of laws in conflict herewith, and providing for referendum.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bills Nos. 455, 484 and 482, 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,  
May 2, 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 concurred in Senate Amendments to—

By the Committee on Public Roads and Highways—

H. B. No. 429—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 the beginning of the same in Dade or Broward County, Florida, and by authorizing construction of an additional Turnpike Project from a point in St. Lucie County, Florida, to a point in Duval County, Florida, through Lake County, Florida, and directing an immediate study and the construction if economically feasible of a specific Turnpike Project from a point in Hillsborough or Pinellas County, Florida, northeasterly to intersect the additional Turnpike Project above described and authorizing the study of a specific Turnpike Project from a point on the aforesaid additional Turnpike northwesterly or westerly to a point in Escambia County, Florida, or to a point of juncture at the Alabama-Florida line with any Alabama Turnpike projected, authorized or constructed and limiting advertising thereon and prohibiting the expenditure of State advertising funds.

Which amendments read as follows:

Amendment No. 1—

In Section 1, Subsection 1, line 15, (typewritten bill) following the words "Dade County, Florida" insert "or Broward County, Florida."

Amendment No. 2—

In Section 1, Subsection 4, (typewritten bill) at the end of Subsection 4, strike out the period (.) and insert in lieu thereof the following: "; and if found economically feasible shall construct, maintain, repair and operate such turnpike project at the location herein established; provided, however, that the exact route and termini shall be determined as provided by Subsection (6) of Section 6, Chapter 28128, Laws of Florida, Acts of 1953."

Amendment No. 3—

In Title, strike out entire title and insert in lieu thereof the following:

"A bill to be entitled An Act amending Chapter 28128, Laws of Florida, Acts of 1953 (same now being Chapter 340, Florida Statutes), relating to the authorization of a specific Turnpike Project, by authorizing the beginning of the same in Dade or Broward County, Florida; and by authorizing the construction of an additional Turnpike Project from a point in St. Lucie County, Florida, to a point in Duval County, Florida, through Lake County, Florida and Marion County, Florida; directing an immediate study and the construction if economically feasible of a specific Turnpike Project from a point in Hillsborough or Pinellas County, Florida, northeasterly to intersect the additional Turnpike Project above described; and authorizing and providing financing for the study of a specific Turnpike Project from a point on the aforesaid addi-

tional Turnpike northwesterly or westerly to a point in Escambia County, Florida, or to a point of juncture at the Alabama-Florida line with any Alabama turnpike projected, authorized or constructed; and prohibiting expenditure of State advertising funds for any turnpike and authorizing certain restricted municipal advertising thereon."

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 29, 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 adopted—

By Messrs. Jones of Collier, Sheppard of Lee and Hathaway of Charlotte—

H. M. NO. 239—A MEMORIAL TO CONGRESS, THE PRESIDENT AND HIS SECRETARY OF COMMERCE, URGING THE ESTABLISHMENT OF A WEATHER STATION IN THE GULF OF MEXICO.

WHEREAS, THE LEGISLATURE OF THE STATE OF FLORIDA being aware that accurate and immediate weather information is of the utmost importance to the State of Florida and other states bordering on the Gulf of Mexico, and

WHEREAS, the Gulf Coast is the only coast without a weather station offshore, and

WHEREAS, there exists an urgent, definite, and proven need for more adequate weather information in this highly productive section of the United States, and

WHEREAS, Congressman T. Ashton Thompson, of Louisiana, introduced HR 198 in the 84th Congress, 1st Session, on January 5, 1955, "to provide that a floating weather station shall be maintained at all times in the Gulf of Mexico to provide storm warnings for states bordering on the Gulf of Mexico", and

WHEREAS, this Bill—HR 198—received full support from the industries located on the Gulf of Mexico, particularly the fisheries, airlines, oil operators, steamship operators, and civil defense directors, and

WHEREAS, the above named Resolution was found to be not necessary in order to establish such weather station, because such authority has been provided the Secretary of Commerce of the United States under Section 147; Title 14 USC; and Section 90; Title 14 USC, and

WHEREAS, the Office of the Secretary of Commerce, the Office of the Chief of the Weather Bureau, and the Commandant of the United States Coast Guard have been made aware of the need for this weather protection service for the Gulf States through briefs, letters, resolutions, telegrams and telephone advices, and

WHEREAS, lives and property amounting to over two billion dollars are in jeopardy due to lack of information from the central and western Gulf of Mexico where destructive storms form very suddenly,

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

That the President of the United States and his Secretary of Commerce give immediate consideration to establishing a Weather Station in the Gulf of Mexico, because existing land-based facilities have proven inadequate for the needs of our fishing fleets, who now range far beyond the scope of radar stations, and that the economy of the Marine Fisheries of the State of Florida and the Gulf States is seriously threatened because of the lack of weather protection which would be provided by a Weather Station in the Gulf of Mexico.

BE IT FURTHER RESOLVED, that copies of this RESOLUTION be forwarded to the President of the United States, the President of the Senate and the Speaker of the House in the Congress, the Congressional Delegations of the States of Alabama, Florida, Louisiana, Mississippi and Texas; the Chairman and members of the Senate Interior and Insular Affairs Committee; the Chairman and members of the House Merchant Marine and Fisheries Committee; the Chairman and Members of the Senate and House Joint Committee on Appropriations.

BE IT FURTHER RESOLVED, that a copy of this memorial be spread upon the journal of both the Senate and House of Representatives of Florida and sufficient copies thereof be furnished to the press.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Memorial No. 239, contained in the above message, was read the first time in full and referred to the Committee on Constitutional Amendments.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 29, 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 adopted—

By Messrs. Dukes and Shipp of Jackson, Cross of Alachua, Allen and Bodiford of Bay, Musselman of Broward, Knight of Calhoun, Hathaway of Charlotte, Gleaton of Citrus, Jones of Collier, Bishop of Columbia, Okell and Herrell of Dade, Maness of Duval, Hopkins of Escambia, Inman and Arrington of Gadsden, Lancaster of Gilchrist, Costin of Gulf, Williams of Hardee, Stewart of Hendry, Varn of Hernando, Livingston of Highlands, Moody and Johnson of Hillsborough, Pruitt of Jefferson, Putnal of Lafayette, Duncan of Lake, Sheppard of Lee, Ballinger of Leon, Marshburn of Levy, Alexander of Liberty, Jones of Madison, Pratt of Manatee, Bryant of Marion, Rowell of Martin, Page of Nassau, Stewart of Okaloosa, Zelmanovitz of Okeechobee, Land and Coleman of Orange, Griffin of Osceola, Dickinson and Roberts of Palm Beach, Williams of Pasco, Petersen, Johnson and Shaffer of Pinellas, Surlis and Tillett of Polk, Beck of Putnam, Usina of St. Johns, King of St. Lucie, Pittman of Santa Rosa, Bartholomew of Sarasota, Cleveland of Seminole, Merritt of Sumter, Roberts of Suwannee, Jones of Taylor, Andrews of Union, Revelle of Wakulla, Webb of Washington, Boyd of Lake, Crews of Baker and Mrs. Patton of Franklin—

H. M. No. 594—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 deplores, despises, decries, disents, 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 Chief Clerk of the House of Representatives of the State of Florida to the Secretary of the Senate 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.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Memorial No. 594, contained in the above message, was read the first time in full and referred to the Committee on Constitutional Amendments.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 29, 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 Committee on Public Safety—

H. B. No. 128—A bill to be entitled An Act to provide that the driver of a vehicle convicted of a second offense of leaving the scene of an accident as prohibited by Section 317.07, and 317.08, Florida Statutes, shall be guilty of a felony; and authorizing arrests in such cases without a warrant.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 128, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "B."

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 29, 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. Gibbons, Moody and Johnson of Hillsborough—

H. B. No. 765—A bill to be entitled An Act relating to jurors and jury lists, amending Section 40.10, Florida Statutes, providing for a jurors' list of ten thousand (10,000) qualified persons; providing that no juror's name be drawn twice until the list has been exhausted; and providing for the Clerk of the Circuit Court to furnish necessary clerical aid to the jury commission.

Also—

By Messrs. Cleveland and Williams of Seminole—

H. B. No. 757—A bill to be entitled An Act providing for the

annual compensation of the supervisors of registration in counties of the State of Florida having a population of not less than twenty-five thousand (25,000) and not more than twenty-seven thousand (27,000) according to the last official census; providing an effective date.

Also—

By Messrs. Dickinson and Roberts of Palm Beach—

H. B. No. 766—A bill to be entitled An Act to amend Chapter 15302, Special Laws of Florida, Acts of 1931, being An Act relating to and concerning the Town of Lantana, in Palm Beach County, Florida, by providing for a judge ad litem of the municipal court, providing method of appointment, term, duties and compensation; and providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 765, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "C."

And House Bill No. 757, contained in the above message, was read the first time by title only.

Senator Stenstrom moved that the rules be waived and House Bill No. 757 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 757 was read the second time by title only.

Senator Stenstrom moved that the rules be further waived and House Bill No. 757 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. 757 was read the third time in full.

Upon the passage of House Bill No. 757 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So House Bill No. 757 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. 766 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. 766, 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. 766 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 766 was read the second time by title only.

Senator Morrow moved that the rules be further waived and House Bill No. 766 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. 766 was read the third time in full.

Upon the passage of House Bill No. 766 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So House Bill No. 766 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 29, 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. Bishop of Columbia.

H. B. No. 767—A bill to be entitled An Act to authorize and empower the Board of County Commissioners of Columbia County, Florida to levy upon all real and personal property, subject to taxation within Columbia County, Florida, in addition to all other taxes not to exceed one (1) mill, which shall be assessed and collected for the purpose of advertising, operating, maintaining and improving the State Ranger School, a division of the University of Florida, located in Columbia County, Florida, and to provide that the levy and collection of said tax and the disbursement of funds derived therefrom shall not be subject to the supervision or control of any board or commission other than the Board of Public Instruction of Columbia County, Florida, declaring the same to be a county purpose; repealing Chapters 28980 and 28981, Special Acts of Florida, 1953, and all other laws in conflict herewith; and providing an effective date.

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. 767 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. 767, contained in the above message, was read the first time by title only.

Senator Phillips moved that the rules be waived and House Bill No. 767 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 767 was read the second time by title only.

Senator Phillips moved that the rules be further waived and House Bill No. 767 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. 767 was read the third time in full.

Upon the passage of House Bill No. 767 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So House Bill No. 767 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 29, 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. Webb of Washington—

H. B. No. 712—A bill to be entitled An Act empowering and authorizing the Board of County Commissioners of Washington County, Florida to include in the annual budget of said county for any fiscal year hereafter provision for the expenditure of and to expend not in excess of \$500.00 to provide lighting for the athletic field of the public high school at Vernon in said county, and not in excess of \$250.00 to build an athletic field for the public school at Wausau in said county, and not in excess of \$250,000 to build an athletic field for the public school at Caryville in said county.

Proof of publication attached.

Also—

By Mr. Smith of Indian River—

H. B. No. 713—A bill to be entitled An Act empowering the City of Fellsmere, Florida, established by Chapter 11480, Laws of Florida, Acts of 1925, to pledge the revenue derived from any facility of said city or to pledge the revenue derived from the cigarette tax, the utilities tax, franchise income or any other excise tax or any other available funds, to pay and discharge any revenue certificates which the city is herewith authorized to issue for the construction, maintenance or repair of its public streets or other public improvements authorized by law.

Proof of publication attached.

Also—

By Messrs. Cross and Turlington of Alachua—

H. B. No. 714—A bill to be entitled An Act to provide for special application of Chapter 19112, Laws of Florida, 1939, to the city of Gainesville, Florida; providing for the payment of benefits from the Firemen's Relief and Pension Fund of said city; the qualification of pensioners under said fund; and providing that said fund shall not be maintained by deductions from pensions or contributions by pensioners.

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. 712 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. 712, contained in the above message, was read the first time by title only.

Senator Tapper moved that the rules be waived and House Bill No. 712 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 712 was read the second time by title only.

Senator Tapper moved that the rules be further waived and House Bill No. 712 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. 712 was read the third time in full.

Upon the passage of House Bill No. 712 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So House Bill No. 712 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. 713 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. 713, contained in the above message, was read the first time by title only.

Senator Barber moved that the rules be waived and House Bill No. 713 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 713 was read the second time by title only.

Senator Barber moved that the rules be further waived and House Bill No. 713 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. 713 was read the third time in full.

Upon the passage of House Bill No. 713 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So House Bill No. 713 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. 714 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. 714, contained in the above message, was read the first time by title only.

Senator Shands moved that the rules be waived and House Bill No. 714 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 714 was read the second time by title only.

Senator Shands moved that the rules be further waived and House Bill No. 714 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. 714 was read the third time in full.

Upon the passage of House Bill No. 714 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So House Bill No. 714 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 29, 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. Bartholomew and Youngberg of Sarasota—

H. B. No. 709—A bill to be entitled An Act relating to Sarasota County; amending Section 1, Section 3, Section 5, Section 8, and Section 12, Chapter 26468, Acts of Extraordinary Session of 1949, as amended by Chapter 27888, Special Acts of 1951, which is an Act establishing Sarasota County Public Hospital Board; providing for the qualifications and method of appointment of the members of such hospital board; providing for the term of office and for the compensation to be paid the members of such hospital board, its duties and powers, and for the adoption of a seal for said hospital board; giving said hospital buildings and to operate, maintain and supervise such hospitals; authorizing said hospital board to borrow money and issue bonds to purchase property, to construct hospital buildings thereon irrespective of zoning regulations and equip and maintain the same; providing for the calling of special tax elections for the issuance of evidence of indebtedness and bonds; providing for the condemnation of property under the right of eminent domain, providing rules and regulations for the use and operation of such hospitals or hospital; providing for the right to accept gifts and donations and declaring said Act to be for public purposes; providing for the issuance of benefit certificates and the terms and conditions upon which same may be issued.

Proof of publication attached.

Also—

By Mr. Webb of Washington—

H. B. No. 711—A bill to be entitled An Act relating to the City of Chipley; providing for validating, legalizing and confirming the tax assessment rolls of the City of Chipley, in Washington County, for the years from the year 1949 through the year 1954 and all proceedings had and taken in connection with said rolls; providing savings clause; repealing all laws in conflict therewith.

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. 709 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. 709, contained in the above message, was read the first time by title only.

Senator Rood moved that the rules be waived and House Bill No. 709 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 709 was read the second time by title only.

Senator Rood moved that the rules be further waived and House Bill No. 709 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. 709 was read the third time in full.

Upon the passage of House Bill No. 709 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So House Bill No. 709 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. 711 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. 711, contained in the above message, was read the first time by title only.

Senator Tapper moved that the rules be waived and House Bill No. 711 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 711 was read the second time by title only.

Senator Tapper moved that the rules be further waived and House Bill No. 711 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. 711 was read the third time in full.

Upon the passage of House Bill No. 711 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So House Bill No. 711 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 29, 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. Williams of Hardee—

H. B. No. 707—A bill to be entitled An Act amending Chapter 25851, Laws of Florida, Special Acts 1949, creating the office of County Attorney of Hardee County, Florida, providing that in the primaries and general election to be held in the year 1956, there shall be elected a county attorney for Hardee County, Florida, for a term of four years and every four years thereafter and fixing the term of said office at four years.

Proof of publication attached.

Also—

By Mr. Duncan of Lake—

H. B. No. 710—A bill to be entitled An Act to authorize and empower the boards of county commissioners of counties having a population of not less than 35,000 nor more than 36,400 according to the last official census, to exchange or sell lands acquired by said counties from delinquent taxes and providing the method and procedure of exchange or sale; method of disbursement of proceeds of sale; making act cumulative.

Also—

By Messrs. Shaffer, Petersen and Johnson of Pinellas—

H. B. No. 708—A bill to be entitled An Act amending Chapter 23214, Acts of 1945, and Chapter 28973, Acts of 1953, relating to pensions for employees of the City of Clearwater, Pinellas County, Florida by providing for extended payment of pensions to employees' widows and widowers; by providing for payment of additional amounts equal to fifteen per cent (15%) of employees' pensions for each dependent child under the age of eighteen (18) years within an established maximum; and by providing for a minimum pension of seventy-five dollars (\$75.00) per month.

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. 707 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. 707, contained in the above message, was read the first time by title only.

Senator Carlton moved that the rules be waived and House Bill No. 707 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 707 was read the second time by title only.

Senator Carlton moved that the rules be further waived and House Bill No. 707 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. 707 was read the third time in full.

Upon the passage of House Bill No. 707 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So House Bill No. 707 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 710, 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. 710 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 710 was read the second time by title only.

Senator Baker moved that the rules be further waived and House Bill No. 710 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. 710 was read the third time in full.

Upon the passage of House Bill No. 710 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So House Bill No. 710 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. 708 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. 708, 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 29, 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. Shaffer, Johnson and Petersen of Pinellas—

H. B. No. 706—A bill to be entitled An Act to create and establish a municipal corporation to be known as the City of Indian Rocks Beach, Florida; to provide a charter for said city; to define its territorial limits; provide for its government; and prescribe its jurisdiction and powers; providing for referendum election.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 706, contained in the above message, was read the first time by title only.

Senator Houghton moved that the rules be waived and House Bill No. 706 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 706 was read the second time by title only.

Senator Houghton moved that the rules be further waived and House Bill No. 706 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. 706 was read the third time in full.

Upon the passage of House Bill No. 706 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So House Bill No. 706 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Stenstrom asked unanimous consent of the Senate to take up and consider House Bill No. 687, out of its order.

Which was agreed to.

H. B. No. 687—A bill to be entitled An Act to extend the powers and jurisdiction of the Town of Cocoa Beach, a municipal corporation in Brevard County, Florida, entitled: "An Act declaring dilapidated, unsanitary or unsafe buildings or structures, marsh, swamp, wet or overflowed land, or the presence of garbage refuse, surface closets, dead animals, trash waste and unused lumber or other waste materials, sawdust or debris of any kind, or weeds or high grass, to be nuisances; to provide a method of abating such nuisances: To authorize the town to do all work and furnish all materials for the abatement of such nuisance and charge and assess the expense of the same against the owner; to create a lien for said expense and provide for the enforcement and foreclosure of the same, and the cost and expense of the same.

Was taken up.

Senator Stenstrom moved that the rules be waived and House Bill No. 687 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 687 was read the second time by title only.

Senator Stenstrom moved that the rules be further waived and House Bill No. 687 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. 687 was read the third time in full.

Upon the passage of House Bill No. 687 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So House Bill No. 687 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Stenstrom asked unanimous consent of the Senate to take up and consider House Bill No. 688, out of its order.

Which was agreed to.

H. B. No. 688—A bill to be entitled An Act to require certain contracts of the town of Cocoa Beach, a municipal corporation of Brevard County, Florida to be let only by competitive bids.

Was taken up.

Senator Stenstrom moved that the rules be waived and House Bill No. 688 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 688 was read the second time by title only.

Senator Stenstrom moved that the rules be further waived and House Bill No. 688 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. 688 was read the third time in full.

Upon the passage of House Bill No. 688 the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So House Bill No. 688 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

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

Senate Bill No. 274 was taken up in its order and the consideration thereof was informally passed, the Bill retaining its place on the Calendar of Bills on Third Reading.

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

Senate Bills Nos. 276, 277 and 346 were taken up in their

order and the consideration thereof was informally passed, the Bills retaining their respective places on the Calendar of Bills on Second Reading.

Senator Barber presiding.

S. B. No. 365—A bill to be entitled An Act abolishing the State Board of Control and transferring its powers, duties and jurisdiction; providing effective date.

Was taken up in its order.

Senator Tapper moved that the rules be waived and Senate Bill No. 365 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 365 was read the second time by title only.

The President presiding.

Senator Tapper moved that the rules be further waived and Senate Bill No. 365 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. 365 was read the third time in full.

Upon the passage of Senate Bill No. 365 the roll was called and the vote was:

Yeas—10.

Mr. President	Houghton	Morrow	Tapper
Cabot	Melvin	Neblett	
Hodges	Morgan	Phillips	

Nays—25.

Baker	Clarke	Getzen	Rood
Barber	Connor	Johnson	Shands
Beall	Douglas	King	Stenstrom
Black	Edwards	Pearce	Stratton
Bronson	Floyd	Pope	
Carlton	Fraser	Rawls	
Carraway	Gautier (28th)	Rodgers	

So Senate Bill No. 365 failed to pass.

Senate Bills Nos. 366, 380, 115 and 112 were taken up in their order and the consideration thereof was informally passed, the Bills retaining their respective places on the Calendar of Bills on Second Reading.

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.

Was taken up in its order.

Senator Shands moved that the rules be waived and Senate Bill No. 444 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 444 was read the second time by title only.

The Committee on Governmental Reorganization offered the following amendment to Senate Bill No. 444:

In Section 2, Subsection (a), (typewritten bill) strike out the first four lines and that part of the fifth line in the sentence up to the word "members;"

On the eleventh line strike out the word "FOUR" and insert in lieu thereof the following:

"(a) The Commission shall consist of six members to wit: One member from each congressional district as defined and limited on June 9, 1937, and a chairman from the State of Florida at large, all of whom shall be appointed by the Governor."

On the eleventh line insert the word "TWO."

Senator Tapper moved the adoption of the amendment.

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

Senator Shands offered the following amendment to Senate Bill No. 444:

In Section 14, strike out all of Section 14 and insert in lieu thereof the following:

"Section 14. This Act shall take effect July 1st, 1955."

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shands moved that the rules be further waived and

Senate Bill No. 444, 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. 444, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 444, as amended, the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 444 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 the Senate meet Tuesday, May 3, 1955, at 10:00 o'clock A. M., until 1:00 o'clock P. M., and from 2:30 o'clock P. M., until 5:00 o'clock P. M., and on Wednesday, May 4, 1955, at 11:00 o'clock A. M., until 1:00 o'clock P. M., and from 2:30 o'clock P. M., until 5:00 o'clock P. M.

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

Senator Melvin moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 5:05 o'clock P. M., until 10:00 o'clock A. M., Tuesday, May 3, 1955.