

JOURNAL OF THE SENATE

Tuesday, May 31, 1955

1211

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, May 30, 1955.

The President in the Chair.

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

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

—37.

A quorum present.

Senator Melvin was excused from attendance upon the Session.

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

Eternal God, help us to be aware of Thy presence and nearness to us. May we open our hearts to Thee and then hear Thy voice saying: "Behold, I stand at the door and knock, if any man will hear my voice and open the door, I will come in to him."

Help us to be strong, courageous, relentless, in the desire to drive ahead for the accomplishments that will mean the most for our State.

We know we are loaded with problems and heavy responsibilities. Help us to search our hearts to see whether we are part of the problem or part of the answer.

Lift us, O God, to the highest possible level in statesmanship. Help us to remember the words of our Lord and Saviour when he said: "If any man would be great among you, let him be the servant of all." Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Friday, May 27, 1955, was further corrected as follows:

Page 1037, column 2, line 6, counting from the bottom of the column, following the word "And" and before the word "Senate" insert the following:

"Committee Substitute for."

Also—

Page 1037, column 2, line 25, counting from the bottom of the column, strike out the word "issuance" and insert in lieu thereof the word "issuers."

Also—

Page 1037, column 2, line 27, counting from the bottom of the column, strike out the word "issues" and insert in lieu thereof the word "issuers."

Also—

Page 1037, column 2, at the beginning of line 31, counting from the bottom of the column, insert the following:

"Committee Substitute for."

Also—

Page 1061, column 2, line 18, strike out the word "of" and insert in lieu thereof the word "to."

Also—

Page 1081, column 1, line 20, strike out the words "Senate Bill" and insert in lieu thereof the words "Senate Amendment."

Also—

Page 1081, column 1, line 22, strike out the words "Senate Bill" and insert in lieu thereof the words "Senate Amendment."

Also—

Page 1081, column 1, line 28, strike out the words "Senate Bill" and insert in lieu thereof the words "Senate Amendment."

Also—

Page 1081, column 1, line 30, strike out the words "Senate Bill" and insert in lieu thereof the words "Senate Amendment."

And as further corrected was approved.

The Senate daily Journal of Saturday, May 28, 1955, was further corrected as follows:

Page 1100, column 1, line 12, counting from the bottom of the column, following the word "cases" and before the word "not" insert the following:

"at law."

Also—

Page 1100, column 2, line 21, counting from the bottom of the column, strike out the figures "15,000" and insert in lieu thereof the figures "125,000."

Also—

Page 1103, column 1, strike out lines 7 to 16, both inclusive, counting from the bottom of the column, and insert in lieu thereof the following:

"And Senate Joint Resolution No. 1065, contained in the above message, was read, together with the House Amendment thereto.

Senator Melvin moved that Senate Joint Resolution No. 1065, together with the House Amendment thereto, be referred to an appropriate committee for study.

Which was agreed to and Senate Joint Resolution No. 1065, together with the House Amendment thereto, was referred to the Committee on Constitutional Amendments and the Committee on Judiciary "B," in the order named."

Also—

Page 1124, column 1, strike out lines 1 to 26, both inclusive, counting from the bottom of the column, and insert in lieu thereof the following:

"H. B. No. 1446—A bill to be entitled An Act authorizing the creation and establishment of special improvement service districts for street lighting purposes in unincorporated areas in Hillsborough County, Florida; providing for the levy of special assessments upon the real property benefited by such improvements or services; requiring an election upon the question of creating any such district or the levy of special assessments and the approval thereof by sixty per cent of the votes cast in an election in which a majority of the freeholders who are qualified electors residing in such districts shall participate; prescribing the powers and duties of the Board of County Commissioners of Hillsborough County in relation to the foregoing, and fixing the maximum amount of such special assessments; providing for the collection of such special assessments and providing proceedings when such special assessments become delinquent; providing for the issuance of special improvement district tax sale certificates and the rights of the owners and holders of such certificates;

providing for the purchase of such certificates in the name of the county; providing for a notice to delinquent property owners and for the issuance of tax deeds upon such certificates; providing for proceedings to be taken by Hillsborough County upon such certificates as may be owned by it after two years from the date thereof; providing that such certificates shall have the same priority rights, discounts and penalties as county tax sale certificates, and providing proceedings thereon in substantial conformity to the provisions of law governing county tax sale certificates."

And as further corrected was approved.

The Senate daily Journal of Monday, May 30, 1955, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Report of the Committee on Rules and Calendar pursuant to Senate Rule 66.

Honorable W. T. Davis
President of the Senate

Sir:

Your Committee on Rules and Calendar, pursuant to Senate Rule 66, submits herewith the list of Bills to constitute the Special Order Calendar to be considered by the Senate on May 31, 1955:

H. B. No. 406—Relating to department of public safety

H. B. No. 400—Relating to real estate

S. B. No. 1134—Relating to validating certain tax sales

Respectfully submitted,

DEWEY JOHNSON, Vice-Chairman
Rules and Calendar Committee

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

H. B. No. 1469—A bill to be entitled An Act adding Subsection (1) (a) to Section 39.02, Florida Statutes, amending Sections 39.02 (6), 39.03 (3) (6), adding Subsection (1) (e) to Section 39.11, amending Sections 39.12 (2), 39.18 (1) (2), Florida Statutes by providing for juvenile court to revoke or suspend drivers license of a child without adjudging child a delinquent child; providing for transfer of child to criminal court for offense punishable by death or life imprisonment where grand jury indicts such child; provides child and adult be transported in same vehicle where child and adult involved in same offense; deleting provision that child taken into custody shall not be deemed an arrest; providing juvenile court to order parents or guardians of estate of delinquent or dependent child to pay reasonable sums for care, support, maintenance and education of such child; providing that juvenile judges shall keep statistical information card on each child that petition is filed and requiring department of public welfare to keep and integrate this statistical information from such cards and limiting the use of such information; eliminating the maximum amount that board of county commissioners can appropriate for juvenile court fund and requiring reasonable and adequate appropriations; eliminating maximum salary for counselor of juvenile court and providing salary fixed by judge and approved by board of county commissioners; providing that provisions herein shall not affect any special Acts relating to juvenile courts; providing all laws in conflict hereby repealed; and providing effective date October 1, 1955.

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

S. B. No. 807—A bill to be entitled An Act authorizing and directing the Attorney General to make investigations of subversive activities within the State; to conduct hearings, subpoena witnesses and documents; providing rules of procedure and evidence; authorizing the appointment of an assistant attorney general and other necessary personnel; requiring a report by the Attorney General of all activities hereunder to the 1957 Legislature; making an appropriation; and providing an effective date.

—and recommends that the same not pass.

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

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

H. B. No. 170—A bill to be entitled An Act relating to state holidays; amending Sections 683.01, 683.02 and 683.03, Florida Statutes, designating a holiday upon November Eleventh each year as Veterans' Day.

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

H. B. No. 1389—A bill to be entitled An Act relating to horse racing; providing for reinstatement, validation, and restoration of horse racing permits issued subsequent to December 15, 1949; providing that permittees construct race track within specified period; providing for referendum for counties.

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

S. B. No. 726—A bill to be entitled An Act to amend Section 856.04, Florida Statutes, relating to the desertion of and withholding means of support from wives and children and prescribing the penalties therefor, and prescribing an 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 Johnson, Chairman of the Committee on Judiciary "B," reported that the Committee had carefully considered the following Bill:

S. B. No. 1021—A bill to be entitled An Act relating to the salaries of cabinet officers; provided effective date.

—and recommends that the same not pass.

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

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

H. B. No. 623—A bill to be entitled An Act providing for uniform systems of accounts for all departments and branches of the State government, except the Legislature and its agencies, to be prescribed by the State Auditor; and providing for uniform reporting by the institutions of higher learning on all phases of budget and fiscal matters, including student enrollment, as prescribed by the State Budget Director; and providing an effective date.

H. B. No. 611—A bill to be entitled An Act prohibiting the publication of the name or identity of certain unmarried persons under age of sixteen (16) involved in or connected with sex offenses; providing for clearing the courtroom when any such person is testifying concerning sex offenses and providing exceptions.

H. B. No. 479—A bill to be entitled An Act relating to non-profit organizations soliciting funds for charitable purposes; requiring the procurement of permit to solicit and the filing of financial statements; and providing a penalty for violations.

—and recommends that they do pass.

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

Senator Johnson, Chairman of the Committee on Judiciary

"B," reported that the Committee had carefully considered the following Bills:

H. B. No. 263—A bill to be entitled An Act amending Section 801.02, Florida Statutes, relating to the Child Molester Act, by excluding the word "rape" from definition of offenses.

H. B. No. 569—A bill to be entitled An Act to amend Section 822.03, Florida Statutes, 1941, relating to wanton, willful or malicious injury to state, county or municipal public buildings or structures and providing a penalty.

—and recommends that they do pass.

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

Senator Johnson, Chairman of the Committee on Judiciary "B," reported that the Committee had carefully considered the following concurrent resolution:

House Concurrent Resolution No. 293:—

A concurrent resolution expressing the intent of the Legislature of the State of Florida regarding the operations by certain agencies, boards, commissions, departments, institutions, bureaus, divisions, officers, and all other state agencies supported by any form of taxation or licenses, fees, imposts or exactions of any kind, whereby certain services and sales are offered directly to the public for which it is necessary that the State provide initially the costs of necessary facilities for providing such services and sales, that sufficient charges including overhead and amortization costs should be made for such sales and services so as to insure the operation of the facility on a self-sustaining basis, and requiring a report thereon.

—and recommends that the same pass.

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

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

H. B. No. 679—A bill to be entitled An Act relating to obstruction of justice; amending Section 843.11, Florida Statutes, to provide an additional penalty.

H. B. No. 567—A bill to be entitled An Act amending Subsection (2) of Section 924.11, Florida Statutes, 1953, relating to appeals in criminal cases.

H. B. No. 572—A bill to be entitled An Act amending Section 924.10, Florida Statutes 1953, relating to appeals by the State in criminal cases.

—and recommends that they do pass.

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

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

H. B. No. 552—A bill to be entitled An Act defining and making disorderly conduct unlawful and prescribing a penalty; providing effective date.

—and recommends that the same not pass.

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

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

Committee Substitute for H. B. No. 547—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; Sec-

tion 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 Section 590.29.

Committee Substitute for H. B. No. 162—A bill to be entitled An Act relating to compensation per diem and mileage of witnesses in attending courts; amending Section 90.14, Florida Statutes; providing effective date.

—and recommends that they do pass.

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

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

H. B. No. 399—A bill to be entitled An Act relating to proceedings for changes of names of persons; amending Subsection (6) of Section 69.02, Florida Statutes, as amended by Section 1 of Chapter 28159, Acts of 1953.

—and recommends that the same pass.

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

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

H. B. No. 503—A bill to be entitled An Act regulating payment of costs in disciplinary proceedings of lawyers.

H. B. No. 863—A bill to be entitled An Act relating to survival or destruction of restrictions, covenants, forfeitures, right of re-entry, and reverter clauses upon issuance of a tax deed or masters' deed upon foreclosure of tax deeds, tax certificates or tax liens; amending the third unnumbered paragraph of Section 192.33, Florida Statutes; providing effective date.

H. B. No. 794—A bill to be entitled An Act to amend Section 74.05, Florida Statutes, requiring payment of monies into registry of court in condemnation proceedings and exempting said funds from commissions or poundage and requiring said sums to be paid within twenty (20) days.

—and recommends that they do pass.

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

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

Senate Joint Resolution No. 1046—

A joint resolution proposing an amendment to Article VIII of the Constitution providing for home rule in Dade County by amending Section 11 thereof.

—and recommends that the same not pass.

And the Joint Resolution contained in the preceding report was laid on the table.

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

Committee Substitute for House Joint Resolution No. 211—

A joint resolution proposing an amendment of Article VIII, Section 8 of the State Constitution relating to home rule powers and self-government of municipalities, and otherwise providing for their organization, jurisdiction and powers.

—and recommends that the same not pass.

And the Joint Resolution contained in the preceding report was laid on the table.

Senator Carlton, Chairman of the Committee on State Institutions, reported that the Committee had carefully considered the following Bills:

H. B. No. 1001—A bill to be entitled An Act to provide for the assessment and collection of costs of care, treatment and maintenance of patients at state institutions for the mentally infirm or incompetent against the property and estates of the patients, their spouses, parents and children, imposing certain duties upon the Board of Commissioners of State Institutions and the State Welfare Board; and repealing Sections 394.10, 394.11, 394.12 and Paragraph (a) of Subsection (4) of Section 394.21, Florida Statutes; and amending Section 393.09 by providing for the payment of certain costs of admission by the county from which the patient is admitted.

Committee Substitute for H. B. No. 26:

A bill to be entitled An Act to create a department of corrections under the board of commissioners of state institutions; to provide for a director of the department; to provide for an advisory council on corrections and prison industries; to provide for operation of prison and conservation camps; to provide for a transfer of camps from the road department to the department of corrections; to provide for a reception center and system of classification; to provide that offenders shall be committed to the custody of the department; to provide for investigations by the Parole Commission and cooperation with the Parole Commission; to provide a state use law for the sale of articles manufactured by prison industries; to provide for use of prisoners by other agencies and institutions of the state; to provide for transfer and treatment of tuberculous prisoners and drug addicts; to provide for employment of the director by the board of commissioners of state institutions, fixing his salary and method by which he may be dismissed; to authorize the board to adopt regulations relating to the personnel thereof; and for other purposes relating to the establishment of a unified system of corrections for adult institutions, and to appropriate funds for the department.

—and recommends that they do pass.

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

ENGROSSING REPORTS

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

S. B. No. 1323—A bill to be entitled An Act to create and establish the Jackson-Holmes-Gadsden-Washington Counties gas district, for the proper public and governmental purposes of acquiring, constructing, owning, operating, managing, maintaining, extending, improving and financing one or more gas distribution systems, or one or more gas transmission systems, or gas transmission and distribution systems, for the use and benefit of its member municipalities of Bonifay, Chattahoochee, Chipley, Graceville, Marianna and such other municipalities, as may become members of said district and for the benefit of the public and other users of gas in Jackson and Holmes Counties and the western portion of Gadsden County including the municipality of Chattahoochee and the territory surrounding said municipality, and the northwest portion of Washington County including the municipality of Chipley and the territory surrounding such municipality, and such other municipalities to which the district may sell gas, and the citizens of Jackson and Holmes Counties and the western portion of Gadsden County, including the municipality of Chattahoochee and the territory surrounding said municipality, and the northwest portion of Washington County including the municipality of Chipley and the territory surrounding such municipality, to name and designate the member municipalities of the district and the method for admitting additional municipalities as members thereof; to define and prescribe the territorial limits and the area of service of the district; to grant powers to the district including the power of eminent domain to provide the means of exercising such powers; to provide for a board of directors, as the governing body of the district to exercise the powers of the district and direct its affairs; to provide officers for the district; to au-

thorize the district to issue and sell bonds or revenue certificates payable solely from the revenues of its gas system or systems; to authorize and provide for the judicial validation of such bonds or revenue certificates; to provide for the adoption of resolutions or the execution and delivery by the district of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds or certificates; to provide for the remedies and rights available to the holders of the bonds or certificates; to prohibit the district from any exercise of the power of taxation; to provide that the property, income, and sales of the district shall be tax exempt; to provide that the bonds or certificates of the district and interest thereon shall be tax exempt; to provide that the resolutions, deeds, mortgages, trust indentures and other instruments of; by or to the district shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the gas systems of the district; to exempt the district, its activities and functions and the exercise of its powers from the jurisdiction and control of all State regulatory bodies and agencies; to regulate the use of the proceeds from the sale of any such bonds or certificates; to make such bonds or certificates legal investments for banks, trust companies, fiduciaries and public agencies and bodies; to provide for the use of the public roads by the district; to provide a covenant by the State of Florida not to alter the provisions of this Act to the detriment of the holders of bonds or certificates of the district and to make provisions with respect to the acquisition, construction, maintenance, operation, financing and refinancing of the gas system or systems by the district.

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

Very respectfully,

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

And Senate Bill No. 1323, contained in the above report, was ordered certified to the House of Representatives immediately.

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

S. B. No. 1024—A bill to be entitled An Act increasing the retirement benefits of circuit judges of the Seventh Judicial Circuit of Florida who have continuously been a circuit judge in said circuit for twenty-five (25) years, or longer, or of any of the counties now comprising said circuit, and providing that the additional retirement benefits be paid from the general fund of such counties of said circuit in the proportion that the population of each county therein bears to the total population of such circuit, as determined by the last Federal Census and any Federal Census hereafter taken; making the same a county purpose; making an annual appropriation therefor; prescribing the conditions for receiving such additional retirement benefits; providing that a circuit judge electing to receive such additional retirement benefits shall be subject to recall for judicial duties; and providing for the payment of such additional retirement benefits.

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

Very respectfully,

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

And Senate Bill No. 1024, contained in the above report was ordered certified to the House of Representatives immediately.

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

S. B. No. 888—A bill to be entitled An Act relating to enforcement and forfeiture of supersedeas bonds in appeals from municipal court to circuit court.

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

Very respectfully,

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

And Senate Bill No. 888, contained in the above report was ordered certified to the House of Representatives immediately.

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

S. B. No. 709—A bill to be entitled An Act relating to juvenile courts; jurisdiction of court; separate juvenile and domestic relations courts preserved; disposition of juvenile drivers' licenses; traffic violations of juveniles and reports; amending Section 39.02, Florida Statutes, by adding thereto an additional subsection to be numbered (8); amending Chapter 39, Florida Statutes, by adding thereto a new section to be numbered Section 39.111.

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

Very respectfully,

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

And Senate Bill No. 709, contained in the above report was ordered certified to the House of Representatives immediately.

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

S. B. No. 973—A bill to be entitled An Act to provide that Judge Aquilino Lopez, Jr. of Monroe County and Judge D. Stuart Gillis of Walton County, Florida, upon proper contribution therefor, to receive credit for all prior service in the circuit judges' retirement act.

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

Very respectfully,

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

And Senate Bill No. 973, contained in the above report was ordered certified to the House of Representatives immediately.

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

S. B. No. 1181—A bill to be entitled An Act authorizing the Florida Industrial Commission to compromise and settle a claim for unemployment compensation contributions; authorizing acceptance and disposition of any sums authorized to be refunded in connection with said claim by Congress.

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

Very respectfully,

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

And Senate Bill No. 1181, contained in the above report was ordered certified to the House of Representatives immediately.

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

S. B. No. 1192—A bill to be entitled An Act to amend

Chapter 28842, Laws of Florida 1953, relating to the salaries of the state attorneys in each judicial circuit of the State of Florida residing in a county having a population of not less than one hundred and fifty thousand (150,000) and not more than two hundred and forty thousand (240,000) inhabitants, according to the last official census; providing for a portion of such salaries to be paid from the general fund of such counties, and providing an effective date.

—begs leave to report that the House Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,

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

And Senate Bill No. 1192, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate for enrolling.

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

S. B. No. 1114—A bill to be entitled An Act to extend the corporate limits of the City of Brooksville, in Hernando County, Florida, granting unto said city certain property in the territory embraced in said extension, and giving said City of Brooksville jurisdiction over the territory embraced in said extension; providing referendum.

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

Very respectfully,

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

And Senate Bill No. 1114, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

S. B. No. 225—A bill to be entitled An Act to define criminal sexual psychopathic persons and to provide for the commitment of such persons and the procedure therefor.

—begs leave to report that the House Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,

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

And Senate Bill No. 225, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

S. B. No. 1153—A bill to be entitled An Act to provide that in all counties having a population of not less than eighty thousand (80,000) nor more than one hundred fourteen thousand and nine hundred (114,900) inhabitants according to the last official census, it shall not be necessary to file annual claims for homestead exemption, in instances where previously filed and allowed, but such exemptions shall be allowed from year to year under certain terms and conditions; amending Section 192.16, Florida Statutes, pertaining to claims for homestead exemptions accordingly; and providing penalties.

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

Very respectfully,

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

And Senate Bill No. 1153, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

S. B. No. 1072—A bill to be entitled An Act relating to the City of Pensacola and amending Section 3 of Chapter 26140, Laws of Florida, Special Acts of 1949, and providing that any annexation by said city shall not increase the membership of the city council and authorizing redistricting of the City of Pensacola.

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

Very respectfully,

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

And Senate Bill No. 1072, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

S. B. No. 1213—A bill to be entitled An Act making it unlawful to falsify or alter any certificate, slip or other document evidencing or pretending to evidence the weight of citrus fruit bought by weight or knowingly to make, utter or deliver any such certificate, slip or document which shall be false, and providing penalties for violation.

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

Very respectfully,

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

And Senate Bill No. 1213, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

S. B. No. 492—A bill to be entitled An Act relating to community college advisory committee; to provide for its membership, appointment and duties; administrative personnel and an appropriation for necessary expenses.

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

Very respectfully,

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

And Senate Bill No. 492, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

S. B. No. 1242—A bill to be entitled An Act to amend Chapter 28758, Laws of Florida 1953, relating to the salaries of assistant state attorneys in each judicial circuit which embraces and includes a county having a population of not

less than 150,000 and not more than 240,000 inhabitants, according to the last official census; authorizing the county commission to pay a portion of such salaries from the general fund of such counties under certain conditions; and providing an effective date.

—begs leave to report that the House Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,

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

And Senate Bill No. 1242, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

S. B. No. 645—A bill to be entitled An Act relating to the definition of a dealer in eggs; amending Section 583.01, Florida Statutes; and providing an effective date.

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

Very respectfully,

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

And Senate Bill No. 645, contained in the above report was ordered certified to the House of Representatives immediately.

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

S. B. No. 1180—A bill to be entitled An Act creating and establishing a special district in certain areas of Volusia County, Florida, to be known and designated as Halifax River Waterways Improvement District and defining the territory included therein; providing for the governing and administration of said district and for the appointment or election of the members of the board of commissioners therefor; prescribing the objects of said district among which shall be the establishment of uniform bulkhead lines for the public health and welfare and conferring certain powers, duties, privileges and liabilities on the said district and on its board of commissioners; authorizing the establishment of rules, regulations and providing for the enforcement thereof and for the penalties for the violation thereof; authorizing said district to levy and assess a tax upon all taxable property within said district, except homesteads, such tax not to exceed one-tenth (1/10th) of one (1) mill, for the purpose of operating expenses of the said district; authorizing said district to establish uniform bulkhead lines in the Halifax River and the Atlantic Ocean in said district and generally improve the Halifax River for the public betterment and beautification of same; authorizing said district to receive and accept grants or contributions from any governmental entity or agency or political subdivision or public corporation in aid of the purposes of said district and of this Act; providing that the power or authority granted by this Act shall be exercised within the territorial limits of the district and within any municipality or special district within said district; authorizing the said commission to employ such persons in such capacities as may be deemed necessary to carry out the purposes of this Act; setting a time when this Act shall become effective, giving the consent of the State of Florida to the use of all state lands lying under water which are necessary for the accomplishment of the purposes of this Act, and providing for a referendum.

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

Very respectfully,

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

And Senate Bill No. 1180, contained in the above report was ordered certified to the House of Representatives immediately.

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

S. B. No. 1286—A bill to be entitled An Act amending Sections 2 and 3 of Chapter 29334, Laws of Florida, Special Acts of 1953, which chapter is entitled: "An Act to create and establish the Okaloosa County Gas District, for the proper public and governmental purpose of acquiring, constructing, owning, operating, managing, maintaining, extending, improving and financing one or more gas distribution systems, or both, for the use and benefit of its member municipalities of Crestview, Niceville, Valparaiso and Fort Walton, and such other municipalities as may become members of said district and for the benefit of the public and other users of gas in Okaloosa County and such other municipalities to which the district may sell gas, and the citizens of Okaloosa County; to provide the member municipalities of the district and the method for admitting additional municipalities as members thereof; to provide and prescribe the territorial limits and area of service of the district, to grant powers to the district, including the power of eminent domain; to provide the means of exercising such powers; to provide for a board of directors, as the governing body of the district, to exercise the powers of the district and direct its affairs; to provide officers for the district; to authorize the district to issue and sell bonds or revenue certificates payable solely from the revenues of its gas system or systems; to authorize the judicial validation of such bonds or certificates; to provide for the execution and delivery by the district of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds or revenue certificates; to provide for the remedies and rights available to the holders of the bonds or revenue certificates; to prohibit the district from any exercise of the power of taxation; to provide that the property and income of the district shall be tax exempt; to provide that the bonds or revenue certificates of the district and interest thereon shall be tax exempt; to provide that the deeds, mortgages, trust indentures and other instruments of, by, or to the district shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the gas systems of the district; to exempt the district, its activities and functions and the exercise of its powers, from the jurisdiction and control of all State regulatory bodies and agencies; to regulate the use of the proceeds from the sale of any such bonds or revenue certificates; to make such bonds or revenue certificates legal investments for banks, trust companies, fiduciaries and public agencies and bodies; to provide for the use of the public roads by the district; to provide a covenant by the State of Florida not to alter the provisions of this Act to the detriment of the holders of bonds or revenue certificates of the district; and to make provisions with respect to the acquisition, construction, maintenance, operation, financing and refinancing of the gas system or systems by the district," by providing that said district, in addition to its objects and purposes heretofore provided in said Chapter 29334, shall have the power and authority to acquire by purchase or construction, one or more, and to own, finance, operate, maintain, extend and improve a gas transmission line or lines for the purpose of supplying gas to any gas system even though located outside of the area of service of the district and such gas transmission lines, laterals, gas distribution systems and facilities to serve such customers in its area of service as the said district or its board of directors may determine, by redefining the territorial limits and area of service of said district to include, in addition to Okaloosa County, Florida, the following described area of Santa Rosa County, Florida, to-wit: an area twenty miles wide, extending from the eastern boundary of Santa Rosa County to the western boundary of said county, the center line of which shall be the presently existing transmission line of the district, excepting, however, from the above described area of Santa Rosa County (1) the area within the corporate limits of the Town of Milton and the surrounding territory presently served by the gas distribution system of said town, (ii) the area adjacent to Florida State Highway 87 (Brewton Highway) from the

intersection of said highway and the transmission line of the district northerly along said highway for a distance of two miles, (iii) the area adjacent to the new Chumuckla Highway from the intersection of said highway and Florida State Highway 87 (Brewton Highway) westerly along said new Chumuckla Highway for a distance of two miles, and (iv) the area adjacent to U. S. Highway 90 from the intersection of said highway and the transmission line of the district east of Milton, in a westerly direction along said Highway 90 to the corporate limits of the Town of Milton, and by providing that the district may sell and transport gas for delivery beyond the territorial limits and area of service of the district and acquire, finance, operate, maintain, extend and improve gas transmission lines, laterals and facilities beyond the territorial limits and area of service of the district for such purposes and also for the purpose of making direct sales to industrial and institutional users and to line tap commercial and residential users, but the district shall not acquire, construct, own or operate any gas distribution system in any area other than within the territorial limits and area of service of the district as hereinabove provided, unless authorized by Act of the Legislature to do so.

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

Very respectfully,

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

And Senate Bill No. 1286, contained in the above report was ordered certified to the House of Representatives immediately.

ENROLLING REPORTS

Your Enrolling Clerk, to whom was referred—

- S. B. No. 444
- S. C. R. No. 555
- S. B. No. 832
- S. B. No. 925
- S. B. No. 1035

—begs leave to report same have 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 31, 1955, for his approval.

Very respectfully,

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

Senator Tapper asked unanimous consent of the Senate to take up and consider House Bill No. 1495, out of its order.

Which was agreed to.

H. B. No. 1495—A bill to be entitled An Act to authorize and empower the Board of County Commissioners of Bay County, Florida, to appropriate a sum not exceeding Twenty-five Thousand Dollars (\$25,000) for the purpose of making a comprehensive development plan of Bay County, Florida, and to contract for such professional services and technical assistance as may be required to make studies, surveys and investigations incident to the preparation of a comprehensive development plan for Bay County; and to authorize and empower the Board of County Commissioners of Bay County, Florida, to take from the general funds of Bay County, Florida, all funds necessary to carry out this Act; and declaring all sums so paid to be for a county purpose in and for Bay County, Florida, and fixing the effective date of this Act, by referendum.

Was taken up.

Senator Tapper moved that the rules be waived and House Bill No. 1495 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1495 was read the second time by title only.

Senator Tapper moved that the rules be further waived and House Bill No. 1495 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. 1495 was read the third time in full.

Upon the passage of House Bill No. 1495 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1495 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Rood asked unanimous consent of the Senate to take up and consider House Bill No. 1563, out of its order.

Which was agreed to.

H. B. No. 1563—A bill to be entitled An Act fixing the compensation of the tax collector, tax assessor, clerk of the court, superintendent of public instruction and the sheriff in counties in the State of Florida having a population of not less than twenty-eight thousand (28,000) nor more than twenty-nine thousand five hundred (29,500) according to the last preceding Federal Census; and providing the effective date of this Act shall be retroactive to January 1, 1955.

Was taken up.

Senator Rood moved that the rules be waived and House Bill No. 1563 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1563 was read the second time by title only.

Senator Rood moved that the rules be further waived and House Bill No. 1563 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. 1563 was read the third time in full.

Upon the passage of House Bill No. 1563 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1563 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Getzen asked unanimous consent of the Senate to take up and consider Senate Bill No. 1320, out of its order.

Which was agreed to.

S. B. No. 1320—A bill to be entitled An Act relating to the salaries of the state attorney and assistant state attorney of each judicial circuit of the State of Florida embracing five (5) counties with a combined total population of not exceeding one hundred thousand (100,000) and with one (1) or more counties therein having a population of thirty-eight thousand (38,000) or more, according to the last preceding official census, and in which circuit there is no criminal court of record; providing effective date.

Was taken up.

Senator Getzen moved that the rules be waived and Senate Bill No. 1320 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1320 was read the second time by title only.

Senators Getzen, Edwards and Connor offered the following amendment to Senate Bill No. 1320:

Strike out Section 2 of the Bill and renumber the remaining sections of the Bill properly.

Senator Getzen moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Getzen, Edwards and Connor also offered the following amendment to Senate Bill No. 1320:

In the title of said Bill in line 2 strike out the words: and assistant state attorneys.

Senator Getzen moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Getzen moved that the rules be further waived and Senate Bill No. 1320, 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. 1320, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 1320, as amended, the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1320 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Gautier (13th) moved that Senate Joint Resolution No. 1046, reported unfavorably by the Committee on Constitutional Amendments this day, be removed from the table and placed on the Calendar of Bills and Joint Resolutions on Second Reading.

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

Senator Gautier (13th) asked unanimous consent of the Senate to take up and consider Senate Joint Resolution No. 1046, out of its order.

Unanimous consent was granted.

Senate Joint Resolution No. 1046:

A JOINT RESOLUTION PROPOSING AN AMENDMENT

TO ARTICLE VIII OF THE CONSTITUTION PROVIDING FOR HOME RULE IN DADE COUNTY BY AMENDING SECTION 11 THEREOF.

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

That the following amendment to Article VIII, Section 11, of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the next general election to be held in November, 1956:

Article VIII, Section 11, is hereby amended to read as follows:

Section 11 (a). The electors of Dade County, Florida, are granted power to adopt, revise, and amend from time to time a home rule charter of government for Dade County, Florida, under which the Board of County Commissioners of Dade County shall be the governing body. This charter:

- (i) Shall fix the boundaries of each county commission district, provide a method for changing them from time to time, and fix the number, terms and compensation of the commissioners, and their method of election.
- (ii) May grant full power and authority to the Dade County Commission to pass laws and ordinances relating to the affairs, property and government of Dade County and provide suitable penalties for the violation thereof, to levy and collect taxes of all kinds except taxes prohibited by the Constitution, and to do everything necessary to carry on a central metropolitan government in Dade County, including without limitation, full power and authority to exercise all powers or perform any functions which this Constitution confers or which the Legislature has the power to confer upon any county, municipality, or other governmental unit in this State. The enumeration of powers in this section shall not be deemed to limit or restrict this general grant of authority except where specifically so provided.
- (iii) May change the boundaries of, merge, consolidate, and abolish and may provide a method for changing the boundaries of, merging, consolidating and abolishing from time to time all municipal corporations, county or district governments, special taxing districts, authorities, boards, or other governmental units whose jurisdiction lies wholly within Dade County, whether such governmental units are created by the Constitution or the Legislature or otherwise, except the Dade County Board of County Commissioners as it may be provided for from time to time by this home rule charter and the Board of Public Instruction of Dade County.
- (iv) May provide a method by which any or all of the functions or powers of any municipal corporation or other governmental unit in Dade County may be transferred to the County Commission.
- (v) May provide a method for establishing new municipal corporations, special taxing districts, and other governmental units in Dade County from time to time and provide for their government and prescribe their jurisdiction and powers.
- (vi) May abolish and may provide a method for abolishing from time to time all offices provided for by Article VIII, Section 6, of the Constitution or by the Legislature except the Superintendent of Public Instruction and may provide for the consolidation and transfer of the functions of such offices, provided however that there shall be no power to abolish or impair the jurisdiction of the Circuit Court or to abolish any other court created by the Constitution or the Legislature or the judges or clerks thereof although such charter may create new courts and judges and clerks thereof with jurisdiction to try all offenses created by the laws and ordinances passed by the County Commission and none of the other courts created by the Constitution or the Legislature shall have original jurisdiction to try such offenses, although the charter may confer appellate jurisdiction on such courts.
- (vii) Shall provide a method by which each municipal cor-

poration in Dade County shall have the power to make, amend or repeal its own charter. Upon adoption of this home rule charter by the electors this method shall be exclusive and the Legislature shall have no power to amend or repeal the charter of any municipal corporation in Dade County.

- (viii) May change the name of Dade County.
- (ix) Shall provide a method for the recall of any commissioner and a method for initiative and referendum, including the initiation of and referendum on laws and ordinances and the amendment or revision of the home rule charter, provided however that the power of suspension and removal of the Governor and the Senate provided for in Article IV, Section 15, of this Constitution shall not be impaired.
 - (b) Provision shall be made for the protection of the creditors of any governmental unit which is merged, consolidated, or abolished or whose boundaries are changed or functions or powers transferred.
 - (c) This home rule charter shall be prepared by a Metropolitan Charter Board created by the Legislature and shall be presented to the electors of Dade County for ratification or rejection in the manner provided by the Legislature. Until a home rule charter is adopted the Legislature may from time to time create additional Charter Boards to prepare charters to be presented to the electors of Dade County for ratification or rejection in the manner provided by the Legislature. Such Charter, once adopted by the electors, may be amended only by the electors of Dade County and this Charter shall provide a method for submitting future charter revisions and amendments to the electors of Dade County.
 - (d) The County Commission shall continue to receive its pro rata share of all revenues payable by the State from whatever source to the several counties and the State of Florida shall pay to the Commission all revenues which would have been paid to any municipality in Dade County which may be abolished by or in the method provided by this home rule charter.
 - (e) Nothing in this Section shall limit or restrict the power of the Legislature to enact general laws, general both in terms and effect, which are uniformly applicable to every county or municipal corporation no matter what its population may be.
 - (f) This Section supersedes all Articles and Sections of the Florida Constitution and all General and Special Laws in conflict or inconsistent herewith. If any section, subsection, sentence, clause or provision of this Section is held to violate the provisions of Article XVII, Section 1, of this Constitution the remainder of this Section shall not be affected. This Section shall be liberally construed to carry out the purpose of providing effective home rule in Dade County.

Was taken up and read the second time in full.

Senator Shands, Chairman of the Committee on Constitutional Amendments, offered the following amendment to Senate Joint Resolution No. 1046:

In Section 11 (typewritten bill), strike paragraph (ii) of Subsection (a) and insert in lieu thereof the following:

"(ii) May grant full power and authority to the Board of County Commissioners of Dade County to pass ordinances relating to the affairs, property and government of Dade County and provide suitable penalties for the violation thereof; to levy and collect such taxes as may be authorized by general law and no other taxes, and to do everything necessary to carry on a central metropolitan government in Dade County."

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shands, Chairman of the Committee on Constitutional Amendments, also offered the following amendment to Senate Joint Resolution No. 1046:

In Section 11, Subsection (a), paragraph (iv) (typewritten bill), strike out paragraph (iv), and insert in lieu thereof the following:

"(iv) May provide a method by which any and all of the functions or powers of any municipal corporation or other

governmental unit in Dade County may be transferred to the Board of County Commissioners of Dade County."

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shands, Chairman of the Committee on Constitutional Amendments, also offered the following amendment to Senate Joint Resolution No. 1046:

In Section 11, Subsection (a), Paragraph (vi) (typewritten bill), strike out Paragraph (vi), and insert in lieu thereof the following:

"(vi) May abolish and may provide a method for abolishing from time to time all offices provided for by Article VIII, Section 6, of the Constitution or by the Legislature except the Superintendent of Public Instruction and may provide for the consolidation and transfer of the functions of such offices, provided, however, that there shall be no power to abolish or impair the jurisdiction of the Circuit Court or to abolish any other court provided for by this Constitution or by general law, or the judges or clerks thereof although such charter may create new courts and judges and clerks thereof with jurisdiction to try all offenses against ordinances passed by the Board of County Commissioners of Dade County and none of the other courts provided for by this Constitution or by general law shall have original jurisdiction to try such offenses, although the charter may confer appellate jurisdiction on such courts, and provided further that if said home rule charter shall abolish any county office or offices as authorized herein, that said charter shall contain adequate provision for the carrying on of all functions of said office or offices as are now or may hereafter be prescribed by general law."

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shands, Chairman of the Committee on Constitutional Amendments, also offered the following amendment to Senate Joint Resolution No. 1046:

In Section 11, Subsection (a), Paragraph (ix) (typewritten bill), strike out paragraph (ix), and insert in lieu the following:

"(ix) Shall provide a method for the recall of any commissioner and a method for initiative and referendum, including the initiation of and referendum on ordinances and the amendment or revision of the home rule charter, provided, however, that the power of the Governor and Senate relating to the suspension and removal of officers provided for in this Constitution shall not be impaired, but shall extend to all officers provided for in said home rule charter."

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shands, Chairman of the Committee on Constitutional Amendments, also offered the following amendment to Senate Joint Resolution No. 1046:

In Section 11, Sub-section (d) (typewritten bill), strike out all of Sub-section (d) and insert the following in lieu thereof:

"The County Commission shall continue to receive its pro rata share of all revenues payable by the state from whatever source to the several counties and the State of Florida shall pay the Commission all revenues which would have been paid to any municipality in Dade County which may be abolished by or in the method provided by this home rule charter; provided, however, the Commission shall reimburse the Comptroller of Florida for the expense incurred if any, in the keeping of separate records to determine the amounts of money which would have been payable to any such municipality."

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shands, Chairman of the Committee on Constitutional Amendments, also offered the following amendment to Senate Joint Resolution No. 1046:

In Section 11 Subsection (e) (typewritten bill) strike out Subsection (e), and insert in lieu thereof the following:

"(e) Nothing in this section shall limit or restrict the power of the Legislature to enact general laws which shall relate to Dade County and any other one or more counties in the State of Florida or to any municipality in Dade County and any other one or more municipalities of the State of Florida, and the home rule charter provided for herein shall not conflict with any provision of this Constitution nor of any applicable general laws now applying to Dade County and any other one or more counties of the State of Florida except as expressly authorized in this section nor shall any ordinance enacted in pursuance to said home rule charter conflict with this Constitution or any such applicable general law except as expressly authorized herein, nor shall the charter of any municipality in Dade County conflict with this Constitution or any such applicable general law except as expressly authorized herein, provided however that said charter and said ordinances enacted in pursuance thereof may conflict with, modify or nullify any existing local, special or general law applicable only to Dade County."

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shands, Chairman of the Committee on Constitutional Amendments, also offered the following amendment to Senate Joint Resolution No. 1046:

In Section 11 Subsection (f) (typewritten bill) strike out Subsection (f), and insert in lieu thereof the following:

"(f) Nothing in this section shall be construed to limit or restrict the power of the Legislature to enact general laws which shall relate to Dade County and any other one or more counties of the State of Florida or to any municipality in Dade County and any other one or more municipalities of the State of Florida relating to county or municipal affairs and all such general laws shall apply to Dade County and to all municipalities therein to the same extent as if this section had not been adopted and such general laws shall supersede any part or portion of the home rule charter provided for herein in conflict therewith and shall supersede any provision of any ordinance enacted pursuant to said charter and in conflict therewith, and shall supersede any provision of any charter of any municipality in Dade County in conflict therewith."

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shands, Chairman of the Committee on Constitutional Amendments, also offered the following amendment to Senate Joint Resolution No. 1046:

In Section 11, (typewritten bill) add a new subsection lettered "(g)" as follows:

"(g) Nothing in this section shall be construed to limit or restrict the power and jurisdiction of the Railroad and Public Utilities Commission or of any other state agency, bureau or commission now or hereafter provided for in this Constitution or by general law and said state agencies, bureaus and commissions shall have the same powers in Dade County as shall be conferred upon them in regard to other counties."

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shands, Chairman of the Committee on Constitutional Amendments, also offered the following amendment to Senate Joint Resolution No. 1046:

In Section 11, (typewritten bill) add a new subsection to be lettered "(h)", as follows:

"(h) If any section, subsection, sentence, clause or provision of this section is held invalid as violative of the provisions of Section 1 of Article XVII of this Constitution the remainder of this section shall not be affected by such invalidity."

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shands, Chairman of the Committee on Constitutional Amendments, also offered the following amendment to Senate Joint Resolution No. 1046:

In Section 11, (typewritten bill) add a new subsection to be lettered "(i)", as follows:

"(i) It is declared to be the intent of the Legislature and of the electors of the State of Florida to provide by this section home rule for the people of Dade County in local affairs and this section shall be liberally construed to carry out such purpose, and it is further declared to be the intent of the Legislature and of the electors of the State of Florida that the provisions of this Constitution and general laws which shall relate to Dade County and any other one or more counties of the State of Florida or to any municipality in Dade County and any other one or more municipalities of the State of Florida enacted pursuant thereto by the Legislature shall be the supreme law in Dade County, Florida, except as expressly provided herein and this section shall be strictly construed to maintain such supremacy of this Constitution and of the Legislature in the enactment of general laws pursuant to this Constitution."

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gautier (13th) moved that the rules be waived and Senate Joint Resolution No. 1046, 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 Joint Resolution No. 1046, as amended, was read the third time in full, as follows:

Senate Joint Resolution No. 1046:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VIII OF THE CONSTITUTION PROVIDING FOR HOME RULE IN DADE COUNTY BY AMENDING SECTION 11 THEREOF.

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

That the following amendment to Article VIII, Section 11, of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the next general election to be held in November, 1956:

Article VIII, Section 11, is hereby amended to read as follows:

Section 11 (a). The electors of Dade County, Florida, are granted power to adopt, revise, and amend from time to time a home rule charter of government for Dade County, Florida, under which the Board of County Commissioners of Dade County shall be the governing body. This charter:

- (i) Shall fix the boundaries of each county commission district, provide a method for changing them from time to time, and fix the number, terms and compensation of the commissioners, and their method of election.
- (ii) May grant full power and authority to the Board of County Commissioners of Dade County to pass ordinances relating to the affairs, property and government of Dade County and provide suitable penalties for the violation thereof; to levy and collect such taxes as may be authorized by general law and no other taxes, and to do everything necessary to carry on a central metropolitan government in Dade County.
- (iii) May change the boundaries of, merge, consolidate, and abolish and may provide a method for changing the boundaries of, merging, consolidating and abolishing from time to time all municipal corporations, county or district governments, special taxing districts, authorities, boards, or other governmental units whose jurisdiction lies wholly within Dade County, whether such governmental units are created by the Constitution or the Legislature or otherwise, except the Dade County Board of County Commissioners as it may be provided for from time to time by this home rule charter and the Board of Public Instruction of Dade County.
- (iv) May provide a method by which any and all of the functions or powers of any municipal corporation or other governmental unit in Dade County may be trans-

ferred to the Board of County Commissioners of Dade County.

- (v) May provide a method for establishing new municipal corporations, special taxing districts, and other governmental units in Dade County from time to time and provide for their government and prescribe their jurisdiction and powers.
- (vi) May abolish and may provide a method for abolishing from time to time all offices provided for by Article VIII, Section 6, of the Constitution or by the Legislature except the Superintendent of Public Instruction and may provide for the consolidation and transfer of the functions of such offices, provided, however, that there shall be no power to abolish or impair the jurisdiction of the circuit court or to abolish any other court provided for by this Constitution or by general law, or the judges or clerks thereof although such charter may create new courts and judges and clerks thereof with jurisdiction to try all offenses against ordinances passed by the Board of County Commissioners of Dade County and none of the other courts provided for by this Constitution or by general law shall have original jurisdiction to try such offenses, although the charter may confer appellate jurisdiction on such courts, and provided further that if said home rule charter shall abolish any county office or offices as authorized herein, that said charter shall contain adequate provision for the carrying on of all functions of said office or offices as are now or may hereafter be prescribed by general law.
- (vii) Shall provide a method by which each municipal corporation in Dade County shall have the power to make, amend or repeal its own charter. Upon adoption of this home rule charter by the electors this method shall be exclusive and the Legislature shall have no power to amend or repeal the charter of any municipal corporation in Dade County.
- (viii) May change the name of Dade County.
- (ix) Shall provide a method for the recall of any commissioner and a method for initiative and referendum, including the initiation of and referendum on ordinances and the amendment or revision of the home rule charter, provided, however, that the power of the Governor and Senate relating to the suspension and removal of officers provided for in this Constitution shall not be impaired, but shall extend to all officers provided for in said home rule charter.
 - (b) Provision shall be made for the protection of the creditors of any governmental unit which is merged, consolidated, or abolished or whose boundaries are changed or functions or powers transferred.
 - (c) This home rule charter shall be prepared by a Metropolitan Charter Board created by the Legislature and shall be presented to the electors of Dade County for ratification or rejection in the manner provided by the Legislature. Until a home rule charter is adopted the Legislature may from time to time create additional Charter Boards to prepare charters to be presented to the electors of Dade County for ratification or rejection in the manner provided by the Legislature. Such Charter, once adopted by the electors, may be amended only by the electors of Dade County and this charter shall provide a method for submitting future charter revisions and amendments to the electors of Dade County.
 - (d) The County Commission shall continue to receive its pro rata share of all revenues payable by the state from whatever source to the several counties and the State of Florida shall pay to the Commission all revenues which would have been paid to any municipality in Dade County which may be abolished by or in the method provided by this home rule charter; provided, however, the Commission shall reimburse the Comptroller of Florida for the expense incurred if any, in the keeping of separate records to determine the amounts of money which would have been payable to any such municipality.
 - (e) Nothing in this section shall limit or restrict the power of the Legislature to enact general laws which shall relate to Dade County and any other one or more counties in the State of Florida or to any municipality in Dade County and

any other one or more municipalities of the State of Florida, and the home rule charter provided for herein shall not conflict with any provision of this Constitution nor of any applicable general laws now applying to Dade County and any other one or more counties of the State of Florida except as expressly authorized in this section nor shall any ordinance enacted in pursuance to said home rule charter conflict with this Constitution or any such applicable general law except as expressly authorized herein, nor shall the charter of any municipality in Dade County conflict with this Constitution or any such applicable general law except as expressly authorized herein, provided however that said charter and said ordinances enacted in pursuance thereof may conflict with, modify or nullify any existing local, special or general law applicable only to Dade County.

(f) Nothing in this section shall be construed to limit or restrict the power of the Legislature to enact general laws which shall relate to Dade County and any other one or more counties of the State of Florida or to any municipality in Dade County and any other one or more municipalities of the State of Florida relating to county or municipal affairs and all such general laws shall apply to Dade County and to all municipalities therein to the same extent as if this section had not been adopted and such general laws shall supersede any part or portion of the home rule charter provided for herein in conflict therewith and shall supersede any provision of any ordinance enacted pursuant to said charter and in conflict therewith, and shall supersede any provision of any charter of any municipality in Dade County in conflict therewith.

(g) Nothing in this section shall be construed to limit or restrict the power and jurisdiction of the Railroad and Public Utilities Commission or of any other state agency, bureau or commission now or hereafter provided for in this Constitution or by general law and said state agencies, bureaus and commissions shall have the same powers in Dade County as shall be conferred upon them in regard to other counties.

(h) If any section, subsection, sentence, clause or provisions of this section is held invalid as violative of the provisions of Section 1 of Article XVII of this Constitution the remainder of this section shall not be affected by such invalidity.

(i) It is declared to be the intent of the Legislature and of the electors of the State of Florida to provide by this section home rule for the people of Dade County in local affairs and this section shall be liberally construed to carry out such purpose, and it is further declared to be the intent of the Legislature and of the electors of the State of Florida that the provisions of this Constitution and general laws which shall relate to Dade County and any other one or more counties of the State of Florida or to any municipality in Dade County and any other one or more municipalities of the State of Florida enacted pursuant thereto by the Legislature shall be the supreme law in Dade County, Florida, except as expressly provided herein and this section shall be strictly construed to maintain such supremacy of this Constitution and of the Legislature in the enactment of general laws pursuant to this Constitution.

Upon the passage of Senate Joint Resolution No. 1046, as amended, the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Joint Resolution No. 1046 passed, as amended, by the required Constitutional three-fifths vote of all members elected to the Senate for the 1955 Session of the Florida Legislature, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Baker asked unanimous consent of the Senate to take up and consider House Bill No. 1758, out of its order.

Which was agreed to.

H. B. No. 1758—A bill to be entitled An Act designating and naming the bridge crossing the St. Johns River at Crow's Bluff between Highway Stations 62 plus 05.50 and 67 plus 30.50 on State Roads 42 and 44, lying partially in Volusia and partially in Lake Counties; authorizing the County Commissioners of those counties to erect markers bearing the name given; prescribing uniform requirements for these markers; prohibiting the changing of the name given.

Was taken up.

Senator Baker moved that the rules be waived and House Bill No. 1758 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1758 was read the second time by title only.

Senator Baker moved that the rules be further waived and House Bill No. 1758 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. 1758 was read the third time in full.

Upon the passage of House Bill No. 1758 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1758 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Rood asked unanimous consent of the Senate to take up and consider House Bill No. 1325, out of its order.

Which was agreed to.

H. B. No. 1325—A bill to be entitled An Act relating to the plumbing control law; amending Section 553.12, Florida Statutes, relating to the exemption of certain counties from the operation of Chapter 553, Florida Statutes.

Was taken up.

Senator Rood moved that the rules be waived and House Bill No. 1325 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1325 was read the second time by title only.

Senator Rood moved that the rules be further waived and House Bill No. 1325 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. 1325 was read the third time in full.

Upon the passage of House Bill No. 1325 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1325 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Houghton asked unanimous consent of the Senate to take up and consider Senate Joint Resolution No. 1220, out of its order.

Which was agreed to.

Senate Joint Resolution No. 1220:

A JOINT RESOLUTION PROPOSING TO AMEND ARTICLE XVI OF THE CONSTITUTION, RELATING TO LOCATION OF COUNTY OFFICES, BY ADDING A NEW SECTION, NUMBERED 4A, PROVIDING FOR JURY TRIALS OF CIVIL SUITS IN CERTAIN MUNICIPALITIES WITHIN PINELLAS COUNTY.

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

That the following amendment to Article XVI of the Constitution of the State of Florida, relating to the location of County offices, be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for approval or rejection at the next general election to be held in A.D. 1956, that is to say that a new section, to be numbered Section 4A, be added to Article XVI of the Constitution of the State of Florida, said new Section 4A to read:

Section 4A. Civil Jury Trials in Pinellas County; Location in Certain Municipalities within said County.—The Legislature may, from time to time and as the business of Pinellas County may require, provide that trial by Jury of all civil suits, properly triable by jury according to law, may be had and held in any municipality, within said county, having a population of more than Seventy-five thousand (75,000) inhabitants according to the latest official census. The Legislature may provide also that the Clerk of any court or any other court officer, within said county, shall maintain such offices within such municipality, and keep such official books and records therein, as may be necessary to accomplish the purposes of this amendment; provided, however, that the principal offices of such Clerks or other officers shall not be removed from the County Seat.

Was taken up and read the second time in full.

Senator Houghton moved that the rules be waived and Senate Joint Resolution No. 1220 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 1220 was read the third time in full.

Upon the passage of Senate Joint Resolution No. 1220 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Joint Resolution No. 1220 passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1955 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Black—

S. B. No. 1335—A bill to be entitled An Act ratifying, con-

firmed, validating and legalizing the assessments, valuations and tax levies made by the City of Live Oak, in Suwannee County, Florida, for each of the years from 1945 to 1954, both inclusive, together with all acts and proceedings done and performed in connection therewith, notwithstanding any irregularity, defect, omission or failure to comply with laws and authorizing the collection of said taxes in the manner provided by law.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1335 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. 1335 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1335 was read the second time by title only.

Senator Black moved that the rules be further waived and Senate Bill No. 1335 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. 1335 was read the third time in full.

Upon the passage of Senate Bill No. 1335 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1335 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Morgan—

S. B. No. 1336—A bill to be entitled An Act to include within the provisions of Chapter 23259, Special Acts of the 1945 Florida Legislature and any amendment thereof, the probation and parole officer of the Criminal Court of Record of Duval County, Florida, and to validate all payments made by or on behalf of said probation and parole officer into the pension fund created by said Chapter 23259.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1336 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 Morgan moved that the rules be waived and Senate Bill No. 1336 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1336 was read the second time by title only.

Senator Morgan moved that the rules be further waived and Senate Bill No. 1336 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. 1336 was read the third time in full.

Upon the passage of Senate Bill No. 1336 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1336 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Morgan—

S. B. No. 1337—A bill to be entitled An Act affecting the government of the City of Jacksonville; permitting the Treasurer of the City of Jacksonville to designate an assistant treasurer; providing for the qualifications, duties, bond, compensation and status of the assistant treasurer; and repealing conflicting laws.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1337 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 Morgan moved that the rules be waived and Senate Bill No. 1337 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1337 was read the second time by title only.

Senator Morgan moved that the rules be further waived and Senate Bill No. 1337 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. 1337 was read the third time in full.

Upon the passage of Senate Bill No. 1337 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1337 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Morgan—

S. B. No. 1338—A bill to be entitled An Act to amend Section 2 of Chapter 22661, Laws of Florida, Acts of 1945, relating to the office of probation and parole officer for the criminal court of record of all counties having a population of more than 200,000 inhabitants according to the last Federal Census; providing for the compensation of such probation and parole officer and expenses incident to said office.

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

By Senator Hodges—

S. B. No. 1339—A bill to be entitled An Act to provide for

a method to extend the territorial limits of Town of Chief-land, Florida; providing for a referendum and providing for the registration of voters for said referendum election; and providing for the annexation under certain conditions of territory in which five (5) or less persons reside or of territory in which no persons reside; providing a referendum.

Which was read the first time by title only.

Senator Hodges moved that the rules be waived and Senate Bill No. 1339 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1339 was read the second time by title only.

Senator Hodges moved that the rules be further waived and Senate Bill No. 1339 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. 1339 was read the third time in full.

Upon the passage of Senate Bill No. 1339 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1339 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Hodges—

S. B. No. 1340—A bill to be entitled An Act to provide that in all counties having a population of not less than ten thousand six hundred (10,600) nor more than ten thousand seven hundred (10,700) inhabitants by the last official census, salary of twelve hundred dollars (\$1200.00) per annum for supervisor of registration; providing effective date.

Which was read the first time by title only.

Senator Hodges moved that the rules be waived and Senate Bill No. 1340 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1340 was read the second time by title only.

Senator Hodges moved that the rules be further waived and Senate Bill No. 1340 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. 1340 was read the third time in full.

Upon the passage of Senate Bill No. 1340 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1340 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Hodges—

S. B. No. 1341—A bill to be entitled An Act to provide that in all counties having a population of not less than 3,700 nor more than 4,000, inhabitants by the last official census there shall be no closed season on Mullet fish.

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

By Senator Hodges—

S. B. No. 1342—A bill to be entitled An Act to provide that in all counties having a population of not less than 10,500 nor more than 11,000, inhabitants by the last official census there shall be no closed season on Mullet fish.

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

By Senator Beall—

S. B. No. 1343—A bill to be entitled An Act regulating the occupation and business of plumbing and plumbing contracting in certain areas of Escambia County lying outside of incorporated municipalities; defining plumbing and plumbing contracting; prescribing qualifications of plumbers and plumbing contractors to engage in said occupation or business in said areas; providing for registration of those now engaged in said areas in said occupation or business; and providing remedies for enforcement of this Act and penalties for the violation hereof.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1343 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 Beall moved that the rules be waived and Senate Bill No. 1343 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1343 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 1343 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. 1343 was read the third time in full.

Upon the passage of Senate Bill No. 1343 the roll was called and the vote was:

Yeas—37.

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

Nays—None

So Senate Bill No. 1343 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Cabot—

S. B. No. 1344—A bill to be entitled An Act relating to Hollywood Reclamation District in the State of Florida, as amended by Chapter 14734, Acts of the Legislature of the State of Florida in 1931, repealing Section 2; providing for the creation of unit districts for the purpose of reclamation

and drainage of lands: providing for the levying of taxes upon lands within unit districts so formed; providing for the levying of special assessments for work done and performed in said unit districts; providing for a plan of improvement; repealing all laws in conflict herewith; saving sections of Act not unconstitutional; providing that all laws applicable to Unit District Number one, Hollywood Reclamation District, shall be applicable to any other unit district formed hereunder; providing for a referendum; providing when Act becomes effective.

Which was read the first time by title only.

Senator Cabot moved that the rules be waived and Senate Bill No. 1344 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1344 was read the second time by title only.

Senator Cabot moved that the rules be further waived and Senate Bill No. 1344 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. 1344 was read the third time in full.

Upon the passage of Senate Bill No. 1344 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1344 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Stratton—

S. B. No. 1345—A bill to be entitled An Act fixing the salaries of the members of the Board of Commissioners of the Amelia Island Mosquito Control District of Nassau County, Florida.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1345 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. 1345 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1345 was read the second time by title only.

Senator Stratton moved that the rules be further waived and Senate Bill No. 1345 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. 1345 was read the third time in full.

Upon the passage of Senate Bill No. 1345 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1345 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Stratton—

S. B. No. 1346—A bill to be entitled An Act to create in all counties having a population of not less than 12,000 nor more than 13,000, inhabitants by the last official census, a county power commission and providing for its members, powers, duties, responsibilities and jurisdiction; providing effective date.

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

By Senator Black—

S. B. No. 1347—A bill to be entitled An Act to supplement the charter of the City of Live Oak, Florida, to provide for the collection of taxes levied on real property by the City of Live Oak, to provide for the sale of real property for delinquent or uncollected taxes heretofore levied by said city and to provide for the sale and issuance of tax deed thereon by said city.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1347 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. 1347 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1347 was read the second time by title only.

Senator Black moved that the rules be further waived and Senate Bill No. 1347 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. 1347 was read the third time in full.

Upon the passage of Senate Bill No. 1347 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1347 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Gautier (13th)—

S. B. No. 1348—A bill to be entitled An Act amending Section 5 of Article VI (J) of Senate Bill 350 of the 1955 Session of the

Florida Legislature; being the Charter of the City of Hialeah to provide that all taxable property in the City of Hialeah may be assessed at its fair market value subsequent to 1954; providing an effective date.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1348 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 1348 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1348 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 1348 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. 1348 was read the third time in full.

Upon the passage of Senate Bill No. 1348 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1348 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Edwards—

S. B. No. 1349—A bill to be entitled An Act amending Chapter 7676, Laws of Florida, 1917, as amended, by changing the date on which an election of mayor and councilmen shall be held to the first Tuesday in November of the odd numbered years, and providing that a run-off election, if one be required, shall be held on the third Tuesday in November of said year.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1349 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 Edwards moved that the rules be waived and Senate Bill No. 1349 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1349 was read the second time by title only.

Senator Edwards moved that the rules be further waived and Senate Bill No. 1349 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. 1349 was read the third time in full.

Upon the passage of Senate Bill No. 1349 the roll was called and the vote was:

Yeas—37.

Mr. President	Connor	Johns
Baker	Douglas	Johnson
Barber	Edwards	Kickliter
Beall	Floyd	King
Black	Fraser	Morgan
Bronson	Gautier (28th)	Morrow
Cabot	Gautier (13th)	Neblett
Carlton	Getzen	Pearce
Carraway	Hodges	Phillips
Clarke	Houghton	

Pope
Rawls
Rodgers
Rood
Shands
Stenstrom
Stratton
Tapper

No. 1351 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 Edwards moved that the rules be waived and Senate Bill No. 1351 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1351 was read the second time by title only.

Senator Edwards moved that the rules be further waived and Senate Bill No. 1351 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. 1351 was read the third time in full.

Upon the passage of Senate Bill No. 1351 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1351 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Kickliter—

S. B. No. 1352—A bill to be entitled An Act authorizing and empowering the City of Tampa, a municipal corporation, to convey the fee simple title to the following described real estate, to wit: Commence at a point on the prolongation of the face of the Seddon Channel sea wall, which has an assumed bearing of North 28°-00' W., said point being 559.87 feet northwesterly from the face of the sea wall located at the southernmost tip of the Marjorie Park Yacht Basin which is on the north entrance to the Marjorie Park Yacht Basin; for a point of beginning: thence run on a bearing of S. 69°-39'-15" West for a distance of 462.88 feet to a point on the east right of way line of Columbia Drive; thence run along the east right of way line of Columbia Drive on a chord bearing of N. 10°-51' W. for a distance of 202.74 feet; thence run on a bearing of N. 69°-39'-15" E. for a distance of 402.56 feet thence run on a bearing of S. 28°-00' E. for a distance of 201.81 feet to the point of beginning, located in Section 25, Township 29 South, Range 18 East, to Davis Islands Garden Club, a non-profit corporation, without advertisement, public sale or consideration, subject to such restrictions, including a right of reverter, as shall be deemed necessary and proper.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1352 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 Kickliter moved that the rules be waived and Senate Bill No. 1352 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1352 was read the second time by title only.

Senator Kickliter moved that the rules be further waived and Senate Bill No. 1352 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. 1352 was read the third time in full.

Nays—None.

So Senate Bill No. 1349 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Edwards—

S. B. No. 1350—A bill to be entitled An Act authorizing the City of Ocala to purchase equipment and machines costing over \$5,000.00 on a three-year basis, on conditional sale, lien or rental agreement, and to budget the cost of such machines or equipment in three consecutive years.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1350 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 Edwards moved that the rules be waived and Senate Bill No. 1350 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1350 was read the second time by title only.

Senator Edwards moved that the rules be further waived and Senate Bill No. 1350 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. 1350 was read the third time in full.

Upon the passage of Senate Bill No. 1350 the roll was called and the vote was:

Yeas—37.

Mr. President	Connor	Johns
Baker	Douglas	Johnson
Barber	Edwards	Kickliter
Beall	Floyd	King
Black	Fraser	Morgan
Bronson	Gautier (28th)	Morrow
Cabot	Gautier (13th)	Neblett
Carlton	Getzen	Pearce
Carraway	Hodges	Phillips
Clarke	Houghton	

Pope
Rawls
Rodgers
Rood
Shands
Stenstrom
Stratton
Tapper

Nays—None.

So Senate Bill No. 1350 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Edwards—

S. B. No. 1351—A bill to be entitled An Act authorizing the City of Ocala to make changes in its existing pension system authorized under Chapter 23431, Laws of Florida, 1945, in the following particulars: (1) to authorize the City of Ocala to coordinate its pension system with the Federal Social Security System, and to take advantage of any legislative enactment authorizing municipalities to place their employees under the Federal Social Security System; (2) to authorize provision in said pension system of payments or allowances to the widow and minor children of deceased pensioners; and (3) to remove from the law the limitation on the amount of contributions which may be made to the pension fund by the employees and by the City of Ocala.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill

Upon the passage of Senate Bill No. 1352 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1352 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Kicklitter—

S. B. No. 1353—A bill to be entitled An Act relating to registration of electors in Hillsborough County; amending Section 4 of Chapter 21706, Laws of Florida, Acts of 1943, as amended by Section 3 of Chapter 26866, Laws of Florida, Acts of 1951, relating to elections, registration, electors, and registration and cancellation of registration of electors by the supervisor of registration.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1353 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 Kicklitter moved that the rules be waived and Senate Bill No. 1353 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1353 was read the second time by title only.

Senator Kicklitter moved that the rules be further waived and Senate Bill No. 1353 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. 1353 was read the third time in full.

Upon the passage of Senate Bill No. 1353 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1353 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Kicklitter—

S. B. No. 1354—A bill to be entitled An Act to amend and repeal certain sections of Chapter 22195, Laws of Florida, Acts of 1943, as amended, relating to primaries and elections and creating county election boards in counties having a population of not less than two hundred thousand (200,000) and not more than three hundred thousand (300,000) inhabitants, according to the last preceding official census; by repealing Subsection 1 of Section 6 of Chapter 28808, Laws of Florida, Acts of 1953, and by amending Subsections 2 and 8 of Section 6 as amended by Chapter 28808, Laws of Florida, Acts of 1953, to provide

authority for said board to examine registration records by eliminating therefrom anyone found to be disqualified to vote and restoring such names whose registration has been improperly cancelled, and by placing in said board authority to determine the price of all lists of voters; providing that moneys derived therefrom shall be deposited in general fund of county.

Which was read the first time by title only.

Senator Kicklitter moved that the rules be waived and Senate Bill No. 1354 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1354 was read the second time by title only.

Senator Kicklitter moved that the rules be further waived and Senate Bill No. 1354 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. 1354 was read the third time in full.

Upon the passage of Senate Bill No. 1354 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1354 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Kicklitter—

S. B. No. 1355—A bill to be entitled An Act relating to the office of court reporters for the criminal courts of record in counties having a population not less than two hundred thousand (200,000) nor more than three hundred thousand (300,000) inhabitants according to the last official census; creating the office of official court reporter for the criminal courts of record; providing for the appointment, tenure and fees to be allowed such reporter; prescribing the duties of said reporter and providing for the appointment of a deputy reporter; and fixing the compensation and duties of said deputy reporter, and repealing Chapter 15998, Acts of 1933, Chapter 18589, Acts of 1937, Chapter 25424, Acts of 1949, and Chapter 28612, Acts of 1953; providing effective date.

Which was read the first time by title only.

Senator Kicklitter moved that the rules be waived and Senate Bill No. 1355 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1355 was read the second time by title only.

Senator Kicklitter moved that the rules be further waived and Senate Bill No. 1355 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. 1355 was read the third time in full.

Upon the passage of Senate Bill No. 1355 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1355 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Kickliter—

S. B. No. 1356—A bill to be entitled An Act relating to appropriation for legal aid service in counties having a population of not less than two hundred thousand (200,000) and not more than three hundred thousand (300,000) inhabitants according to the last official census; authorizing the county commission to appropriate funds from the fees of the clerk of the circuit court; declaring the same to be for a public purpose.

Which was read the first time by title only.

Senator Kickliter moved that the rules be waived and Senate Bill No. 1356 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1356 was read the second time by title only.

Senator Kickliter moved that the rules be further waived and Senate Bill No. 1356 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. 1356 was read the third time in full.

Upon the passage of Senate Bill No. 1356 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1356 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Kickliter—

S. B. No. 1357—A bill to be entitled An Act relating to the City of Plant City; providing for annexation by petition and procedure; providing for referendum.

Which was read the first time by title only.

Senator Kickliter moved that the rules be waived and Senate Bill No. 1357 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1357 was read the second time by title only.

Senator Kickliter moved that the rules be further waived and Senate Bill No. 1357 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. 1357 was read the third time in full.

Upon the passage of Senate Bill No. 1357 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1357 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Black—

S. B. No. 1358—A bill to be entitled An Act declaring, designating and establishing a certain state road in Hamilton County, Florida.

Which was read the first time by title only.

Senator Black moved that the rules be waived and Senate Bill No. 1358 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1358 was read the second time by title only.

Senator Black moved that the rules be further waived and Senate Bill No. 1358 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. 1358 was read the third time in full.

Upon the passage of Senate Bill No. 1358 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1358 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

By Senator Cabot—

S. B. No. 1359—A bill to be entitled An Act excluding certain territory from the corporate limits of the City of Hollywood as defined by House Bill 159, enacted by the 1955 Legislature, and providing for a referendum.

Which was read the first time by title only.

Senator Cabot moved that the rules be waived and Senate Bill No. 1359 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1359 was read the second time by title only.

Senator Cabot moved that the rules be further waived and Senate Bill No. 1359 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. 1359 was read the third time in full.

Upon the passage of Senate Bill No. 1359 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 1359 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

MESSAGES FROM THE GOVERNOR

The following Communications from the Governor were received:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT

TALLAHASSEE
May 30, 1955

Honorable W. Turner Davis
President of the Senate
State Capitol
Tallahassee, Florida

Sir:

I have the honor to inform you that today I have 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:

C-SUB FOR
S. B. No. 53—RELATING TO EDUCATION.
S. B. No. 264—RELATING TO GASOLINE TAX.

Respectfully,
LeROY COLLINS
Governor

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE
May 31, 1955

The Honorable W. T. Davis,
President of the Senate.
State Capitol
Tallahassee, Florida

Sir:

I have the honor to inform you that today I have 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. 12—RELATING TO MILITARY DEPARTMENT
S. B. No. 37—RELATING TO SCHOLARSHIPS
S. B. No. 48—RELATING TO ARCHITECTS
S. B. No. 58—RELATING TO APPEALS
S. B. No. 67—RELATING TO EMINENT DOMAIN
S. B. No. 85—RELATING TO LIFE INSURANCE COMPANIES AND AGENTS
S. B. No. 92—RELATING TO RELIEF AND PENSION FUND
S. B. No. 121—RELATING TO DRIVERS' LICENSES
S. B. No. 156—RELATING TO FLORIDA STATUTES
S. B. No. 157—RELATING TO FLORIDA STATUTES

S. B. No. 184—RELATING TO EDUCATION
S. B. No. 273—RELATING TO CREDIT UNIONS
S. B. No. 297—RELATING TO LIFE INSURANCE
S. B. No. 317—RELATING TO LEGISLATURE
S. B. No. 342—RELATING TO GAS
S. B. No. 374—RELATING TO TAX EXEMPTION
S. B. No. 461—RELATING TO STATE BOUNDARY
S. B. No. 491—RELATING TO STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

C-SUB FOR

S. B. No. 86—RELATING TO INSURANCE POLICIES

C-SUB FOR

S. B. No. 87—RELATING TO INSURANCE POLICIES

C-SUB FOR

S. B. No. 90—RELATING TO ACCIDENT & SICKNESS INSURANCE

Respectfully,

LeROY COLLINS
Governor

Senator King presiding.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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 Nos. 1, 2, 4, 5, 6, 7, 8, 9, 10, 12 and 13, to House Amendment to—

By the Committee on Public Roads and Highways—

Committee Substitute for S. B. No. 480—A bill to be entitled An Act to clarify and codify the laws of the State relating to roads; to reorganize the State Road Department; to establish road districts and provide for the appointment of the members of the State Road Board from such districts; to prescribe the powers and duties of the board and chairman; to provide for the appointment and tenure of an executive director and highway engineer and the method of removal of same; to provide for classification of employees of the State Road Department and a management study of the department; to define State roads and provide for systems of State roads; to establish a priority system of roads; to provide for the sufficiency rating of roads by the board; to prohibit the use of road funds for nonhighway purposes except wayside parks and State park roads; to provide for the qualification of contractors and the regulation of delinquent contracts; to change the fiscal year of the State Road Department and provide a more adequate budget procedure; to prescribe the method of adoption of regulations by the State Road Board; and for other purposes related to public roads and the regulation and operation of the State Road Department; and to repeal Chapters 139, 140, 141, 341, 343, 348, and Sections 342.01 and 342.02, Florida Statutes.

Which House Amendment reads as follows:

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

Section 1 . . . Declaration of legislative intent.—Recognizing that safe and efficient highway transportation is a matter of important interest to all the people in the State, the Legislature hereby determines and declares that:

(1) An integrated system of roads and connecting urban streets is essential to the general welfare of the State.

(2) Providing of such a system of facilities, its efficient management, operation and control, is recognized as an urgent problem, and as the proper objective of highway legislation.

(3) Inadequate roads and streets obstruct the free flow of traffic; result in undue cost of motor vehicle operation; endanger the health and safety of the citizens of the state; depreciate property values and impede general economic and social progress of the state.

(4) In designating the highway systems of this state, as hereinafter provided, the legislature places a high degree of trust in the hands of those officials whose duty it shall be, within the limits of available funds, to plan, develop, operate, maintain and protect the highway facilities of this state, for present as well as for future use.

(5) To this end, it is the intent of the legislature to make the state road board custodian of the state highway system and to provide sufficiently broad authority to enable the board to function adequately and efficiently in all areas of appropriate jurisdiction, subject to the limitations of the constitution and the legislative mandate hereinafter imposed.

(6) The legislature intends to declare, in general terms, the powers and duties of the state road board, leaving specific details to be determined by reasonable rules and regulations which the board may promulgate. The legislature intends, by a general grant of authority to the state road board, to delegate sufficient power and authority to enable the board to carry out the broad objectives stated above.

(7) It is the further intent of the legislature to bestow upon local officials adequate authority with respect to the roads under their jurisdiction. The efficient management, operation and control of our county roads, city streets and other public thoroughfares are likewise a matter of vital public interest.

(8) The problem of establishing and maintaining adequate roads and streets, eliminating congestion, reducing accident frequency, providing parking facilities and taking all necessary steps to ensure safe and convenient transportation on these public ways is no less urgent.

(9) The legislature, recognizing the necessity of fixing responsibilities for the construction, maintenance and operation of the several systems of highways, intends that the State of Florida shall have an integrated system of all roads and connecting urban streets to provide safe and efficient highway transportation throughout the state. The authority hereinafter granted to the state road board and to counties and municipalities to assist and cooperate with each other and to coordinate their activities is therefore essential.

(10) The legislature hereby finds, determines, and declares that this law is necessary for the preservation of the public safety, the promotion of the general welfare, the improvement and development of transportation facilities in the state, including the most effective utilization of parkways, scenic drives, residential streets and roads, elimination of hazards at grade intersections, and other related purposes, and as a contribution to the national defense.

Section 2 . . . Definition of words and phrases. The following words and phrases when used in this law shall, unless the context clearly indicates otherwise, have the following meanings:

(1) Arterial highway—A continuous route between incorporated areas having a population of 10,000 or more and such roads as are designated federal interstate highways.

(2) Board—The state road board.

(3) Chairman—The chairman of the state road board.

(4) Commissioners—Board of county commissioners.

(5) County road system—The system of state roads outside of municipalities not included in the state primary, state secondary, and state park road systems, and such municipal connecting links as may be agreed upon between the county commissioners and municipal officials.

(6) Department—The road department of this state.

(7) Director—Executive director of the state road department.

(8) Freeway—An expressway with full control of access.

(9) Limited access facility—A street or highway especially designed for through traffic, and over, from or to which owners or occupants of abutting land or other persons have no right or easement or only a limited right or easement of access, light, air, or view by reason of the fact that their property abuts upon such limited access facility or for any other reason. Such highways or streets may be parkways, from which trucks, busses, and other commercial vehicles shall be excluded; or they may be freeways open to use by all customary forms of street and highway traffic.

(10) Member—A member of the state road board appointed by the Governor.

(11) Municipal connecting link roads—City and town streets and roads, or portions thereof, including structures, that constitute the route of connection between, or extension of, state roads in the state highway system, or of state roads in the county road system.

(12) Person—Any person, firm, partnership, association, corporation, cooperation, organization or business trust.

(13) Primary road system—Those state roads designated by the board which shall include all arterial highways and federally numbered roads, roads connecting county seats of adjacent counties, and municipal connecting links of all such roads.

(14) Road—The term road shall be construed to include streets, alleys, highways, and other ways open to travel by the public, including the road bed, right-of-way, and all culverts, drains, sluices, ditches, waterways, embankments, slopes, retaining walls, bridges, tunnels and viaducts necessary for the maintenance of travel and all ferries used in connection therewith.

(15) Right of access—The right of ingress to a highway from abutting land and egress from a highway to abutting land.

(16) Right-of-way—Land in which the state, the department, a county or a municipality owns the fee or has an easement devoted to or required for the use as a public road.

(17) Secondary road system—Those state roads designated as hereinafter provided, consisting of connections between primary system routes and existing, new, or potential areas of economic development.

(18) State highway system—The system of state primary and secondary roads designated by the state road board including necessary urban connections and extensions, the responsibility for which is lodged in the state road department.

(19) State park road system—Roads embraced in boundaries of state parks and state roads leading to state parks other than roads of the state highway system, county roads, or municipal roads.

(20) State roads—All public roads open to travel by the public generally and dedicated to the public use, according to law or by prescription.

(21) Structures—Bridges, viaducts, tunnels, causeways, approaches, ferry slips, culverts, toll houses and gates, and other similar facilities used in connection with roads.

(22) Sufficiency rating—The objective rating of a road or section of a road for the purpose of determining its capability to serve properly the actual or anticipated volume of traffic using the road.

Section 3 . . . State road department established.—There is hereby established a department of government which shall be known as the state road department. The department shall be under the authority and control of a state road board.

Section 4 . . . Headquarters of department; rental of office room, etc.—The headquarters and general office of the department shall be located at the state capitol. The department may purchase, build, rent or lease suitable buildings or rooms for branch offices or division offices and for maintenance yards and rooms for equipment and supplies in other cities and towns of this state as the business of the department may necessitate or require, and payment for the purchase, con-

struction, rental or lease of such offices shall be made from any funds provided for the maintenance of the department.

Section 5 . . . Road districts; state road board; members; terms; vacancies.—

(1) The state of Florida is divided into five (5) road districts, which districts shall coincide with former congressional districts as the same were defined on June 9, 1937.

(2) The state road board shall consist of five (5) members, one from each road district, who shall be appointed by the Governor, subject to confirmation by the State Senate. The terms of office of said members shall begin and run concurrently with the regular terms of office of the successive governors of this state.

(3) In case any member of the board shall change his domicile from the road district from which he was appointed, except for the performance of his official duties at Tallahassee, his office shall become vacant and the governor shall fill the vacancy by the appointment of another from such district.

Section 6 . . . State road board chairman, appointment; term; removal.—

(1) The members of the state road board shall select from their number, one member as chairman. Selection of the chairman shall be made at the first meeting of the board annually, as the rules of the board may provide.

(2) The state road board may remove from the office of chairman any person selected upon sufficient cause by the affirmative vote of a majority of the members of the board, and the members shall proceed to fill the vacancy by the selection of another member as chairman.

Section 7 . . . Headquarters of board; bonds of members.—

(1) The headquarters of the board shall be in the headquarters offices of the department in Tallahassee.

(3) Each member, other than the chairman, shall furnish bond in the sum of fifty thousand (\$50,000) dollars, and the chairman shall furnish bond in the sum of one hundred thousand (\$100,000) dollars, conditioned upon the faithful performance of his duties; said bonds to be furnished by a reputable bonding company authorized to do business in this state, and to be payable to the governor and his successors in office; the bonds to be approved by the state comptroller and the premiums to be paid from the funds for the maintenance of the department.

Section 8 . . . State road board; salaries and allowances.—

(1) The chairman shall receive an annual salary of twelve thousand five hundred (\$12,500) dollars and all other members shall receive an annual salary of thirty-six hundred (\$3,600) dollars. All members shall receive their actual reasonable expenses as allowed by law for officers of the State of Florida incurred in attending meetings of the board and in the performance of their duties.

(2) The chairman is authorized to employ an administrative assistant to the chairman whose duties are to be fixed by the chairman, at a salary to be determined by the chairman, but not in any instance to exceed the sum of six thousand six hundred (\$6,600) dollars per annum.

(3) Payment of the salary and expenses as herein provided, shall be made out of any funds that may be apportioned and set aside for the administrative maintenance of the department.

Section 9 . . . Powers and duties of the chairman.—The chairman shall, unless otherwise provided by law or regulations of the board, carry out the orders of the board, and represent the department in dealing with other departments of the state, or with commissioners, or boards of bond trustees of counties or special road and bridge districts, and with the federal government; and he shall submit to the board at each meeting a report of all his actions and doings as official representative of the department.

Section 10—Coordinator of highway and road program within state. The chairman shall have the authority and responsibility for the coordination of the total highway and road program within the state, including the designation of systems

and the development of construction standards as hereinafter provided for, and shall review the annual programs for each of the major systems to ensure coordination of planning and general conformity with the law. Local authorities are hereby authorized to cooperate with the chairman.

Section 11.—Regulations; meetings; quorum; minutes.—

(1) Regulations—The board shall adopt and enforce regulations for the government of its meetings and proceedings and for the transaction of the business of the department. Regulations affecting the public interest, other than regulations relating to the internal organization and operation of the department, shall be adopted as follows:

(a) The proposed regulation or regulations shall be contained in a resolution adopted by the board at a regular or called meeting and spread upon the minutes of its proceedings.

(b) Within ten (10) days of the adoption of the resolution of the board, notice of the regulation or regulations in the form of a summary thereof (or in full, at the discretion of the board) shall be published once in a newspaper of general circulation published in each of the following cities: Jacksonville, Pensacola, Tampa, Orlando and Miami. Such notice shall fix the time and place for a public hearing before the board, to be held not less than ten (10) nor more than twenty (20) days from the date of publication.

(c) Opportunity shall be afforded interested persons to be heard by the board at such public hearing. Objections may be raised to the nature or form of such regulation or regulations. Following such hearing the board may amend, revise or rescind the resolution, which action shall be set forth in the minutes of the board, and the board shall by resolution adopt the regulation or regulations as proposed or as amended or revised, or may determine that no regulation is necessary.

(d) Upon the adoption of any regulation or regulations, as provided, a copy thereof certified by the chairman shall, within five days of the adoption thereof, be filed in the office of the secretary of state and shall not become effective until fifteen days after such filing, except as hereafter provided.

(e) Regulations relating to the internal organization or management of the department, not affecting the public interest, shall be adopted by resolution spread upon the minutes of the board and shall become effective immediately upon the filing of a copy thereof, certified by the chairman, in the office of the Secretary of State.

(f) In the event the board determines that an emergency exists, necessitating the adoption, revision, repeal or suspension of a regulation or regulations, the board shall by resolution, spread upon the minutes of its proceedings, declare such emergency and clearly set forth the reasons therefor, taking such action as may be found by the board to be necessary. Such action shall become effective immediately upon the filing of a copy of the resolution certified by the chairman in the office of the Secretary of State and shall remain effective for the duration of the emergency as specified in the resolution of the board, unless rescinded as hereinafter provided.

Within five days of the filing of any emergency regulation in the office of Secretary of State, the board shall publish a notice thereof as provided in paragraph (b) above, and shall provide for a public hearing as set forth in paragraph (c).

Following such public hearing the board shall, by resolution, affirm, revise or rescind its findings relating to the existence of the emergency, its duration, or the action necessitated thereby. A copy of such resolution certified by the chairman shall be filed in the office of the Secretary of State and action taken by the board other than an affirmation of the original resolution shall become effective immediately upon such filing.

(2) Meetings

(a) Meetings of the board shall be held at the state capital not less than once every three (3) months and these shall be known as the quarterly meetings of the board; other meetings may be held at such times and places as may be decided upon or by regulations provided, such meetings to be called by the chairman on not less than one week's notice to

all members of the board; or meetings may be held, upon the request in writing of three (3) members of the board other than the chairman, at a time and place to be designated in the request, and notice of such meeting being given at least one week in advance thereof to all members of the board. Emergency meetings may be held upon request of all members of the board without notice as herein provided.

(b) Quorum. Three members shall constitute a quorum at any meeting of the board. No action shall be binding when taken by the board except at a regular or called meeting and duly recorded in the minutes of said meeting.

(c) Minutes. A complete record of the proceedings of the board shall be made, and such record shall be open to public inspection.

Section 12 . . . Executive director; qualifications; salary; bond; duties.—

(1) The board shall employ an executive director for the department who shall be a person of intelligence and competence. He shall be employed at an annual salary not to exceed fourteen thousand (\$14,000) dollars and shall be removed only for cause. He shall be required to give a bond in the amount of one hundred thousand (\$100,000) dollars, to be payable to the governor and his successors in office, and to be approved by the comptroller, conditioned upon the faithful performance of his duties.

(2) The director shall devote all his time and service to the department. He shall, under the direction of the chairman, be responsible for the efficient operation and administration of the offices of the secretary, director of personnel, director of outdoor advertising, purchasing, revenue projects, auditor, and prison division. He shall, in accordance with the law or regulations of the board:

- (a) Cause minutes of the meetings of the board to be kept;
- (b) Cause accurate and complete books of account to be kept;
- (c) Sign all vouchers for expenditures and purchase orders;
- (d) Have charge of the records of the department;
- (e) Sign and execute all documents and papers, including contracts and agreements for construction and the purchase of machinery, materials, and supplies;
- (f) Be responsible for the receipt and return of all bid bonds or certified checks;
- (g) Perform any other duties as may be required by law or regulation of the board or by direction of the chairman.

(3) The board shall employ a secretary who shall be the administrative assistant of the executive director.

Section 13 . . . State highway engineer; deputy state highway engineer; qualifications; salaries; bond; duties; assistants.—

(1) The board shall employ a state highway engineer who shall be a competent highway engineer, certified by a state board of engineering examiners, with at least ten (10) years experience in highway engineering. He shall be employed for an annual salary not to exceed fourteen thousand (\$14,000) dollars and shall be removed only for cause. He shall be required to give bond in the amount of one hundred thousand (\$100,000) dollars, payable to the governor and his successors in office, to be approved by the comptroller, conditioned upon the faithful performance of his duties. He shall devote all his time and service to the department and shall exercise such powers and perform such duties as may be prescribed by the regulations of the board or the direction of the chairman and shall be directly responsible to the chairman, and to the board for the efficient operation and administration of the engineering divisions of the department.

(2) The board shall employ a deputy state highway engineer who shall be a competent highway engineer, certified by a state board of engineering examiners, with at least ten (10) years experience in highway engineering. He shall be employed for an annual salary not to exceed twelve

thousand (\$12,000) dollars. He shall be required to give bond in the amount of fifty thousand (\$50,000) dollars, payable to the governor and his successors in office, to be approved by the comptroller, conditioned upon the faithful performance of his duties. He shall devote all his time and services to the department and shall exercise such powers and perform such duties as may be prescribed by the regulations of the board or the direction of the state highway engineer and shall be directly responsible to the state highway engineer.

(3) The department shall employ an assistant state highway engineer of planning, assistant state highway engineer of construction and assistant state highway engineer of maintenance, whose salaries and duties shall be determined by the board and who shall be responsible for the efficient operation and administration of their respective divisions through the deputy state highway engineer to the state highway engineer.

(4) The department shall employ one district engineer for each of the five (5) respective road districts whose salaries and duties shall be fixed by the board and who shall be responsible for the efficient operation and administration of their respective districts through the deputy state highway engineer to the state highway engineer.

Section 14 . . . Removal or suspension of executive director and highway engineer.—

(1) The executive director or highway engineer may be removed for good cause by the board at any time, notwithstanding the terms or conditions of his employment as above provided.

(2) Upon a finding of good cause, by resolution of the board, for the removal of either the executive director or the highway engineer at any meeting of the board, which resolution shall be spread upon the minutes, such person shall be deemed suspended and immediately relieved of his authority.

(3) Within five days after such action by the board a copy of the resolution shall be furnished such suspended director or engineer, and at the request of such person the board shall set a date for the hearing of such charges, the hearing to be held not more than twenty-five days from the date of such request.

(4) At such hearing the board shall hear and receive testimony relating to the truth or falsity of the charges specified in the resolution, or relating to additional charges submitted at the hearing. At the conclusion of the hearing the board shall, by resolution, make its findings in the matter, which resolution shall be spread upon the minutes. In the resolution the board may find that any of the charges constituting good cause for removal have been sustained, in which event the person against whom the charges were brought shall be deemed removed. The board may find that the charges have not been sustained or may withdraw any or all of the charges, and in the event no charge constituting good cause for removal is sustained, such person shall be reinstated without loss of compensation or other rights for the period suspension was in effect.

Section 15 . . . Administrative regulations.—Subject to the following conditions the board may employ such personnel and purchase such instruments, supplies and materials as shall be necessary to carry out its responsibilities.

(1) The board shall by regulation provide for a classification plan and salary schedule for the employees of the department.

(2) Such regulations shall make provision for removal, suspension or demotion of classified employees only for cause specified in the regulations.

(3) The regulations shall provide for provisional appointments to classified positions for a period not exceeding one year, upon the termination of which such employee shall be dismissed or given permanent status, subject to removal as the regulations may provide.

(4) The board shall by regulation provide a salary schedule for employees including provisions for promotion and recognition of merit.

(5) The board may by regulation require the attendance

of professional personnel at a school or schools specified in the regulations under such terms and conditions relating to salaries and expenses as the board may by regulation provide.

(6) After the adoption of a classification and salary plan the board is authorized to require examination of all applicants for employment by the department.

(7) The board shall by regulation provide procedures for the conduct of the affairs of the department relating to purchasing, accounting and other phases of the administration of the department which in the opinion of the board should be determined by regulation.

(8) Prior to the adoption of regulations relating to personnel, purchasing, accounting or other phases of the administration of the department, and within ninety (90) days of the effective date of this law, the board, in order to establish the department on a sound and scientific basis so that greater efficiency in the expenditure of road funds may result, shall provide for a competent and expert management study of the operations of the department by the employment of a firm of management consultants experienced in highway administration, which consultants shall make a thorough study of procedures, personnel policies, purchasing, accounting, and all other phases of administration of the highway laws both at the state level and in each road district unless such a study has been made by competent management consultants within one year prior to the effective date of this act. The costs of such study shall be deemed a proper expense of the operation of the department. Upon receipt of the report of such consultants, the board shall to the extent it deems feasible and to the extent allowable by law incorporate the recommendations in its regulations. In the event changes in the law become necessary to effect complete compliance with the recommendations, the board and the legislative council shall report such fact to the 1957 legislature, together with proposed legislation.

Section 16 . . . Engineering consulting services.—The board is authorized to provide consulting engineering services, upon request, to any governmental unit on such terms as may be mutually agreed upon.

Section 17 . . . Board to employ legal counsel.—The board may employ an attorney, a resident attorney and as many assistant attorneys as it deems necessary to advise and represent the board and the department in all highway matters. The resident attorney and all assistant attorneys shall be employed on a full time basis at salaries to be determined by the board and shall be directly responsible to the chairman and the board for the efficient performance of their duties. The attorney general shall be ex-officio attorney for the department in all matters of litigation.

Section 18 . . . Employment of auditor; financial records and accounts.—

(1) The board shall employ an auditor whose special duty it shall be to examine into and supervise the methods of bookkeeping and accounting of the department and all similar matters relating to its management.

(2) The board shall by regulation provide for the maintenance of records and accounts of the department, by the auditor, relating to financial transactions, as will afford a full and complete check against improper payment of bills, and provide a system for the prompt payment of the just obligations of the department, which records shall at all times disclose:

(a) The several appropriations available for the use of the department;

(b) The specific amounts of each such appropriation budgeted by the department for each improvement or purpose;

(c) The apportionment or division of all such appropriations among the several counties and districts, where such apportionment or division is made;

(d) The amount or portion of each such apportionment against general contractual and other liabilities then created;

(e) The amount expended and still to be expended in connection with each contractual and other obligation of the department;

(f) The expenses and operating costs of the various activities of the department;

(g) The receipts accruing to the department, and the distribution thereof;

(h) The assets, investments and liabilities of the department.

(3) The auditor shall act under the general supervision and control of the director and shall perform such other related duties as may be designated by the director and the chairman.

Section 19 . . . Expenditures.—All expenditures by the department shall be made upon vouchers issued and certified to by the director in such manner as the board may by regulation provide and paid by warrants issued by the state comptroller upon the state treasurer.

Section 20 . . . Budget; preparation; adoption; execution; and amendment.—

(1) The fiscal year of the department shall begin on the first day of July of each year beginning July 1, 1956 and end on the 30th day of June of each succeeding year. Such fiscal year shall constitute a budget year of the department.

(2) Not later than the first day of March of each year, the director shall prepare and file with the budget director a full and complete budget of all anticipated expenditures for the administration and maintenance of the department for the next ensuing fiscal year, giving details as to the number and amounts to be paid employees and for necessary and regular administrative and maintenance expense, and providing for a contingency fund of five per cent of the total of the administrative and maintenance expenses anticipated. The budget director shall examine said budget, and as soon as practicable shall transmit to the budget commission his report thereon. The budget commission shall examine the budget and the report of the budget director and shall approve or amend and approve said budget. When approved, the budget director shall certify the action of the budget commission to the director and the budget as certified shall be the administrative budget for the department and shall be included as such in the annual budget prepared by the department for the next ensuing fiscal year.

(3) The director shall prepare a tentative budget and work program including the administrative budget provided for in sub-section (2) hereof, and the board shall, at a meeting to be held at least sixty (60) days prior to the beginning of its fiscal year, pursuant to such tentative budget and work program and administrative budget, prepare a budget to control the expenditures of all funds made available for administrative purposes and for road construction and maintenance purposes during the ensuing year. The board shall use the results of the rating of roads, pursuant to regulations previously adopted, in determining priorities, not otherwise provided by law, when preparing such budget. A separate budget shall be prepared for the "unrestricted road fund," i.e., monies made available for expenditure for road construction and maintenance; and a separate budget shall be prepared for the "restricted road funds," i.e., monies made available for expenditure as restricted by law or agreement for road construction and maintenance in any county or special district or for the payment of interest and principal on any obligations incurred for road construction and maintenance in any county or special district which are to be liquidated from monies made available through the department for that purpose.

(4) Nature and scope of the budget:

(a) The budget shall present a complete, balanced financial plan for the ensuing budget year. The receipt side of the budget shall set forth all anticipated fund balances to be brought forward at the beginning of the budget year. The fund balance shall be the difference between the current assets and current liabilities and reserves, as commonly defined in accounting terminology, of each fund enumerated herein. It shall set forth all estimated revenues and receipts by source anticipated to be available during the ensuing year for which the budget is prepared; except that no anticipated receipts estimated to be received under the various federal aid road or highway acts of congress shall be budgeted in excess of the amount of state receipts set aside to match such federal aid, and the state money thus set aside to match feder-

aid money shall be used for no other purpose than the construction of roads under agreements entered into by and between the United States bureau of public roads and the department. Provided, however, the board shall prior to the preparation of the budget ascertain the amount of federal aid funds which shall be available to the department for expenditure in the fiscal year for which the budget is prepared, and shall budget sufficient unrestricted funds for matching and other purposes, not to exceed one-half the receipts of the first (4c) gas tax, for expenditure on United States numbered highways, and unrestricted funds so budgeted shall be used for no other purpose. Such highways shall be the United States numbered highways in accordance with the official log of the American Association of State highway officials, as of January 1, 1955, and any subsequent extensions thereto and shall constitute a priority system until all such roads shall have a sufficiency rating of good, or better in accordance with regulations prescribed by the board.

(b) The expenditure side of the budget shall set forth all proposed expenditures of the department for the fiscal year, classified by the activities to be carried on by the department; it shall set forth all proposed expenditures for salaries and other current operating expenses of the department; it shall set forth all proposed expenditures for the construction and for the maintenance of roads; and it shall set forth proposed expenditures for the payment of obligations of the department and the payment of interest and principal on obligations incurred for road construction and maintenance purposes by any county or special district which are to be liquidated from monies made available through the department for that purpose.

(c) The unrestricted fund budget shall be so planned as to exhaust the estimated resources of the department for the year with the exception of an estimated reserve, in such reasonable amount as the board may deem necessary, for the purpose of doing emergency work which may be found to be necessary to be done during the year in order to prevent the stoppage of travel over any road over which the department has jurisdiction and control, and a reserve for the cash working balance hereinafter provided for in subsection 7 (b). At any time during the last two months of the budget year, the emergency work reserve, or any portion of it may be appropriated for road construction or maintenance projects listed in the program of work provided for herein, upon approval of the board, which approval must be recorded in its minutes.

(d) The budget shall be balanced; that is, the estimate of expenditures to be made during the year, including obligations against the fund, plus reserves, shall be equal to the total of estimate of receipts, plus the fund balance expected to be available at the beginning of the year.

(5) A tentative program of work to be undertaken during the ensuing budget year shall be prepared for each fund setting forth all construction and maintenance projects to be undertaken during the year under the budget for the unrestricted fund and under the budget for the restricted funds. The program of work for each fund may list projects, the sum total of the estimated cost of which may exceed the amount budgeted for construction and for maintenance set forth in the budget for each fund by fifty per cent (50%) in order to provide alternate projects in case any particular listed project in the program of work cannot be undertaken during the year for any reason; provided, that no construction or maintenance project costing more than \$10,000 shall be undertaken without the approval of the board as recorded in its minutes. The purpose of this section is to avoid the necessity of including an amount in the budget for construction and maintenance of roads which is greater than the resources available for that purpose during any budget year, and to make the program of work of the department flexible by providing alternate projects for road construction and maintenance.

(6) Publication of the budget and the program of work:

(a) The proposed budget and the program of work for the unrestricted fund, made up as aforesaid, shall be published once in one of the newspapers of general circulation in the state, published in each of the following cities: Jacksonville, Pensacola, Tampa, Orlando, and Miami, together with a notice of the time and place of the public meeting for considering such proposed budget and program of work.

(b) Two copies of the proposed budget and the program of work for the unrestricted fund, together with notice of

public hearing above referred to, shall be furnished to each clerk of the circuit courts of the state, and said clerk shall post a copy of said budget and program of work and notice of hearing at the front door of the courthouse, and shall retain in his office one copy of said budget, program of work, and notice of hearing, which shall be, during his regular office hours, open to the inspection of the public.

(7) Adoption of the budget:

(a) The board shall appoint a time and place for the public hearing on the proposed budget and the program of work prepared for the unrestricted fund, at which time it shall hear all complaints and suggestions offered by the public as to any changes desired in such budget and program of work; such time of hearing shall be not less than thirty nor more than forty-five days before the beginning of the fiscal year for which the budget is prepared.

(b) Upon completion of such hearing, the board shall, not more than fifteen days prior to the beginning of the fiscal year, decide upon and make up a final budget and program of work for the ensuing year in accordance with the foregoing requirements, and no construction or maintenance work shall be undertaken by the department other than that set forth in such budget and program of work as adopted or amended; provided, however, the department may, during the year, do emergency work necessary to prevent stoppage of travel over any state road under its jurisdiction and control, not exceeding in cost the amount set aside for an emergency fund as above provided.

(8) Execution of the budget:

(a) The board shall not during any fiscal year expend any money or incur any liability, or enter into any contract which, by its terms, involves the expenditure of money for any of the purposes for which provision is made in the budget in excess of the amount budgeted under any classification. Any contract, verbal or written, made in violation of this section shall be null and void, and no money shall be paid thereon. Any contract let in violation of the provisions of this section shall become a liability against the bond of any board member voting to approve such contract; provided, however, that nothing herein contained shall prevent the making of contracts for a period exceeding one year, but any contract so made shall be executory only for the amounts agreed to be paid for services to be rendered in succeeding fiscal years.

(b) In the execution of the program of work for the budget of each fund, the department shall maintain an average cash working balance on hand equivalent to at least twenty per cent of the day to day moving average amount of all obligations outstanding during the year for which the budget is prepared in order to provide money to meet all obligations when they come due, and thus avail itself of all cash discounts allowed by the trade and maintain its operations and program of work on a cash pay-as-you-go basis. In order to carry out the provisions of this section, the total day to day moving average amount of obligations outstanding during the year shall not exceed five times the moving average cash working balance on hand during the year.

(9) Amendment of the budget:

(a) The board shall have the authority to amend its budgets at any time during the fiscal year as follows:

1. Transfer within the same funds of any unencumbered budget item, or any portion thereof, from one activity to another.

2. Transfer between the unrestricted fund and the restricted funds, within the provisions of the restrictions provided by law or by agreement as to the expenditure of said funds, any unencumbered balance budgeted for road construction and maintenance purposes or for debt services.

3. Budget and expend a receipt of a nature from a source not anticipated in the adopted budget, including but not limited to grants, donations, gifts, or reimbursements for damages, for the purpose for which received or for any other authorized purpose. Such receipt and budgeted expenditure shall be added to the budget of the proper fund.

4. Budget and expend any receipts in excess of the total anticipated receipts in the adopted budget, provided that the

total of all receipts budgeted must first be exceeded before such excess receipts may be budgeted and expended.

(b) All amendments to the budget provided for herein shall be made only with the approval of the board as recorded in its minutes.

Section 21 . . . Biennial reports.—

(1) The board shall report to the governor not later than sixty (60) days before the meeting of each session of the legislature a report covering the operation of the department upon as being expedient to secure the best results in road construction and repair work.

(2) The board shall also file with the governor not later than thirty (30) days prior to such meeting of each session of the legislature a report covering the operation of the department for the two preceding fiscal years, which shall include a summary statement of the financial operations of the department and any other fiscal information that the governor may request.

Section 22 . . . Annual audit by state auditor.—The state auditor shall make an audit of the books and accounts of the department not less than once each year. The board is authorized to reimburse the state auditor for the expense of the annual audit. A copy of the annual state audit shall be filed with the secretary of the senate and the chief clerk of the house of representatives for the use and benefit of the members of the legislature.

Section 23 . . . Road appraisal reports; research studies.—

(1) The department shall:

(a) Collect data and information as to all roads in the state, and where practicable have maps and plats thereof made;

(b) Investigate and collect data and information as to the best methods and materials for road building and repair;

(c) Investigate and gather information as to road building and repairing in the different localities in this state;

(d) Compile all such data and information, and furnish the same free, upon request, to the boards of county commissioners of the several counties;

(e) Keep on file at the department headquarters copies of same as a public record.

(2) The state road department is hereby authorized to enter into contracts from time to time with recognized universities in Florida for the training of engineers, making of engineering research studies and the furnishing of data concerning same in the fields of soil stabilization, properties of concrete and concrete aggregate, bituminous wearing surfaces and payments, and other highway research fields which are needful and beneficial in the planning, construction and improvement of public highways. Provided, however, that the state road department shall be authorized to pay out of state road funds to the universities under such contracts an amount not to exceed thirty thousand (\$30,000) dollars per year.

Section 24 . . . Seal of board.—The board shall adopt and use a common seal, and a certificate under seal of the board signed by the chairman, or as otherwise provided by regulation of the board, shall constitute sufficient evidence of the action of the board.

Section 25 . . . Designation of state roads.—

(1) All public roads open to travel by the public generally and dedicated to the public use, according to law or by prescription, and roads which are constructed out of public funds and dedicated for general public usage and all extensions thereof, and connections thereto are hereby designated and declared to be and are established as state roads.

(2) State roads shall be divided into four (4) classes.

(a) the state highway system;

(b) the state park road system;

(c) the county road systems; and

(d) the city street systems.

Section 26 . . . Authority to designate the state highway system.—

(1) The board shall have authority to locate and designate certain roads as state roads in the state highway system and construct and maintain the same with funds which are now or which may hereafter become available from the state or from the state and federal government. Such roads when so located and designated shall become the property of the state, and shall be under the jurisdiction and control of the board.

(2) The board may determine and fix the lines and locations of such roads between the cities and places thereon. The department may survey and locate the line or route of any road or section of any road, designated as part of the state highway system. Whenever such survey and location shall be made and adopted by the board, a map or plat of such survey and location, certified by the director, shall be filed in the office of the clerk of the circuit court of each county through which such state road, or section thereof, so surveyed and located, shall run.

Section 27 . . . Interstate highways; designation.—The board shall have the powers and authority to select, in cooperation with the state highway departments of adjoining states, routes of the national system of interstate highways.

Section 28 . . . Classification of roads; standards; distinctions.—

(1) The board shall by regulation adopt a classification plan for all roads in the state highway system, which shall be based upon standards relating to financing, design and service. The board shall not designate a road as part of the state highway system unless the route of such road meets the requirements herein, and complies with regulations of the board.

(2) The state highway system shall be divided into the primary road system and the secondary road system and the distinction between each system shall be as prescribed herein, and as prescribed by regulations of the board.

(3) The primary road system shall be divided into arterial highways and other primary roads, and shall be limited to eleven thousand (11,000) miles.

(a) Arterial highways shall be such roads as are designated federal interstate highways and other roads connecting cities having a population in excess of ten thousand (10,000) inhabitants and following a continuous and reasonably direct route between such cities, and municipal connecting links of such roads.

(b) Other primary roads shall be all federal numbered highways not designated as arterial highways and such roads that connect the county seats of adjacent counties of the state in a reasonably direct route, and municipal connecting links on such roads.

(4) The secondary road system shall consist of such roads selected by resolution of the county commissioners of the several counties of the state. The secondary system shall not exceed 11,000 miles.

Section 29.—Certain streets designated as municipal connecting link roads.

(1) City and town streets, roads, and structures, or portions thereof, that constitute the route of connection between, or extension of, state roads in the state highway system, and referred to as municipal connecting link roads, shall be designated by the board as part of the state highway system.

(2) The department shall keep a record of such municipal connecting link roads, so designated, and forthwith shall furnish to each city and town a statement of the municipal connecting link roads, so designated, in such city or town.

(3) The department is authorized, and required to maintain under its control and supervision such designated municipal connecting link roads; and is authorized to enter into any and all contracts, inclusive of agreements with cities and towns, and with any federal agency of the United States, for such purpose. Provided nothing herein contained shall require the department to sweep, sprinkle or light said municipal connecting link roads.

(4) The department, whenever it constructs or reconstructs any state road in the state highway system which enters or passes through any city or town, shall construct or reconstruct the municipal connecting link of such road to conform to the standards of construction approved by the board. Provided, however, that whenever any such municipal connecting link is constructed or reconstructed, no obligation shall rest upon the department to remove or relay any public utility.

(5) The board is authorized to provide and maintain signs and markers for the regulation of traffic and shall prescribe regulations for traffic, including traffic signal lighting, minimum and maximum speeds, and parking upon such roads. Such regulations, when made and once published in a newspaper published and having a general circulation in such city or town or posted at the city hall when there is no such newspaper, shall supersede any and all regulations relating to such traffic made by such city or town, or any laws regulating traffic upon such roads. Such regulations shall have the force and effect of law and violation of any of said regulations shall be a misdemeanor. Such regulations shall be enforced by all law enforcement officers.

(6) Before any person shall enter upon such roads, or the rights-of-way thereof, for the purpose of laying conduits, pipes, poles or wires, or making any obstruction, or any excavation, which necessitates any change in the condition or structure thereof, a permit for any such purpose must be secured from the board with the concurrence of the affected city or town where such city or town is not itself making the application for the permit; and the board is hereby authorized to prescribe rules and regulations under which such permits will be issued, and to require indemnity for any damage occasioned by the issuance of any such permit.

Section 30.—State park road system.

(1) The board is authorized to expend state road funds to construct, reconstruct, and maintain roads within the boundaries of any lands embraced within the state park system.

(2) The board is authorized to provide suitable roads leading to any lands or other property embraced within the state park system.

(3) Such roads shall be located, relocated, constructed, reconstructed, and maintained, numbered, marked and regulated in such manner as shall be agreed upon between the board and the Florida board of parks and historic memorials, and both boards are authorized to enter into such agreements.

(4) Such roads shall not be included in the state highway system unless so designated by the state road board.

Section 31.—Sufficiency rating of roads.

(1) The board is authorized and required to adopt a system of sufficiency rating of roads in the state highway system.

(2) Such system shall include, but shall not be limited to, the consideration of the following factors:

- (a) Structural adequacy;
- (b) Safety, and
- (c) Service.

(3) The determination of rating accorded to such factors shall take into consideration the volume of traffic using the roads, and the minimum engineering standards required to safely accommodate such volume of traffic; age of roads; width of pavement and shoulders; number and degree of curves, both horizontal and vertical; ridability; and maintenance economy. In addition to the factors and considerations herein required, the board may prescribe by regulation other factors or considerations to be used in obtaining sufficiency rating.

Section 32 . . . Numbering state highway system.—

(1) The board is authorized to number and renumber the roads of the state highway system, and to reduce the total numbers of same as far as practicable.

(2) The board may establish a systematic numbering plan, giving even numbers to roads extending in the general direction of east and west, and odd numbers to roads extending

in the general direction of north and south, and federal numbered highways shall be given the same state numbers.

Section 33 . . . Uniform marking and erection of signs; historical points of interest.—

(1) The department shall erect suitable road signs indicating the distance between cities and towns, and markers showing the numbers assigned to each road in the state highway system. Such system of marking shall correlate with, and, as far as possible, shall conform to the recommendations of the manual on traffic control devices as adopted by the American association of state highway officials.

(2) The department may erect and maintain along the state highway system signs indicating the historical points of interest.

Section 34 . . . Regulation of use of state roads; civil liability for injury thereto.—

(1) The department shall prevent use of, and traffic on, the state highway system and the state park road systems that might injure or destroy the same.

(2) Any person shall be civilly liable to the department for the actual damage to a road in such systems by reason of his wrongful act, which damage may be recovered by suit, and when collected shall be paid into the state treasury to the credit of the state road maintenance fund.

Section 35 . . . Determination of speed.—The board, with respect to the state highway and the state park road systems, may conduct an investigation and determine safe speed limits as provided under chapter 317.

Section 36 . . . Vehicle size and weight controlled.—

(1) The board, with respect to the state highway and state park road systems may:

(a) Limit the use of highways and enforce limitations as to weight, load and size of vehicles as provided for under chapters 317, 320, 323, 346 and 861, Florida Statutes;

(b) Issue special written permits authorizing the operation of oversized or overweight vehicles as provided for in sections 317.81 and 320.40, Florida Statutes;

(c) Prohibit the operation or impose restrictions on vehicular use of certain highways because of hazardous conditions existing thereon as provided for under section 317.82, Florida Statutes.

Section 37 . . . Regulation of advertising signs.—

(1) No person shall erect any billboard or advertisement adjacent to the right-of-way of the state highway system, outside the corporate limits of any city or town, except as provided for in Chapter 479, Florida Statutes.

(2) No person shall erect any billboard, advertisement, advertising signs, advertising structures or lights within the right-of-way limits of any road in the state road system, the state road park system or the county road system or any municipal connecting link thereof. The chairman shall have the authority to direct immediate removal of any violations of the above section provided, however, that in the event the value of the billboard, advertisement, advertising signs, advertising structures or lights have a value greater than one hundred (\$100.00) dollars and bears thereon the name of the owner no such billboards, advertisement, advertising signs, advertising structures or lights shall be removed until the owner thereof, as shown thereon, shall have received a thirty (30) day notice as provided by Chapter 479, Florida Statutes.

Section 38 . . . Traffic devices on state highway system.—The board shall have the power and authority to designate and prescribe the location, form and character of informational, regulatory and warning signs, curb and pavement or other markings and traffic signals installed or placed by any public authority, or other agency, upon any road in the state highway system. No such sign, marking or signal shall be located or placed without the approval of the state highway engineer, and, if the road is a federal aid road, the additional concurrence of the United States commissioner of public roads.

Section 39 . . . Detour roads.—

(1) Whenever any road or structure in the state highway system shall be repaired, reconstructed, relocated or in anywise altered, in such a manner as necessitates the closing of such road or structure to use by the public, the department shall provide a detour road to afford a safe means of travel around such road or structure so closed. The department may use as a part of such detour road any other existing road. The length of the detour route shall be as short as may be practicable.

(2) The provision of subsection (1) of this section shall not be construed to prevent the board from adopting regulations for one-way travel for a distance not in excess of one mile.

(3) The provisions of this section shall be applicable in all cases, whether the work provided for in subsection (1) shall be done by the department, or at its direction or under its supervision.

(4) The provisions of this section shall not apply where the same would be contrary to the regulations or requirements of any federal agency providing all or a part of the funds for any such work.

(5) This section shall not apply in cases of emergency highway work caused by act of God or other sudden, unexpected event.

Section 40 . . . Wayside parks.—The board is authorized to adopt regulations for the establishment, maintenance and use of wayside parks along the side of roads in the state highway system.

Section 41 . . . Designation of county road system.—The county road system shall consist of all public roads outside of municipalities, not included in the state highway system or state park road system, and such municipal connecting links and extensions as may be agreed upon by the boards of county commissioners and municipal authorities.

Section 42 . . . Responsibility for county road system.—The county commissioners are invested with the general superintendence and control of the county roads and structures within their respective counties, and may establish new roads, change and discontinue old roads, and keep the same in good repair in the manner herein provided. They shall be responsible for establishing the width and grade of such roads and structures in their respective counties, provided, however, the width of the rights-of-way of all public roads hereafter established shall be not less than sixty-six (66) feet.

Section 43 . . . County engineer; duties and compensation.—The commissioners may employ a county engineer, whenever in the judgment of the commissioners the work and affairs of the county require the attention and services of such engineer. The county engineer shall have general supervision and control of all road work of the county, subject only to the order of the board of county commissioners. The compensation of the engineer shall be fixed by the county commissioners, and shall be payable out of the county general fund.

Section 44 . . . Appointment; duties and compensation of superintendent of roads.—The commissioners may appoint an experienced and competent road builder, who shall be known as the superintendent of public roads. All work on the public roads of the county, outside of cities and towns, shall be under the supervision of such superintendent, who shall be responsible to and subject to the direction of the commissioners. The compensation of the superintendent shall be fixed by the commissioners.

Section 45 . . . Authority to name, rename county roads; prevention of duplicate names.—

(1) The commissioners are authorized to name and rename streets and roads (except state roads designated by number by the department), lying outside the boundaries of any incorporated municipality.

(2) The commissioners are authorized to refuse to approve for recording any map or plat of a subdivision when recording of such plat would result in duplication of names of streets or roads.

Section 46 . . . Sign boards to be placed at public road crossings.—The commissioners may cause mile posts to be erected on all public roads under their jurisdiction, and may place at all crossings and intersections a sign board with proper indicating marks pointing in each direction to the city, town, village or community which such roads enter; giving the number of miles in each direction; with lettering in black color on a white background, the letters and figures to be not less than three inches high.

Section 47 . . . Establishing new or changing old road; petition; procedure.—

(1) No public road may be established, changed or discontinued except on application to the commissioners, unless otherwise provided herein. Such application may be made by petition duly signed by citizens, freeholders living in the vicinity of the road sought to be established or changed.

(2) When a new road is to be established, or an old road changed, the commissioners shall issue an order to three disinterested freeholders in the county to view and mark out the best route for such proposed road, who shall subscribe to an oath to perform their duties faithfully; provided, such persons shall not receive any compensation for such services. After the route is marked out and their report is accepted, the commissioners shall make an order for the opening of said new road or changed road, after giving thirty (30) days notice thereof, by posting such notice at the courthouse and at some public place nearest the road sought to be changed or established; and if the road so laid out shall pass through the lands of any persons who shall object to or consider themselves aggrieved by the same, and the commissioners and the persons aggrieved cannot agree upon a reasonable compensation to be paid out of the county treasury to any such aggrieved person, then the commissioners may proceed under chapter 73, Florida Statutes, to acquire such lands by eminent domain. The commissioners shall order the damages assessed to be paid out of the county treasury, together with all costs of the proceedings. All new roads laid out and established shall be run as near as practicable upon section lines and subdivisions thereof.

Section 48 . . . Superintendent may change road.—Subject to the approval of the commissioners, the superintendent of roads may relocate or change any part of a public road where, in his judgement, such relocation or change will prove advantageous to public travel; provided, however, that any such change or relocation shall be subject to the same proceedings as control the original establishment or location of a public road.

Section 49 . . . Authority to vacate, close and abandon county roads.—

(1) The commissioners, with respect to property under their control may in their own discretion, and of their own motion, or upon the request of any agency of the state, or of the federal government, or upon petition of any person or persons, are hereby authorized and empowered to:

(a) Vacate, abandon, discontinue and close any existing public or private street, alleyway, road, highway, or other place used for travel, or any portion thereof, other than a state or federal highway, and to renounce and disclaim any right of the county and the public in and to any land in connection therewith;

(b) Renounce and disclaim any right of the county and the public in and to any land, or interest therein, acquired by purchase, gift, devise, dedication or prescription for street, alleyway, road or highway purposes, other than lands acquired for state and federal highway; and

(c) Renounce and disclaim any right of the county and the public in and to land, other than land constituting, or acquired for, a state or federal highway, delineated on any recorded map or plat as a street, alleyway, road or highway.

(2) The commissioners, upon such motion, request, or petition, may adopt a resolution declaring that at a definite time and place a public hearing will be held to consider the advisability of exercising the authority granted in this section.

Section 50 . . . Publication of notice of intention to abandon.—Before any such road shall be closed and vacated, or

before any right or interest of the county or public in any land delineated on any recorded map or plat as a road shall be renounced and disclaimed, the commissioners shall hold a public hearing, and shall publish notice thereof, one time, in a newspaper of general circulation in such county at least two (2) weeks prior to the date stated therein for such hearing. After such public hearing, any action of the commissioners, as herein authorized, shall be evidenced by a resolution duly adopted and entered upon the minutes of the commissioners. The request of any agency of the state, or of the United States, or of any person, to the commissioners to take such action shall be in writing and shall be spread upon the minutes of the commissioners; provided, however, that the commissioners of their own motion and discretion, may take action for the purposes hereof. Notice of the adoption of such a resolution by the commissioners shall be published one time, within thirty (30) days following its adoption, in one issue of a newspaper of general circulation published in the county. The proof of publication of notice of public hearing, the resolution as adopted, and the proof of publication of the notice of the adoption of such resolution shall be recorded in the deed records of the county.

Section 51 . . . Ratification of prior actions.—The actions by the commissioners, heretofore taken, closing, vacating or abandoning any road as herein described, and appearing in the minutes of such commissioners, are hereby ratified, approved and confirmed in all respects, and such roads are declared closed, vacated and abandoned, consistent with the provisions of the resolution or other action of such commissioners, as shown by their minutes.

Section 52 . . . Termination of easement; conveyance of fee.—The act of any commissioners in closing or abandoning any such road, or in renouncing or disclaiming any rights in any land delineated on any recorded map as a road, shall abrogate the easement theretofore owned, held, claimed or used by or on behalf of the public and the title of fee owners shall be freed and released therefrom; and if the fee of road space has been vested in the county, same will be thereby surrendered and will vest in the abutting fee owners to the extent and in the same manner as in case of termination of an easement for road purposes.

Section 53 . . . Counties may cooperate with department; procedure.—

(1) In all cases where the commissioners request the advice and assistance of the road department in the construction or repair of roads, the department shall, when practicable, send the state highway engineer or any assistant engineer into such county and render all assistance practicable, without expense to the county, except that the actual and necessary expenses that such engineer or assistant may incur in complying with the request shall be paid to the department by the commissioners when properly certified to by the department.

(2) The board is authorized to enter into contracts and to make such regulations as may be necessary, for such road construction and maintenance as may by law or by resolution of any board of county commissioners or board of bond trustees of any county, or district or other subdivision of any county, be placed under its supervision and control, together with all powers for the exercise of the right of eminent domain.

(3) The department may prepare plans and specifications for all such proposed work, other than maintenance work of a regular or routine nature, and advertise for bids on same at least once a week for not less than two consecutive weeks in some newspaper having a general circulation in the county where the proposed work is located; and the board may, at its discretion, award the proposed work to the lowest responsible bidder, or it may reject all bids and proceed to perform the work with convict labor or free labor, and may purchase such equipment and supplies as may be necessary for the efficient and economical prosecution of the work.

Section 54 . . . County road districts.—Each county commissioner's district is declared a county road district, and the roads of the county road system in such districts shall be under the supervision of the commissioners in each county.

Section 55 . . . Special tax road districts, establishing procedure.—

(1) All county road districts levying a road district tax shall be designated special tax road districts.

(2) The commissioners shall order an election to be held in any county road district to determine whether such district shall become a special tax road district for the purpose of levying and collecting a district road tax for the exclusive use of the public roads within the district, and to elect trustees, whenever one-fourth of the electors, qualified as herein prescribed, shall petition for such election.

(3) The election shall be ordered and held on a day not earlier than thirty (30) days, nor later than sixty (60) days, from the day of presentation of the petition to the commissioners in regular session, and the election shall be held at the regular polling places within the district.

(4) The three (3) persons receiving the highest number of votes at such election shall be declared road trustees of the district, and shall serve for the next ensuing two (2) years. A majority of the ballots cast shall determine:

(a) Whether the road district shall become a special tax road district;

(b) The number of mills of district tax not to exceed five (5) mills, to be levied and collected annually for the two succeeding years.

Section 56.—Notice of election to be published. The commissioners shall cause a notice of such election to be published once a week for four consecutive weeks, prior thereto, in a newspaper of general circulation published in the county; and if no newspaper be published in such county, then they shall cause written or printed notices of the election to be posted in five (5) public places within the district. The commissioners shall appoint inspectors and clerks for the election, whose duties shall be the same as similar officers in general elections, except as herein stated.

Section 57.—Ballot. The ballot used at any election under this law shall be written or printed in black ink on plain white paper, and shall be substantially of the following form:

For (or against) Special Tax Road District

Road Trustees (stating their names)

.....

.....

Maximum Tax Levy..... Mills

Provided, that in counties where the use of voting machines is authorized by law, the requirements of this section shall be adapted to the use of such voting machines.

Section 58—Commissioners to canvass returns.

The commissioners shall canvass the returns of election at their next regular meeting or at a special meeting called for that purpose, and declare the results of election at that meeting.

Section 59.—Qualification of electors. All qualified voters residing within the road district sought to be made a special tax road district who pay a tax on real or personal property, shall be entitled to vote in such election. The cost of the publication of the notice of such election, and of the election itself shall be paid by the commissioners out of the first money collected from the special tax district.

Section 60.—Elections held biennially. Elections shall be held biennially in each special tax road district, as near as practicable upon the anniversary of the original election, under the direction of the commissioners, to determine who shall be trustees for the succeeding two years, and the number of mills of district road tax to be levied and collected for each of such years. The election shall be held under the same rules and regulations, and qualifications of electors shall be the same as prescribed for those voting in the original election creating a special tax road district.

Section 61.—To continue until abolished. Special tax road districts created shall continue until abolished or changed by like proceedings as those by which they were created.

Section 62.—Election governed by general election laws. All special tax road district elections shall be held and conducted in the manner prescribed by law for holding general elections, except as otherwise provided herein, and the super-

visor of registration of any county shall, upon payment for said service, furnish to the commissioners on demand, a certified list of the qualified voters for the year next preceding any such special tax election.

Section 63.—Control of roads in special tax road districts. All county roads within a special tax road district shall be under the direction and control of the commissioners as in other districts, and subject to the same laws, rules and regulations prescribed for the construction, maintenance and repair of other public roads.

Section 64.—Trustees to have supervision of all roads.

(1) Whenever a special tax road district is created and trustees are elected, they shall have the supervision of all the county roads within such district. The powers of trustees shall not be those of control, but of supervision only, and shall extend to all the county roads within the special tax road district.

(2) Any trustee failing to discharge the duties of the position shall be removed, after due notice to said trustee, by the commissioners, and all vacancies occurring in the board of trustees, from any cause, shall be filled, for the unexpired term, by the commissioners by appointment of a trustee or trustees from among the qualified electors of such special tax road district.

Section 65.—Duty of trustees.

(1) The trustees, on or before the 1st day of June in each year, shall prepare an itemized estimate, showing the amount of money necessary and likely to be raised for the next ensuing fiscal year, and certify therein the rate of millage voted to be assessed and collected upon the taxable property within the special tax road district for that year. It shall also state the number of miles of railroad track and telegraph lines within the territorial limits of the special tax road district.

(2) This itemized estimate shall be made in duplicate, one copy to be filed with the clerk of the commissioners and one copy with the comptroller of the state.

(3) The commissioners shall order the assessor to assess, and the collector to collect, the amount legally assessed upon the property of the special tax road district, at the rate of millage designated by the board of trustees, and pay the same to the county depository.

(4) The comptroller of the state shall assess all of the railroads and railroad property, together with the telegraph lines and telegraph property situated within such special tax road district, and collect the taxes thereon and remit the same to the depositories of the county.

(5) All special funds collected within a special tax road district shall be disbursed upon the recommendation of the board of trustees, solely for road purposes within the district in which collected, and as near as practicable, in the year in which the tax is collected.

(6) The trustees shall make no contract with any one of its members embracing any monetary consideration.

Section 66 . . . Trustees a corporation.—The trustees of any special tax road district shall be a corporation, and may hold property, sue and be sued, and perform other corporate functions; provided, that no debt shall be created without the approval of the commissioners.

Section 67 . . . Special powers of bond trustees in small counties.—

(1) All county boards of bond trustees, having administrative duties, in all counties with a population of twenty thousand or less, according to the immediately preceding federal census, are hereby authorized and empowered to expend any or all funds now or hereafter available from any source, including sinking funds, for bridge approaches or expendable for bridge approaches, for or upon the improvement of any rights-of-way, roads or streets, including the acquisition of rights-of-way, now existing, or hereafter existing, or now or hereafter proposed, as state or federal highways, and however designated, and within or without the corporate limits of any municipality, provided any such right-of-way, road or street is within a radius of one mile of the terminus of any bridge mentioned herein.

(2) All rights-of-way, roads and streets now or hereafter existing or now or hereafter proposed, and which are now, or which may hereafter be, designated as state roads, by statute, or by the board or otherwise, and which are within a radius of one mile from the terminus of any bridge mentioned above are severally declared to be approaches to any bridge mentioned above and any moneys now or hereafter provided by law to be expendable for bridge approaches of any such bridge, shall be, and the same are hereby made available for the improvement of such roads and streets including the acquisition of rights-of-way.

Section 68 . . . County special road and bridge districts; establishing procedure.—

(1) Whenever residents of any territory embraced wholly, or in part, in one or more road districts, or embraced wholly, or in part, in one or more special road and bridge districts, in any county, desire to have such territory constituted into a special road and bridge district, and to have permanent roads and bridges constructed or reconstructed therein, they shall present to the commissioners of that county a petition signed by not less than twenty-five (25) per cent of the duly registered voters, who are freeholders residing within the territory which it is proposed to create into a special road and bridge district, which petition shall include:

(a) A description of the territory by metes and bounds or other accurate description;

(b) A description and the proposed location of the roads and bridges to be constructed or reconstructed;

(c) The amount estimated as being necessary to pay for such construction; and

(d) Whether the cost of such construction is to be paid for by the issuance and sale of bonds, or by the levy and collection of a special road and bridge tax upon the taxable property within the district, as hereinafter provided.

Section 69 . . . Commissioners to order election; qualification of electors.—

(1) At their first meeting after the receipt of the petition, the commissioners shall investigate the facts, and find and determine whether such petition has been duly signed by the requisite number of registered voters who are freeholders residing within such territory.

(2) If the petition is determined sufficient, such determination shall be regarded for all purposes as conclusive, and the commissioners shall order an election to determine whether or not such territory shall be constituted into a special road and bridge district, and the proposed roads and bridges constructed or reconstructed, and paid for, as specified in the petition.

(3) Only duly qualified electors who are freeholders residing in the territory to be included in such district shall be entitled to vote at such election.

Section 70 . . . Notice of election; laws applicable; appointment of inspectors; certification conclusive.—

(1) The commissioners shall have a notice of the election published for not less than thirty (30) days next preceding the date of the election, which notice shall set out:

(a) The territory proposed to be included in the special road and bridge district;

(b) A general description of the roads and bridges proposed to be constructed or reconstructed;

(c) The estimated cost of such construction; and

(d) The manner in which payment for the construction is to be made.

(2) The election shall be held in substantial conformity to the laws applicable to general elections.

(3) The inspectors for such election shall be appointed by, and the ballots to be voted shall be prepared and furnished by the commissioners.

(4) The inspectors shall make returns to the commissioners immediately after the election, and the commissioners shall hold a special meeting as soon thereafter as practicable, for

the purpose of canvassing the election returns and certifying to the result thereof. After twenty (20) days have elapsed following such certification, the determination shall be regarded for all purposes as conclusive.

Section 71 . . . Election limitation; order creating district; use of special taxes; bond election required.—

(1) If the commissioners shall find and determine that the result of the election is adverse to the proposition of constituting the special road and bridge district, no other election for the same purpose shall be held within one year thereafter.

(2) If a majority of the votes cast at such special election shall be in favor of the proposition to create a special road and bridge district, the commissioners shall enter an order constituting such territory into a special road and bridge district and designate the district by name or number, and declare and publish the boundaries thereof.

(3) Special taxes assessed and collected upon the taxable property within such district, because of such election, shall be applied solely to:

(a) The construction, reconstruction, repair and maintenance of the roads and bridges specified and approved by the election; or

(b) The payment of the interest and sinking fund of bonds that have been issued for the construction of such roads and bridges.

(4) No bonds shall be issued under the provisions of this law until approved at an election in compliance with the provisions of Article IX, section 6 of the constitution.

Section 72 . . . Prospective and retroactive validation of districts.—All special road and bridge districts created and constituted of territory lying wholly, or in part, in one or more special road and bridge districts, are hereby validated, confirmed and declared to be legally constituted in all respects and shall not be adjudged or decreed by any court of law or of equity to be illegally constituted and created because of any reconstruction or rebuilding either in whole, or in part of the roads and bridges therein, or because of being in or consisting of part or parts of one or more special road and bridge districts. The provisions of this section shall have not only a prospective force and effect, but a retroactive force and effect, and are applicable alike to special road and bridge districts theretofore created, now being created or hereafter created under the authority of this law.

Section 73 . . . Advertising for bids; awarding contracts; provisos.—

(1) As soon as practicable after constituting a special road and bridge district, the commissioners shall have proper plans and specifications prepared for the authorized construction or reconstruction of roads and bridges.

(2) If the contract price for such work does not exceed the estimated amount voted for at the special election, the commissioners shall award the contract for such construction or reconstruction to the lowest responsible bidder, after advertising for bids in the manner prescribed by law.

(3) The commissioners may, within their discretion, reject any and all bids received and readvertise the contract until a satisfactory bid is received and accepted.

(4) When it shall become apparent to the commissioners that the estimates for the improvements in the district are too low, then the commissioners shall have a new estimate made for the additional amount necessary to complete the program as laid out in the original petition. They shall call an election in the district in the same manner as in the original election, based on the original petition, which, if carried, shall authorize them to issue additional bonds of the same denomination and running for the same number of years and bearing the same interest as the original bonds voted for the carrying out of the original program in the said special road and bridge district.

Section 74 . . . Supervision of construction under commissioners; condemning land and material for work; roads in municipalities.—

(1) The construction, repair and maintenance of the roads and bridges in special road and bridge districts shall at all

times be subject to the supervision and control of the commissioners.

(2) The commissioners may exercise the right of eminent domain for the purpose of obtaining land and materials to be used in the construction, repair or maintenance of the roads and bridges provided for in this law.

(3) Whenever any of the roads or bridges proposed to be constructed, are located within the territorial boundaries of any incorporated city or town, the commissioners shall have the right of eminent domain and control over such streets or territory within such municipality as may be necessary for such construction.

Section 75 . . . Construction of additional roads and bridges.

—After the construction of the improvements provided by the special election, creating any special road and bridge district, the residents of such special district may at any future time provide for the construction of additional roads and bridges by presenting to the commissioners, a petition calling for a special election to provide for such improvements; and the same procedure shall be had, as is provided for creating special road and bridge districts and for the construction of roads and bridges therein.

Section 76 . . . Abolition of districts; restriction.—

(1) Any special road and bridge district may be abolished by a majority vote at an election called by the commissioners of the county for such purpose, after publication of such notice as is required to create such special road and bridge district, at which election the qualification of voters shall be the same as in elections to create special road and bridge districts.

(2) No special road and bridge district shall be abolished while it has outstanding indebtedness, without first making provision for the liquidation of such outstanding indebtedness.

Section 77 . . . Special road, bridge and ferry districts; petition; law applicable.—

(1) Whenever residents of any territory embraced wholly, or in part, in one or more road district, or embraced wholly, or in part, in one or more special road and bridge district, in any county of this state, desire to have such territory constituted into a special road, bridge and ferry district, and to have permanent roads and bridges constructed and free public ferries constructed and maintained and operated therein, they shall present to the commissioners of that county a petition signed by not less than twenty-five (25) per cent of the duly registered voters, who are freeholders, residing within the territory which it is proposed to create into a special road, bridge and ferry district. The petition shall describe:

(a) The said territory, by metes and bounds, or other proper and accurate description;

(b) The proposed location of the roads, bridges and ferries to be constructed, maintained and operated;

(c) The amount estimated as being necessary to pay for the construction, maintenance and operation of same; and

(d) Whether the cost of such construction, maintenance and operation is to be paid for by the issuance and sale of bonds, or by a levy and collection of a special road and bridge tax upon the taxable property within said special road, bridge and ferry district.

(2) The provisions applicable to special road and bridge districts shall apply to special road, bridge and ferry districts created herein.

Section 78 . . . Election to be called.—After the petition has been determined sufficient, the commissioners shall call an election to determine whether the territory shall be constituted into a special road, bridge and ferry district and the proposed roads, bridges and ferries constructed, maintained and operated and paid for as specified in the petition, in like manner as is now provided for the establishment of special road and bridge districts.

Section 79 . . . Contracts for ferries; bids; bonding.—Upon the creation of a special road, bridge and ferry district, the

commissioners shall award contracts for the construction of suitable ferry boats to be operated on all ferries in the district, and award contracts for the operation of such ferries for a period of four years. Such contracts shall be awarded upon bids. Any persons to whom any contract is awarded shall be required to furnish bond for the faithful performance of such contract in such sums as the commissioners shall require.

Section 80 . . . Authority of board to acquire equipment.—The board shall have the authority to purchase, lease or acquire, as it deems necessary, all road material, road machinery, tools, equipment and supplies necessary for the execution of its duties and responsibilities.

Section 81 . . . Purchases subject to competitive bids; advertisement; emergency purchases.—

(1) No purchase of road material, machinery, tools, equipment or supplies in excess of one thousand dollars shall be made by the board unless made upon competitive bids received. The board may at its discretion, award a contract to the lowest responsible bidder or it may reject all bids and call for new bids.

(2) When the purchase price is in excess of two thousand dollars, no purchase shall be made unless competitive bids are received, after advertising therefor in a newspaper of general circulation, at least once a week for not less than two consecutive weeks, prior to the date on which bids are to be received. The board may at its discretion, award a contract to the lowest responsible bidder or it may reject all bids and proceed to readvertise.

(3) If the chairman, or in his absence the director, shall determine that a real emergency exists in regard to the purchase of road material, machinery, tools, equipment, or supplies, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, the provisions for competitive bidding shall not apply and the chairman or director may authorize or make purchases of such road material, machinery, tools, equipment, or supplies, without giving opportunity for competitive bidding thereon. The chairman or director shall, within ten days after such determination and purchase, file with the board a written statement of the road material, machinery, tools, equipment, or supplies purchased and a certificate as to the conditions and circumstances constituting such emergency, which statement shall be incorporated in the minutes of the board.

Section 82 . . . Board authorized to purchase surplus properties.—

(1) The board is authorized to purchase from the federal government any supplies, material, equipment, appliances or other property at such price and upon such terms as may in the judgment of the board be proper, without first advertising for bids, regardless of the value of, or the price paid for such property. Provided, however, that the price paid for such supplies, materials, equipment, appliances or other property shall not exceed the price for which such property may be purchased upon the open market.

(2) Payment of the cost of all supplies, material, equipment, appliances or other property purchased pursuant to the authority given in subsection (1) hereof shall be made upon vouchers issued and certified to by the director of the department and countersigned by the chairman and paid by warrant issued by the state comptroller upon the state treasurer out of any funds that may be apportioned and set aside for the maintenance of the department.

Section 83 . . . Unlawful for certain persons to be financially interested in purchase; penalty.—It is unlawful for the board or any member thereof, or any employee of the department, or any company, corporation or firm in which any member or employee of the board or department is in any way financially interested, to bid on or enter into or be in any way personally interested in the purchase or the furnishing of any materials or supplies to be used in the work of the state or any county of the state. Any person upon the conviction thereof shall be punished by a fine of not more than five hundred dollars or by imprisonment not exceeding twelve months, and removal from office by the governor.

Section 84 . . . Sale of obsolescent highway equipment.—

(1) The board shall be authorized to sell, exchange or otherwise dispose of all obsolescent road machinery, equipment, and material no longer needed for highway purposes.

(2) Whenever the value of any such property, as appraised by the board, exceeds five hundred (\$500) dollars, the board shall advertise for bids in a newspaper of general circulation, at least once a week for not less than two consecutive weeks in the county where the property is located. The board may at its discretion sell such property to the highest bidder or it may reject all bids and proceed to readvertise.

(3) The board is authorized to sell any such property to a municipality or county of the state without advertising for bids, provided such county or municipality agrees not to resell such property except to the board.

(4) Any funds or money derived from the sale of such property shall be credited to the funds from which such purchase was made originally.

Section 85 . . . County commissioners may acquire necessary materials; procedure.—

(1) The commissioners in the construction of roads and highways may appropriate and use any material which may be necessary to the proper construction, maintenance and repairing of the roads and highways in their several counties. Before using such material, they shall endeavor to purchase or obtain the same from the respective owners thereof. Should the commissioners and owners of the materials or land be unable to agree on the price to be paid, then the commissioners may proceed to condemn the land upon which such material is located, and have damages awarded to the owner thereof, in the same manner as is now provided for the condemnation of lands for roads and highways.

(2) The commissioners may agree with the owner of any tract of land for the purchase of any road materials on his land, on such terms as are satisfactory to such commissioners, and the owner. If such owner and the commissioners fail to agree upon terms, the chairman of the commissioners shall issue his writ ad quod damnum, directed to the sheriff or constable, ordering him to summon a jury of twelve men, registered voters, freeholders, in the vicinity of such road. The jury, upon actual view of the land in question, shall certify to the commissioners what damage will accrue to the owner of such land by reason of the contemplated action. The sheriff or other officer shall return the certification, signed by all the jury, to the next meeting of the commissioners. The commissioners shall order the damages so assessed to be paid out of the county treasury from the road fund.

Section 86 . . . Employing labor and providing road equipment.—

(1) The commissioners may employ labor and provide equipment as may be necessary for constructing and opening of new roads or bridges and repair and maintenance of any existing roads and bridges.

(2) It shall be the duty of all persons to whom the commissioners deliver equipment and supplies for road and bridge purposes, to make a strict accounting of the same to the commissioners.

Section 87 . . . County convicts may be put to labor.—The commissioners may employ all persons in the jail of their respective counties under sentence upon conviction for crime, to labor upon the roads, bridges, or other public works of the county where they are so imprisoned.

Section 88 . . . Guards for convicts.—The commissioners shall appoint such guards as may be needed to take charge of the convict road force. The compensation for such guards shall be paid by the commissioners out of the county road fund.

Section 89 . . . Use of state convict road force.—The department may apply the labor of the state convict road force, as provided by law, to any or all highway construction or maintenance done under the supervision of said department.

Section 90 . . . Authority of board to contract; advertise; option.—

(1) The board shall have authority to:

(a) Enter into contracts for the construction and maintenance of all roads designated as part of the state highway system of state park road system; and

(b) Enter into contracts for such road construction and maintenance as may be placed under its supervision by law, or by resolution of the commissioners, board of bond trustees, district, or other subdivision of any county.

(2) The board shall advertise for bids on all work at least once a week for not less than two consecutive weeks in some newspaper having a general circulation in the county where the proposed work is located. The first publication to be not less than fourteen (14) days prior to the date on which bids are to be received and second publication to be not less than seven (7) days prior to the date on which bids are to be received.

(3) The board may, at its discretion, award the proposed work to the lowest responsible bidder, or it may reject all bids and proceed to readvertise or perform the work with convict labor or free labor.

(4) Whenever a contract is awarded to the lowest responsible bidder, no supplemental agreement exceeding the original limits of the contract shall be executed, and any such supplemental agreement in violation of this section shall be null and void, and no money shall be paid thereon. Any such violation of this section shall become a liability against the bond of any board member voting to approve such supplemental agreement.

Section 91 . . . Unlawful for certain persons to be financially interested in contracts; penalty.—

(1) It is unlawful for the board or any member thereof, or any employee of the board or department, or any company, corporation or firm in which any member or employee of the board or department is in any way financially interested, to bid on, or enter into, or be in any way interested in a contract for the working or building of any state road or for the performance of any other work in which the department may be concerned.

(2) Any person upon conviction thereof shall be punished by a fine of not less than five hundred (\$500) dollars, or by imprisonment not exceeding twelve (12) months, and removal from office by the governor.

Section 92 . . . Regulations for qualification of bidders; applicant must file statements—

(1) The board shall adopt regulations for the qualification of competent and responsible bidders. Such regulations shall include requirements with respect to equipment, past record, experience of applicant, and personnel of organization.

(2) The board shall require all applicants to furnish the director a statement under oath, on such forms as the board may prescribe, setting forth detailed information with respect to their financial resources, equipment, past record, personnel of organization and experience, together with such other information as the board may deem necessary.

Section 93 . . . Application for qualification; certificate of qualification; restriction.—

(1) Any person desiring to bid for the performance of any contract which the board proposes to let, must first be certified by the director as qualified pursuant to law and regulations of the board. The director shall be required to act upon the application for qualification within thirty (30) days after the same is presented.

(2) Upon the receipt of such application, the highway engineer shall cause the same to be examined and the statements therein to be verified, and shall determine whether the applicant is competent, responsible, and possesses the necessary financial resources.

(3) If the applicant is found to possess the prescribed qualifications, the highway engineer, shall issue to him a certificate of qualification, which shall be valid for a period of one year or such shorter period of time as the director may prescribe, unless thereafter revoked by the board for cause.

(4) The certificate of qualification shall contain a state-

ment fixing the actual amount of work, in terms of estimated cost, which the applicant will be permitted to have on contract with the board and not completed at any one time, and may contain a statement by the highway engineer limiting such bidder to the submission of bids upon a certain class of work.

(5) Subject to such restrictions, the certificate of qualification shall authorize the holder to bid on all work on which bids are taken by the board during the period of time therein specified.

Section 94 . . . Rehearing; appeal.—

(1) Any applicant for a certificate of qualification aggrieved by the action of the highway engineer, may, within ten (10) days after receiving notification of such action, request in writing a reconsideration by the board of his application, and may submit additional evidence bearing on his qualifications. The board shall thereupon reconsider the application, and may adhere to, modify or reverse the action of the highway engineer. The board shall act upon any request for reconsideration within thirty (30) days after the filing thereof, and shall immediately notify the applicant of the action taken.

(2) Within ten (10) days after his notification of the final action of the board upon such reconsideration, any applicant who is still aggrieved by the decision may appeal to the circuit court of Leon County on the grounds of fraud or abuse of discretion by the board. The appeal shall be perfected by the filing of a petition with the clerk of the court and by causing a summons to be served upon the board and the matter shall proceed as in other civil actions. The court shall hear the evidence offered by the applicant and by the board, and if it finds that there was neither fraud nor abuse of discretion, it shall dismiss the appeal; otherwise, it shall enter its order with respect to the qualification of such person which shall require the board to reverse or modify its findings; and such order shall set forth the conclusions of the court as to the facts, based upon a preponderance of the evidence.

Section 95 . . . Delinquent bidding, suspension and revocation of certificate; hearing.—

(1) No contractor shall be qualified to bid when an investigation by the highway engineer discloses that such contractor is delinquent on a previously awarded contract, and in such case his certificate of qualification shall be suspended or revoked.

(2) The board may suspend, for a specified period of time, or revoke for good cause any certificate of qualification.

(3) Any person found delinquent on a contract or whose certificate is revoked or suspended shall be given the same benefit of hearing as provided in the case of a person refused an original certificate.

Section 96 . . . Bid guaranty.—The board shall require guaranty with each bid in an amount to be specified by the board which shall not exceed ten (10%) per cent of the preliminary estimate of the cost of the work. The guaranty may be in the form of a surety bond, or certified check, payable to the governor and his successor in office. The surety on such bond shall be a surety company authorized to do business in Florida.

Section 97 . . . Bonds required; suits thereon, etc.—

(1) A bond shall be required, in every instance, of the successful bidder in an amount equal to the contract price, the contract price being understood to mean the estimated cost of the particular contract let. The surety on such bond shall be a surety company authorized to do business in the state. All bonds shall be payable to the governor, and his successors in office, and conditioned for the prompt, faithful, and efficient performance of the contract according to plans and specifications and within the time period specified, and for the prompt payment of all persons furnishing labor, material, equipment and supplies therefor.

(2) The board shall adopt regulations for the determination of default on the part of any contractor for cause attributable to such contractor. Every contract let by the board for the performance of work shall contain a provision for payment to the department by the contractor of liquidated damages for any such default. Such liquidated damages shall be 1%

of the total amount of the contract for each day of such default, but shall not exceed \$1,000 per day for each day such contractor is in default. Any such liquidated damages paid to the department shall be deposited to the credit of the fund from which payment for the work contracted was authorized.

(3) Such bonds shall be subject to the additional obligation that the principal and surety executing the same shall be liable to the state in a civil action instituted by the board or any officer of the state authorized in such cases, for double any amount in money or property the state may lose or be overcharged or otherwise defrauded of, by reason of any wrongful or criminal act, if any, of the contractor, his agent, or employees.

Section 98 . . . Suits by and against board; suits in tort forbidden; limitation of actions; forum.—

(1) Suits at law and in equity may be brought and maintained by and against the board on any claim under contract for work done; provided, that no suit sounding in tort shall be maintained against the board.

(2) Suits against the board under this section can only be commenced within two (2) years from and after the time of the completion of the work done.

(3) All actions and suits brought against the board shall be cognizable only in the courts of this state.

Section 99 . . . Service of process upon board.—Service of process in suits against the board shall be made upon the chairman, or, in his absence, upon the director.

Section 100 . . . Agency of the state.—The department shall be an agency of the state for the purpose of carrying out its duties and responsibilities under the law, and as such may sue and be sued in the manner provided by law.

Section 101 . . . Bid specifications on supplies.—When the department advertises for bids on a contract for supplies, materials, equipment or other items needed by the department, specifications shall be drafted in such manner as shall afford adequate protection to the state as to quality and performance, but no specifications shall be drafted in any manner which shall preclude competition in bidding.

Section 102 . . . Authority of commissioners to contract for construction of roads; procedure; contractor's bond.—

(1) The commissioners may let the work on roads out on contract, when, in their judgment, such would be to the advantage of the county.

(2) Such contracts shall be let to the lowest competent bidder, after publication of notice for bids containing specifications furnished by the commissioners in a newspaper published in the county where such contract is made, for a period of two weeks prior to the making of such contract.

(3) Upon accepting a satisfactory bid, the commissioners shall enter into a contract with the party whose bid has been accepted. Such contract shall contain the specifications of the work to be done or material furnished, the time limit in which the construction is to be completed or material delivered, the time and amounts in which payments are to be made upon the contract, and a penalty to be paid by the contractor for the failure to comply with the terms of such contract.

(4) The successful bidder shall enter into a good and sufficient bond with the commissioners for the faithful execution of the contract; the amount of the bond to be fixed by the commissioners, and the sufficiency of said bond to be likewise approved by the commissioners.

(5) The commissioners may reject any or all bids and require new bids to be made.

Section 103 . . . Joint construction of bridges.—The commissioners may make contracts with railway companies for the joint construction and maintenance of bridges on the county road system in their respective counties, and for the construction and maintenance of railway tracks over such bridges.

Section 104 . . . Acquisition, lease and disposal of real property.—

(1) The board may purchase, lease, or otherwise acquire, any land or buildings necessary to carry out its duties and functions, and such property shall be held in the name of the state.

(2) The board may sell, lease or convey, or otherwise dispose of, in the name of the state, any land and buildings obtained which shall be no longer necessary for such purposes.

Section 105 . . . Execution and effect of instruments; no warrants.—

(1) An instrument of sale, lease or conveyance executed in the name of the department, and signed by the chairman with the corporate seal of the board affixed thereto, shall be effective to pass the title or interest of the state in the property conveyed.

(2) The board shall not warrant the title to any property sold, leased or conveyed.

Section 106 . . . Rights-of-way acquired by department; eminent domain; procedure; title; cost.—

(1) The power of eminent domain is vested in the department to condemn all necessary lands and property for the purpose of securing rights-of-way, borrow pits and drainage ditches for existing, proposed or anticipated roads in the state highway system or state park road system. The department shall also have the power to condemn any material and property necessary for such purposes.

(2) Such condemnation proceedings shall be maintained in the name of the department, and the same rights and powers shall accrue to the department as accrue to the counties under the procedure defined and set forth in chapters 73, 74 and sections 127.01 and 127.02 of these statutes.

(3) Title to any land acquired in the name of the department shall vest in the state.

(4) The department is authorized to pay the judgment or compensation awarded in any such proceedings out of any funds coming into the hands of the department for state road construction out of the first gas tax funds.

Section 107 . . . Rights-of-way furnished by counties; eminent domain; contracts with board; bond.—

(1) The several counties shall be authorized to acquire rights-of-way and other necessary land incident thereto for the roads of the state secondary system within their respective counties.

(2) The several counties may furnish, at their own expense, rights-of-way for any road in the state primary system or state park road system provided the same shall be first surveyed and located in the county by the department.

(3) Condemnation proceedings for the acquisition of rights-of-way, and other necessary land, as herein provided, shall be brought by the commissioners and prosecuted as prescribed in chapters 73 and 74, Florida Statutes; and title to such land shall vest in the state.

(4) The various counties may enter into contracts with the department to furnish rights-of-way, borrow pits, drainage ditches and material and property necessary and useful for road building purposes.

(5) Upon request of the department the county shall furnish a bond, with sufficient sureties, conditioned to indemnify the department against expenses and liabilities incurred by reason of any breach of such contract by the county.

(6) The counties may use any road funds coming into their hands for the purpose of acquiring by purchase or condemnation any such lands required for rights-of-way for roads of the state highway or state park road system.

Section 108 . . . Title to roads in state highway and state park road systems; recording deeds.—

(1) Title to all roads designated in the state highway system or state park road system shall be in the state, unless otherwise provided herein.

(2) Upon the vesting of title to any lands for highway purposes in the state, the commissioners or public municipal authorities, as the case may be, shall forthwith issue a deed to the state covering said lands which shall be duly recorded. Recordation of deeds shall also be effected upon acquisition of any lands by the department.

Section 109 . . . County commissioners, power of eminent domain; purchase agreements; payment.—

(1) The commissioners are given the power of eminent domain to acquire land for rights-of-way for county roads within their respective counties, and to condemn lands for borrow pits, drainage ditches, and other materials and property necessary for building such roads.

(2) The commissioners are authorized to enter into agreements with land owners for the purchase of land and materials for road purposes. If the commissioners and the land owner cannot agree upon the price for such land or materials, then the commissioners shall exercise the power of eminent domain or other authority vested in the commissioners for such purposes. Title to any land so acquired shall be taken in the name of the county.

(3) Payment for any land acquired under this section shall be made from funds set aside for county road purposes.

Section 110 . . . Roads presumed to be dedicated.—

(1) Whenever any road constructed by any of the several counties or incorporated municipalities or by the department shall have been maintained, kept in repair or worked continuously and uninterruptedly for a period of four years by any county, municipality, or by the department, either separately or jointly, such road shall be deemed to be dedicated to the public to the extent in width which has been actually worked for the period aforesaid, whether the same has ever been formally established as a public highway or not. Such dedication shall be conclusively presumed to vest in the particular county in which the road is located, if it be a county road, or in the particular municipality, if it be a municipal street or road, or in the state, if it be a road in the state highway system or state park road system, all right, title, easement and appurtenances therein and thereto, whether there be any record of conveyance, dedication or appropriation to the public use or not.

(2) The filing of a map in the office of the clerk of the circuit court of the county in which such roads are located showing such lands and reciting thereon that they have vested in either the state, a county or municipality pursuant to the provisions of this law or by other means of acquisition, duly certified to by the director if the road involved is a road in the state highway system or state park road system, or by the chairman and clerk of the commissioners of the county if the road involved is a county road, or by the mayor and clerk of the municipality if the road involved is a municipal road or street, shall be taken as prima facie evidence of the ownership of such lands either by the state or by the county or municipality as the case may be.

Section 111 . . . Authority to establish limited access facilities.—

(1) The highway authorities of the state, counties, cities, towns, and villages, acting alone or in cooperation with each other or with any federal, state, or local agency of any other state having authority to participate in the construction and maintenance of highways, are hereby authorized to plan, designate, establish, regulate, vacate, alter, improve, maintain, and provide limited access facilities for public use wherever such authority or authorities are of the opinion that traffic conditions, present or future, will justify such special facilities; provided, that within incorporated cities and towns such authority shall be subject to municipal consent; provided further, such consent shall not be necessary when such limited access facility shall be or become a part or link of a municipal connecting link road as defined in this act.

(2) If the jurisdiction or control of either the board or the commissioners over any public highway or highways is jointly involved or would be affected by the exercise of such authority, their joint action or agreement shall be necessary to make such exercise of authority hereunder effective.

(3) Such action shall be taken by appropriate resolution

or ordinance of the highway authority or authorities, and notice of such action shall be given by publication in a newspaper of general circulation in the locality affected at least fifteen (15) days before such authority shall become effective, and appropriate traffic signs and markers shall be erected along the facility affected to give due notice to public travel of the action taken hereunder.

(4) The highway authorities of the state, counties, cities, villages, and towns, in addition to the specific powers granted in this law shall also have and may exercise, relative to limited access facilities, any and all additional authority now or hereafter vested in them relative to highways or streets within their respective jurisdictions. Such units may regulate, restrict, or prohibit the use of such limited access facilities by the various classes of vehicles or traffic in a manner consistent with the definition of a limited access facility as contained in this law.

Section 112 . . . Designation; new and existing facilities; grade crossing eliminations.—

(1) The highway authority of the state, county, city, town, or village may designate and establish limited access highways as new and additional facilities or may designate and establish an existing street or highway as included within a limited access facility.

(2) The state or any of its subdivisions shall have authority to provide for the elimination of intersections at grade of limited access facilities with existing state and county roads, and city and town or village streets, by grade separation or service road, or by closing of such roads and streets at the right-of-way boundary line of such limited access facility; and after the establishment of any limited access facility no highway or street which is not part of said facility shall intersect the same at grade. No city, town, or village street, county or state highway or other public way shall be opened into or connected with any such limited access facility without the consent and previous approval of the highway authority in the state, county, city, town or village having jurisdiction over such limited access facility. Such consent and approval shall be given only if the public interest shall be served thereby.

Section 113—Design of limited access facility.—

(1) The highway authorities of the state, county, city, town and village are authorized to so design any limited access facility and to so regulate, restrict, or prohibit access as to best serve the traffic for which such facility is intended; and its determination of such design shall be final. In this connection such highway authorities are authorized to divide and separate any limited access facility into separate roadways by the construction of raised curbs, central dividing section, or other physical separations, or by designating such separate roadways by signs, markers, stripes, and the proper lane for such traffic by appropriate signs, markers, stripes, and other devices.

(2) No person shall have any right of ingress or egress to, from or across limited access facilities to or from abutting lands, except at such designated points at which access may be permitted, upon such terms and conditions as may be specified from time to time.

Section 114—Acquisition of property and property rights.—

(1) For the purposes of this law, the highway authorities of the state, county, city, town, or village may acquire private or public property and property rights for limited access facilities and service roads, including rights of access, air, view, and light, by gift, devise, purchase, or condemnation in the same manner as such units are authorized by law to acquire property or property rights in connection with highways and streets within their respective jurisdictions.

(2) All property rights acquired under the provisions of this law shall be in fee simple.

(3) In connection with the acquisition of property or property rights for any limited access facility or portion thereof, or service road in connection therewith, the state, county, city, town, or village highway authority may, in its discretion acquire an entire lot, block, or tract of land, if by so doing, the interests of the public will be best served, even though

said entire lot, block or tract is not immediately needed for the right-of-way proper.

Section 115—Authority of local units to consent.—The highway authorities of the state, city, county, town, and village are authorized to enter into agreements with each other, or with the federal government, respecting the financing, planning, establishment, improvement, maintenance, use, regulation, or vacation of limited access facilities or other public ways in their respective jurisdictions, to facilitate the purposes of this law.

Section 116—Local service roads.—In connection with the development of any limited access facility the state, county, city, town, or village highway authorities are authorized to plan, designate, establish, use, regulate, alter, improve, maintain, and vacate local service roads and streets or to designate as local service roads and streets any existing road or street, and to exercise jurisdiction over service roads in the same manner as is authorized over limited access facilities under the terms of this law, if in their opinion, such local service roads and streets are necessary or desirable. Such local service roads or streets shall be of appropriate design, and shall be separated from the limited access facility property by means of all devices designated as necessary or desirable by the proper authority.

Section 117—State bridges, authority to erect; procedure.—

(1) The department is authorized to enter into contracts for, and to make regulations for the construction and maintenance of bridges on roads designated as part of the state highway system or state park road system, and other bridges as may be placed under its supervision and control by law, or by resolution of the commissioners or board of bond trustees of any county, or district, or other subdivision of any county.

(2) The department shall prepare plans and specifications for all such proposed work, other than maintenance work of a regular or routine nature, and advertise for bids on same at least once a week for not less than two consecutive weeks in some newspaper having a general circulation in the county where the proposed work is located.

(3) The board may, at its discretion, award the proposed work to the lowest responsible bidder, or it may reject all bids and proceed to readvertise or perform the work with convict labor or free labor.

Section 118—Cooperation with adjoining states as to connecting bridges.—

(1) The department may, whenever it deems it practicable and to the best interests of the state cooperate with any highway department of an adjoining state, or any political subdivision or other duly authorized agency therein, in the construction, building, or by participation in the cost of purchase, of any bridge, which extends from each adjoining state so that such bridge or one of its approaches physically connects, or when constructed will physically connect, any designated and established road of the state highway system of Florida, to the extent of fifty (50) per cent of the construction cost or purchase price of any such bridge.

(2) The expense of constructing or acquiring any such bridge shall be paid from funds provided for use of the department for state road purposes.

(3) Nothing in this section is intended to contravene the paramount power of the congress of the United States to regulate and control interstate bridges, or bridges over navigable waters, and the authority hereby granted the board shall be exercised in conformity with permissive acts of the congress.

Section 119 . . . Department authorized to purchase.—The department is authorized to lease or purchase from the Florida state improvement commission such roads or bridges as may have been acquired or constructed under the provisions of chapter 420 and to pay either the rental or the purchase price from the surplus gasoline taxes which may in the future accrue to the credit of the county or counties in which the road or bridge is located, under the provisions of section 16 of article IX of the constitution of Florida.

Section 120 . . . County bridges, authority to construct, acquire; joint bridges; double-decking bridges.—

(1) The commissioners may construct, control and operate bridges on county roads over and across water in and bounding their respective counties.

(2) The commissioners may acquire any bridge, crossway, passageway, wharf, dock, viaduct, or structure in, upon, along, over, across or approaching any water in, or bounding, their respective counties and adjacent land for approaches thereto, by condemnation or otherwise, and pay therefor as herein provided.

(3) The commissioners may make contracts with electric and other passenger railway companies for the joint construction and maintenance of bridges along the county roads in their respective counties, and for the construction and maintenance of railway tracks over such bridges.

(4) The commissioners are authorized to double-deck or parallel a bridge, on the county road systems and shall have the right to use the whole or any part of any such bridge, and approaches thereto, in double-decking or paralleling the same.

(5) The provisions of this section shall not be construed to authorize the construction of any bridge across any navigable stream in this state, without first obtaining the approval of the federal government as to its location and construction.

Section 121 . . . County bridges built under special law.—Nothing in this law shall apply or be construed to affect the construction or building of bridges constructed or built under the provisions of any special law, where bonds are issued for such building and construction by virtue of an election held for such purpose.

Section 122 . . . Toll facilities; contracts for construction; franchises; title; tolls, conflicts prohibited; construction supervised by department.—

(1) The department may contract for the construction, ownership, maintenance and operation of toll bridges, tunnels, viaducts, fills, roads, or trestle structures, and approaches thereto, used in connection with the roads and bridges of the state highway or state park road system.

(2) For this purpose the department may grant an exclusive franchise to run for a period of thirty (30) years or until such structures shall be acquired by the state. Any person granted a franchise under the authority herein shall comply with the terms and conditions hereinafter set forth. No franchise shall be granted until the same has been approved by the commissioners of each county affected.

(3) The provisions of section 108 shall not apply to such toll facilities, and title shall not vest in the state until any bonded indebtedness is retired.

(4) The board shall approve the fairness and equity of the tolls, or the schedule of tolls, submitted by the person contracting for any such toll facility; and no tolls or schedules of tolls shall be put in force and operation until so approved. The board may from time to time change and revise such tolls and schedules.

(5) So long as any such toll facility and approaches thereto shall remain the property of the contractor, or his assigns, neither the state, nor the board, nor any subdivision of the state, shall permit the construction or operation of any other bridge, viaduct, road, fill or trestle structure which shall conflict in any way with the terms of the contract entered into for the construction of such toll facility and approaches thereto between the contracting person and the department, nor shall the state or any subdivision thereof interfere in any manner with the contracting person, or his assigns, in the maintenance or operation of any such toll facility and approaches thereto, except as may be necessary for the public safety or for the compelling compliance with the contract between the department and such contracting person.

(6) Every such toll facility and approaches thereto to be constructed and erected by any contracting person shall be constructed under the supervision of the department, and according to plans and specifications made or approved by the board, and the cost thereof to be approved by the board.

Section 123 . . . Toll facilities; purchase, lease or rent of.—

(1) The department is authorized to purchase, lease or

rent annually any ferry and any toll bridge or road, for use in connection with the roads of the state highway system or state park road system.

(2) The department shall have the exclusive right and privilege at any time after thirty (30) years from the completion of any such toll facility and approaches thereto, to purchase and acquire the same from the owner, which option shall be retained by the terms and conditions of the contract between the contracting person and the department when the original contract is made.

(3) The department shall have the right at any time after the completion of any such toll facility and approaches thereto, to lease or rent annually the same from the owner, subject to the terms and conditions provided for in the contract between the contracting person and the department. Upon so entering into any lease or rental of any such toll facility and approaches thereto, the department may provide for a necessary sinking fund to retire the principal value and cost of construction of such facility and approaches thereto. The department shall also have the right to lease and rent annually any toll bridges and roads heretofore constructed on, or connecting any road of the state highway or state park road system subject to the provisions of this section with respect to the amount of annual rental which may be paid. Any moneys used for any of the purposes provided by this section shall come from funds allocated in the annual budget of the department for such purposes.

(4) The department may, at any time after the completion of any such toll facility, purchase and acquire the same from the owner subject to terms and conditions provided in the contract between the contracting person and the department, and may also purchase and acquire any toll road or bridge constructed under the laws of Florida. In no case shall the department be permitted to take over by purchase any such facility subject to bonded or mortgaged indebtedness, unless such bonded or mortgaged indebtedness shall have been created in favor of an agency of the federal government, in which event said purchase is expressly authorized, and providing further, however, that any moneys used for the purposes herein provided shall come from funds allocated in the annual budget of the department.

Section 124 . . . Department may contract with public project owners.—

(1) The department is authorized to enter into agreements with any municipal corporation, county, district authority, or any political subdivision, or any agency or commission of the state, (each of which is hereafter referred to as the public project owner) which has heretofore acquired or constructed any toll revenue producing bridge, causeway, tunnel, ferry, toll road or any combination thereof (hereafter referred to as the "project") or which has adopted, or may hereafter adopt proceedings pursuant to which such public project owner is to acquire or construct any toll revenue-producing bridge, causeway, tunnel, ferry, road, toll road or any combination thereof (hereinafter referred to as the "project"), for the purpose of doing or agreeing to do any one or more of the following:

(a) Leasing from any public project owner any project or part thereof for such period of years and under such terms and provisions, including provisions for the operation and maintenance thereof either by the public project owner or by the department, as may be considered desirable and be specified in the lease or leases.

(b) Purchasing from any public project owner any project or part thereof under such terms and provisions, including provisions for the operation and maintenance thereof either by the public project owner or by the department, as may be specified in the purchase contract or contracts.

(c) Paying the cost or any part of the cost of the operation and maintenance of any project for such period as may be fixed in such agreement. The payment of such cost may be made a charge upon the general revenues of the department or may be made a charge solely on certain specified revenues, including revenues derived from the state gasoline tax, or may be made a charge partly upon such general gasoline tax revenues, and a charge partly upon such certain specified revenues.

(d) Entering into such agreements with the federal government and any of its branches or agencies and doing such things as may be necessary to secure federal aid money, and assistance in the acquisition, construction, improvement, repair, maintenance and operation of any project or part thereof.

(e) Construction, improving, repairing, maintaining or operating any project or part of project.

(f) Making to the public project owner any grant of funds, materials, property, easements, or rights-of-way for use in the acquisition, construction, improvement, repair, maintenance or operation of any project or part thereof.

(g) Operating or maintaining any project or part thereof as a road of the state highway or state park road system or part thereof, and this in spite of the fact that title to such project or part thereof remains in the public project owner. The provisions of any existing law requiring title to the state roads to be vested in the state shall not be operative as to projects or parts of projects made roads of the state highway or state park road system or maintained and operated as such roads under the provisions of this section.

(h) Making available to any public project owner, for paying the cost or part of the cost of constructing, repairing, improving, maintaining or operating any project, any federal aid funds or any other funds under the control of the department which may properly be used for such purposes.

(2) Any such public project owner is hereby authorized to enter into an agreement or agreements with the department for the purpose of accomplishing any one or more of the purposes set out in subsection (1) and any such public project owner may use any funds available to it by authority of law for use on any such project to accomplish any such purposes covered by any such agreement or agreements, and the department is hereby authorized to use federal aid or any state funds appropriated or allocated to it for state road purposes to carry out said agreements with public project owners. Any public project owner which is a county may use any county road and bridge funds from whatever source derived for accomplishing any of said purposes for any such project which is a county purpose.

(3) The department may make any project, or part thereof, a part of the state highway or state park road system, and may make any road of which any project comprises a part, a road of the state highway or state park road system, and may do so either without the vesting of title to such project in the state or under such provision for the later vesting of title in the state as may be considered advisable by the department.

(4) When any agreement shall have been entered into or made under the provisions of this law, any public project owner which is a party thereto or the department shall be entitled and are hereby empowered to enforce the provisions of such agreement through appropriate action in any court of competent jurisdiction.

(5) Whenever any agreement is made for operation of any project or part thereof by the department under the provisions of this law, the department may either operate such project or part thereof free from tolls or may fix and collect such tolls for the use thereof as it may from time to time see fit as may be provided in such agreement, and if tolls are so charged and collected the department may dispose of such tolls for any purpose and in any manner which it may deem fit and which may be provided in such agreement.

Section 125 . . . Department may lease or rent toll bridges of counties and municipalities; exception.—

(1) When any toll bridge on the state highway or state park road system has been or may be constructed by or for any county or municipality, which county or municipality, has issued its bonds or other obligations to pay all or a part of the costs of construction of such bridge, and which bridge is authorized by law to be operated by said county as a toll bridge only for the purpose of paying off the obligations of such county or municipality for the cost of construction of such bridge, upon which event the said bridge will by provision of law become the property of the state, the department shall have the right and privilege to rent or lease from such

county or municipality and to take over, maintain and operate free of tolls such bridge upon paying to said county annually as rental therefor such sum as may be agreed upon between the department and the commissioners of such county or the governing body of such municipality, not to exceed the sum which shall be necessary to pay the interest and meet the requirements of the sinking fund created to retire the obligations of the county incurred in the construction of such bridge, and which rentals shall be applied to that purpose and no other; and which rentals the department may contract for and pay. Any moneys used by the department for the purposes of this section shall be paid out of funds allocated in the annual budget of the department to the district in which the bridge so rented or leased is located.

(2) The provisions of this section shall not apply to any toll bridge constructed by or for any county where the freeholders or qualified electors of such county or municipality shall have voted within two years prior to June 5, 1933 at any referendum election, however called or held, to retain tolls for any general or special county purpose; nor to toll bridges located wholly within the corporate limits of any city or town situated in any county having a population of more than one hundred thousand according to the last federal census.

Section 126 . . . Certain toll bridges and toll roads prohibited.—

(1) No person shall establish, build or complete any toll bridge over any stream or body of water on that state road extending from the Georgia state line, at a point on the St. Mary's river known as Wild's Landing, to Orlando, Florida, via Yulee, Jacksonville, Orange Park, Green Cove Springs, Palatka, East Palatka, Crescent City, Deland, and Sanford heretofore declared, designated and established as a road of the state highway system by the board; nor shall any person establish, build or complete as a toll road any part of the aforesaid state road.

(2) No person shall charge toll for passage over any such toll bridge or toll road, on such state road.

(3) In any case where a toll bridge may be established, built or completed by any person at a point not directly on such state road but near thereto, and such bridge shall not be on any public road leading to any community not reached by such state road, but is on a road or way which is in fact only a detour from the state road to furnish passage for travel using such state road, it is unlawful to connect such toll bridge by any road or way leading from such bridge to such state road, and the department shall prevent such connection from being made, by placing and maintaining a fence or barrier on the right-of-way of such state road across such connecting way or road, and the department may resort to a court of equity to enjoin any one violating or attempting to violate the provisions of this section.

(4) Nothing contained in this section shall be construed to apply to toll roads or toll bridges heretofore or hereafter established or built on any road or roads which connect with such state road and lead to or serve any community, city or town in the state; and the provisions of this section shall not be construed to repeal or limit in any way any special act of the legislature providing for or governing the construction and operation of any toll road or bridge.

(5) The terms of this section shall apply in any case where the stream or body of water spanned by the bridge lies partly within the boundary of this state and partly within the boundary of an adjoining state, as well as in case the stream or body of water lies wholly within this state.

(6) Any one who violates any of the terms of this section shall be deemed guilty of a misdemeanor and shall be punished by fine not exceeding one hundred dollars or by imprisonment not exceeding ninety days.

Section 127—Use of right-of-way for utilities subject to regulation; permit.—

(1) The department, commissioners, and authorities of municipalities or special districts (hereinafter referred to as the authority) having jurisdiction and control of public roads are authorized to prescribe and enforce reasonable regulations with reference to the placing and maintaining along, across,

or on any road under their respective jurisdictions any electric transmission, telephone or telegraph lines, pole lines, poles, railways, ditches, sewers, water, heat, or gas mains, pipe lines, fences, gasoline tanks and pumps, or other structures (hereinafter referred to as the utility).

(2) The authority may grant to any person, who is a resident of this state, or to any corporation organized under the laws of this state, or licensed to do business within this state, the use of a right-of-way for the utility in accordance with such regulations as the authority may adopt. No utility shall be installed, located, or relocated unless authorized by a written permit issued by the authority. Such permit shall be required when inspection or repair of the utility interferes with the normal flow of traffic.

(3) Nothing herein shall restrict the action of public authorities in extraordinary emergencies. And nothing in this law shall be construed as modifying or abridging the powers conferred upon the state railroad and public utilities commission in Title XXV, the intent of this section being that the power hereby granted to the authorities shall be exercised only in such manner as not to conflict with the valid exercise of powers granted to such commission.

Section 128—Damage to road caused by utility.—When any public road is damaged or impaired in any way because of the installation, inspection or repair of any utility located thereon, the owner of the utility shall, at his own expense, restore the road to its original condition before such damage. If the owner fails to make such restoration, the authority is authorized to do so and charge the cost thereof against the owner under the provisions of Section 130.

Section 129—Relocation of utility at owner's expense.—

(1) Any utility heretofore or hereafter placed upon, under, or over any public road that is found by the authority to be unreasonably interfering in any way with the convenient, safe and continuous use and maintenance or necessary expansion of such public road shall, upon thirty (30) days written notice to the person, or his chief agent, by the authority, be removed or relocated by such person at his own expense.

(2) If such removal or relocation is incidental to work to be done on such road, the notice shall be given at the same time the contract for the work is advertised for bids, or thirty (30) days prior to the commencement of such work by the authority.

(3) Whenever an order of the authority requires such removal or change in the location of any utility from the right-of-way of a public road, and the owner thereof fails to remove or change the same at his own expense to conform to the order within the time stated in the notice, the authority shall proceed to cause the utility to be removed. The expense thereby incurred shall be paid out of any money available therefor, and shall be charged against the owner and levied and collected and paid into the fund from which the expense of such relocation was paid.

Section 130 . . . Proceedings to determine reasonableness of cost to utility owner for removal of obstruction by the authority; enforcement; judicial review.—

(1) Whenever it shall become necessary for the authority to remove or relocate any utility as provided in the preceding section, the owner of the utility, or his chief agent, shall be given notice of such removal or relocation and an order requiring the payment of the cost thereof, and shall be given reasonable time, which shall not be less than twenty (20) nor more than thirty (30) days, in which to appear before the authority to contest the reasonableness of the order. Should the owner or his representative not appear, the determination of the cost to the owner shall be final.

(2) A final order of the authority shall constitute a lien on any property of the owner and may be enforced by filing an authenticated copy of the order in the office of the clerk of the circuit court of the county wherein the owner's property is located.

(3) Within thirty (30) days from the final order of the authority, the owner may obtain judicial review of the proceedings thereof by filing in the circuit court of the county in which the utility was relocated, or in the circuit court of Leon County when the board is the respondent, a petition for review of such decision. The petition for review need not be verified but shall state the grounds upon which such review is

sought. The authority shall be deemed to be a party to any such proceeding. The petition shall be served upon the authority by leaving with it, or such representative as it may designate for that purpose, a copy of the petition. Within thirty (30) days of the filing of its answer, the authority shall file with the court a certified copy of the record of the case, including all documents and papers and transcript of all testimony taken in the matter. Nothing herein shall preclude the court from hearing new or additional evidence.

Section 131 . . . Duty of department as to projects for elimination of railway-highway crossing hazards.—

(1) The department shall, in cooperation with the several railroad companies operating in the state, determine, fix upon and adopt a program for the expenditure of moneys now available and of the moneys to become available under the terms of the "federal-aid highway act of 1944", and any other act of congress for the construction cost of projects for the elimination of hazards of railway-highway crossings. The department shall designate all crossings upon which such funds shall be expended.

(2) The department shall from time to time designate railway-highway crossings located on the roads of the state highway and state park road system, which are included in the program directed to be adopted in subsection (1) hereof, which, in the judgment of the department are dangerous and hazardous crossings.

(3) Every railroad company maintaining a railway-highway crossing at any point designated by the department as a dangerous crossing under the provisions of this law, shall, upon reasonable demand and notice from the department, install, maintain and operate at or near such crossing an automatic flashlight or sound signal which signal shall be of such conspicuous design and operation, to be approved by the department, that it will give to the users of such road reasonable warning of approach of trains or cars on the tracks of said railroad company, the cost of such signals and the expense of installation to be paid from the moneys described in subsection (1) hereof.

Section 132 . . . Investments of first gas tax funds.—

(1) The department is authorized to invest any first gas tax funds, which may be uncommitted, and are deemed by the board unusable, unexpendable and not presently required for road construction purposes, in gasoline or other fuel tax anticipation certificates issued for the retirement of road and bridge bond indebtedness of counties and special road and bridge districts by the state board of administration by authority of section 16 of article IX of the state constitution.

(a) Any investment so made shall be in gasoline or other fuel tax anticipation certificates which mature within four (4) years from the time the investment is made.

(b) Such investments shall be made only by authority of a majority vote of the members of the board, which action shall be by resolution setting up the amount to be paid for each separate investment, and the principal and interest rates and the date of maturity of each separate investment, duly recorded in its official minute records.

(c) Investments hereby authorized shall be made in the same manner as any other authorized expenditures of the department are made.

(d) Expenditures for such investments are hereby duly authorized, appropriated and legalized, and the comptroller is hereby authorized and directed to draw his warrant accordingly.

(2) Any gasoline or other fuel tax anticipation certificates purchased as investments under the authority of this section shall be deposited and kept in the state treasury in the state road fund. The state treasurer shall receive all payments of interest and principal upon such investments and credit the same to the state road fund and surrender to the state board of administration gasoline or other fuel tax anticipation certificates and interest coupons thereon for such payments. It shall be the duty of the state treasurer to furnish within fifteen days after demand of the board a statement to the board showing the condition of any such investment account.

(3) In connection with the acquisition of any of the securities herein referred to, the department shall be prohibited

from incurring any expense chargeable against the several accounts, funds of which are invested.

(4) The department may at any time before maturity of any gasoline or other fuel tax anticipation certificate or certificates purchased by it, sell or liquidate the same.

(a) Such sale or liquidation must be authorized by resolution, adopted by majority vote of the members of the board, setting forth fully the details of such sale or liquidation. A certified copy of the resolution shall be delivered to the state treasurer within ten (10) days after consummation of such sale or liquidation, together with the funds received from such sale or liquidation to be deposited in the state road fund.

(b) No such sale or liquidation shall be effected by the department without first advertising for bids for at least two consecutive weeks in some newspaper having a general circulation in the county (or special road and bridge district therein) for which such gasoline or other fuel tax anticipation certificate or certificates were issued, and also in some newspaper of general circulation in Leon County.

(c) Only the highest bid shall be accepted, and then only if such bids shall be not less than the principal of such certificate or certificates, plus accrued interest thereon to date of delivery of such certificate or certificates to the highest bidder.

Section 133 . . . Investments of second gas tax funds.—

(1) The department is authorized to invest any second gas tax funds heretofore or hereafter accruing to the department for use pursuant to any statute, and any eighty percent surplus funds heretofore or hereafter accruing to the department for use pursuant to section 16 of article IX of the state constitution, which are uncommitted, and are deemed by the board unusable, unexpendable and not presently required, in gasoline or other fuel tax anticipation certificates issued for the retirement of road and bridge bond indebtedness of counties and special road and bridge districts by the state board of administration by authority of section 16 of article IX of the state constitution. Any such investment so made shall be for gasoline or other fuel tax anticipation certificates which mature within four (4) years from the time the investment is made. Such investment shall be made only by authority of a majority vote of the members of the board, which action shall be by resolution duly recorded in the minutes of the board, setting forth:

(a) The particular county account in the state treasury from which funds are to be invested;

(b) The amount to be paid from each account or accounts for each investment; and

(c) The principal and interest rates and the maturity date of each separate investment made. Investments hereby authorized shall be made in the same manner as any other authorized expenditures of the department are made, and such expenditures for said investments are hereby duly authorized, appropriated and legalized, and the comptroller is hereby authorized and directed to draw his warrant accordingly.

(2) Any gasoline or other fuel tax anticipation certificates purchased as investments under the authority of this section shall be deposited and kept in the state treasury in the particular county account from which such investment was made. The state treasurer shall receive all payments of interest and principal upon such investment and credit the same to the proper account to which the same are receivable, and surrender to the state board of administration the gasoline or other fuel tax anticipation certificates and interest coupons thereon redeemed by such payments. It shall be the duty of the state treasurer to furnish, within fifteen (15) days after demand of the board, a statement to the board showing the condition of any such investment account.

(3) In connection with the acquisition of any of the securities herein referred to, the department shall be prohibited from incurring any expense chargeable against the several accounts, funds of which are invested.

(4) The department may at any time before maturity of any such gasoline or other fuel tax anticipation certificate or certificates purchased by it, sell or liquidate the same.

(a) Such sale or liquidation must be authorized by resolution adopted by majority vote of the members of the board,

setting forth fully the details of such sale or liquidation. A certified copy of the resolution shall be delivered to the state treasurer within ten (10) days after consummation of the sale or liquidation, together with the funds received from the sale or liquidation to be deposited in the particular county account to which the same are receivable.

(b) No such sale or liquidation shall be effected by the department without first advertising for bids for at least two consecutive weeks in a newspaper of general circulation published in the county (or special road and bridge district therein) for which such certificate or certificates were issued, and in a newspaper of general circulation published in the county from whose account funds were invested in such certificate or certificates, and in a newspaper of general circulation published in Leon County.

(c) Only the highest bid shall be accepted, and then only if such bid shall be not less than the principal of such certificate or certificates, plus accrued interest thereon to date of delivery of such certificate or certificates to the highest bidder.

Section 134 . . . Transfer of certain state road department funds; investment; distribution of proceeds.—

(1) The department is authorized to transfer to the state board of administration for the purpose of investment, such funds as are temporarily uncommitted, unusable or unexpended for road and bridge construction purposes, and such funds received by the department from the Florida state improvement commission pursuant to chapter 23758, acts of 1947, sections 420.12 - 420.17, Florida Statutes, as shall not immediately be needed by the department for construction of the project or projects to which such funds are applicable.

(2) At the time of transferring such funds to the state board of administration, pursuant to the provisions of this section, the board shall furnish the state board of administration with a schedule showing the estimated amount of funds needed for future construction by months, which schedule may be revised by the board from time to time as conditions warrant.

(3) The state board of administration is hereby authorized to accept such funds and shall keep the same in a separate account to be designated as the "state road department investment account" and shall use such funds solely for the purpose of investment in:

(a) United States government securities;

(b) Road and bridge bonds or gasoline or other fuel tax anticipation certificates administered by the state board of administration under the provisions of section 16 of article IX of the state constitution;

(c) In Florida state improvement commission bonds, notes or certificates containing a pledge of the eighty per cent surplus two cents gasoline tax accruing under said section 16 of article IX.

(4) The state board of administration shall at all times endeavor to keep invested the maximum amount of such funds, commensurate with the schedule of construction needs of the department.

(5) The state board of administration shall report monthly to the department on all earnings, profits, liquidations and other transactions involving the investment funds. Proceeds of sale of investments, earnings and profits shall be credited by the state board of administration to the state road department investment account.

(6) The state board of administration shall transfer funds from the investment account to the department for its construction needs in accordance with the schedule of such construction needs, or for the payment of the lease-purchase rentals to which the same are applicable, and such transferred funds shall consist of earnings and profits or proceeds from the sale of investments, as may be required.

(7) The department shall credit each account which goes to make up the investment fund with its proportionate share of the earnings and profits from such investments.

Section 135 . . . Disposition of proceeds of sale or lease of realty by department.—Any money derived from the sale,

lease or conveyance of any property by the department shall be deposited in the state treasury and placed in the same fund as other moneys allocated to the state road department.

Section 136 . . . Assent to federal aid given.—The state hereby assents to the provisions of the act of congress approved July 11, 1916, known as the federal aid law, which act of congress is entitled, "An act to provide that the United States shall aid the states in the construction of rural post roads and for other purposes," and assents to all subsequent amendments to such act of congress and any other act heretofore passed or that may be hereafter passed providing for federal aid to the states for the construction of highways and other related projects. The department is authorized to make application for the advancement of federal funds and to make all contracts and do all things necessary to cooperate with the United States government in the construction of roads under the provisions of said acts of congress and all amendments thereto.

Section 137 . . . Department may amortize advancements from United States.—The department may set aside, from any revenues allocated to it by law, such sums as are necessary and sufficient to properly amortize any amount advanced under act of congress, and to make suitable provision from year to year in its annual budget for such amortization.

Section 138 . . . National aid expended under supervision of department.—All funds and all road building equipment, supplies and materials that have heretofore or may hereafter be apportioned to this state by the congress of the United States to aid and assist in road building shall be expended and used under the control and supervision of the department, and any and all expenses necessary to secure such equipment, supplies and materials for the use of the state to be used on the roads under the supervision of the department, is authorized to be paid out of the funds apportioned to and set aside for the use of the department.

Section 139 . . . Use of gas tax revenue by department.—

(1) The board shall by regulation provide for the expenditure of the proceeds of the first gas tax accruing to the department, in accordance with its annual budget.

(2) Such regulations shall provide that the use of the first gas tax be restricted to the following purposes:

(a) To pay administrative expenses of the board and department, including administrative expenses incurred by the several state road districts.

(b) To pay the cost of construction of the primary road and state park road system, including amounts necessary to match federal aid funds for such purposes;

(c) To pay the cost of maintaining the state primary highway system and state park road system;

(d) To make such other lawful expenditures of the board or department for the payment of which no other funds may be specified, and for advancement to counties as provided in section 141.

(4) The board shall by regulation provide for the expenditure of the proceeds of the eighty (80%) per cent of the seventh cent gas tax accruing to the department for use of the counties in accordance with its annual budget; such monies to be used by the department in the construction of roads in the county to which such gas tax applies. Such roads shall be those selected by the commissioners and approved by the department to be a part of the secondary system of roads, as herein defined.

(5) The board shall by regulation prescribe for the expenditure of the proceeds of the 80% surplus of the second gas tax remitted to the department for use in the counties in accordance with its annual budget; provided, however, the department shall not expend any funds derived from the 80% surplus of the second gas tax for the construction or reconstruction of any road or bridge except where requested to do so by resolution from the county commissioners; such monies shall then be used by the department for the construction or reconstruction of roads and bridges or for the lease or purchase of bridges on the state highway system within the county to which such surplus applies; provided, however, that nothing herein contained shall in any way impair the present

county road and bridge district bonds, revenue certificates, or other valid obligations of the respective counties.

Section 140 . . . Use of gas tax revenues restricted.—

(1) Funds available to the department or any county from any gas tax revenues shall not be used for any nonhighway purpose.

(2) When funds are needed for welcome stations, paving in farmers' markets or through the grounds of state institutions, including institutions under the board of control, the costs of such improvements shall be budgeted by the agency or institution desiring the improvements, subject to legislative approval and appropriation from the proper fund.

(3) Such improvements shall be made by the department or pursuant to contract under its supervision, at the expense of the agency or institution on the basis of the cost of such improvements.

(4) The restrictions of this section shall not apply to the construction of wayside parks or state park roads.

Section 141—Confirming advances of state road funds to counties for construction and repair of state roads within the county; authorizing advances in the future.—

(1) The action of the board in making advances of state road funds to certain of the counties which were financially unable to supply the necessary funds for the acquisition of state road rights-of-way and for the construction of sections of state roads in the county to be repaid from future gasoline tax surpluses accruing to such counties, be and the same is hereby confirmed and approved.

(2) The board whenever it deems it advisable and in the best interest of the state because of the financial inability of a county to provide the necessary funds or in order to anticipate future surplus gasoline tax funds accruing to the county, may make advances of state road funds to a county for the acquisition of rights-of-way for roads of the state primary highway system therein or for the construction of road projects of the state primary highway system therein to be repaid out of any future accruals to the county of gasoline tax funds to be expended therein by the county or by the department.

(3) Any such advance shall be made the subject of a written agreement between the department and the commissioners, and a copy thereof shall be furnished the state comptroller and the state board of administration. The agreement shall provide that all right-of-way acquisitions by the county shall be under the supervision of the state road department and the advanced funds shall be paid directly for right-of-way parcels purchased or condemned upon requisitions of the state road department, which are audited and approved by the state comptroller and for which state warrants are drawn by the state comptroller, countersigned by the governor. All construction fund advances shall be expended under construction contracts let and supervised by the department. Such agreement shall provide for the repayment of such advance out of any gasoline taxes accruing to the county or to the department for expenditure therein.

(4) The board shall adopt and promulgate appropriate rules and regulations to effectuate the provisions of this section.

(5) This section shall be cumulative and is not intended to repeal any existing authority conferred upon the department and the several counties with reference to the subjects dealt with herein.

Section 142—Department authorized to charge off certain accounts.—

(1) The department is authorized, in its discretion, to cancel and charge off any claim or account which appears on the records of the department against any county or municipality if such claim or account arose and is claimed to have become due prior to January 1, 1941.

(2) The department shall show on its official minutes the disposition made of any such claim or account, and such action by the department shall be final and effect a complete discharge and cancellation of any such claim.

Section 143—Counties, departments, etc., may make contributions to department; construction agreements; bond trans-

fer deemed sale at par; fees of bond trustees; transfers discretionary; federal aid.—

(1) Any department of this state, and any county or any special road and bridge district in this state, may aid in the construction or maintenance of any state road, by contributions to the department of cash, bonds, time warrants, or other things of value in the construction or maintenance of roads.

(2) The department may accept and receive such aid and any such contributions and dispose and use the same in the construction or maintenance of such road.

(3) In case any such aid or contribution is given or made by any county or special road and bridge district, such aid or contribution shall be used by the department only in the construction or maintenance of such state roads in the county or special road and bridge district as shall be designated and agreed upon by the department and the officials of such county or special road and bridge district.

(4) Upon accepting the contribution of road bonds, the department shall enter into agreements with the commissioners of the county in which such road bonds have been voted by the people, for the construction of the roads and bridges in accordance with specifications agreed upon between the department and the commissioners of such county. The department shall receive from such county in consideration thereof, the net proceeds of the sale of the bonds so voted, after deducting expenses and commission on the sale and administration of such bonds. The department in no instance is to receive from such county an amount in excess of the actual cost of the construction of such roads.

(5) In case any county or special road and bridge district shall transfer and deliver to the department, any county or special road and bridge district road bonds or time warrants under the terms herein provided, such transfer and delivery shall be taken and construed as a sale and delivery of such bonds or time warrants at par or face value thereof.

(a) The department shall agree in writing to expend as much or more than the par or face value of such bonds or time warrants in the construction or maintenance of state roads in the county or special road and bridge district as shall be designated and agreed upon by the department and the officials of the county or special road and bridge district.

(b) The terms herein provided shall apply in any case where such bonds or time warrants have been voted or authorized to be issued.

(6) Trustees, who shall be qualified to act in behalf of any county or special road and bridge district, when such bond issue is transferred to the department, under the provisions of this law, shall be entitled to receive the same compensation, payable in the same manner, as if the bond issue had been sold for cash and the proceeds thereof disbursed by such trustees.

(7) The provisions of this law shall not be construed to require either the commissioners of any county, or the officials of any special road and bridge district, or the department to enter into an agreement for the transfer of such bonds or time warrants as are mentioned herein, but such transfer and assignment shall at all times be within the discretion of the department and such county and district officials.

(8) The department may propose and obtain the designation of any of the said roads and bridges so to be constructed, as federal aid projects, and obtain from the United States payment on account of such construction in accordance with existing regulations.

(9) The federal aid money obtained under subsection (8) shall first be applied to the completion of the roads for which said bonds have been voted, if the money from the bonds is not sufficient therefor, and any residue shall be expended in the construction of any state road that the department and the commissioners of the county may agree upon.

Section 144 . . . Special road and bridge district bonds.—

(1) After a special road and bridge district has been constituted pursuant to the provisions of this law, and before

awarding the contract or contracts for the construction of the roads and bridges provided for by the special election, if by such election it was provided that the construction of the improvements was to be paid for by the issue and sale of bonds, the commissioners shall, as soon as practicable, issue and sell special road and bridge bonds for the amount provided for by such special election.

(2) After any special road and bridge district shall have been organized as authorized by this law, a petition signed by not less than twenty-five (25) per cent of the duly registered voters, who are freeholders residing within the territorial limits of the district, may be presented to the commissioners for the purpose of authorizing additional construction, and the issuance of additional bonds.

(a) Such petition shall briefly describe the proposed road or bridge construction, and the amount of money necessary for such construction, and that it is desired that bonds of the district be issued in the amount so named to pay for such work of construction, in addition to warrants or bonds of the district that may then have been already issued, and praying that a special election within such district be called to determine whether such bonds should be issued for such purpose.

(b) The commissioners, after being satisfied that the petition in all respects complies with the requirements of law, shall order a special election to be held in the district to determine whether or not such bonds should be issued as specified in the petition.

(c) The other requirements of this law relating to: the calling and holding of an election; giving of notice, making, canvassing and certifying the returns of such election; issuing of bonds; and levying taxes to pay the principal and interest of the bonds, shall be followed and apply to the issuance of such bonds referred to in the petition, as nearly as the same can be conveniently made adaptable and applicable thereto. The commissioners may prescribe and determine all other necessary details as to the procedure connected with or leading up to the issuance of such bonds.

(d) All of the provisions of this law shall have not only a prospective force and effect, but also a retrospective force and effect, so that bonds of any special road and bridge district proposed to be issued before this law shall have gone into effect, shall be regarded as valid and effective if in fact before the adoption of this law there had been a substantial compliance with the requirements herein.

(3) In issuing and selling such bonds and in disbursing the proceeds thereof, the commissioners shall act in substantial conformity with the provisions of these statutes applicable to the issue and sale of bonds for the purpose of constructing hardsurfaced roads and public buildings.

(a) The tax for the payment of interest to provide a sinking fund for the payment of the bonds shall be assessed and collected only upon the taxable property within the boundaries of the special road and bridge district.

(b) The bond trustees shall be selected by the commissioners and shall be resident freeholders of the special road and bridge district.

Section 145 . . . Assessment of tax for sinking fund and interest.—Whenever any special road and bridge district has been constituted and special road and bridge bonds issued by the commissioners, as provided in this law, the commissioners shall assess annually, a tax upon all real and personal property, railroads, telegraph and telephone lines, owned or situated within the special road and bridge district, to realize a sum sufficient to pay the interest upon such bonds as it may become due, and to create a sinking fund for the payment of the principal of such bonds at the maturity of same, which sinking fund shall be provided by resolution of the commissioners before issuing such bonds.

Section 146 . . . Use of surplus of proceeds of bonds.—Should there remain any of the proceeds of the sale of such special road and bridge bonds after paying for the construction of the improvement for which the bonds were issued, such surplus shall be held by the bond trustees and paid out by them, upon order of the commissioners, for the repair and maintenance of the roads and bridges within the special district.

Section 147 . . . Time warrants.—

(1) If the approved bond issue of a special road and bridge district proves insufficient to complete the authorized construction, necessitating further funds for the completion of such construction, the commissioners shall be authorized to issue time warrants of such district.

(2) The amount of such time warrants shall not exceed ten (10%) per cent of the amount of bonds originally voted for such construction. The time warrants shall bear interest at the rate of eight (8%) per cent per annum from their issuance and shall mature in not more than ten (10) years from their issuance.

(3) Such time warrants may be either sold and the proceeds thereof used to pay for the completion of the roads and bridges, or such warrants may be delivered in payment of such work.

(4) No such warrants may be issued more than three (3) years from the date of the original bonds. Where such time warrants shall come within the purview of section 6 of article IX of the constitution, the same shall be issued only after they have been approved in an election called and held in the said district in the manner hereinabove provided for the original election.

(5) The commissioners shall levy an annual tax on all taxable property, real and personal, in any such district sufficient to pay the interest on such warrants, and to provide a sinking fund for the payment thereof at maturity.

Section 148 . . . Payment for construction by special road and bridge tax; issuing warrants; amounts of warrants.—

(1) If, in the election providing for the special road and bridge district and the construction of the roads and bridges therein, it was provided that the cost of such improvements was to be paid for by a special road and bridge tax, instead of special road and bridge bonds; then, after letting the contract or contracts for the construction of the roads and bridges provided for by such special election, the commissioners shall pay for the construction of such improvements by issuing warrants on the county depository for such sum or sums, as may be due from time to time upon such contract or contracts.

(2) Such warrants shall be paid only from the funds collected from the special road and bridge tax as hereinafter provided for, and when such warrants are paid, they shall be charged against the special road and bridge fund for that special district. In no instance shall the total amount of warrants issued against the special road and bridge fund of any special district exceed the total amount authorized at the election held to authorize the construction of such roads and bridges.

Section 149 . . . Annual assessment and collection of taxes.—

(1) After letting of the contract for the improvements voted for at the special election, and until the same have been fully paid for, there shall be annually assessed and collected upon all real and personal property, railroad, telegraph and telephone lines owned or situated within the special road and bridge district, a special road and bridge tax, not exceeding twenty (20) mills on the dollar in any one year. Such special tax shall be in addition to the county road tax and other taxes levied and assessed for state and county purposes.

(2) Upon collection, such tax shall be kept in a separate fund to be known as the special road and bridge fund of the special district in which such improvements were made. Disbursements from such fund shall be made by the commissioners only in liquidation of warrants issued in payment for the construction of roads and bridges as provided for by the special election held in the special road and bridge district.

Section 150 . . . Method of assessment, equalization and collection of taxes.—

(1) All special road and bridge district taxes shall be assessed, equalized and collected upon the taxable property within the special road and bridge district, by the same officers and in the same manner as is provided by law for the assessment, equalization and collection of other county taxes.

(2) The commissioners shall assess and have collected from all taxable property within the special road and bridge district the special road and bridge district tax, as herein provided, until all warrants issued in payment for the roads and bridges authorized by the special election, have been paid and cancelled. The comptroller of the state shall assess all railroads and railroad property, together with telegraph lines and telegraph property situated in such special road and bridge district and shall collect the taxes thereon in the same manner as required by law to assess and collect taxes for state and county purposes, and shall remit the same to depositories of the counties to the credit of each special road and bridge district fund and to be paid out as provided by law.

Section 151 . . . Special tax.—After the construction of the roads and bridges authorized by the special election, the commissioners shall estimate from year to year, the amount necessary to keep in repair and maintain the roads and bridges within such district; and shall assess annually all taxable property within the district, a tax not exceeding ten (10) mills on the dollar, which tax shall be collected and paid into the special road and bridge fund of that special district, and used solely by the commissioners for the repair and maintenance of the roads and bridges within the district.

Section 152 . . . Proportion of general tax to special district.—Any special road and bridge district created under authority of this law shall be entitled to receive for the repair and maintenance of the roads and bridges in such district, its due proportion of the county tax levied and collected upon the taxable property of the county for general road purposes. The special tax provided for herein shall be levied and collected on the taxable property in the special district, only for such repair and maintenance of the roads and bridges in the special district that cannot be paid for from its proportion of the general county road tax.

Section 153 . . . Validation of bonds.—

(1) Whenever the commissioners, in behalf of any special road and bridge district organized under the provisions of this law shall have authorized the issuance of bonds pursuant to any of the provisions of this law, such commissioners may, if they shall so elect, cause such bonds to be validated in accordance, as nearly as it is practicable to apply the same, with the provisions of law relating to the validating of bonds issued by counties and municipalities.

(2) In the event of the exercise of such election by the commissioners, all the provisions of law relating to the validating of bonds issued by counties and municipalities shall be held also to include and apply to bonds issued by special road and bridge districts.

(3) The decree of validation that shall be entered by the court shall have the same conclusive force and effect as the law now relates to bonds issued by counties and municipalities.

(4) This provision as to validation proceedings shall not be construed as being compulsory upon, but only optional, with the commissioners.

Section 154 . . . Levy of tax for road and bridge purposes; proportion to municipalities.—

(1) The commissioners shall levy a tax not to exceed ten (10) mills on a dollar on all property in their county each year for road and bridge purposes. Such tax, when collected, shall be paid over to the county depository and kept in a separate fund, which fund shall not be expended for any other purpose than for work on the public roads and bridges in the county, and for the payment of the salaries of employees engaged in road and bridge work, and in providing the necessary tools, materials, implements and equipment and for the necessary work on such roads and bridges.

(2) One-half the amount realized from such special tax on the property in incorporated cities and towns, shall be turned over to such cities and towns, to be used in repairing and maintaining the roads and streets thereof, as may be provided by the ordinances of such cities and towns.

Section 155 . . . Beautification of roads by department, counties, and cities; expenditure; wayside parks.—

(1) The department, the commissioners of the several coun-

ties, and all municipal corporations may include as a part of their programs of road and street construction, and maintenance, the conservation of the natural roadside growths and scenery, and the beautification of roads or streets by the restoration, planting, replanting, seeding and re-seeding, of grasses, plants, shrubs, root-stocks or trees, and the maintenance of same along the roadside of all roads or streets.

(2) Expenditures for such purposes shall be considered proper expenditures for highway construction or maintenance.

(3) The department is authorized to expend state road funds to acquire, by donation or purchase, and to lay out, develop, improve, operate and maintain appropriate roadside or wayside parks at sites selected by the board.

Section 156 . . . Trees and shrubbery along state highway and state park road system; removal or damage; penalty.—

(1) The removal or cutting or marring or defacing or destruction of any trees or shrubbery which are either planted or natural growths within the rights-of-way of roads of the state highway or state park road system, and which are maintained by the department as a part of its highway beautification program is prohibited.

(2) It is unlawful for any person to remove, cut, mar, deface or destroy any of said trees or shrubbery without first securing the written permission of the department.

(3) Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed five hundred (\$500) dollars or by imprisonment in the county jail for a period not to exceed six (6) months or by both such fine and imprisonment.

Section 157 . . . Gates across county roads permitted.—

(1) The commissioners may permit the construction of gates across the county roads of their respective counties whenever, in their opinion, the same will not unnecessarily interfere with the public travel, and shall prescribe the place where such gate shall be placed and the manner of the construction and maintenance thereof.

(2) The commissioners may rescind any such permit whenever they shall deem it necessary for the public good. At least thirty (30) days previous notice shall be given the party to whom such permit shall have been granted before the same shall be rescinded.

Section 158 . . . Fishing from state road bridges; walkways authorized.—

(1) The board is authorized to investigate and determine whether it is detrimental to traffic safety and dangerous to human life for any person to fish from any state road bridge. When the board, after due investigation, so determines that it is dangerous for persons to fish from any such bridge, its determination shall be reflected in its official minutes and the department shall thereupon post appropriate signs on such bridge stating that fishing therefrom is prohibited.

(2) It shall be a misdemeanor for any person to fish from any bridge which the board has determined is dangerous to fish therefrom and has posted signs as provided in subsection (1) hereof.

(3) All enforcement officers, including Florida highway patrol officers, shall enforce the provisions of this section.

(4) This section shall be cumulative and is not intended to repeal special laws making it unlawful to fish from any bridge.

(5) Any state, county or municipal agency or authority charged with the maintenance and construction of public roads and bridges is authorized to construct and maintain pedestrian walkways, "fishing walks" or fishing bays on public bridges under its jurisdiction whenever it is deemed necessary to do so in the interest of safety.

Section 159 . . . Injuring boundary marks, guideposts, etc.—Whoever willfully and maliciously damages, removes or destroys any milestone, mileboard or guideboard erected upon a highway or other public way, or willfully and maliciously defaces or alters the inscription on any such marker, or ex-

tinguishes any lamp, or breaks or removes any lamp or lamp post or railing or post erected on any bridge, sidewalk, street, or highway, shall be punished by imprisonment not exceeding six (6) months, or by fine not exceeding fifty (\$50.00) dollars.

Section 160 . . . Dumping trash, etc., on public highways; penalty.—

(1) It is unlawful for any person to dump or cause to be dumped or place or cause to be placed any refuse or rubbish of any kind whatsoever along the right-of-way of the public highways and roads of the state.

(2) Any person found guilty of violating this section shall be fined not more than one hundred (\$100.00) dollars or be imprisoned not more than thirty (30) days.

Section 161 . . . Unlawful use of limited access facilities; penalties.—

(1) On limited access facilities it shall be unlawful for any person:

(a) To drive a vehicle over, upon, or across any curb, central dividing section or other separation or dividing line;

(b) To make a left turn, a semi-circular or U-turn except through an opening provided for that purpose in the dividing curb section, separation, or line;

(c) To drive any vehicle except in the proper lane provided for that purpose and in the proper direction and to the right of the central dividing curb, separation section, or line;

(d) To drive any vehicle into the limited access facility from a local service road except through an opening provided for that purpose in the dividing curb or dividing section or dividing line which separates such service road from the limited access facility proper.

(2) Any person who violates any of the provisions of this section is guilty of a misdemeanor and upon arrest and conviction therefor, shall be punished by a fine of not less than five (\$5.00) dollars nor more than one hundred (\$100.00) dollars or by imprisonment in the city or county jail for not less than five (5) days nor more than ninety (90) days, or by both such fine and imprisonment.

Section 162 . . . Obstructing highway.—Whoever obstructs any public road or established highway by fencing across or into the same, or by willfully causing any other obstruction in or to such road or highway, or any part thereof, shall be punished by fine not exceeding one hundred (\$100.00) dollars, or by imprisonment for a term not exceeding sixty (60) days, and the judgment of the court shall also be that the obstruction be removed.

Section 163 . . . Microfilming of records by department.—The department is authorized to photograph, microphotograph or reproduce on film, whereby each page will be exposed in exact conformity with the original, all its documents, records, maps, data and information of a permanent character, including its personnel records, payrolls, maps, designs and drawings, biennial reports, data of cost and type histories of roads, its data of studies and research, its historical road data, right-of-way deeds, easements and releases, agreements covering roads and bridges, condemnation judgments, all contracts and agreements extending over a period of years, permits issued utilities and others, agreements with U. S. Bureau of public roads, public roads administration, counties, cities and other governmental subdivisions and agencies, road board minute records, fiscal data of a permanent character that should be preserved as records and such other documents, data and records as it may in its discretion select. The department is authorized to destroy any documents after they have been photographed and filed except the original minutes of the meetings of the board and such title deeds, easements, leases and releases relating to the right-of-way of state roads and other property owned or leased by the board, which it deems should be preserved in original form. Photographs or microphotographs in the form of film or print of any records made in compliance with the provisions of this section shall have the same force and effect as the originals for the purpose of their admissibility in evidence. Duly certified or authenticated reproductions of such photographs or microphotographs shall be admitted in evidence equally with original photographs or microphotographs.

Section 164 . . . Road signs may be manufactured at state prison.—All signs used by the department to designate and mark highways and all signs used as warning and traffic signs may be manufactured by the state convicts at the state prison, provided that the cost of manufacturing these signs does not exceed the cost of an outside manufacturer. The department will use these signs upon their being proved to be equal in quality to signs manufactured by outside concerns.

Section 165 . . . Copy of laws to be furnished to department.—The Secretary of State shall furnish to the board, without charge, a copy of the laws of the state in like manner as said laws are furnished to other state officials.

Section 166 . . . Prior contracts validated.—Nothing contained in this law shall affect any contract or instrument validly executed prior to the effective date of this law.

Section 167 . . . Chapter 139, Florida Statutes, relating to county road districts, chapter 140, Florida Statutes, relating to county special road and bridge districts, chapter 141, Florida Statutes, relating to special road, bridge and ferry districts, chapter 341, Florida Statutes, relating to state roads, chapter 343, Florida Statutes, relating to county roads and bridges, chapter 348, relating to limited access facilities, and sections 342.01 and 342.02, Florida Statutes, relating to beautification of highways and the construction and operation of information centers on the state highway system are hereby repealed.

Section 168 . . . Short Title.—This act may be cited as "Florida Highway Code of 1955."

Section 169. In the event any section, clause, sentence or portion of this Act be declared to be invalid, such invalid provision shall in no event affect the validity of the remaining sections, clauses, sentences, or portions of this Act.

And which Senate Amendments, concurred in by the House of Representatives, read as follows:

Amendment No. 1—

In Section 12, Subsection (1), line 4 (typewritten bill), after the word "exceed," strike out "fourteen thousand (\$14,000.00)" and insert in lieu thereof the following: "twelve thousand (\$12,000.00)"

Amendment No. 2—

In Section 13, Subsection (1), line 6 (typewritten bill), strike out the words: "fourteen thousand (\$14,000.00)" and insert in lieu thereof the following: "twelve thousand (\$12,000.00)"

Amendment No. 4—

In Section 23, Subsection (2) (typewritten bill) strike out all of Sub-section (2) and insert:

"The department is hereby authorized to enter into contracts from time to time with the University of Florida for the training of engineers, making of engineering research studies and the furnishing of data concerning same in the fields of soil stabilization, properties of concrete and concrete aggregate, bituminous wearing surfaces and pavements, and other highway research fields which are needful and beneficial in the planning, construction and improvement of public highways. Provided, however, the department may contract with any other university of the state for such training or research for which facilities are not now available at the University of Florida. The department is authorized to pay out of state road funds to the universities under all such contracts an amount not to exceed thirty thousand (\$30,000) dollars per year."

Amendment No. 5—

In Section 81 (typewritten bill) strike out all of Section 81 and insert in lieu thereof the following:

"Section 81—Purchases subject to competitive bids; advertisement; emergency purchases.—(1) No purchase of road material, machinery, tools, equipment or supplies in excess of three thousand dollars shall be made by the board unless made upon competitive bids received, after advertising therefor in a newspaper of general circulation, at least once a week for not less than two consecutive weeks, prior to the date on which bids are to be received. The board may at its discretion, award a contract to the lowest responsible bidder or

it may reject all bids and proceed to readvertise. (2) If the chairman, or in his absence the director, shall determine that a real emergency exists in regard to the purchase of road material, machinery, tools, equipment, or supplies, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, the provisions for competitive bidding shall not apply and the chairman or director may authorize or make purchases of such road material, machinery, tools, equipment, or supplies, without giving opportunity for competitive bidding thereon. The chairman or director shall, within ten days after such determination and purchase, file with the board a written statement of the road material, machinery, tools, equipment or supplies purchased and a certificate as to the conditions and circumstances constituting such emergency, which statement shall be incorporated in the minutes of the board."

Amendment No. 6—

In Section 93, Sub-section 2, line 2, (typewritten bill) strike out the words: "Highway Engineer" and insert in lieu thereof the following "Director."

Amendment No. 7—

In Section 93, Sub-section (3), line 2, (typewritten bill) after the comma, strike out "the highway engineer" and insert in lieu thereof the following: "the director."

Amendment No. 8—

In Section 93, Sub-section (4), line 6 (typewritten bill) after the word "the" strike out the words "highway engineer" and insert in lieu thereof the following "director."

Amendment No. 9—

In Section 94, Subsection (1), line 2 (typewritten bill) after the word "the" strike out "highway engineer" and insert in lieu thereof the following: "director".

Amendment No. 10—

In Section 94, Subsection (1), line 8 (typewritten bill) after the word "the", strike out "highway engineer" and insert in lieu thereof the following: "director."

Amendment No. 12—

In Section 119 (typewritten bill), at the end of Section 119 add the following: "Provided, however, the county commissioners of such county must approve the same by resolution."

Amendment No. 13—

In Section 161, Subsection (2), line 6 (typewritten bill), after the word "not" strike out the balance of section and insert the following: "for not more than thirty (30) days, or by both fine and imprisonment."

And refused to concur in Senate Amendments Nos. 3, 11 and 14 to House Amendment, which Senate Amendments read as follows:

Senate Amendment No. 3—

In Section 13, Sub-section (2), line 5 (typewritten bill) after the period strike out "he shall be employed for an annual salary not to exceed twelve thousand (\$12,000.00) dollars."

Senate Amendment No. 11—

In Section 97, Subsection (2) line 8 (typewritten bill) strike out the figure: "\$1,000.00" and insert in lieu thereof the following: "(\$100.00)"

Senate Amendment No. 14—

In Section 140 (typewritten bill) strike out all of Subsections 2 and 3 and insert in lieu thereof the following:

(2) When funds are needed for welcome stations, the cost of such improvement shall be budgeted by the Advertising Commission and be subject to legislative approval and appropriation from the proper fund.

(3) Such improvement shall be made by the department or pursuant to contract under its supervision, at the expense of the agency on the basis of the cost of such improvements.

And respectfully requests the President of the Senate to ap-

point a Conference Committee on the part of the Senate to confer with a like Committee to be appointed by the Speaker of the House of Representatives to adjust the differences existing between the two bodies on Senate Amendments Nos. 3, 11, and 14 to House Amendment to Committee Substitute for S. B. No. 480.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Senator Baker moved that the request of the House of Representatives for the appointment of a Conference Committee be granted.

Which was agreed to.

The President appointed Senators Baker, Tapper and Barber as the Committee on the part of the Senate to confer with a like committee to be appointed on the part of the House of Representatives, to adjust the differences existing between the Senate and the House of Representatives on Senate Amendments Nos. 3, 11 and 14 to the House Amendment to Committee Substitute for Senate Bill No. 480, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 31, 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 Insurance—

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

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Committee Substitute for Senate Bill No. 81, 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 30, 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 Senators King, Douglas, Melvin and Getzen—

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

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 332, 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 30, 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 required constitutional three-fifths vote of all members elected to the House of Representatives for the 1955 Session of the Florida Legislature—

By Senator Beall—

Senate Joint Resolution No. 1052:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE V OF THE CONSTITUTION OF THE STATE OF FLORIDA BY ADDING THERETO AN ADDITIONAL SECTION TO ABOLISH THE COURT OF RECORD IN AND FOR ESCAMBIA COUNTY, FLORIDA, AND VEST ALL ITS JURISDICTION IN THE CIRCUIT COURT OF ESCAMBIA COUNTY; PROVIDE FOR ADDITIONAL JUDGES OF THE CIRCUIT COURT OF ESCAMBIA COUNTY, FLORIDA AND FOR PROSECUTING ATTORNEYS IN SAID COURT AND COUNTY, AND FOR THEIR APPOINTMENT, COMPENSATION AND AUTHORITY; TO PROVIDE FOR NOT LESS THAN SIX (6) TERMS OF THE CIRCUIT COURT OF ESCAMBIA COUNTY IN EACH YEAR; AND TO PROVIDE FOR THE APPOINTMENT BY THE CIRCUIT COURT OF ESCAMBIA COUNTY OF COMMISSIONERS OF SAID COURT AND FOR THEIR DUTIES, AUTHORITY AND COMPENSATION.

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

That the following amendment to Article V of the Constitution of the State of Florida, to be added as an additional section to be designated by an appropriate section number to Article V aforesaid by the Secretary of State, be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the General Election to be held on the First Tuesday after the First Monday in November, 1956, to-wit:

Section (a) The Court of Record in and for Escambia County shall, from and after the taking effect of this amendment, be abolished and upon such abolition of said court the Circuit Court of Escambia County, Florida, and the Judges thereof, in addition to their present jurisdiction, shall have in Escambia County jurisdiction of all criminal cases which shall arise in said county;

(b) There shall be additional Judges of the Circuit Court of Escambia County in addition to the Circuit Judges of the Circuit Court in which said county is situated. The Judges of the Court of Record in and for Escambia County holding office at the time of the taking effect of this amendment shall become such additional Circuit Judges and shall hold office until the time at which their terms as Judges of the Court of Record in and for Escambia County expires. Thereafter such additional Judges of the Circuit Court of Escambia County shall be selected in the same manner as other Circuit Judges are selected, except that, if selected by election, they shall be selected by the qualified electors of Escambia County. They shall reside in Escambia County and they shall, within such county, have all the powers and perform all the duties and serve in such divisions that are or may be provided or prescribed by the Constitution or by statute, and all statutes concerning Circuit Judges shall apply to them. They shall hold office for six (6) years and shall receive the same salary and allowances for expenses as other Circuit Judges, in Escambia County, but the same shall be paid by the County of Escambia out of the

general revenues of said county, unless and until the legislature provides otherwise by law. There shall be an additional official Court Reporter of the Circuit Court of Escambia County and the official Court Reporter of the Court of Record in and for Escambia County holding such position at the time of the taking effect of this amendment shall become such additional official Court Reporter of said Circuit Court and until and unless otherwise provided by law all statutes concerning the official Circuit Court Reporter shall apply to him.

(c) After the First Tuesday after the First Monday in January 1957, and until otherwise provided by law applicable only to Escambia County, the Solicitor of the Court of Record in and for Escambia County shall act as prosecuting attorney of the Circuit Court in and for Escambia County, Florida, for all criminal cases, including capital cases, and he shall be the State Attorney of Escambia County and there shall be no other prosecuting officer for said Circuit Court in Escambia County, and thereafter said State Attorney shall hold office until the time at which his term as Solicitor of the Court of Record in and for Escambia County expires. Thereafter such State Attorney shall be selected in the same manner and for the same term as the Solicitor of the Court of Record in and for Escambia County is now selected except that if selected by election he shall be selected by the qualified electors of Escambia County. He shall reside in Escambia County and he shall within such County have all the powers and perform all the duties that are or may hereafter be provided or prescribed by the Constitution or by statute, and until otherwise provided by law he shall be paid by the County of Escambia in the same manner and at the same rate of compensation as the Solicitor of the Court of Record in and for Escambia County is now paid and until otherwise provided by law he shall be allowed the same assistants and their compensation and the expenses of his office shall be as now or hereafter provided for by law. The State Attorney of the First Judicial Circuit shall have no jurisdiction in Escambia County, and shall not reside therein; he shall be selected in the same manner as State Attorneys of other Circuits are selected, by the qualified electors of the counties wherein he exercises jurisdiction, and shall be a resident thereof.

(d) There shall be not less than six (6) terms of the Circuit Court of Escambia County in each year to be held at such times as may be prescribed by the legislature.

(e) In the exercise of its jurisdiction to try misdemeanors, the Circuit Court of Escambia County shall have the power to appoint one or more of the several Justices of the Peace of said County for their respective districts as Commissioner or Commissioners who shall have authority to try for the said Circuit Court and without a jury, upon waiver of jury trial as now provided by law, any person charged with a misdemeanor. All defendants so tried, or the State, shall have the right to a trial de novo by said Court or a Judge thereof upon written application filed in the office of the Clerk of said Court. The appointment of a Justice of the Peace as a Commissioner as aforesaid shall be made for such term and upon such conditions as said Circuit Court of Escambia County shall see fit to prescribe and any appointment so made may be summarily revoked by said Circuit Court for any cause whatever. If in the future the offices of Justices of the Peace in Escambia County shall be abolished then, in such event, the Circuit Court of Escambia County shall have the power to appoint not to exceed three (3) Commissioners from among the members of the Bar of Escambia County. After the appointment and qualification of a Commissioner or Commissioners of said Circuit Court, all warrants for the arrest of persons charged with a misdemeanor shall be made returnable before a Commissioner of said Court and, unless a preliminary hearing before a committing magistrate be requested by a person arrested pursuant to any such warrant, the trial shall be had before the Commissioner as soon after the arrest as may be expedient. The Circuit Court of Escambia County shall have the right to prescribe, by court rule, the procedure before such Commissioner and where a Commissioner may sit and the manner in which each of such Commissioners shall transmit his records and judgments to the Clerk of said Court. The compensation and allowances of such Commissioner shall be fixed by the legislature and shall be paid by Escambia County. The terms of office of such Commissioner shall be fixed by the legislature.

(f) Upon the taking effect of this amendment the records

of the Court of Record of Escambia County shall be delivered by the then Clerk of said Court to the Clerk of the Circuit Court of Escambia County who shall become the official custodian of the said records.

(g) This Amendment shall take effect at ten o'clock A.M. on the day following the date of the adjournment sine die of the regular session of the legislature of 1957, and upon its taking effect, jurisdiction of all matters and causes then pending in said Court of Record shall vest in the Circuit Court of Escambia County, with powers to dispose of the same.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Joint Resolution No. 1052, 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 31, 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. 1088—A bill to be entitled An Act relating to outdoor advertisers, excepting certain structures or shelters from the provisions of Chapter 479, Florida Statutes, in counties having a population of at least 495,000 inhabitants according to the last official census, and providing for the regulation thereof.

Also—

By Senator Stratton—

S. B. No. 1159—A bill to be entitled An Act relating to the county seat of counties having a population of not less than 12,000 or more than 13,000 according to the last official census; providing that if such cities border on a seacoast the city limits shall extend to the low water mark.

Also—

By Senator Stratton—

S. B. No. 1158—A bill to be entitled An Act relating to the county seat of counties having a population of not less than 12,000 nor more than 13,000, according to the last official census; prescribing certain of the powers of the municipal judge of said cities.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bills Nos. 1088, 1159 and 1158, 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 31, 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 Phillips—

S. B. No. 1243—A bill to be entitled An Act applying to all counties of this State having a population of not less than

seventeen thousand five hundred (17,500) and not more than eighteen thousand five hundred (18,500) inhabitants according to the latest official census; creating, activating and establishing a small claims court in such counties under Chapter 42, Florida Statutes, and repealing Chapter 26694 Laws of Florida, Acts of 1951; providing effective date.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 1243, 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 31, 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. 1196—A bill to be entitled An Act creating a recreation commission in each county in this State having a population of not less than twelve thousand (12,000) and not more than thirteen thousand (13,000) inhabitants according to the latest official census, and providing for its members, powers, jurisdiction; parks and playgrounds; financed from additional race track funds.

Also—

By Senator Black—

S. B. No. 1247—A bill to be entitled An Act relating to counties having a population of not less than fifteen thousand (15,000) nor more than seventeen thousand (17,000) according to the last official census; providing for compensation of member of the board of public instruction.

Also—

By Senator Stratton—

S. B. No. 1195—A bill to be entitled An Act relating to the county seat of counties having a population of not less than twelve thousand (12,000) nor more than thirteen thousand (13,000) according to the last official census; providing police officers of such municipalities shall have the power to arrest in certain cases beyond the corporate limits.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bills Nos. 1196, 1247 and 1195, 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 30, 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 Douglas—

S. B. No. 576—A bill to be entitled An Act relating to uniform narcotic drug law; amending Sections 398.02 (12A), 398.02 by adding Subsections (14) and (15), 398.07 (1), 398.09 (3) (a), 398.10 (5), Florida Statutes; clarifying definition of "isoni-

pecalne"; defining additional terms; authorizing the selling and dispensing of narcotic drugs by apothecaries upon written and oral prescriptions, prescribing information prescriptions shall contain and the records to be kept by apothecaries; prohibiting the purchase and possession of specified quantities of narcotic drugs; prescribing records to be kept by physicians, dentists, veterinarians and others of narcotic drugs received, administered and dispensed by them; and providing an effective date.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 576, 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 30, 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 Finance and Taxation—

S. B. No. 1009—A bill to be entitled An Act to amend Chapter 212, Florida Statutes, as follows: Section 212.02, Subsection (2) by redefining and clarifying definition of "sale"; Section 212.03, Subsection (4) by providing rental tax of six months residence in any one hotel, etc., and to repeal Subsection (5) and (6) relative to rental certificates; Section 212.04, Subsection (5) by omitting admission passes; Section 212.06, Subsection (2), by adding two additional paragraphs defining "dealer" who solicits business in this State; Section 212.08, Subsection (1) by reducing the exemption on candy; Subsection (4) by adding a paragraph providing for the tax on printed, etc., material sold by information services, and Subsection (6) by clarifying the exemption allowed religious, educational and charitable institutions; Section 212.14, by adding a subsection providing for cash deposit or bond where necessary in order to enforce compliance, to add a new section numbered 212.151 to provide for service on retailers, dealers or vendors not qualified to do business in this State.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 1009, 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 30, 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 Senators Fraser, Carraway, Beall, Tapper and Kicklitter—

S. B. No. 1002—A bill to be entitled An Act to amend Sections 463.06, 463.10 and 463.17, Florida Statutes, 1953, relating to the practice of optometry within the State of Florida; time for making applications for examination before the Florida State Board of Optometry for license to practice optometry; fees to be paid in connection with such application, and for receiving license in case the applicant passes the examination; fees to be paid by registered optometrists for renewal and reissue of certificates of registration; providing for the salary to be paid the secretary of said board, and the amount of bond

to be posted by him; and providing for the effective date of this Act.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 1002, 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 30, 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 required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1955 Session of the Florida Legislature—

By Senator Baker—

S. B. No. 894—A bill to be entitled An Act for relief of Woodrow W. Miley and making an appropriation to compensate him for time lost as State Road Department foreman and for attorney's fees incurred as result of grand jury indictment against him for alleged acts committed by him in course of employment.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 894, 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 30, 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 required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1955 Session of the Florida Legislature—

By Senator Baker—

S. B. No. 893—A bill to be entitled An Act for the relief of Lavoy Williams and making an appropriation to compensate him for time lost as State Road Department truck driver and for attorney's fees incurred as result of grand jury indictment against him for alleged acts committed by him in course of employment.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 893, 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 30, 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 required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1955 Session of the Florida Legislature—

By Senator Baker—

S. B. No. 889—A bill to be entitled An Act for the relief of W. P. Allison and making an appropriation to compensate him for time lost as state road prison camp captain and for attorney's fees incurred as result of grand jury indictment against him for alleged acts committed by him in course of employment.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 889, 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 30, 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 Senators Clarke, Cabot, Shands, Kickliter and Gautier (28th)—

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

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 570, 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 30, 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. 845—A bill to be entitled An Act relating to registration and sale of securities; amending Subsection (6) of Section 517.05, Subsection (4) of Section 517.06, Subsection (2) Paragraph (g) of Section 517.08, Subsection (3) Paragraphs (d) and (f) and Subsection (6) of Section 517.09, Section 517.13, adding Subsection (9) to Section 517.16, Florida Statutes; making certain corrections and revisions.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 845, 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 30, 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 Tapper—

S. B. No. 789—A bill to be entitled An Act relating to academic credits including grades and quality points earned by students at the University of Florida and Florida State University and providing for their acceptance at full value by both universities; further providing students of one (1) university who attend summer sessions at other university not to be treated as transfer students.

Also—

By the Committee on Citrus Fruits—

S. B. No. 1062—A bill to be entitled An Act authorizing the State Plant Board to initiate a program to control and eradicate wherever possible spreading decline now prevalent in certain groves and nurseries in the State; authorizing the State Plant Board to join with the U. S. Department of Agriculture in the program; providing for additional research by the Florida Citrus Experiment Station; providing appropriations for these programs; and providing an effective date.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bills Nos. 789 and 1062, 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 31, 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 Baker—

S. B. No. 768—A bill to be entitled An Act repealing Section 790.13 Florida Statutes relating to the carrying of fire arms in national forests.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 768, 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 31, 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 the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1955 Session of the Florida Legislature—

By Senator Stenstrom—

S. B. No. 466—A bill to be entitled An Act for the relief of

Thomas Hollingsworth of Seminole County for injuries inflicted upon his person by an escaped state road camp convict.

Which amendment reads as follows:

In Section 1, line 4, strike out the words "general revenue fund not otherwise appropriated" and insert the following in lieu thereof: "funds of the State Road Department"

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 466, contained in the above message, was read by title, together with the House Amendment thereto.

Senator Stenstrom moved that the Senate concur in the House Amendment to Senate Bill No. 466.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 466.

And Senate Bill No. 466, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives immediately.

The President presiding.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 31, 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 Senators King and Connor—

S. B. No. 393—A bill to be entitled An Act for the relief of V. P. Selph, member of the Barbers' Sanitary Commission, for compensation during the time he was suspended by the Governor as such, the said suspension never having been confirmed by the State Senate.

Which amendment reads as follows:

In Section 1, strike out Section 1 and insert the following in lieu thereof:

Section 1. There is hereby appropriated from the Barbers' Sanitary Commission funds in the State Agencies Fund in the State Treasury the sum of \$6,881.45, which represents the amount of compensation paid to Roy B. Brown, who was appointed and occupied the office of member of the Barbers' Sanitary Commission after V. P. Selph was suspended from said office on August 12, 1949 until January 5, 1953, when the said V. P. Selph was reappointed as a member of said board. The Comptroller is hereby directed to draw his warrant in favor of and to deliver same to the said V. P. Selph in the amount as appropriated by this Act.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 393, contained in the above message, was read by title, together with the House Amendment thereto.

Senator King moved that the Senate concur in the House Amendment to Senate Bill No. 393.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 393.

And Senate Bill No. 393, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 31, 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 amendments—

By Senator King—

S. B. No. 380—A bill to be entitled An Act relating to auto transportation brokers, amending Section 323.01, and adding additional Section 323.31 to Chapter 323, Florida Statutes; defining auto transportation broker; requiring license of persons engaged in business; prescribing procedure for obtaining license, giving authority to Florida Railroad and Public Utilities Commission, and providing for issuance, of right, to auto transportation brokers in operation prior to enactment; describing application and operation of license and fees therefor; providing for suspension and revocation of license and hearing thereon; regulating assignment of license; giving authority to Florida Railroad and Public Utilities Commission to prescribe rules and regulations for protection of shippers; and giving authority to Florida Railroad and Public Utilities Commission to regulate and inspect accounts and records; and providing for an appropriation.

Which amendments read as follows:

Amendment No. 1—

In Section 2, Sub-section 2, Paragraph 1—line 10, following the word "thereunder" strike out: "and that the proposed service, to the extent to be authorized by license is, or will be consistent with the public convenience and necessity."

Amendment No. 2—

In Section 1, Sub-section 17, Paragraph 1—Line 11, following the word "furnishes," insert the word: "or".

Amendment No. 3—

In Section 1, Sub-section 17, Paragraph 1—line 11, following the words "contracts" strike out: "or arranges".

Amendment No. 4—

In Section 1, following the words "except for the exemptions" strike out: "including cut flowers,".

Amendment No. 5—

In Section 1, strike out the period at the end of said Section and insert the following in lieu thereof: a semi-colon and add thereafter the following: "provided, however, the procuring of transportation of cut flowers and the transportation of flower bulbs are exempt from this Act."

Amendment No. 6—

In Section 2, Sub-section 7, on page 6 at end of Subsection (7) following the words "contracts, agreements or arrangements therefor" strike out the period (.) and insert the following in lieu thereof: ", but in no event shall the total of all recoveries exceed the amount of such bond or security."

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 380, contained in the above message, was read by title, together with House Amendments thereto.

Senator King moved that the Senate concur in House Amendment No. 1 to Senate Bill No. 380.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 380.

Senator King moved that the Senate concur in House Amendment No. 2 to Senate Bill No. 380.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 380.

Senator King moved that the Senate concur in House Amendment No. 3 to Senate Bill No. 380.

Which was agreed to and the Senate concurred in House Amendment No. 3 to Senate Bill No. 380.

Senator King moved that the Senate concur in House Amendment No. 4 to Senate Bill No. 380.

Which was agreed to and the Senate concurred in House Amendment No. 4 to Senate Bill No. 380.

Senator King moved that the Senate concur in House Amendment No. 5 to Senate Bill No. 380.

Which was agreed to and the Senate concurred in House Amendment No. 5 to Senate Bill No. 380.

Senator King moved that the Senate concur in House Amendment No. 6 to Senate Bill No. 380.

Which was agreed to and the Senate concurred in House Amendment No. 6 to Senate Bill No. 380.

And Senate Bill No. 380, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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 the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1955 Session of the Florida Legislature—

By Senator Black—

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

Which amendment reads as follows:

In Section 1, lines 1 and 2 strike out the words "from the general revenue fund" and insert the following in lieu thereof: "from funds of the state beverage department".

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 144, contained in the above message, was read by title, together with the House Amendment thereto.

Senator Black moved that the Senate concur in the House Amendment to Senate Bill No. 144.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 144.

And Senate Bill No. 144, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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. 1169—A bill to be entitled An Act providing for the annexation of the following described lands, situate, lying and being in the County of Broward, State of Florida, to-wit: all of blocks 1, 7, 8 and 9 of Almar Estates resubdivision, according to the plat thereof recorded in plat book 32 page 36, Broward County record; all of block 2 of Amadale, according to the plat thereof recorded in Plat Book 29 page 6 of the public records of Broward County, Florida; all of Amadale Addition, according to the plat thereof recorded in Plat Book 36, page 48 of the public records of Broward County, Florida.

Proof of publication attached.

Which amendment reads as follows:

In line two of the title, following the words "Described lands," insert the following "to the City of Wilton Manors, Broward County."

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 1169, contained in the above message, was read by title, together with the House Amendment thereto.

Senator Cabot moved that the Senate concur in the House Amendment to Senate Bill No. 1169.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 1169.

And Senate Bill No. 1169, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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. Knight of Calhoun—

H. B. No. 101—A bill to be entitled An Act relating to partition of property; to amend Section 66.06, Florida Statutes, by the addition of Subsection (4) providing for sale of property by special master under certain conditions.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 101, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "C."

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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. Smith of Indian River—

H. B. No. 751—A bill to be entitled An Act relating to the salary of Judges of the Circuit Courts of Florida.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 751, 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,
May 30, 1955.

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

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has refused to concur in Senate Amendments to—

By the Committee on Public Utilities—

H. B. No. 595—A bill to be entitled An Act relating to the prevention of accidents due to contact with power lines; defining the terms used; establishing certain precautionary measures and exemptions; prescribing penalties for violations; and providing for the effective date of this Act. Providing sole purpose of Act is public safety and shall not constitute civil defense or bar workmen's compensation.

Which amendments read as follows:

Amendment No. 1—

In Section 2, line 9 (typewritten bill), strike out the words: "except where reasonable notice has been given to the operator of such power lines and such power lines have been promptly and effectively" and insert in lieu thereof the following: "except when the operator of such power lines has after written application and at the applicant's expense"

Amendment No. 2—

In Section 4 (typewritten bill), at the end of Section 4 strike out the period and add the following: "unless the provisions are willfully violated."

Amendment No. 3—

In the Title (typewritten bill), at the end of the title strike out the period and add the following: "unless the provisions are willfully violated."

And respectfully requests the President of the Senate to appoint a Conference Committee to confer with a like Committee to be appointed by the Speaker of the House of Representatives to adjust the differences existing between the two bodies on Senate Amendments to House Bill No. 595—

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Senator Shands moved that the request of the House of Representatives for the appointment of a Conference Committee be granted.

Which was agreed to.

The President appointed Senators Pearce, Shands and Clarke as the Committee on the part of the Senate to confer with a like committee to be appointed on the part of the House of Representatives, to adjust the differences existing between the Senate and the House of Representatives on Senate Amendments to House Bill No. 595, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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 required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1955 Session of the Florida Legislature—

By Mr. Mahon of Duval—

H. B. No. 980—A bill to be entitled An Act for the relief of Mrs. Mabel Hasty for the death of her husband, Lonnie Lee Hasty, resulting from an accident on the Main Street Bridge in Jacksonville, Duval County, Florida, caused by the negligence of the State Road Department of Florida.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 980, contained in the above message, was read the first time by title only and referred to the Committee on Pensions and Claims.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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. 1746—A bill to be entitled An Act relating to the regulation of speed of power boats operated in certain areas on lakes, streams, rivers, brooks, creeks and other waters, in counties having a population of not less than 150,000 and not more than 240,000 inhabitants, according to the last official census; providing for speed limits of such boats on such waters; providing a penalty for violations thereof; and providing an effective date.

Also—

By Messrs. Shaffer, Johnson and Petersen of Pinellas—

H. B. No. 1749—A bill to be entitled An Act to amend Section 1 of Chapter 28743, Laws of Florida, 1953, relating to compensation of judges of the civil and criminal court of record in counties having a population of not less than 150,000 and not more than 225,000 inhabitants, according to the last official census, by making such chapter applicable to counties having a population of not less than 150,000 and not more than 240,000 according to the last official census; providing for an increase in the compensation of such judges; and providing an effective date.

Also—

By Mr. Webb of Washington—

H. B. No. 1755—A bill to be entitled An Act authorizing all counties of this state having a population of not less than eleven thousand eight hundred and eighty (11,880) and not more than twelve thousand five hundred (12,500) inhabitants according to the latest official census, to expend not to exceed five hundred dollars (\$500.00) in the erection of a Confederate memorial or monument.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1746, 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. 1746 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1746 was read the second time by title only.

Senator Houghton moved that the rules be further waived and House Bill No. 1746 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. 1746 was read the third time in full.

Upon the passage of House Bill No. 1746 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1746 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

And House Bill No. 1749, 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. 1749 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1749 was read the second time by title only.

Senator Houghton moved that the rules be further waived and House Bill No. 1749 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. 1749 was read the third time in full.

Upon the passage of House Bill No. 1749 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1749 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

And House Bill No. 1755, 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,
May 30, 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. Varn of Hernando—

H. B. No. 1756—A bill to be entitled An Act to provide that in all counties having a population of not less than 6,500 nor more than 7,000, inhabitants by the last official census, an allocation or distribution of a portion of the additional race track funds accruing as a result of the tax increase passed at the 1955 legislative session.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1756, contained in the above message, was read the first time by title only.

Senator Connor moved that the rules be waived and House Bill No. 1756 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1756 was read the second time by title only.

Senator Connor moved that the rules be further waived and House Bill No. 1756 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. 1756 was read the third time in full.

Upon the passage of House Bill No. 1756 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1756 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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. Conner of Bradford—

H. B. No. 1734—A bill to be entitled An Act designating a certain Wayside Park in Bradford County as the Josie H. Smith Wayside Park.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1734, contained in the above message, was read the first time by title only.

Senator Johns moved that the rules be waived and House Bill No. 1734 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1734 was read the second time by title only.

Senator Johns moved that the rules be further waived and House Bill No. 1734 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. 1734 was read the third time in full.

Upon the passage of House Bill No. 1734 the roll was called and the vote was:

Yeas—37.

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

Nays—None

So House Bill No. 1734 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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. Jones of Collier—

H. B. No. 1669—A bill to be entitled An Act regulating absolute and conditional sales or offers to sell at auction in all counties having a population of not less than six thousand four hundred (6,400), nor more than six thousand six hundred (6,600) by the latest Federal Census; prescribing rules and regulations for auction sales of said 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 violation; setting effective date.

Also—

By Messrs. Shaffer, Petersen and Johnson of Pinellas—

H. B. No. 1738—A bill to be entitled An Act relating to the justices of the peace and the justice of the peace courts and to justices of the peace acting as judges of small claims courts and as coroners; fixing a yearly compensation for the justices

of the peace; fixing a procedure for yearly allowance for expenses in the operation and function of said offices, and for the purchase of equipment and supplies; and providing for payment of said expenses; providing that all fees collected shall be trust money and properly deposited in a public depository and delivered monthly to the fine and forfeiture fund of the counties; providing for a report to the county commission on all fees collected and costs incurred; providing for requisition of monthly expenditures; providing for this Act to apply to all counties of this state having a population of not less than one hundred fifty thousand (150,000) and not more than two hundred forty thousand (240,000) according to the latest official census; repealing Chapter 28785, Laws of Florida, 1953.

Also—

By Mr. Beck of Putnam—

H. B. No. 1739—A bill to be entitled An Act to provide that in all counties having a population of not less than twenty-three thousand five hundred (23,500) nor more than twenty-three thousand six hundred fifty (23,650) inhabitants by the last official census, the school board may make purchases up to six hundred dollars (\$600) without requiring bids; providing effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1669, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

And House Bill No. 1738, 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. 1738 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1738 was read the second time by title only.

Senator Houghton moved that the rules be further waived and House Bill No. 1738 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. 1738 was read the third time in full.

Upon the passage of House Bill No. 1738 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1738 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

And House Bill No. 1739, contained in the above message, was read the first time by title only.

Senator Pearce moved that the rules be waived and House Bill No. 1739 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1739 was read the second time by title only.

Senator Pearce moved that the rules be further waived and House Bill No. 1739 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. 1739 was read the third time in full.

Upon the passage of House Bill No. 1739 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1739 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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. Burton and Brewer of Brevard—

H. B. No. 1638—A bill to be entitled An Act creating, establishing, and organizing a municipal corporation to be known as and designated as the town of Indian Harbour Beach, to be located in Brevard County, Florida, define its territorial boundaries, to provide for and describe its government, jurisdiction, powers, duties, franchises, and privileges, to authorize the imposition of penalties for violation of its ordinances, to provide for the collection, lien, enforcement, and levy of taxes, both real and personal, to provide for a system of revenue and taxation, to grant the power of special assessments for roads, pavements, drainage, and other municipal improvements, to grant the power of zoning, to grant the power to abate nuisances, to provide for perpetual existence of the town of Indian Harbour Beach, Florida.

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. 1638 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. 1638, 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. 1638 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1638 was read the second time by title only.

Senator Stenstrom moved that the rules be further waived and House Bill No. 1638 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. 1638 was read the third time in full.

Upon the passage of House Bill No. 1638 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1638 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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. Burton and Brewer of Brevard—

H. B. No. 1636—A bill to be entitled An Act to abolish the present municipal government of the town of Indialantic in Brevard County, Florida, and to create, establish and organize a municipality to be known and designated as the town of Indialantic, to be located in Brevard County, Florida; to define its territorial boundaries; to provide for and prescribe its government, jurisdiction, powers, duties, franchises and privileges; to authorize the imposition of penalties for the violation of its ordinances; to ratify, validate and confirm the ordinances, resolutions and other acts of the town of Indialantic; to ratify, validate and confirm the levies of taxes heretofore made by the town of Indialantic and to provide for the collection, lien and enforcement of the same; and to provide that the titles, rights, and ownerships of property, uncollected taxes, dues, claims, judgments, decrees, choses in action, and other properties and all powers now held or owned by the town of Indialantic shall be vested in the town of Indialantic hereby created; providing for referendum.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1636, 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. 1636 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1636 was read the second time by title only.

Senator Stenstrom moved that the rules be further waived and House Bill No. 1636 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. 1636 was read the third time in full.

Upon the passage of House Bill No. 1636 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1636 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 31, 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. Shaffer of Pinellas—

H. B. No. 1754—A bill to be entitled An Act to amend Section 1 of Chapter 28744, Laws of Florida, 1953, relating to the compensation of the County Prosecuting Attorney for the Civil and Criminal Court of Record in counties having a population of not less than 150,000 and not more than 225,000 inhabitants, according to the last official census, by making said chapter applicable to counties having a population of not less than 150,000 and not more than 240,000 inhabitants, according to the last official census; by providing for an increase in the compensation of such Prosecuting Attorney; and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1754, 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. 1754 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1754 was read the second time by title only.

Senator Houghton moved that the rules be further waived and House Bill No. 1754 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. 1754 was read the third time in full.

Upon the passage of House Bill No. 1754 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1754 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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. 1672—A bill to be entitled An Act relating to Columbia County, providing for disbursement of monies received by said county out of revenues produced by the additional tax on dog racing levied by the provisions of the Committee Substitute for Senate Bills 288 and 294 of the 1955 Session; providing a portion of such funds to be used to retire revenue certificates, issuance of which is hereby authorized for the purpose of building gymnasiums in Columbia County and providing for distribution of remainder of such funds; providing a referendum.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1672, 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. 1672 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1672 was read the second time by title only.

Senator Phillips moved that the rules be further waived and House Bill No. 1672 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. 1672 was read the third time in full.

Upon the passage of House Bill No. 1672 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1672 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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—

Tallahassee, Florida,
May 30, 1955.

By Mr. King of St. Lucie—

H. B. No. 1723—A bill to be entitled An Act providing for the cancellation of all delinquent county taxes against all lands situated within the City of Fort Pierce, Florida, and owned by the City of Fort Pierce, Florida, on the date this Act becomes effective and providing for the distribution of the proceeds of any sale of any of such lands; and the repealing of laws and parts of laws in conflict herewith; and providing when this Act shall take effect; providing for a referendum.

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. 1723 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. 1723, 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. 1723 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1723 was read the second time by title only.

Senator Barber moved that the rules be further waived and House Bill No. 1723 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. 1723 was read the third time in full.

Upon the passage of House Bill No. 1723 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1723 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

The President requested unanimous consent of the Senate for the privilege of appointing a Special Committee to analyze the decision of the Supreme Court of the United States as handed down this May 31, 1955, in regard to desegregation and report back to the Senate on Wednesday, June 1, 1955, with reference to the need for an extended session of the Legislature.

Unanimous consent was granted.

The President appointed Senators Morrow, King, Clarke, Johnson and Gautier (28th) as the Committee.

The following message from the House of Representatives was read:

*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. Pratt and Grimes of Manatee—

H. B. No. 1748—A bill to be entitled An Act relating to the City of Bradenton; amending Sections 43 and 44 of Chapter 22219, Special Acts of 1943, being the charter of said city; relating to the procedure for sidewalk improvements and the procedure for clearing land of weeds, trash and other unsanitary matter; providing that the method of enforcement of the costs for said improvements to be by a lien which shall be filed and foreclosed in a similar manner as mechanic's and materialman's liens are filed and foreclosed under the general law; setting effective date.

Proof of publication attached.

Also—

By Messrs. Chappell and Bryant of Marion—

H. B. No. 1750—A bill to be entitled An Act relating to small claims court; amending Sections 1 and 7, Chapter 26328, Laws of Florida, Acts of 1949; to provide for increase in filing fees; and to enlarge the jurisdiction.

Proof of publication attached.

Also—

By Mr. Musselman of Broward—

H. B. No. 1761—A bill to be entitled An Act providing for a fixed and inclusive filing fee to be paid to the clerk of the Circuit Court of Broward County, Florida, as fees for all civil cases instituted in said Circuit Court of Broward County, Florida; providing for the payment of a part of said fee to county law library of Broward County, and making same a county purpose; and amending Chapter 25169, Laws of Florida, 1949.

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. 1748 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. 1748, 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. 1748 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1748 was read the second time by title only.

Senator Rood moved that the rules be further waived and House Bill No. 1748 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. 1748 was read the third time in full.

Upon the passage of House Bill No. 1748 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1748 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Proof of publication of Notice was attached to House Bill No. 1750 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. 1750, contained in the above message, was read the first time by title only.

Senator Edwards moved that the rules be waived and House Bill No. 1750 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1750 was read the second time by title only.

Senator Edwards moved that the rules be further waived and House Bill No. 1750 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. 1750 was read the third time in full.

Upon the passage of House Bill No. 1750 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1750 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Proof of publication of Notice was attached to House Bill No. 1761 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. 1761, contained in the above message, was read the first time by title only.

Senator Cabot moved that the rules be waived and House Bill No. 1761 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1761 was read the second time by title only.

Senator Cabot moved that the rules be further waived and House Bill No. 1761 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. 1761 was read the third time in full.

Upon the passage of House Bill No. 1761 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1761 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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. Saunders of Clay—

H. B. No. 1744—A bill to be entitled An Act amending the charter of the Town of Keystone Heights; amending Sections 6 and 41 of Chapter 10741, Acts of 1925, relating to qualifications of city officers; providing for the offices of clerk, treasurer and assessor of taxes; and eliminating the office of town marshal.

Proof of publication attached.

Also—

By Mr. Webb of Washington—

H. B. No. 1745—A bill to be entitled An Act amending Section 2 of Chapter 26299, Laws of Florida, Acts of 1949, applying to Washington County; relating to cost of publication of minutes of County Commissioners and the Board of Public Instruction of Washington County; providing effective date.

Proof of publication attached.

Also—

By Messrs. Dickinson and Roberts of Palm Beach—

H. B. No. 1747—A bill to be entitled An Act providing for a maximum of one hundred and twelve (112) duty hours in any two (2) calendar weeks for firemen employed by the City of West Palm Beach; providing that the shifts shall be alternated to avoid discrimination against the members of either shift; providing for twenty-four (24) hours duty on alternate days and in emergencies; providing that the Act shall not repeal any law or ordinances of any city allowing vacation for firemen, repealing laws and parts of laws in conflict herewith; and, providing when this Act shall become effective.

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. 1744 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. 1744, contained in the above message, was read the first time by title only.

Senator Fraser moved that the rules be waived and House Bill No. 1744 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1744 was read the second time by title only.

Senator Fraser moved that the rules be further waived and House Bill No. 1744 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. 1744 was read the third time in full.

Upon the passage of House Bill No. 1744 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1744 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Proof of publication of Notice was attached to House Bill No. 1745 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. 1745, contained in the above message, 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 House Bill No. 1747 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. 1747, 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. 1747 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1747 was read the second time by title only.

Senator Morrow moved that the rules be further waived and House Bill No. 1747 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. 1747 was read the third time in full.

Upon the passage of House Bill No. 1747 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1747 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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. Zelmenovitz of Okeechobee—

H. B. No. 1740—A bill to be entitled An Act relating to Okeechobee County; providing for certain county officials to be bonded in certain amounts; providing for payment of premiums; providing for filing bonds with state treasurer; repealing laws in conflict.

Proof of publication attached.

Also—

By Messrs. Dickinson and Roberts of Palm Beach—

H. B. No. 1742—A bill to be entitled An Act relating to the city of Boynton Beach, amending Chapter 24308, Special Acts of 1947, as amended, being the charter of the said city, by amending Article II, Section 6, extending and enlarging the corporate limits of said city; to further amend said charter by adding thereto in Article II, Section 7, sub-paragraph to be numbered 24, which Section shall provide additional authority and power of the city of Boynton Beach to issue and sell revenue bonds on certificates payable solely and exclusively from revenues derived by the city from various sources without submitting the question of issuance of special bonds or certificates to a vote of the freeholders; validating, ratifying and confirming all existing ordinances and resolutions of the city of Boynton Beach.

Proof of publication attached.

Also—

By Mr. Musselman of Broward—

H. B. No. 1743—A bill to be entitled An Act creating and establishing two small claims courts in Broward County, Florida, providing for their method of activation, jurisdiction and judge, and providing that said courts shall be held, conducted and governed by all of the provisions of Chapter 42, Florida Statutes, 1953, as amended, which are not inconsistent with this Act.

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. 1740 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. 1740, contained in the above message, 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 House Bill No. 1742 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. 1742, 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. 1742 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1742 was read the second time by title only.

Senator Morrow moved that the rules be further waived and House Bill No. 1742 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. 1742 was read the third time in full.

Upon the passage of House Bill No. 1742 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1742 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Proof of publication of Notice was attached to House Bill No. 1743 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. 1743, contained in the above message, was read the first time by title only.

Senator Cabot moved that the rules be waived and House Bill No. 1743 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1743 was read the second time by title only.

Senator Cabot moved that the rules be further waived and House Bill No. 1743 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. 1743 was read the third time in full.

Upon the passage of House Bill No. 1743 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1743 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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. Cobb and Sweeny of Volusia—

H. B. No. 1729—A bill to be entitled An Act to amend Section 14 paragraph A, of Chapter 27615, Laws of Florida, 1953, entitled "An Act to amend Chapter 21297, Laws of Florida, 1941, special acts as amended, the same being 'An Act to abolish the present municipal government of the town of Holly Hill in Volusia County, Florida, and to create, establish and organize a municipality to be known and designated as the city of Holly Hill, and to define its territorial boundaries, and provide for its government, jurisdiction, powers, franchises, and privileges'; establishing civil service requirements in certain positions in the service of the city of Holly Hill, Florida, establishing a civil service board, providing rules and regulations for the operation of civil service, providing penalties and forfeitures, repealing laws in conflict herewith and providing when this law shall take effect"; by amending the provisions of Section 14, paragraph A, relating to residential requirements of applicants and employees by providing that non residents of the city of Holly Hill may be eligible for employment, repealing laws in conflict herewith, and providing when this law shall take effect.

Proof of publication attached.

Also—

By Messrs. Cobb and Sweeny of Volusia—

H. B. No. 1730—A bill to be entitled An Act to amend Section 110 of Chapter 21297, Laws of Florida, 1941, Special Acts, as amended, (Charter of the City of Holly Hill) entitled "An Act to abolish the present municipal government of the Town of Holly Hill, in Volusia County, Florida, and to create establish and organize a municipality to be known and designated as the City of Holly Hill, and to define its territorial boundaries and provide for its government, jurisdiction, powers, franchises and privileges"; by amending the provisions of Section 110 relating to expenditures and contracts not in excess of \$200.00 by providing that expenditures and contracts not in excess of \$500.00 may be made or awarded without competitive bids; repealing laws in conflict herewith and providing when this law shall take effect.

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. 1729 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. 1729, contained in the above message, was read the first time by title only.

Senator Gautier (28th) moved that the rules be waived and House Bill No. 1729 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1729 was read the second time by title only.

Senator Gautier (28th) moved that the rules be further waived and House Bill No. 1729 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. 1729 was read the third time in full.

Upon the passage of House Bill No. 1729 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1729 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Proof of publication of Notice was attached to House Bill No. 1730 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. 1730, contained in the above message, was read the first time by title only.

Senator Gautier (28th) moved that the rules be waived and House Bill No. 1730 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1730 was read the second time by title only.

Senator Gautier (28th) moved that the rules be further waived and House Bill No. 1730 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. 1730 was read the third time in full.

Upon the passage of House Bill No. 1730 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1730 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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. Roberts and Dickinson of Palm Beach, Rowell of Martin, Zelmenovitz of Okeechobee, Peeples of Glades and Stewart of Hendry—

H. B. No. 1772—A bill to be entitled An Act making it unlawful to place or allow the escape of certain substances into Lake Okeechobee in such quantities as to pollute the waters, injure or destroy the fish, injure the health of persons, or render the water unfit for drinking purposes, or to allow such substances to accumulate on the surface of the waters or

shores of the lake; providing a penalty; providing for injunction; providing effective date.

Also—

By Mr. Williams of Pasco—

H. B. No. 1716—A bill to be entitled An Act authorizing the Board of Public Instruction of Pasco County, Florida, to hold specially called meetings in localities other than the county seat, repealing all laws or parts of laws in conflict herewith to the extent of such conflict.

Proof of publication attached.

Also—

By Mr. Williams of Pasco—

H. B. No. 1717—A bill to be entitled An Act to amend Section 39, of Chapter 14,591, Laws of Florida, Special Acts of 1929, being: "An Act to abolish the present municipality of Dade City, in Pasco County, Florida; to create, establish and organize a new municipality in Pasco County, to be known and designated as Dade City, Florida; to define its territorial boundaries, jurisdiction, powers and privileges; and to validate certain general and special assessments heretofore made by the municipality hereby abolished." by permitting the said city to purchase items in excess of \$300.00 only upon competitive bids requested from at least three sources or after advertising for one publication in a newspaper authorized under the law to publish legal advertisements, which is published in the said City of Dade City, Florida, and providing that the city commission shall, in such cases, be required to accept the lowest and best bid therefor, and repealing all laws or parts of laws in conflict herewith.

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. 1772, 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. 1772 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1772 was read the second time by title only.

Senator Morrow moved that the rules be further waived and House Bill No. 1772 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. 1772 was read the third time in full.

Upon the passage of House Bill No. 1772 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1772 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Proof of publication of Notice was attached to House Bill No. 1716 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. 1716, contained in the above message, 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 House Bill No. 1717 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. 1717, 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,
May 31, 1955.

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

Sir:

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

By Mr. Musselman of Broward—

H. B. No. 1762—A bill to be entitled An Act providing for a fixed and inclusive filing fee to be paid to the Clerk of the County Court of Broward County, Florida, as fees for all civil cases instituted in said County Court of Broward County, Florida: Providing for the payment of a part of said fee to county law library of Broward County, and making same a county purpose; and amending Chapter 25168, Laws of Florida, 1949.

Proof of publication attached.

Also—

By Messrs. Grimes and Pratt of Manatee—

H. B. No. 1763—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Manatee County, Florida, to lease or convey county lands for a nominal consideration and without advertisement to any organization, association, corporation or trustees, exclusively for uses and purposes that are either charitable, educational, religious, scientific, character building or patriotic and are also without profit, and providing for reversion of such land should use ever be discontinued.

Proof of publication attached.

Also—

By Messrs. Grimes and Pratt of Manatee—

H. B. No. 1764—A bill to be entitled An Act relating to the City of Bradenton; amending Chapter 22219, Special Acts of 1943, being the charter of said city, by adding to Section 5 of said charter and chapter a new subparagraph designated (w); providing enabling legislation for the future annexation of contiguous territory in one of the following two (2) methods: 1. By referendum election, or 2. by petition and consent of all landowners in the area sought to be annexed; setting 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. 1762 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. 1762, contained in the above message, was read the first time by title only.

Senator Cabot moved that the rules be waived and House Bill No. 1762 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1762 was read the second time by title only.

Senator Cabot moved that the rules be further waived and House Bill No. 1762 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. 1762 was read the third time in full.

Upon the passage of House Bill No. 1762 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1762 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Proof of publication of Notice was attached to House Bill No. 1763 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. 1763, 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. 1763 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1763 was read the second time by title only.

Senator Rood moved that the rules be further waived and House Bill No. 1763 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. 1763 was read the third time in full.

Upon the passage of House Bill No. 1763 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1763 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Proof of publication of Notice was attached to House Bill No. 1764 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. 1764, 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. 1764 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1764 was read the second time by title only.

Senator Rood moved that the rules be further waived and House Bill No. 1764 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. 1764 was read the third time in full.

Upon the passage of House Bill No. 1764 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1764 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 31, 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. Pratt and Grimes of Manatee—

H. B. No. 1766—A bill to be entitled An Act relating to the city of Bradenton, amending and revising Sections 36, 37, 38, and repealing Sections 39, 40, 41, 42, 43, 46, 47, 48, 49 and 50, and providing new Sections 39, 40, 41, 42, 43, 46, 47 and 48, all of Chapter 22219, Special Acts of 1943, being the charter of the City of Bradenton; relating to improvements of said city and the authority and procedure of said city in respect thereto; providing for the classification of streets by use; providing for improvement liens to be assessed to property improved; providing for enforcement of said improvement liens; providing for the assignability of said improvement liens; setting duration of said improvement liens and other matters connected with streets, curbs, sewers, drainage, water mains and other improvements and liens created by improvements; setting effective date.

Proof of publication attached.

Also—

By Messrs. Grimes and Pratt of Manatee—

H. B. No. 1765—A bill to be entitled An Act relating to the Town of Holmes Beach and to the streets, curbs, sewers and other improvements of said town and the authority of the Board of Aldermen in respect thereto; providing for the classification of the streets as to use; providing for the procedure to be followed whenever improvements of said streets, curbs, sewers and other improvements are to be made; setting the liabilities of the abutting property owners for the costs of such improvements; providing the procedure for assessing the costs of said improvements to the abutting property owners; making the costs so assessed a lien against

said property; providing for the enforcement of said lien; authorizing the assignment of said liens; setting a twenty year statute of limitations on said liens; setting 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. 1766 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. 1766, 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. 1766 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1766 was read the second time by title only.

Senator Rood moved that the rules be further waived and House Bill No. 1766 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. 1766 was read the third time in full.

Upon the passage of House Bill No. 1766 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1766 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Proof of publication of Notice was attached to House Bill No. 1765 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. 1765, 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. 1765 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1765 was read the second time by title only.

Senator Rood moved that the rules be further waived and House Bill No. 1765 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. 1765 was read the third time in full.

Upon the passage of House Bill No. 1765 the roll was called and the vote was:

Yeas—37.

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

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 1726 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. 1726, 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. 1726 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1726 was read the second time by title only.

Senator Morrow moved that the rules be further waived and House Bill No. 1726 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. 1726 was read the third time in full.

Upon the passage of House Bill No. 1726 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1726 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Proof of publication of Notice was attached to House Bill No. 1731 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. 1731, contained in the above message, was read the first time by title only.

Senator Kicklitter moved that the rules be waived and House Bill No. 1731 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1731 was read the second time by title only.

Senator Kicklitter moved that the rules be further waived and House Bill No. 1731 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. 1731 was read the third time in full.

Upon the passage of House Bill No. 1731 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1765 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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. Dickinson and Roberts of Palm Beach—

H. B. No. 1726—A bill to be entitled An Act providing that the census taken in Palm Beach County by the Federal Bureau of the Census or the Commissioner of Agriculture of the State of Florida in the year 1955 or years subsequent thereto as certified to the Board of County Commissioners of Palm Beach County, Florida, shall not include the county of Palm Beach in the population bracket of any existing or future population acts or laws which provide for the creation of a county budget board or commission.

Proof of publication attached.

Also—

By Messrs. Gibbons, Moody and Johnson of Hillsborough—

H. B. No. 1731—A bill to be entitled An Act designating certain parts of Marjorie Park in the City of Tampa as the Tampa Medical Center; authorizing a lease of the Tampa Municipal Hospital; authorizing a lease or conveyance of certain other property in the Tampa Medical Center for additional hospital or medical facilities; and empowering the City of Tampa to enter into contracts and otherwise to provide for carrying out the purposes of said Act.

Proof of publication attached.

Also—

By Messrs. Cobb and Sweeny of Volusia—

H. B. No. 1728—A bill to be entitled An Act to amend Sections 19 and 22 of Chapter 21297, Laws of Florida, 1941, special Acts, as amended (the charter of the City of Holly Hill), entitled "An Act to abolish the present municipal government of the Town of Holly Hill, in Volusia County, Florida, and to create, establish and organize a municipality to be known and designated as the City of Holly Hill, and to define its territorial boundaries and provide for its government, jurisdiction, powers, franchises and privileges"; by amending the provisions of Section 19 relating to the time for the organizational meeting by providing that the organizational meeting shall be held on the Tuesday after the first Monday in January of each calendar year, and by amending the provisions of Section 22 relating to the time for city council meetings by providing the organizational meeting shall be held on the Tuesday after the first Monday in January of each calendar year, repealing laws in conflict herewith, and providing when this law shall take effect.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

Nays—None.

So House Bill No. 1731 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Proof of publication of Notice was attached to House Bill No. 1728 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. 1728, contained in the above message, was read the first time by title only.

Senator Gautier (28th) moved that the rules be waived and House Bill No. 1728 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1728 was read the second time by title only.

Senator Gautier (28th) moved that the rules be further waived and House Bill No. 1728 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. 1728 was read the third time in full.

Upon the passage of House Bill No. 1728 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1728 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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. Allen of Bay—

H. B. No. 1721—A bill to be entitled An Act amending the city charter of the City of Springfield in Bay County, Florida, same being Chapter 27900, Laws of Florida, Acts of 1951, relating to extending the boundaries to eastward; authorizing power and light franchise without referendum; providing effective date.

Proof of publication attached.

Also—

By Mr. King of St. Lucie—

H. B. No. 1722—A bill to be entitled An Act relating to the city of Ft. Pierce, Florida; amending Section 29 of Chapter 24528, Acts of 1947, to provide that the city clerk shall serve ex officio as city treasurer; and providing referendum.

Also—

By Mr. King of St. Lucie—

H. B. No. 1724—A bill to be entitled An Act prohibiting the

depositing in any of the waters of the lakes, rivers, harbors, streams, ditches and canals in St. Lucie County, Florida, any rubbish, filth or poisonous or deleterious substance or substances in such quantity as is liable to affect the health of persons, fish or livestock, or any material, substance or thing in such quantity that the said waters are thereby rendered unfit for one or more of the beneficial uses for which such water was fit or suitable prior to the introduction of such substance, material or thing, or which renders unsanitary or unclean any bathing beach; prohibiting the placing or depositing of any such substance, material or thing in any place where the same may be washed or infiltrated into any of such waters; prohibiting the discharging into the air of said county any smoke, vapor or gas in such quantity as is liable to affect the health of persons, birds, livestock or vegetation or damages property or any noisome odors or noxious gases in such quantity as to create a nuisance; authorizing and empowering the Board of County Commissioners of St. Lucie County, Florida, and the State Board of Health of the State of Florida, jointly and severally, to enforce the provisions of this Act or any rules, regulations, or criteria established by the State Board of Health to control air and water pollution by injunction or other legal means; making the violation of this Act a misdemeanor; repealing all laws or parts of laws in conflict herewith and providing for a referendum to approve this Act.

—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. 1721 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. 1721, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

And House Bill No. 1722, 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. 1722 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1722 was read the second time by title only.

Senator Barber moved that the rules be further waived and House Bill No. 1722 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. 1722 was read the third time in full.

Upon the passage of House Bill No. 1722 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1722 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

And House Bill No. 1724, 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. 1724 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1724 was read the second time by title only.

Senator Barber moved that the rules be further waived and House Bill No. 1724 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. 1724 was read the third time in full.

Upon the passage of House Bill No. 1724 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1724 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 30, 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 Pasco—

H. B. No. 1718—A bill to be entitled An Act to amend Section 12, Chapter 14,591, Laws of Florida, Special Acts of 1929, as amended by Chapter 18,465, Laws of Florida, Acts of 1937, being: "An Act to amend Sections 2, 12 and 23 of Chapter 14,591 (No. 109), Laws of Florida, Special Acts of 1929, being 'An Act to abolish the present municipality of Dade City, in Pasco County, Florida; to create, establish and organize a new municipality in Pasco County, to be known and designated as Dade City, Florida; to define its territorial boundaries, jurisdiction, powers and privileges; and to validate certain general and special assessments heretofore made by the municipality hereby abolished,' and providing for a referendum," by providing that the compensation of the municipal court shall be fixed by the city commission and deleting the provision requiring that compensation of the municipal judge shall be \$1.25 for each case docketed and tried.

Proof of publication attached.

Also—

By Mr. Williams of Pasco—

H. B. No. 1719—A bill to be entitled An Act authorizing the city commission of Dade City, Florida, to cancel of record all taxes and personal property tax liens levied and assessed by said city which have remained uncollected for a

period of seven years after the date the same became due and repealing all laws and parts of laws in conflict therewith.

Proof of publication attached.

Also—

By Mr. Williams of Pasco—

H. B. No. 1720—A bill to be entitled An Act authorizing Dade City, Florida, a municipal corporation, through its city commission, to enter into agreements for group insurance for the officials, officers and employees of said city and their dependents, and providing for contributions by said city to the premiums and providing for the said city, through its city commission, to enter into such agreements, and to do and perform all things necessary in carrying out such a plan of group insurance.

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. 1718 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. 1718, contained in the above message, 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 House Bill No. 1719 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. 1719, contained in the above message, 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 House Bill No. 1720 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. 1720, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

By unanimous consent Senator Connor withdrew Senate Bill No. 621 from the further consideration of the Senate.

By unanimous consent Senator Connor withdrew Senate Bill No. 979 from the further consideration of the Senate.

Senator Johnson, Vice-Chairman of the Committee on Rules and Calendar, moved that the rules be waived and when the Senate adjourns, it adjourn to reconvene at 11:00 o'clock A.M., Wednesday, June 1, 1955.

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

Senator Johnson moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 12:32 o'clock P.M., until 11:00 o'clock A. M., Wednesday, June 1, 1955.