

EXTRAORDINARY SESSION

JOURNAL OF THE SENATE

At an Extraordinary Session of the Florida Legislature convened by Proclamation of His Excellency, LeRoy Collins, Governor of Florida, begun and held at the Capitol in the City of Tallahassee, in the State of Florida.

Monday, July 23, 1956

1

In pursuance of the Proclamation of Honorable LeRoy Collins, Governor of the State of Florida, the Senate met in Extraordinary Session at 2:00 o'clock, P. M., and was called to order by the President of the Senate, Honorable W. T. Davis.

The Proclamation of the Governor convening the Legislature in Extraordinary Session was read to the Senate as follows:

A PROCLAMATION BY THE GOVERNOR

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

*To the Honorable Members of
The Senate and House of Representatives:*

WHEREAS, a special committee appointed by the Governor and the Attorney General of the State of Florida (with Judge L. L. Fabisinski as Chairman) to recommend legislative action relating to public school education and other internal affairs of the State of Florida has recommended specific legislation relating to assignment of pupils in the public schools, the assignment of teachers, the vesting of power in the Governor to promulgate and enforce rules and regulations relating to the powers of the Governor to act in the event of an emergency to prevent or suppress disorder, and a proposed resolution of the Legislature of the State of Florida protesting the threat to the rights of the people of Florida by the Supreme Court of the United States, and

WHEREAS, the Mediterranean fruit fly—the most destructive pest of citrus and other tropical and subtropical fruit and vegetables—presents an immediate and dangerous threat to the economy of Florida, and it is imperative that it be eradicated and that necessary funds be appropriated for such purpose, and

WHEREAS, the penal system of the State of Florida is strained beyond its capacity by overcrowding which could be alleviated by prompt construction of additional facilities already planned at existing institutions and by further planning to meet established needs and it becomes necessary to prepare for a long range program which would enable the State to establish a complete penal and correctional system, and

WHEREAS, an immediate way to help relieve the overcrowding in our prisons is the expansion of the staff and program of the Florida Parole Commission, which would allow the Commission to better screen prisoners before they are sent to the correctional institutions and also to enable the Commission to supervise additional prisoners who could be eligible for parole, and

WHEREAS, traffic accidents in Florida have reached alarming proportions this year, with an increase of 20 per cent killed and almost 30 per cent injured, resulting in untold loss, suffering and sorrow, with many millions of dollars in property damage, and it is imperative that a maximum speed limit be established and that the Florida Highway Patrol be given adequate personnel and facilities to cope with this very great emergency, and

WHEREAS, certain individuals in this State are injuring the

reputation of reputable real estate dealers and developers and of the State itself by unsound advertising of real estate developments, and it becomes essential that immediate corrective legislation be enacted to combat this situation so as to protect the State and the would-be purchasers under these schemes, and

WHEREAS, the new South Florida Mental Hospital in Broward County will be ready to receive patients and begin operations before the 1957 session of the Legislature, and there is no appropriation of funds for these operating expenses; and there is also an immediate need for a change in the law which governs the commitment of the mentally incompetent so as to include confinement in the South Florida Mental Hospital, and

WHEREAS, there now exists a deplorable situation in the State in which there is a waiting list of some 655 active applications to the Farm Colony in Gainesville, which is already reaching its maximum patient capacity, and it becomes imperative that an appropriation be made for the prompt planning of an additional institution to take care of the mentally retarded children of this State, and

WHEREAS, a saving of considerable money to the State would be accomplished by an additional appropriation at this time of \$800,000 to complete the structural work of the Teaching Hospital Building at the University of Florida Medical School also by allowing for the diversion of \$425,000 previously appropriated and allocated for equipment, recognizing that the entire cost of equipment would be provided for by funds to be appropriated at the next regular legislative session, and

WHEREAS, in view of the foregoing extraordinary conditions now existing in Florida, I find that the best interest of the State will be served by enacting certain legislation without further delay,

NOW, THEREFORE, I, LeRoy Collins, Governor of the State of Florida, by virtue of the power and authority vested in me by the State Constitution, do hereby convene the Legislature of the State of Florida in extraordinary session at the Capitol at 2 o'clock p.m., July 23, 1956, for the sole purpose of considering the enactment of the following laws:

1. The proposed legislation as recommended by the Fabisinski committee relating to public school education and other internal affairs of Florida deemed expedient after consideration of recent decisions of the Supreme Court of the United States, and a proposed resolution as recommended by the said committee protesting the threat to the rights of the people of Florida by the Supreme Court of the United States.

2. The appropriation of adequate funds to be used in the eradication of the Mediterranean fruit fly.

3. The appropriation of adequate funds to construct two additional dormitories and a water system at the Florida Correctional Institution for Women at Lowell.

4. The appropriation of adequate funds to promptly complete construction of a maximum security building at the State Prison at Raiford.

5. The appropriation of adequate funds for the planning of an over all penal system and the planning of additional

construction at the Apalachee Correctional Institution and the Florida Correctional Institution for Women at Lowell.

6. The appropriation of adequate funds to expand the staff and program of the Florida Parole Commission.

7. The appropriation of adequate funds to (a) complete the headquarters building of the Florida Highway Patrol, and to remove the restrictions concerning the priority of this building, and (b) to increase the personnel and facilities of the Florida Highway Patrol to enable them to better carry out the existing laws, and to remove the restrictions as to number of patrol units and as to pay of recruits.

8. Fixing a maximum speed limit for traffic on the highway.

9. Prohibiting the use of false and misleading advertisements in real estate development.

10. The appropriation of adequate funds for the operation of the South Florida Mental Hospital.

11. Allowing the commitment of mental patients to the South Florida Mental Hospital.

12. The appropriation of adequate funds for the architectural and engineering planning of an additional institution for the care of mentally retarded children, to be located in Lee County.

13. The appropriation of adequate funds to complete the 8th (or psychiatric floor), the 4th, 5th and 6th floors of Unit E, and the first floor of Unit H of the Teaching Hospital Building of the Florida Medical Center.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor, and caused the Great Seal of the State of Florida to be affixed hereto at Tallahassee, Florida, the Capital of the State, this 20th day of July, A. D. 1956.

(SEAL)

(s) LeROY COLLINS,
Governor.

BY THE GOVERNOR, ATTEST:

(s) R. A. GRAY,
Secretary of State.

By direction of the President the roll was called and the following Senators answered to their names:

Senator Woodrow M. Melvin—1st District
 Senator Philip D. Beall—2nd District
 Senator H. B. Douglas—3rd District
 Senator John Rawls—4th District
 Senator C. H. Bourke Floyd—5th District
 Senator Dewey M. Johnson—6th District
 Senator Wilson Carraway—8th District
 Senator James E. (Nick) Connor—9th District
 Senator W. T. Davis—10th District
 Senator J. Frank Houghton—11th District
 Senator Merrill P. Barber—12th District
 Senator R. B. (Bunn) Gautier—13th District
 Senator W. E. Bishop—14th District
 Senator Charley E. Johns—15th District
 Senator Harry O. Stratton—16th District
 Senator J. Graham Black—17th District
 Senator Fletcher Morgan—18th District
 Senator J. B. Rodgers, Jr.—19th District
 Senator L. K. Edwards—20th District
 Senator W. Randolph Hodges—21st District
 Senator S. D. Clarke—22nd District

Senator J. Ed. Baker—23rd District
 Senator William R. Neblett—24th District
 Senator George G. Tapper—25th District
 Senator B. C. Pearce—26th District
 Senator Doyle E. Carlton, Jr.—27th District
 Senator E. William Gautier—28th District
 Senator Edwin G. Fraser—29th District
 Senator Ted Cabot—30th District
 Senator Verle A. Pope—31st District
 Senator W. A. Shands—32nd District
 Senator Irlo Bronson—33rd District
 Senator Paul Kickliter—34th District
 Senator Fred O. Dickinson, Jr.—35th District
 Senator Joe Bill Rood—36th District
 Senator Douglas Stenstrom—37th District
 Senator J. C. Getzen, Jr.—38th District

—37.

A quorum present.

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

Almighty God, we pray that Thou wilt consecrate our Legislature this day to the welfare and good of our beloved State. Help the members to face difficult tasks with courage and determination. In the midst of all difficulties help us to give thanks in the realization of our needs and of Thy grace. Help us to confess to Thee our faults and to look to Thee for assurance and guidance. We offer our prayer through Christ our Redeemer. Amen.

Senator Carraway placed in nomination the name of Robt. W. Davis, to be Secretary of the Senate during the Extraordinary Session of the Legislature.

Upon call of the roll on the election of Robt. W. Davis, the vote was:

Yeas—37.

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

Nays—None.

So Robt. W. Davis was elected Secretary of the Senate for the Extraordinary Session of the Legislature.

The Honorable Elwyn Thomas, Justice of the Supreme Court of Florida, administered the oath of office to Robt. W. Davis.

Senator Stratton then placed in nomination the name of LeRoy Adkison to be Sergeant-at-Arms of the Senate during the Extraordinary Session of the Legislature.

Upon call of the roll on the election of LeRoy Adkison, the vote was:

Yeas—37.

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

Nays—None.

So LeRoy Adkison was elected Sergeant-at-Arms of the Senate for the Extraordinary Session of the Legislature.

The Honorable Elwyn Thomas, Justice of the Supreme Court of Florida, administered the oath of office to LeRoy Adkison.

Senator Bronson placed in nomination the name of Miss Kate Inman to be Reading Secretary of the Senate during the Extraordinary Session of the Legislature.

Which was agreed to and Miss Kate Inman was elected Reading Secretary of the Senate.

Senator Carlton moved that a committee be appointed to wait upon the Governor and inform His Excellency that the Senate is now organized and ready to proceed to the business of the Extraordinary Session.

Which was agreed to.

The President appointed Senators Carlton, Gautier (13th) and Pope as the committee.

The committee withdrew.

Senator Dickinson moved that a committee be appointed to notify the House of Representatives that the Senate is now organized and ready to proceed with the business of the Extraordinary Session.

Which was agreed to.

The President appointed Senators Dickinson and Bishop as the committee.

The committee withdrew.

A committee from the House of Representatives composed of Messrs. Boyd of Lake, Knight of Calhoun and Griffin of Polk appeared at the Bar of the Senate and notified the Senate that the House of Representatives was duly organized and ready to proceed with the business of the Extraordinary Session.

The committee withdrew.

The committee appointed to notify the House of Representatives of the organization of the Senate appeared at the Bar of the Senate and reported that its duty had been performed.

The committee was discharged.

The committee appointed to wait upon the Governor and notify His Excellency of the organization of the Senate appeared at the Bar of the Senate and conveyed to the Senate the following message from His Excellency:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

July 23, 1956

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

Dear Mr. President:

I would like the privilege of addressing a joint session of the Senate and House of Representatives today, Monday, July 23, as soon as it is convenient to you and the other members of the Legislature after the convening of the extraordinary session. I suggest the time of 2:30 p.m., if this is agreeable.

Respectfully,
LeROY COLLINS,
Governor.

The Committee was then discharged.

Senator Melvin moved that the Rules of the 1955 Regular Session be adopted to govern the Senate until such time as the Committee on Rules and Calendar may report Rules for

the Extraordinary Session and the same may be adopted by the Senate.

Which was agreed to and it was so ordered.

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

By Senator Melvin—

Senate Resolution No. 1-XX(56):

SPECIAL RULE FOR THE CONSIDERATION OF BILLS AND LEGISLATIVE BUSINESS AT THE EXTRAORDINARY SESSION OF THE LEGISLATURE PURSUANT TO THE PROCLAMATION OF THE GOVERNOR CONVENING THE EXTRAORDINARY SESSION, MONDAY, JULY 23, 1956.

WHEREAS, The Governor in his Proclamation convening this Legislature stated the purpose for which it is to be convened and under Section 8, Article IV of the Constitution, the Legislature shall transact no legislative business other than that for which it is especially convened or such other legislative business as the Governor may call to its attention while in session except by a two-thirds vote of each House; NOW, THEREFORE,

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

1. That each bill introduced or offered, except purely local bills, before being considered or placed on the Calendar for consideration shall either receive a two-thirds vote of the entire membership of the Senate authorizing such consideration or in lieu thereof shall be referred by the President of the Senate to the Committee on Rules and Calendar for its consideration of the sole question as to whether or not the subject matter of such bill is within the purpose stated by the Governor in his Proclamation convening the Extraordinary Session. This rule shall apply to all bills contained in House Messages.

2. It shall be the duty of the Committee on Rules and Calendar to report each such bill to the Senate within 24 hours after the same has been offered in the Senate or received in a House Message.

3. In the event the report of the Committee on Rules and Calendar shall be that a general bill is not embraced within the purposes stated by the Governor, the same shall not be placed on the Calendar and shall not be considered by the Senate without the affirmative vote of two-thirds of the membership of the Senate.

Which was read the first time in full.

Senator Melvin moved that the consideration of Senate Resolution No. 1-XX(56) be informally passed.

Which was agreed to and it was so ordered.

By Senator Melvin—

Senate Resolution No. 2-XX(56):

Relating to Committees of the Senate.

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

That the following be adopted as additional rules of the Senate:

Section 1. Rule 48-A. Unless otherwise specifically ordered by the Senate, the President shall also appoint the following standing committees:

General Legislation, to consist of thirteen members.

Mediterranean Fruit Fly, to consist of seven members.

Section 2. The Senate shall be resolved into a Committee of the Whole upon the affirmative vote of two-thirds of the members present.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 2-XX(56) was adopted.

The President announced the appointment of the following additional Standing Committees pursuant to Senate Resolution No. 2-XX(56):

Committee on General Legislation—Senator Melvin, Chairman; Senator Carraway, Vice-Chairman; Senators Carlton, Edwards, Gautier (28th), Johns, Johnson, Dickinson, Pearce, Pope, Rawls, Shands and Stenstrom.

Committee on Mediterranean Fruit Fly—Senator Barber, Chairman; Senator Dickinson, Vice-Chairman; Senators Edwards, Getzen, Stenstrom and Bronson. The 7th member to be appointed at a later date.

The President announced that all standing committees appointed, and as constituted during the Regular Session of the 1955 Legislature will remain the same during the Extraordinary Session with the following exceptions: Senator Dickinson will serve as Chairman of the Committee on Education; Vice-Chairman of the Committee on Veterans Affairs, Aviation and Radio; and member of the following Committees: Building and Loan Associations, Drainage and Water Conservation, Judiciary "A", Motor Vehicles, Oil and Natural Resources, Rules and Calendar, and Transportation and Traffic, replacing Senator Morrow on said committees; and, Senator Bishop will serve as Chairman of the Committee on Motor Vehicles; Vice-Chairman of the Committee on Forestry and Parks and member of the Committees on: Building and Loan Associations, Corporations, Finance and Taxation, Governmental Reorganization, Judiciary "B", Livestock, Publicity and Advertising, and State Institutions, replacing Senator Phillips on said Committees.

Senator Melvin moved that Senate Resolution No. 1-XX(56), consideration of which had been informally passed, be referred to the Committee on Rules and Calendar.

Which was agreed to and it was so ordered.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
July 23, 1956.

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

Sir:

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

By Mr. Surlles of Polk—

H.C.R. No. 2-XX:

A CONCURRENT RESOLUTION PROVIDING THAT THE HOUSE OF REPRESENTATIVES AND SENATE CONVENE IN JOINT SESSION IN THE CHAMBER OF THE HOUSE OF REPRESENTATIVES AT 2:30 P. M., JULY 23, 1956.

WHEREAS, His Excellency LeRoy Collins, Governor of Florida, has expressed a desire to address the Legislature of Florida in Joint Session on this day, Monday, July 23, 1956, at 2:30 p.m.;

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

That the House of Representatives and Senate convene in Joint Session in the Chamber of the House of Representatives at 2:30 p.m. this day, Monday, July 23, 1956, for the purpose of receiving His Excellency's message.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Concurrent Resolution No. 2-XX, contained in the above message, was read the first time in full.

Senator Melvin moved that the rules be waived and House Concurrent Resolution No. 2-XX be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 2-XX was read the second time in full.

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

Which was agreed to and House Concurrent Resolution No. 2-XX was adopted and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to House Concurrent Resolution No. 2-XX, the Senate formed in processional order and marched in a body to the Chamber of the House of Representatives in the order of their services as Senators, preceded by the President of the Senate, who was preceded by the Secretary of the Senate, the way being opened to the hall of the House of Representatives for the Senators by the Sergeant-at-Arms of the Senate.

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

The President in the Chair.

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

Mr. Speaker	Crews	Land	Rowell
Alexander	Cross	Livingston	Saunders
Allen	Dukes	Mahon	Shaffer
Andrews	Duncan	Maness	Sheppard
Arrington	Frederick	Marshburn	Shipp
Ballinger	Gibbons	McAlpin	Smith,S.C.
Bartholomew	Gleaton	Merritt	Smith,S.N.Jr.
Beasley	Griffin,B.H.Jr.	Mitchell	Stewart,C.D.
Beck	Griffin,J.J.Jr.	Moody	Stewart,E.L.
Belser	Grimes	Musselman	Surlles
Blank	Hathaway	Okell	Sweeny
Bodiford	Herrell	Orr	Tillett
Boyd	Hopkins	Page	Turlington
Brewer	Horne	Papy	Usina
Bryant	Inman	Patton	Varn
Burton	Jernigan	Peeples	Weinstein
Carmine	Johnson,C.R.Jr.	Petersen	Westberry
Chaires	Johnson,Tom	Pittman	Williams,B.D.
Chappell	Jones,D.C.Jr	Pratt	Williams,G.W.
Cleveland	Jones,E.B.	Pruitt	Williams,J.R.A.
Coleman	Jones,O.W.	Putnal	Youngberg
Conner	King	Revelle	Zelmenovitz
Cook	Knight	Roberts,E.S.	
Costin	Lancaster	Roberts,H.W.	

—94.

A quorum of the House of Representatives was declared present.

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

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

—37.

A quorum of the Senate was declared present.

The President announced a quorum of the joint assembly present.

Prayer was offered by the Reverend Oliver Carmichael.

Senator Shands moved that a Committee be appointed to inform His Excellency, LeRoy Collins, Governor of Florida, that the Joint Session of the Legislature was assembled and ready to receive his message.

Which was agreed to.

The President appointed Messrs. Hopkins of Escambia, Muselman of Broward and Land of Orange, on the part of the House of Representatives, and Senators Shands and Carlton, on the part of the Senate, as the committee.

The Committee withdrew.

The Committee appointed to wait upon the Governor reappeared in the hall of the House of Representatives escorting His Excellency, LeRoy Collins, Governor of Florida, accompanied by Honorable R. A. Gray, Secretary of State; Honorable Richard W. Ervin, Attorney General; Honorable Nathan Mayo, Commissioner of Agriculture; Honorable J. Edwin Larson, Treasurer; Honorable Thomas D. Bailey, Superintendent of Public Instruction and Honorable Ray E. Green, Comptroller, constituting the Cabinet of the State of Florida.

The Governor was received by the Joint Assembly standing, and was escorted to the rostrum.

The members of the Cabinet were seated immediately in front of the rostrum, and the Committee was discharged.

Governor Collins was presented to the Body by the President of the Senate and addressed the Joint Assembly.

At the conclusion of Governor Collins' address, he was escorted to his office by the committee previously appointed by the President.

Senator Melvin moved that the Joint Assembly dissolve and the Senators resume their session in the Senate Chamber.

Which was agreed to.

The Senate returned to the Senate Chamber in processional order and resumed its session at 3:17 o'clock P.M.

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

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

—37.

A quorum present.

Senator Melvin moved that the Senate revert to the introduction of Resolutions, Memorials, Bills and Joint Resolutions.

Which was agreed to by a two-thirds vote.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senators Barber, Carraway, Pearce, Baker, Black, Clarke, Stratton, Douglas, Cabot, Connor, Tapper, Bishop, Shands, Dickinson, Neblett, Getzen, Pope, Beall, Gautier (28th), Hodges, Melvin, Morgan, Bronson, Floyd, Fraser, Edwards, Gautier (13th), Johns, Carlton, Rodgers, Kicklitter, Johnson and Davis—

S. B. No. 3-XX(56)—A bill to be entitled An Act making an appropriation from the General Revenue Fund for the purpose of supplying immediate funds for the present emergency caused by the Mediterranean Fruit Fly infestation and for repaying of funds advanced in this emergency; providing for supervision and control by the State Budget Commission; providing certain restrictions on use; and providing an effective date.

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

By Senator Neblett—

S. B. No. 4-XX(56)—A bill to be entitled An Act making an appropriation from the General Revenue Fund for planning the construction of a new farm colony for the epileptic and

feeble-minded; authorizing the Board of Commissioners of State Institutions to select and acquire a site in Lee County, Florida; and providing an effective date.

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

By Senator Cabot—

S. B. No. 5-XX(56)—A bill to be entitled An Act relating to Florida State Hospitals; amending Section 394.22, Subsection (11) relating to commitments; providing effective date.

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

By Senator Cabot—

S. B. No. 6-XX(56)—A bill to be entitled An Act making an appropriation from the General Revenue Fund to the South Florida Mental Hospital for operations for the fiscal year 1956-57, supplementing the appropriation made under Item 23, Subsection (1) of Section 282.01, Florida Statutes, and providing an effective date.

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

By Senator Barber—

S. B. No. 7-XX(56)—A bill to be entitled An Act making an appropriation from the General Revenue Fund to the Department of Public Safety for operations, to supplement the appropriation made under Item 46, Subsection (1) of Section 282.01, Florida Statutes; and providing an effective date.

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

By Senator Barber—

S. B. No. 8-XX(56)—A bill to be entitled An Act relating to the compensation of employees and officers of the Florida Highway Patrol; amending Subsection (1) of Section 321.07, Florida Statutes, as amended by Section 1, Chapter 29962, Acts 1955; and providing an effective date.

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

By Senator Barber—

S. B. No. 9-XX(56)—A bill to be entitled An Act relating to the personnel of the Department of Public Safety; amending Section 321.04, Florida Statutes, as amended by Section 1, Chapter 29816, Acts 1955, by increasing the number of patrol officers authorized to be employed as members of the Florida Highway Patrol.

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

By Senators Johns, Baker, Pearce, Morgan, Bishop, Connor, Tapper, Stratton, Carraway, Melvin, Douglas, Clarke, Shands, Davis, Rodgers, Pope, Carlton, Stenstrom, Rood, Houghton, Rawls, Getzen, Bronson, Barber, Cabot, Floyd, Kicklitter, Neblett, Gautier (28th), Edwards, Johnson, Gautier (13th), Hodges, Dickinson, Beall, Fraser and Black—

S. B. No. 10-XX(56)—A bill to be entitled An Act to confer additional emergency powers upon the Governor of Florida; to authorize and empower the Governor to promulgate and enforce rules and regulations to protect the public against violence, property damage and overt threat of violence; to authorize the State Military Forces and Law Enforcement Agencies of State or County to enforce rules and regulations; to provide for posting rules and regulations and filing with the Secretary of State; providing an effective date.

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

By Senators Johns, Baker, Pearce, Morgan, Bishop, Connor, Tapper, Stratton, Carraway, Melvin, Douglas, Clarke, Shands, Davis, Rodgers, Pope, Carlton, Stenstrom, Rood, Houghton, Rawls, Getzen, Bronson, Barber, Cabot, Floyd, Kicklitter, Neblett, Gautier (28th), Edwards, Johnson, Gautier (13th),

Hodges, Dickinson, Beall, Fraser and Black—

S. B. No. 11-XX(56)—A bill to be entitled An Act relating to the management of the public schools at the local level; prescribing student admission policies with power to make appropriate rules and regulations and providing for the review of actions taken pursuant thereto; prescribing the duties of certain officials; authorizing the creation of advisory committees and study groups; authorizing employment of legal counsel; providing for surveys; authorizing redistricting of attendance areas and reallocation of school bus transportation routes; all pursuant to the police and welfare powers of the State; repealing Section 230.23(6)g., Florida Statutes; providing effective date.

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

By Senators Johns, Baker, Pearce, Morgan, Bishop, Connor, Tapper, Stratton, Carraway, Melvin, Douglas, Clarke, Shands, Davis, Rodgers, Pope, Carlton, Stenstrom, Rood, Houghton, Rawls, Getzen, Bronson, Barber, Cabot, Floyd, Kickliter, Neblett, Gautier (28th), Edwards, Johnson, Gautier (13th), Hodges, Dickinson, Beall, Fraser and Black—

S. B. No. 12-XX(56)—A bill to be entitled An Act relating to public school personnel; amending Subsection (2) of Section 231.36, Florida Statutes, as enacted by Section 1, Chapter 29890, Acts 1955, by authorizing the County Board of Public Instruction to choose school personnel from all available personnel when required to consolidate school programs; and providing an effective date.

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

By Senators Johns, Baker, Pearce, Morgan, Bishop, Connor, Tapper, Stratton, Carraway, Melvin, Douglas, Clarke, Shands, Davis, Rodgers, Pope, Carlton, Stenstrom, Rood, Houghton, Rawls, Getzen, Bronson, Barber, Cabot, Floyd, Kickliter, Neblett, Gautier (28th), Edwards, Johnson, Gautier (13th), Hodges, Dickinson, Beall, Fraser and Black—

S. B. No. 13-XX(56)—A bill to be entitled An Act to confer additional powers upon the Governor of the State of Florida; to authorize and empower the Governor of the State of Florida to protect the public against violence, property damage and overt threats of violence; to issue his proclamation and order; to authorize and direct the State Militia, the Sheriffs, or any State or County official of the State of Florida to prevent and quell tumults, riots or unlawful assemblies and to provide for the enforcement of the Governor's proclamation relating to the same by all the courts of the State of Florida.

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

By Senators Barber and Carraway—

S. B. No. 14-XX(56)—A bill to be entitled An Act making an appropriation from the General Revenue Fund for the general headquarters building of the Department of Public Safety; removing certain restrictions in the 1955 Appropriations Act relating to second priority as they apply to this project; and providing an effective date.

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

The President submitted to the Senate the question of whether or not the following bill should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session:

By Senator Black—

S. B. No. 15-XX(56)—A bill to be entitled An Act authorizing the Board of Public Instruction of Hamilton County, Florida, to construct and equip three gymnasiums in Hamilton County, Florida; to provide for the payment thereof by issuing interest-bearing certificates and pledging certain race track funds allocated to Hamilton County, Florida, from the tax realized from Committee Substitute for Senate Bills 288 and 294 of the 1955 Session of the Legislature; to appropriate sums heretofore paid Hamilton County under Section 4 of Chapter 30,000, Laws of Florida, 1955, for that purpose; to provide for

the distribution of the remainder of said money and the distribution after said certificates are retired.

And by a two-thirds affirmative vote of the Senate the bill was admitted for introduction and consideration by the Senate, and was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 15-XX(56) when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Black moved that the rules be waived and Senate Bill No. 15-XX(56) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 15-XX(56) was read the second time by title only.

Senator Black moved that the rules be further waived and Senate Bill No. 15-XX(56) 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. 15-XX(56) was read the third time in full.

Upon the passage of Senate Bill No. 15-XX(56) the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 15-XX(56) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senators Shands, Edwards, Stratton and Carraway—

S. B. No. 16-XX(56)—A bill to be entitled An Act making an appropriation from the General Revenue Fund for the Teaching Hospital at the University of Florida to supplement and to be used in conjunction with the appropriation made in Section 1, Chapter 29666, Acts of 1955; authorizing reallocation of funds in the 1955 appropriation; and providing an effective date.

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

By Senators Johns, Baker, Pearce, Morgan, Bishop, Connor, Tapper, Stratton, Carraway, Melvin, Douglas, Clarke, Shands, Davis, Rodgers, Pope, Carlton, Stenstrom, Rood, Houghton, Rawls, Getzen, Bronson, Barber, Cabot, Floyd, Kickliter, Neblett, Gautier (28th), Edwards, Johnson, Gautier (13th), Hodges, Dickinson, Beall, Fraser and Black—

Senate Concurrent Resolution No. 17-XX(56)—A Concurrent Resolution denouncing the usurpation of power by the Supreme Court of the United States and demanding the preservation of our inherent rights.

WHEREAS, in the life of a democratic nation when it becomes necessary for the people to take notice of and enter a solemn protest against any usurpation of power by those who have been entrusted with high public office, and to demand, as of right, that public officers remain subservient to the people and that they desist from assuming powers which have not, by the people, been placed in their hands, the opinions of their fellow men require that the people set forth in clear and unmistakable language the causes which impel them to such action.

To the end that the declarations now about to be made may be thoroughly understood, and the motives which impel them

may be fully appreciated, we first pronounce the following principles, each of which we hold to be an integral part of our American System of Government:

— 1 —

All political power is inherent in the people and all government derives all its powers from the consent of the governed.

— 2 —

When the people form a government by the adoption of a written constitution the words of that constitution are but the instrumentalities by which ideas, principles and plans present in the minds of those who adopt the constitution are recorded for accuracy and for preservation to posterity.

— 3 —

Those who are temporarily invested with power over their fellow countrymen, by being chosen to occupy public offices provided for in a constitution, are charged with a solemn responsibility to exercise only such powers as, under such constitution, have been entrusted to them.

— 4 —

A division of the powers of government into three departments, executive, legislative and judicial is expressed or implied in every constitution of the American union, including the constitution of the United States.

— 5 —

The constitution of the United States is a grant of powers to the central federal government, and all powers not delegated to the federal government by the constitution, nor prohibited by it to the states, are reserved to the states, or to the people.

— 6 —

The judicial powers delegated to the federal government are vested by the constitution in the federal judiciary and include the power to interpret, construe and apply the constitution of the United States.

— 7 —

The power to interpret, construe and apply the constitution is limited to an ascertainment of the ideas, principles and thoughts that were in the minds of those who drafted and adopted the constitution, including amendments thereto, and the application of those ideas, principles and thoughts to particular factual situations from time to time presented to the courts. The application of constitutional principles may differ with changing conditions, but the principles themselves are unchanging and unchangeable except by the people and then only by the method provided in the constitution.

— 8 —

A judicial construction of the constitution enunciated by the supreme court of the United States and understood and acquiesced in by the executive department, the congress and the people over a long period of time becomes as much a part of the fundamental law of the land as that which has been written in the constitution itself, and is binding equally upon the people, the states of the union, and the supreme court of the United States.

— 9 —

The constitution of the United States may be amended only in the manner provided in that constitution. In the course of history since the adoption of the constitution the people have twenty-one times found it expedient to amend the constitution, and when that unanimity of public opinion which justifies a change in the constitution has developed among the people they have found no difficulty in effecting the changes they found desirable.

— 10 —

The assumption by any public official, or group of public officials, of power to change the meaning of the constitution of the United States, other than by the method provided by article V of the constitution, is an abuse of public trust and a tyrannical usurpation of power; and

WHEREAS, under the constitution of the United States when evidences of the assumption of tyrannical powers appear in the executive or in the congress the people may, by means of the ballot, protect and preserve their liberties by the repudiation of those in office. But when the federal judiciary, which is insulated from the heat of political differences by the life tenure of its membership, enters upon a course of action inimicable to the rights of the people, this method of reform is unavailable. Under such circumstances those restraints which characterize men capable of self-government require that by orderly and peaceable means the inherent and unalienable rights and powers of the people shall be utilized to restore those rights of which they have unjustly and unlawfully been deprived.

We call to the attention of all thinking Americans the following unwarranted and unauthorized acts of invasion of the powers reserved to the states and to the people:

(1) By decisions rendered May 17, 1954, in *Brown vs. Board of Education of Topeka*, *Harry Briggs, Jr., et al., vs. R. W. Elliott, et al.*, *Dorothy E. Davis, et al., vs. County School Board of Prince Edward County, Virginia*, *Frances B. Gebhart, et al., vs. Ethel Louise Belton, et al.*, 347 US 483, 98 L. Ed. 873, the supreme court of the United States denied to the sovereign states of the American union the power to regulate public education by the use of practices first declared constitutional by the state of Massachusetts, adopted by the congress, approved by the executive, affirmed and reaffirmed by the supreme court of the United States and practiced by states for more than a century.

It has based these decisions upon matters of fact as to which the parties affected were not given an opportunity to offer evidence or cross examine the witnesses against them.

It has cited as authority for the assumed and asserted facts the unsworn writings of men, one of whom was the hireling of an active participant in the litigation. Others were affiliated with organizations declared by the attorney general of the United States to be subversive, and one of whom, in the same writing which the court cited as authority for its decision stated that the constitution of the United States is "impractical and unsuited to modern conditions."

In reaching its conclusion the supreme court has disregarded its former pronouncements and attempted to justify such action by the expedient of imputing ignorance of psychology to men whose knowledge of the law and understanding of the constitution could not be impugned, and has expressly predicated its determination of the rights of the people of the several sovereign states of the American union upon the psychological conclusions of Kotinsky, Brameld and Myrdal, and their ilk, rather than the legal conclusions of Taft, Holmes, Van DeVanter, Brandeis and their contemporaries upon the bench.

In reaching its conclusion the court, professing itself to be unable to ascertain the intent of those who adopted the fourteenth amendment to the constitution, arbitrarily chose to repudiate the solemn declaration of its meaning rendered under the sanctity of their oath of office by the justices of the supreme court of the United States at a time when all of its members were contemporaries of those who proposed, discussed, debated, submitted and adopted the amendment.

However, much as citizens of other states may approve and applaud these decisions, they dare not embrace the theory upon which they are based nor the fallacies therein contained lest they themselves by the application of the same theory and fallacies bring destruction to their institutions and to their liberties.

(2) In a decision rendered May 21, 1956, in *Railway Employees Department, American Federation of Labor, International Association of Machinists, et al., vs. Robert L. Hanson, et al.*, —US—, 100 L. Ed. (advance) p. 633, the supreme court of the United States held that a union shop agreement negotiated between certain railroads and certain organizations of employees of such railroads which had been authorized by an act of the congress superseded the right-to-work provisions of the constitution of the state of Nebraska and the state statutes enacted pursuant thereto.

The effect of this decision, made in a case instituted by free American citizens to enforce their rights under the constitution of the United States, was to deny these American

citizens the right to work at their chosen trade unless they became members of and contributed to the funds of organizations to which they did not wish to belong and to which they did not wish to contribute of their substance.

The effect of this decision was to advise these free American citizens that their right to be immune from any deprivation of liberty or property without due process of law, supposedly guaranteed to them by their federal constitution, did not extend to their right to work, supposedly guaranteed by the constitution of their state, as against the demands of a nonofficial labor organization that they pay to it money to be expended in the negotiation of labor contracts, the terms of which these citizens might or might not seek or desire.

The effect of this decision is to vest in the congress the power to prohibit, permit, or require, closed shops, union shops or open shops or to outlaw unions in each and every industry in America whose activities come within the present expanded concept of interstate commerce.

The effect of this decision is to abrogate, with respect to all employment in interstate business, the constitutions and laws of those seventeen sovereign American states which have sought to protect the rights of their citizens to a free and open labor market, making union membership optional with each worker, protecting him on the one hand from an employer who might desire the destruction of the union, and on the other hand from the union which might desire to exploit him or advocate policies which he did not endorse.

(3) By a decision rendered January 16, 1956, *Dantan George Rea vs. United States of America*, —U.S.—, 100 L. Ed. (advance) p. 213, the supreme court of the United States held that it was within the power of the federal courts to enjoin an officer of the executive department of the federal government from testifying in the courts of the state of New Mexico in a criminal prosecution of one charged with a violation of a statute of that state prohibiting the possession of marihuana.

In so doing the court assumed power to direct the activities of executive officers of the federal government to the extent of forbidding them from testifying voluntarily, or under the process of a state court, as to matters within their knowledge in a case in which no question of privilege or national security was involved.

In so doing the court assumed power to control the administration of local justice in state courts by the indirect method of forbidding witnesses to testify in such state courts while giving lip service to the letter of the rule which denies to the federal courts any power to control the acts or proceedings of state courts.

In so doing the court assumed power to fix the rules of evidence which should control the administration of justice in state courts.

In so doing the supreme court refused to follow the law as established by former decisions of that court, which were followed and adhered to for many years.

(4) By a decision rendered April 2, 1956, in *Commonwealth of Pennsylvania vs. Steve Nelson* —U.S.—, 100 L. Ed. (advance) p. 415, the supreme court of the United States has declared that, so long as the present federal law providing punishment for sedition exists, the sovereign state of Pennsylvania and those forty-one of her sister states who have enacted laws against sedition, are without power to enforce their statutes enacted for the purpose of preserving the lives and safety of their citizens from those who would by force and violence overthrow the government of the United States, the states themselves, or any of their political subdivisions.

This decision was rendered in the case of an acknowledged member of the communist party who had been duly convicted in the constitutional trial courts of Pennsylvania of violating the sedition laws of that commonwealth.

In reaching the conclusion announced, the supreme court refused to follow the previously accepted construction and interpretation of the constitution of the United States as stated in unmistakable language in prior decisions of that court.

In reaching the announced conclusion, the court decried, and seemed to find obnoxious the fact that under the Pennsylvania law a private citizen could set in motion the legal processes by which those charged with conspiracy against the

government of the commonwealth of Pennsylvania could be brought to trial and, if found guilty, be punished by due course of Pennsylvania law.

In reaching the announced conclusion the court dismissed with a casual comment in a footnote to its decision the solemn declaration of the congress that "Nothing in this title shall be held to take away or impair the jurisdiction of the courts of the several states under the laws thereof."

In reaching the announced conclusion the court did not limit the impact of its judgment to statutes involving sedition against the government of the United States, but expressly pointed out that a state has no power to enact laws for its own protection, but must rely upon the federal authorities for the suppression of sedition against the state itself or its political subdivisions.

(5) In a decision rendered April 23, 1956, in *Judson Griffin et al. vs. People of the state of Illinois*, —U.S.—, 100 L. Ed. (advance) p. 483, the supreme court of the United States held that the due process and equal protection clauses of the constitution of the United States rendered illegal the imprisonment of one charged with armed robbery and duly convicted in the trial court of Illinois, unless the state of Illinois provided the defendant, free of charge, with a transcript of the proceedings to be used in an appeal of his conviction.

The basis of this decision was that, since the law of Illinois authorized appeals in criminal cases, and the particular defendant in question was insolvent, the fourteenth amendment required the state to pay the costs of his appeal.

The effect of this decision is to place upon each of the states the duty of guaranteeing the financial ability of every citizen to exercise constitutional rights.

(6) By a decision rendered April 9, 1956, in *Harry Slochower vs. Board of Higher Education of the city of New York*, —U.S.—, 100 L. Ed. (advance) p. 449, the supreme court of the United States held that the city of New York had violated the constitution of the United States by the summary discharge of a public employee who had refused to answer questions relative to his communistic activities and claimed the benefit of the fifth amendment to the constitution in so doing.

In so holding the court held invalid a charter provision of the city of New York designed to provide for the removal, as quickly as possible, of those public employees who were deemed by the people of that great city to be unfit to be entrusted with any part in the administration of the public affairs of the city.

In so holding the court revoked the prompt removal from a state school of a teacher whose influence was deemed by the school authorities to be inimicable to the best interests of the students in such school.

In so holding the court construed the due process clause of the constitution to give to the federal courts the power to examine into minute details of all administrative state action and to apply arbitrarily to such state action the personal concepts of the justices of the supreme court rather than fixed principles of constitutional law; and

WHEREAS, these, and other decisions of the supreme court of the United States, can lead the student of law, of government, or of history to but one unavoidable conclusion:

As presently constituted, the supreme court of the United States has embraced the philosophy that the constitution of the United States is not a declaration of fixed or definite principles, unchanging in their meaning, although varying in their application to different factual situations. On the contrary, recent decisions are obviously the result of a theory that changing conditions and variations in social and economic practices justify the court in changing, by judicial fiat, the meaning of the constitution in order that it may serve what the members of the court deem to be the best interests of the people.

Unless the application of this concept of the powers of the supreme court of the United States in regard to the rights of the people, the powers of the different departments of government, and the separate and distinct powers of the states and of the federal government be stopped, the inevitable result will be to end the American system of constitutional government, and to substitute therefor government by a judicial oligarchy

under which the states, and the executive and legislative departments of the federal government may exercise only such powers as the federal judiciary deems fit to permit them to exercise; and NOW, THEREFORE,

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

Section 1. That we the PEOPLE OF THE STATE OF FLORIDA, speaking by and through our duly elected representatives in the senate and the house of representatives of the state of Florida, do hereby solemnly declare:

(1) That the supreme court of the United States of America as presently constituted knowingly, wilfully, and over the most respectful protest of litigants before the court, including many of the sovereign states of the union, has determined to, and has entered upon a policy of substituting the personal and individual ideas of the members of the court as to what the constitution of the United States should be for the letter of the constitution as it was written by our forefathers, the meaning of the constitution as it was understood by those who drafted it and voted for its adoption, and the intent of the constitution as it has been declared by the highest court of the nation over many years and in many able decisions.

(2) That the personal, social, economic and political ideas of the members of the supreme court of the United States do not constitute the proper criterion for the admeasurement of states rights or the powers of the several departments of the federal government or the rights of individual citizens.

(3) That acts of the federal judiciary in willfully asserting a meaning of the constitution unsupported by the written document, the history of the times in which it was adopted, the construction placed upon it by contemporary courts and the meaning ascribed to it by the people for generations constitutes usurpation of power which, if condoned by the people and allowed to continue, will destroy the American system of government.

Section 2. That, if wise and beneficent men may make changes in the constitution that are beneficial in the light of changing conditions, others may, with equal propriety make changes which will destroy the rights of the people. It was to guard against conferring the power upon public officials to make mistakes that the people reserved unto themselves the power to amend the constitution when changing conditions demand a change in the basic law.

That while disobedience to constituted authority is the mother of anarchy, it is the history of free men that they will not supinely permit government to become the master of the people, and will never yield unrestrained authority to any group of public officers.

Section 3. That it is the duty of every public official sworn to support the constitution of the United States, and of every citizen who would maintain the principles of government under which this nation has grown to its present greatness, regardless of their views as to the abstract justice of the result of any of the acts of usurpation herein enumerated to insist, and we do hereby insist and demand that the supreme court of the United States recede from its arbitrary assertion of power to change the fundamental law of the land to meet the personal views of its members as to the present needs of the people, leaving to the people themselves the responsibility of determining when, and to what extent, their constitution should be amended.

Section 4. That, and to this end we respectfully and earnestly urge the executive officers of the nation, the congress of the United States, the governor and the attorney general of each of our sister states, and the bar of America, the traditional defender of constitutional government, and all who love and revere the constitution of the United States, to join us in this declaration, and to do everything within the scope of their personal and official authority to initiate and effect an amendment to article X of the constitution of the United States defining the powers reserved to the respective sovereign states, enumerating and defining the powers so reserved to include, among others, the power to regulate the fields of activity mentioned in this report.

Section 5. That copies of this resolution be sent to the chief executive officers of each state in the union, the members

of congress of the United States, the attorney general of each sister state, the American Bar Association and to any other persons designated by the members of the legislature.

Which was read the first time in full and referred to the Committee on General Legislation.

Senator Melvin moved that the Senate recess until 3:55 o'clock P.M., this day.

Which was agreed to and the Senate took a recess at 3:31 o'clock P.M. until 3:55 o'clock P.M., this day.

The Senate reconvened at 3:55 o'clock P.M., pursuant to recess order.

The President in the Chair.

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

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

—37.

A quorum present.

By permission the following Reports of Committee were received:

REPORTS OF COMMITTEE

Senator Melvin, Chairman of the Committee on General Legislation, reported that the Committee had carefully considered the following Bills:

S. B. No. 10-XX (56)—A bill to be entitled An Act to confer additional emergency powers upon the Governor of Florida; to authorize and empower the Governor to promulgate and enforce rules and regulations to protect the public against violence, property damage and overt threat of violence; to authorize the State Military Forces and Law Enforcement Agencies of State or County to enforce rules and regulations; to provide for posting rules and regulations and filing with the Secretary of State; providing an effective date.

S. B. No. 11-XX (56)—A bill to be entitled An Act relating to the management of the public schools at the local level; prescribing student admission policies with power to make appropriate rules and regulations and providing for the review of actions taken pursuant thereto; prescribing the duties of certain officials; authorizing the creation of advisory committees and study groups; authorizing employment of legal counsel; providing for surveys; authorizing redistricting of attendance areas and reallocation of school bus transportation routes; all pursuant to the police and welfare powers of the State; repealing Section 230.23(6)g., 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 Melvin, Chairman of the Committee on General Legislation, reported that the Committee had carefully considered the following Bills:

S. B. No. 12-XX (56)—A bill to be entitled An Act relating to public school personnel; amending Subsection (2) of Section 231.36, Florida Statutes, as enacted by Section 1, Chapter 29890, Acts 1955, by authorizing the County Board of Public Instruction to choose school personnel from all available personnel when required to consolidate school programs; and providing an effective date.

S. B. No. 13-XX (56)—A bill to be entitled An Act to confer additional powers upon the Governor of the State of Florida; to authorize and empower the Governor of the State of Florida to protect the public against violence, property damage and overt threats of violence; to issue his proclamation and order; to authorize and direct the State Militia, the Sheriffs, or any State or County official of the State of Florida to prevent and quell tumults, riots or unlawful assemblies and to provide

for the enforcement of the Governor's Proclamation relating to the same by all the courts of the State of Florida.

—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 Melvin asked unanimous consent of the Senate to take up and consider Senate Bill No. 10-XX(56), out of its order.

Which was agreed to.

S. B. No. 10-XX(56)—A bill to be entitled An Act to confer additional emergency powers upon the Governor of Florida; to authorize and empower the Governor to promulgate and enforce rules and regulations to protect the public against violence, property damage and overt threat of violence; to authorize the State Military Forces and Law Enforcement Agencies of State or County to enforce rules and regulations; to provide for posting rules and regulations and filing with the Secretary of State; providing an effective date.

Was taken up.

Senator Melvin moved that the rules be waived and Senate Bill No. 10-XX(56) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 10-XX(56) was read the second time by title only.

Senator Melvin moved that the rules be further waived and Senate Bill No. 10-XX(56) 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. 10-XX(56) was read the third time in full.

Upon the passage of Senate Bill No. 10-XX(56) the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 10-XX(56) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Melvin asked unanimous consent of the Senate to take up and consider Senate Bill No. 11-XX(56), out of its order.

Which was agreed to.

S. B. No. 11-XX(56)—A bill to be entitled An Act relating to the management of the public schools at the local level; prescribing student admission policies with power to make appropriate rules and regulations and providing for the review of actions taken pursuant thereto; prescribing the duties of certain officials; authorizing the creation of advisory committees and study groups; authorizing employment of legal counsel; providing for surveys; authorizing redistricting of attendance areas and reallocation of school bus transportation routes; all pursuant to the police and welfare powers of the State; repealing Section 230.23(6)g., Florida Statutes; providing effective date.

Was taken up.

Senator Melvin moved that the rules be waived and Senate Bill No. 11-XX(56) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 11-XX(56) was read the second time by title only.

Senator Melvin moved that the rules be further waived and

Senate Bill No. 11-XX(56) 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. 11-XX(56) was read the third time in full.

Upon the passage of Senate Bill No. 11-XX(56) the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So Senate Bill No. 11-XX(56) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Melvin asked unanimous consent of the Senate to take up and consider Senate Bill No. 12-XX(56), out of its order.

Which was agreed to.

S. B. No. 12-XX(56)—A bill to be entitled An Act relating to public school personnel; amending Subsection (2) of Section 231.36, Florida Statutes, as enacted by Section 1, Chapter 29890, Acts 1955, by authorizing the County Board of Public Instruction to choose school personnel from all available personnel when required to consolidate school programs; and providing an effective date.

Was taken up.

Senator Melvin moved that the rules be waived and Senate Bill No. 12-XX(56) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 12-XX(56) was read the second time by title only.

Senator Melvin moved that the rules be further waived and Senate Bill No. 12-XX(56) 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. 12-XX(56) was read the third time in full.

Upon the passage of Senate Bill No. 12-XX(56) the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So Senate Bill No. 12-XX(56) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Melvin asked unanimous consent of the Senate to take up and consider Senate Bill No. 13-XX(56), out of its order.

Which was agreed to.

S. B. No. 13-XX(56)—A bill to be entitled An Act to confer additional powers upon the Governor of the State of Florida; to authorize and empower the Governor of the State of Florida to protect the public against violence, property damage and

overt threats of violence; to issue his proclamation and order; to authorize and direct the State Militia, the Sheriffs, or any State or County official of the State of Florida to prevent and quell tumults, riots or unlawful assemblies and to provide for the enforcement of the Governor's Proclamation relating to the same by all the courts of the State of Florida.

Was taken up.

Senator Melvin moved that the rules be waived and Senate Bill No. 13-XX(56) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 13-XX(56) was read the second time by title only.

Senator Melvin moved that the rules be further waived and Senate Bill No. 13-XX(56) 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. 13-XX(56) was read the third time in full.

Upon the passage of Senate Bill No. 13-XX(56) the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 13-XX(56) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Melvin moved that the rules be waived and when the Senate adjourns, it adjourn to reconvene at 2:00 o'clock P.M., Tuesday, July 24, 1956.

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

Senator Melvin moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 4:24 o'clock P.M., until 2:00 o'clock P.M., Tuesday, July 24, 1956.