

EXTRAORDINARY SESSION

JOURNAL OF THE SENATE

Wednesday, October 2, 1957

33

The Senate convened at 9:30 o'clock A. M., pursuant to adjournment on Tuesday, October 1, 1957.

The President in the Chair.

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

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kickliter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

—37.

A quorum present.

Senator Carlton was excused from attendance upon the Session.

The following Prayer was offered by the Senate Chaplain, The Reverend Harry B. Douglas:

O God, thou great Ruler of all the world, strengthen the sense of duty in our political life. Grant that the servants of the Legislature may be sensitive to and resistant of any temptation of diversion of their public powers for private ends. May they not be led away by plausible talk and party passion or shallow sentiment, but exercise calm and wise judgment in all tasks. Keep strong we beseech thee our leaders that they may always have a new vision of the future of our State and set their hearts on fire with large resolves. Raise up a new generation of men who will dedicate themselves to public life. And may those now serving and those to come have the faith and daring of the Kingdom of God in their hearts, and who will enlist for life in a holy warfare for the freedom and rights of the people—for whom our Lord, Jesus Christ, didst come and willingly die, we humbly pray. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Monday, September 30, 1957, was further corrected as follows:

Page 6, column 1, line 28, strike out the word "subjects" and insert in lieu thereof the word "subject".

Also—

Page 8, column 2, line 5, counting from the bottom of the column, following the letters "journing" and before the word "the" insert a comma.

Also—

Page 11, column 1, line 26, strike out the word "proportions" and insert in lieu thereof the word "proportion".

Also—

Page 13, column 2, line 11, strike out the word "purposes" and insert in lieu thereof the word "purpose".

Also—

Page 14, column 2, line 31, strike out the word "Sestion" and insert in lieu thereof the word "Section".

Also—

Page 14, column 2, line 8, counting from the bottom of the

column, strike out the word "not" and insert in lieu thereof the word "now".

Also—

Page 15, column 1, line 28, following the word "principal" and before the word "and" insert the word "of".

Also—

Page 15, column 1, line 38, strike out the letters "ute" and insert in lieu thereof the letters "tute".

Page 16, column 2, at the end of line 15, following the word "uniformed" insert a comma.

Also—

Page 16, column 2, line 17, counting from the bottom of the column, strike out the word "elections" and insert in lieu thereof the word "election".

Also—

Page 18, column 1, line 7, strike out the word "law" and insert in lieu thereof the word "laws".

Also—

Page 18, column 2, line 2, counting from the bottom of the column, strike out the word "their" and insert in lieu thereof the word "this".

And as further corrected was approved.

The Senate daily Journal of Tuesday, October 1, 1957, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

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

S. J. R. No. 12-X(57)—A Joint Resolution proposing revision of Article X of the Constitution of the State of Florida.

—and recommends that the same pass with committee amendments as attached thereto.

And the Joint Resolution contained in the preceding report, together with the committee amendments attached thereto, was placed on the Calendar of Bills on Second Reading.

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

S. J. R. No. 11-X(57)—A Joint Resolution proposing revision of Article IX of the Constitution of the State of Florida.

—and recommends that the same pass.

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

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

S. J. R. No. 13-X(57)—A Joint Resolution proposing revision of Article XI of the Constitution of the State of Florida.

—and recommends that the same pass with committee amendment as attached thereto.

And the Joint Resolution contained in the preceding report, together with the committee amendment attached thereto, was placed on the Calendar of Bills on Second Reading.

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

S. J. R. No. 10-X(57)—A Joint Resolution proposing revision of Article VIII of the Constitution of the State of Florida.

—and recommends that the same pass.

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

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

S. J. R. No. 9-X (57)—A Joint Resolution proposing revision of Article VII of the Constitution of the State of Florida.

—and recommends that the same pass.

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

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

S. J. R. No. 14-X (57)—A Joint Resolution proposing revision of Article XII of the Constitution of the State of Florida.

—and recommends that the same pass with committee amendment as attached thereto.

And the Joint Resolution contained in the preceding report, together with the committee amendment attached thereto, was placed on the Calendar of Bills on Second Reading.

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

S. J. R. No. 7-X (57)—A Joint Resolution proposing revision of Article IV of the Constitution of the State of Florida.

—and recommends that the same pass with committee amendments as attached thereto.

And the Joint Resolution contained in the preceding report, together with the committee amendments attached thereto, was placed on the Calendar of Bills on Second Reading.

ENGROSSING REPORT

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

S. J. R. No. 6-X (57)—A Joint Resolution proposing revision of Article II of the Constitution of the State of Florida.

—begs leave to report that the Senate Amendment has been incorporated in the Joint Resolution 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 Joint Resolution No. 6-X (57), contained in the above report was ordered certified to the House of Representatives, immediately.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senators Johnson, Rawls, Davis and Adams—

Senate Joint Resolution No. 22-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE III OF THE CONSTITUTION OF THE STATE OF FLORIDA.

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

Section 1. The following proposed revision of Article III of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE III

LEGISLATIVE

Section 1. **Composition.**—The legislative power of the state shall be vested in a Legislature of the State of Florida, consisting of a Senate and a House of Representatives, whose sessions shall be held at the seat of government.

Section 2. (a) **Regular sessions—extensions.**—A regular legislative session shall be convened on the first Tuesday after the first Monday in April of each odd-numbered year for not more than sixty consecutive days; provided, by three-fifths vote of the membership of each house it may be extended from time to time for periods not exceeding in the aggregate thirty calendar days, not necessarily consecutive but not extending beyond the following August, during which no new legislation may be introduced without the consent of two thirds of the house in which it originates.

(b) **Extra sessions.**—When within sixty days from the filing of the first certificate one fifth of the membership of each house of the legislature shall have filed with the secretary of state their certificates that an extra session of the legislature is required for the common good, he shall within seven days thereafter give notice thereof to all legislators by registered mail and poll them on the question: "Shall such session be held?" If three fifths of the membership of each house shall within fifteen days after such mailing file with him their affirmative votes thereon, he shall call such session to convene on a date fixed by him not less than fourteen or more than twenty-one days after such mailing. Such session shall not exceed thirty consecutive days.

(c) **Special sessions.**—The governor may by proclamation stating the purpose convene the legislature in special session not to exceed twenty consecutive days, during which only such legislative business may be transacted as pertains to reapportionment, if action thereon is necessary, or as is within the purview of the proclamation or of a communication from the governor or is introduced by consent of two thirds of each house.

(d) **Reapportionment sessions.**—Should the legislature fail to reapportion its representation at any regular session as herein provided, the governor shall within thirty days after adjournment thereof call the legislature into reapportionment session to perform its duty in that behalf. Such session shall transact no other business and shall complete reapportionment before adjournment; provided, after the lapse of sixty days from the date such session is convened the governor by proclamation or the legislature by concurrent resolution may adjourn the session to a certain date or sine die.

(e) **Organization—expenses.**—The legislature may provide for its organization, expenses, and other incidental matters, including per diem of members.

(f) **Adjournment by governor.**—If the two houses cannot agree upon a time for adjournment, the governor may adjourn the session sine die or to any date within the period authorized for such session; provided, at least two legislative days other than recess days before adjourning the session he shall give each house formal written notice of his intention to do so, and agreement reached within that period by both houses on a time for adjournment shall prevail.

Section 3. (a) **First legislature.**—The first legislature shall be composed of the legislators elected pursuant to the constitution of 1885, whose terms of office shall expire as therein provided, and of the additional legislators created hereby. If this article becomes effective as the result of a special election thereon the additional legislative offices created hereby shall be filled at the general election in 1958. If this article becomes effective as the result of a general election the additional legislative offices created hereby shall be filled by a special election, as provided by law, as early as practicable after the effective date hereof. Senators from odd-numbered districts shall be those elected in 1956 and senators from even-numbered districts shall be those elected in 1958; provided, the first senators from the additional odd-

numbered districts created hereby shall be elected, at a general or special election as provided in this subsection, for a term expiring with the terms of senators from the other odd-numbered districts.

(b) **Terms of legislators—vacancies.**—Except as provided herein for the first senators from the additional odd-numbered districts created hereby, each representative shall be elected for a term of two years and each senator for a term of four years, by the electors of the area within which he qualifies, at a general election held in the year in which the term of the incumbent expires. He shall take office upon election. Vacancies shall be filled only by special election as provided by law.

(c) **Qualifications of legislators.**—Each legislator shall be at least twenty-one years of age and an elector and resident of the area from which elected.

(d) **Eligibility for other office.**—Except as provided herein, no legislator shall during the term for which elected be appointed to any state civil office created by the legislature during such term.

(e) **Compensation—allowances.**—Each legislator shall receive compensation, payable monthly, and travel and per diem allowances as provided by law.

Section 4. Representation—apportionment.—(a) **Senate.**—The state shall be apportioned into forty-five senatorial districts designated by number in consecutive order. Such apportionment shall provide fairness and equity among districts, based upon population and such other pertinent factors as may be determined by the legislature at the time of apportionment; provided:

- (1) There shall be only one senator for each district;
 - (2) No district shall be composed of more than three counties;
 - (3) Counties forming a district shall not be entirely separated by territory of another district; and
 - (4) No county shall be divided in creating a district.
- (b) **House of representatives.**—The representation in the house of representatives shall be apportioned as follows:
- (1) Five representatives for the most populous county;
 - (2) Four representatives for each of the next two most populous counties;
 - (3) Three representatives for each of the next seven most populous counties;
 - (4) Two representatives for each of the next twenty-three most populous counties; and
 - (5) One representative for each other county.

(c) **First apportionment—reapportionment.**—The first apportionment of each legislative house shall become effective upon adoption hereof, and at the regular session in 1965 and decennially thereafter the legislature shall reapportion its representation in accordance herewith. Should it fail to do so, its duty shall continue in every session, of whatever type.

(d) **Representation of newly created county.**—A newly created county shall have one representative in the house of representatives until the succeeding reapportionment, and until that time it shall be part of such adjoining senatorial district as the legislature shall designate.

Section 5. Organization—officers.—Each house shall be the sole judge of the qualifications, elections, and returns of its members, and upon convening each regular session shall choose its officers, including a permanent presiding officer selected from its membership, who shall be designated in the senate as President of the Senate, and in the house as Speaker of the House of Representatives. The senate shall designate a Secretary, to serve at its pleasure, and the house of representatives shall designate a Chief Clerk, to serve at its pleasure.

Each house of the legislature shall provide a liaison representative to the budget commission. He shall be responsible to his appointive house only, shall have access to all records

and information available to the budget commission, and may sit with it at any time.

Section 6. Procedure—adjournment—open doors—journal—discipline—compelling attendance.—Except as provided herein, each house shall determine its rules of procedure. Neither house may adjourn for more than three days without the consent of the other. The senate may close its doors to the public while sitting in executive session. Other sessions of each house shall be public. Each house shall keep and publish a journal of its proceedings, in which the yeas and nays of each member on any question shall be entered upon request of five members present. Each house may punish a member for contempt and by two-thirds vote may expel him. A majority of the members elected to each house shall constitute a quorum, but less than a quorum may adjourn from day to day, compel attendance of absent members, and prescribe penalties for failure to attend.

Section 7. Attendance of witnesses—production of evidence—contempt and penalties.—Each house may when in session compel attendance of witnesses and production of public and private documents and other evidence upon any matter under investigation before it or any of its committees, and may punish by fine not exceeding \$1,000 or imprisonment not exceeding ninety days any person not a member who has been guilty of disorderly or contemptuous conduct in its presence or has refused to obey its lawful summons or to answer lawful questions. For making investigations between sessions the legislature may confer such powers upon any committee of legislators by a law limited to the committee designated, to a stated period of operation, and to the matters specifically assigned. The manner of exercising such powers, including the fixing of witness fees and expenses and appropriate right of appeal, shall be prescribed by law.

Section 8. Form of bill—one subject—title—amendment—enacting clause.—Every law shall embrace but one subject and matter properly connected therewith, which subject shall be briefly expressed in the title. No law shall be revised or amended by reference to its title only. Laws to revise or amend shall set out in full the revised act or amended section, subsection, or paragraph of a subsection. The enacting clause of every law shall read: "Be it enacted by the Legislature of the State of Florida."

Section 9. Passage of bills.—Any bill may originate in either house and after passage in one may be amended in the other. In each house it shall be read on three separate days unless two thirds waive this rule. Its first reading shall be by title only unless one third order it read in full. Its second reading shall be in full unless two thirds order it read by title only. Its third reading shall be in full unless it is a general revision of the entire laws, in which instance two thirds may order it read by title only. In each house passage of a bill shall require a majority vote. On final passage the vote in each house shall be taken by yeas and nays and entered on its journal. The bill shall be signed by the presiding officers of the respective houses and by the secretary of the senate and the chief clerk of the house of representatives.

Section 10. Executive approval—veto—item veto of appropriations—repassage.—Every bill passed by the legislature shall be presented to the governor for his approval and shall become a law if he approves and signs it, or fails to do so or to veto it within seven days after presentation; provided, if during such period the legislature finally adjourns or takes a recess of more than thirty days he shall have twenty days from the date of adjournment or recess to act on the bill. In all cases except general appropriation bills, the veto shall extend to the entire bill. The governor may veto specific items of a general appropriation bill except the expression of legislative intent as to expenditures.

When a bill or any item of a general appropriation bill has been vetoed by the governor, he shall transmit his signed objections thereto to the house in which the bill originated. If that house is not in session he shall file them with the secretary of state, who shall lay them before that house at its next session, and they shall be entered on its journal.

If each house shall reenact the bill or reinstate a vetoed item of an appropriation bill by two-thirds vote, the yeas and nays shall be entered on the respective journals, and

the bill shall become law or the item reinstated, the veto notwithstanding.

Section 11. Effective date of laws.—No law shall take effect until sixty days from the final adjournment of the session of the legislature in which enacted; provided, by amendment adopted separately by two-thirds vote of each house the legislature may set an earlier effective date.

The classification by general law of counties, municipalities, and special districts according to population shall, as to those falling within a different class by reason of change in population, become operative thirty days after the adjournment of the regular session of the legislature next convening after certification of the census establishing such change.

Section 12. Distribution of laws—judicial decisions.—The legislature shall provide for the speedy publication and distribution of all laws. Laws and judicial decisions shall be free for publication by any person.

Section 13. Special and local laws—requisites for enactment.—No special law or local law shall be passed unless notice of intention to seek enactment thereof has been published in the manner provided by law, in each county in the area to be affected thereby, not less than thirty days or more than ninety days prior to introduction in the legislature. The fact that publication has been made shall be recited on the journal of each house and the evidence of publication shall be preserved with the bill in the office of the secretary of state. Such notice shall not be necessary when the law is conditioned to become effective only upon approval by vote of the electors.

Section 14. Types of special and local laws prohibited.—The legislature shall not pass any special or local law pertaining to:

- (1) jurisdiction, duties, fees other than those for special county purposes, or election, including the opening and conducting thereof and the designation of places of voting, of any officers except municipal officers;
- (2) assessment or collection of taxes for state or county purposes, including extension of time therefor, relief of tax officers from due performance of their duties, and relief of their sureties from liability;
- (3) practice or rules of evidence of any court;
- (4) punishment for crime;
- (5) grand or petit juries, including compensation of jurors, except establishment of jury commissions;
- (6) change of civil or criminal venue;
- (7) conditions precedent to bringing any civil or criminal proceedings, or limitations of time therefor;
- (8) refund of money legally paid or remission of fines, penalties, or forfeitures;
- (9) creation, enforcement, extension, or impairment of liens, or fixing of interest rates on private contracts;
- (10) disposal of public property, including any interest therein;
- (11) vacation of roads;
- (12) private incorporation or grant of privilege to a private corporation, except as to a ship or barge canal across the state;
- (13) effectuation of invalid deeds, wills, or other instruments, or change in the law of descent;
- (14) change of name of any person;
- (15) divorce;
- (16) legitimation or adoption of persons;
- (17) relief of minors from legal disabilities;
- (18) transfer of any property interest of persons under legal disabilities or of estates of decedents;
- (19) fishing or hunting;

- (20) regulation of trades, professions, or occupations. The legislature may by general law prohibit special or local laws on any other subject. Repeal thereof shall be by general law only.

Section 15. Impeachment—effect—filling office during trial.—The governor, justices of the supreme court, members of the cabinet, judges of district courts of appeal, and judges of the circuit court may be removed from office only by impeachment by the house of representatives by two-thirds vote. Impeachments shall be tried by the senate, whose members shall be upon oath or affirmation when sitting for that purpose, and conviction shall require concurrence by two-thirds vote. The senate may adjourn to a fixed date for the trial, which date shall be not more than six months from the time articles of impeachment are preferred. The house of representatives need not be in session during the trial. The chief justice or an associate justice appointed by him shall preside at the trial unless the chief justice is on trial, in which event the governor shall preside. Judgment shall extend only to removal from office and disqualification to hold any office of honor, trust, or profit under the state, and shall not affect the criminal or civil liability of the convicted officer.

An impeached officer shall immediately be disqualified from performing any duties until acquitted by the senate, and unless the governor is impeached he may by appointment fill the office until completion of trial.

Section 16. Appropriation bills—withdrawal of public funds.—Laws making appropriations for salaries of public officers and other current expenses of the state shall contain provisions on no other subject.

Section 17. Civil service systems and boards.—The legislature may create or abolish civil service systems and boards for state, county, district, or municipal employees, and also for such officers thereof as are not appointed by the governor or elected, and may authorize such boards to prescribe the qualifications, methods of selection, and tenure of such employees and officers.

Section 18. Welfare.—The legislature may provide by general law for a uniform system of benefits to residents having claim upon the aid and sympathy of society by reason of age, infirmity, or misfortune. No person shall receive state benefits unless he has been a resident of the state for five years immediately preceding application and, if application is based solely on age, has reached the age of sixty-five; provided, when necessary to secure state participation in federal funds the legislature may adopt the federal requirements then in effect.

Section 19. Mechanics liens.—The legislature shall provide for giving to mechanics and other laborers an adequate lien on the subject matter of their labor.

Section 20. Alcoholic beverages—legislative authority.—In those counties in which the sale of intoxicating beverages is not prohibited as herein provided, the legislature shall regulate the manufacture and sale thereof by private persons or provide for the manufacture or sale thereof by the state or a state agency.

Section 21. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, IV, and VI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

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

By Senators Johnson, Rawls, Davis and Adams—

Senate Joint Resolution No. 23-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF FLORIDA.

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

Section 1. The following proposed revision of Article XIII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE XIII
SCHEDULE

Section 1. **Constitution—effective date—short title.**—This constitution shall take effect at noon, eastern standard time, on the sixtieth day after its adoption, and as adopted and as thereafter amended, together with Article V of the constitution of 1885 as amended, it shall bear the short title: Florida Constitution of 1958. When the Preamble and Articles I through IV and VI through XIV hereof become effective all articles of the constitution of 1885 except Article V shall be superseded thereby and are repealed as of that date.

Section 2. **Existing laws, legal rights, and liabilities—continuance.**—All laws, regulations, ordinances, and rules of court not in conflict herewith shall continue in force until repealed or amended. Unless otherwise provided herein, no existing judgment, decree, writ, action, cause of action, prosecution, contract, claim, charter, franchise, or other existing right or liability shall be affected hereby.

Section 3. **First elections—continuance of incumbents.**—Except as provided herein for election of legislators in the first legislature hereunder, the first elections hereunder shall be at the general election in 1958. Each person holding public office at the adoption hereof shall continue therein for the remainder of the term for which elected; provided, at the effective date hereof the board of public instruction in each county shall become the county school board hereunder, the school district trustees and special tax school district trustees shall cease to hold office, and their duties not inconsistent herewith shall be performed by the county school board.

Section 4. **Effective date of this article.**—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through XII, and XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

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

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 Senators Beall and Carraway—

S. B. No. 24-X(57)—A bill to be entitled An Act amending Chapter 30285, Laws of Florida, Acts of 1955, providing that parts of State Road Ninety (90) also known as U. S. 41, State Road Forty-Five (45) also known as U. S. 41, State Road Fifty-Five (55) also known as U. S. 19, State Road Twenty (20) also known as U. S. 27, and State Road Ten (10) also known as U. S. 90 shall form the parts of a highway extending from Miami, Florida, to the Alabama-Florida state line west of Pensacola, Florida, to be known as "Blue Star Memorial Highway".

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.

Senator Beall moved that the rules be waived and Senate Bill No. 24-X (57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 24-X(57) was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 24-X (57) 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. 24-X (57) was read the third time in full.

Upon the passage of Senate Bill No. 24-X(57) the roll was called and the vote was:

Yeas—36.

Mr. President	Bronson	Gautier	Knight
Adams	Cabot	Getzen	Morgan
Barber	Carraway	Hair	Neblett
Beall	Clarke	Hodges	Pearce
Belser	Connor	Houghton	Pope
Bishop	Davis	Johns	Rawls
Boyd	Dickinson	Johnson	Rood
Brackin	Eaton	Kelly	Stenstrom
Branch	Edwards	Kickliter	Sutton

Nays—None.

So Senate Bill No. 24-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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 Brackin—

S. B. No. 25-X(57)—A bill to be entitled An Act repealing Chapter 57-1623, reassessing taxes in all counties of the state having a population of not less than twenty seven thousand (27,000) nor more than twenty eight thousand (28,000) according to the latest official state-wide decennial census; providing an effective date.

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.

Senator Brackin moved that the rules be waived and Senate Bill No. 25-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 25-X(57) was read the second time by title only.

Senator Brackin moved that the rules be further waived and Senate Bill No. 25-X(57) 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. 25-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 25-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kicklitter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So Senate Bill No. 25-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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 Beall—

S. B. No. 26-X(57)—A bill to be entitled "An Act authorizing the granting of leaves of absence, for a period not to exceed a total of eighteen months, to employees of Escambia County, Florida, and employees of any municipality therein in order to permit such employees to perform services for the Quadricentennial Commission of Pensacola; providing that such leaves of absence when granted shall be without prejudice to the civil service status, seniority, compensation, retirement or pension rights or any other rights of such employees under any law in effect and providing for the effective date of this Act, if approved at a referendum election authorized hereafter to be called and held."

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.

Senator Beall moved that the rules be waived and Senate Bill No. 26-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 26-X(57) was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 26-X(57) 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. 26-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 26-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kicklitter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So Senate Bill No. 26-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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 Beall—

S. B. No. 27-X(57)—A bill to be entitled "An Act authorizing, empowering and requiring the Board of County Commissioners of Escambia County, Florida, to levy a tax for the purpose of aiding, promoting and sponsoring the quadricentennial celebration of 1959 and to contribute and donate funds and to loan and advance to the Quadricentennial Commission of Pensacola, or its duly authorized nominee or successor, so as to provide in part for the development of public properties and to partly defray the cost of the public celebration of the 400 anniversary of the establishment of a Spanish colony at Pensacola, Florida; authorizing the execution of instruments and agreements for the contribution of specified funds to such commission for certain periods; authorizing the issuance of notes, time warrants and certificates of indebtedness in anticipation of the receipt of taxes to be levied and collected hereunder; authorizing the Board of County Commissioners of Escambia County, Florida, on behalf of said county, to accept transfers of personal property and conveyances of real property on Santa Rosa Island lying west of the properties now owned by said county including improvements thereon, and in event of the acceptance of any such conveyance, requiring said board, after all indebtedness of the Quadricentennial Commission has been paid, to pro-rate between Escambia County and the City of Pensacola, according to the amounts contributed to the Quadricentennial Commission of Pensacola by each, until the City of Pensacola has been reimbursed in full for any contribution made to the Quadricentennial Commission of Pensacola, the net revenues accruing to the county from any properties acquired under the provisions of this Act from the Quadricentennial Commission of Pensacola or the State of Florida, (and after such reimbursement all net revenues) shall inure to the benefit of Escambia County, Florida; providing that such notes, time warrants and certificates are securities in which funds belonging to or under the control of the state, municipalities, counties, insurance companies and associations, savings banks and banking institutions, including savings and loan associations, administrators, guardians, executors, trustees, and other fiduciaries, may be legally invested, and providing that such Act shall not become effective unless ratified by a majority of the qualified electors of the County of Escambia participating in a special election which shall be called and held as herein provided; providing for the appointment of election officials and that such special election may be held without limitation on any date designated by the Board of County Commissioners; providing for a canvass of the votes cast at said election, and the effective date of this Act, and repealing Chapter 57-1311, Florida Statutes (Senate Bill S 1273) and all conflicting legislation."

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. 27-X(57) 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. 27-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 27-X(57) was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 27-X(57) 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. 27-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 27-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kicklitter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So Senate Bill No. 27-X (57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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 Beall—

S. B. No. 28-X (57)—A bill to be entitled "An Act authorizing, empowering and requiring the City of Pensacola to levy a tax for the purpose of aiding, promoting and sponsoring the quadricentennial celebration of 1959 and to contribute and donate funds and to loan and advance to the Quadricentennial Commission of Pensacola, or its duly authorized nominee or successor, so as to provide in part for the development of public properties and to partly defray the cost of the public celebration of the 400th anniversary of the establishment of a Spanish colony at Pensacola, Florida; authorizing the execution of instruments and agreements for the contribution of specified funds to such commission for certain periods; authorizing the issuance of notes, time warrants and certificates of indebtedness in anticipation of the receipt of taxes to be levied and collected hereunder; providing that such notes, time warrants and certificates are securities in which funds belonging to or under the control of the state, municipalities, counties, insurance companies and associations, savings banks and banking institutions, including savings and loan associations, administrators, guardians, executors, trustees, and other fiduciaries, may be legally invested, and providing that such act shall not become effective unless ratified by a majority of the qualified electors of the City of Pensacola participating in a special election which shall be called and held as herein provided; providing for the appointment of election officials and that such special election may be held without limitation on any date designated by the City Council; providing for a canvass of the votes cast at said election, and the effective date of this act, and repealing Chapter 57-1719, Florida Statutes (Senate Bill S1274) and all conflicting legislation:"

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. 28-X(57) 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. 28-X (57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 28-X (57) was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 28-X(57) 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. 28-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 28-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kicklitter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So Senate Bill No. 28-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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 Beall—

S. B. No. 29-X(57)—A bill to be entitled "An Act authorizing the City of Pensacola to amend its budget for the fiscal year of 1957-1958 at any time prior to October 1, 1958, so as to include an appropriation for an amount not to exceed \$10,000 to be used as a contribution by the City to the Quadricentennial Commission of Pensacola and to make such contribution notwithstanding the fact that such appropriation and contribution may result in a budgetary or actual deficit for the fiscal year of 1957-1958 to the extent of such appropriation and contribution; all laws and parts of laws in conflict herewith be and the same are hereby repealed:"

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. 29-X(57) 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. 29-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 29-X(57) was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 29-X(57) 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. 29-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 29-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kicklitter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So Senate Bill No. 29-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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 with the purview of the Governor's Proclamation convening the Extraordinary Session:

By Senator Beall—

S. B. No. 30-X(57)—A bill to be entitled "An Act to declare that all of the powers conferred upon the quadricentennial commission of Pensacola by law, and the exercise of such powers, or any of them, to be county purposes and to exempt from state, county, municipal and all other ad valorem taxes, all of the real and personal property owned, controlled or used by said quadricentennial commission of Pensacola under or by virtue of any law and for any of the purposes authorized by any law, including real and personal property occupied, rented or leased to others by said quadricentennial commission of Pensacola; providing for a referendum election to determine whether the act shall become a law:"

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.

Senator Beall moved that the rules be waived and Senate Bill No. 30-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 30-X(57) was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 30-X(57) 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. 30-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 30-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kicklitter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So Senate Bill No. 30-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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 Beall—

S. B. No. 31-X(57)—A bill to be entitled "An Act creating Quadricentennial Commission of Pensacola; providing for the organization thereof and the appointment, removal and duties of its directors, who will be known as commissioners; granting certain powers and authority to such commissioners and providing for the duties of the officers and employees thereof; finding certain facts to exist and authorizing said commission to promote, sponsor and operate a quadricentennial public celebration in Escambia County, commemorating the 400th anniversary of the establishment of a Spanish colony in Pensacola, Florida; authorizing the acquisition, purchase, construction, operation, lease and sale of property of all kinds and facilities; authorizing the improvement and development of lands on Santa Rosa Island and of transportation thereto; authorizing the execution of instruments and agreements with persons, firms, corporations, municipal corporations, the State of Florida and the Board of County Commissioners of Escambia County and any departments or agencies of said state or county; authorizing the issuance of

promissory notes, debentures, revenue bonds, certificates of indebtedness, time warrants and other evidences of indebtedness or obligations and providing for the terms and provisions to be contained therein; providing that such promissory notes, debentures, revenue bonds, certificates of indebtedness, time warrants and other evidences of indebtedness or obligations are securities in which funds belonging to or under the control of the state, municipalities, counties, insurance companies and associations, savings banks and banking institutions, including savings and loan associations, administrators, guardians, executors, trustees, and other fiduciaries, may be legally invested; providing that the officers and employees of the commission shall not be subject to civil service rules and regulations nor to provisions of law relating to contracts by public bodies, and repealing all conflicting legislation;"

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. 31-X(57) 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. 31-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 31-X(57) was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 31-X(57) 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. 31-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 31-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kicklitter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So Senate Bill No. 31-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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 Senators Shands and Pope—

S. B. No. 32-X(57)—A bill to be entitled An Act relating to retirement of state and county officers and employees; amending Subsection (1) of Section 122.16, Florida Statutes, by the addition of paragraph (e), providing a method of transfer to Division "B" of the Retirement System; providing an effective date.

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.

Senator Pope moved that the rules be waived and Senate Bill No. 32-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 32-X(57) was read the second time by title only.

Senator Pope moved that the rules be further waived and Senate Bill No. 32-X(57) 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. 32-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 32-X (57) the roll was called and the vote was:

Yeas—36.

Mr. President	Bronson	Getzen	Morgan
Adams	Cabot	Hair	Neblett
Barber	Carraway	Hodges	Pearce
Beall	Clarke	Houghton	Pope
Belser	Connor	Johns	Rawls
Bishop	Davis	Johnson	Rood
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kickliter	Stratton
Branch	Gautier	Knight	Sutton

Nays—None.

So Senate Bill No. 32-X (57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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 Rawls—

S. B. No. 33-X (57)—A bill to be entitled An Act amending Chapter 361, Florida Statutes, relating to eminent domain and public utilities, by providing for an additional section to be known as Section 361.06, granting the right of eminent domain and other rights to petroleum and petroleum products pipeline companies.

And by a two-thirds affirmative vote of the Senate the Bill was admitted for introduction and consideration by the Senate, was read the first time by title only and referred to the Committee on Governmental Reorganization.

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 Connor—

S. B. No. 34-X (57)—A bill to be entitled An Act amending Chapter 57-773 relating to the limitation of the number of beverage licenses and amending Section 561.20 (2) and (4), Florida Statutes; clarifying legislative intent relating to application of this law by amending Section 3; providing effective date.

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.

Senator Connor moved that the rules be waived and Senate Bill No. 34-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 34-X(57) was read the second time by title only.

Senator Connor moved that the rules be further waived and Senate Bill No. 34-X(57) 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. 34-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 34-X(57) the roll was called and the vote was:

Yeas—36.

Mr. President	Bronson	Getzen	Morgan
Adams	Cabot	Hair	Neblett
Barber	Carraway	Hodges	Pearce
Beall	Clarke	Houghton	Pope
Belser	Connor	Johns	Rawls
Bishop	Davis	Johnson	Rood
Boyd	Dickinson	Kelly	Stenstrom
Brackin	Eaton	Kickliter	Stratton
Branch	Edwards	Knight	Sutton

Nays—1.

Gautier

So Senate Bill No. 34-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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 Senators Hodges, Hair, Johns, Brackin, Bishop, Connor, Belser, Bronson, Pearce, Boyd and Getzen—

S. B. No. 35-X(57)— A bill to be entitled An Act relating to public facilities and institutions; authorizing local authorities to suspend under certain circumstances any public facility or institution within its jurisdiction as an emergency measure in the public interest pursuant to petition and referendum; providing procedures for the reactivation of a suspended public facility or institution; providing an effective date.

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.

Senator Hodges moved that the rules be waived and Senate Bill No. 35-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 35-X(57) was read the second time by title only.

Senator Hodges moved that the rules be further waived and Senate Bill No. 35-X(57) 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. 35-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 35-X(57) the roll was called and the vote was:

Yeas—31.

Adams	Cabot	Hair	Neblett
Barber	Carraway	Hodges	Pearce
Belser	Clarke	Johns	Pope
Bishop	Connor	Johnson	Rawls
Boyd	Davis	Kelly	Rood
Brackin	Dickinson	Kickliter	Stenstrom
Branch	Edwards	Knight	Stratton
Bronson	Getzen	Morgan	

Nays—5.

Mr. President	Gautier	Houghton	Sutton
Eaton			

So Senate Bill No. 35-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

EXPLANATIONS OF VOTES

The following explanations of votes were filed with the Secretary of the Senate:

I am in favor of the legislation known as last resort and the only reason I vote "No" is I do not feel it should be passed in the special session.

W. A. SHANDS
Senator, 32nd District

During the recent regular session of the 1957 Legislature, I voted against this bill for reasons outlined in my explanation at that time. Recent circumstances have caused me to reconsider my position on this bill.

Due to the use of Federal Troops in Little Rock, Arkansas, to force integration of the schools there, I feel it is certainly time to give the people of an area or District, an opportunity to close their schools by referendum if they so desire. By action of the President in the Little Rock situation I am afraid he would not hesitate to send Federal Troops into Florida to force integration of our schools.

Therefore, I am voting for this bill in the hope that the customs of the South and of Florida may be maintained.

SCOTT KELLY
Senator, 7th District

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 Pope—

S. B. No. 36-X(57)—A Bill to be entitled An Act relating to the taking and sale of live shrimp for bait purposes by fishing camp operators in counties having a population of not less than 23,675 and not more than 26,500 according to the latest official census; providing for permits to use certain size nets; providing fees be paid the Board of Conservation for permit; providing for revocation and providing penalty and effective date.

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.

Senator Pope moved that the rules be waived and Senate Bill No. 36-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 36-X(57) was read the second time by title only.

Senator Pope moved that the rules be further waived and Senate Bill No. 36-X(57) 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. 36-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 36-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kicklitter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So Senate Bill No. 36-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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 Neblett—

S. B. No. 37-X(57)—A bill to be entitled An Act creating and establishing the City of Boca Grande, in Lee County, Florida; to define its boundaries, jurisdiction, powers, privileges, and immunities; to provide its form of government,

election of officers; to create a Municipal Court and defining its powers and jurisdiction, authorizing the assessment and levying of taxes therein for municipal purposes; to provide for a referendum election before the Act shall take effect; and other matters necessary in and to the administration of the affairs of such municipality.

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.

Senator Neblett moved that the rules be waived and Senate Bill No. 37-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 37-X(57) was read the second time by title only.

Senator Neblett moved that the rules be further waived and Senate Bill No. 37-X(57) 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. 37-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 37-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kicklitter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So Senate Bill No. 37-X(57) 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 Neblett requested unanimous consent of the Senate to take up and consider House Bill No. 5-X, out of its order.

Unanimous consent was granted, and—

H. B. No. 5-X—A bill to be entitled An Act amending Section 1 of Chapter 31009, Laws of Florida, Acts of the Legislature, year 1955, entitled "An Act amending Section 1 of Chapter 29295, Laws of Florida, Acts of the Legislature year 1953, entitled 'An Act amending Section 16 of Chapter 26042, Laws of Florida, Acts of the Legislature year 1949, entitled 'An Act providing for the creation, organization and administration of anti-mosquito districts in Monroe County, Florida; providing for the appointment and election of commissioners for said district; specifying their rights, powers and duties; providing for the financing by taxation, and for the disbursement of such finances: naming the duties of county commissioners, tax assessors and collectors; and providing penalties for damages to any works of the district'. By changing the method by which the board of county commissioners of Monroe County, Florida determines the amount of taxes levied for the Monroe County anti-mosquito district by limiting the rate of taxation to 1 mill; repealing all laws and parts of laws, whether general or special, in conflict with this Act to the extent of such conflict; and providing when Act shall take effect.' By increasing the rate of taxation to be levied for said district." By increasing the rate of taxation to be levied for said district and repealing all laws and parts of laws in conflict with this Act.

Was taken up.

Senator Neblett moved that the rules be waived and House Bill No. 5-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 5-X was read the second time by title only.

Senator Neblett offered the following amendment to House Bill No. 5-X:

In Section 3, (typewritten bill) Strike out entire Section 3 and insert in lieu thereof the following:

Section 3. This act shall not become effective until voted upon by the electors of Monroe county at any special, primary or general election and approved by a majority of electors voting in the election.

Senator Neblett moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Neblett moved that the rules be further waived and House Bill No. 5-X, as amended, 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. 5-X, as amended, was read the third time in full.

Upon the passage of House Bill No. 5-X, as amended, the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kicklitter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So House Bill No. 5-X passed, as amended, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
October 2, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Kicklitter—

S. B. No. 3-X(57)—A bill to be entitled An Act regulating the establishment of cemeteries in Hillsborough County, Florida, in which lots are to be sold to the public; providing for the preparation, filing, and recording of a map or plat of said cemeteries; requiring the approval of said map or plat by the Board of County Commissioners; repealing all laws or parts of laws, both general and special, in conflict therewith and repealing Chapter 22328, Laws of Florida, Special Acts, 1943; but not regulating the establishment or use of any church or family cemetery or private burying ground.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 3-X(57), 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 also read:

Tallahassee, Florida,
October 2, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Beall—

S. B. No. 16-X(57)—A bill to be entitled An Act relating to eating and drinking establishments in and for all counties in the State of Florida having a population of not less than one hundred thousand (100,000) and not more than one hundred fourteen thousand (114,000) inhabitants, according to the last official state-wide decennial census; amending Section 3, Chapter 27047, Acts of 1951, relating to fees for laboratory tests and physical examination; and providing an effective date.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 16-X(57), 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 also read:

Tallahassee, Florida,
October 2, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Carlton—

S. B. No. 18-X(57)—A bill to be entitled An Act relating to the compensation of the county judge and the clerk of the circuit court in all counties of the State of Florida having a population of not less than ten thousand (10,000), and not more than ten thousand one hundred (10,100) according to the latest official state-wide decennial census; providing that such county judges and clerks of the circuit court shall each receive for their official services compensation in the sum of seven thousand five hundred dollars (\$7,500.00) annually; providing for payment thereof from the whole or part of the fees and commissions collected by each such officer; providing for payment of such compensation when fees or commissions are insufficient in any year to pay the same, and providing that this act shall, insofar as the same is in conflict with Section 145.01, Florida Statutes, supersede the same; providing an effective date.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 18-X(57), 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 also read:

Tallahassee, Florida,
October 2, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

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

for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Carraway—

S. B. No. 20-X(57)—A bill to be entitled An Act amending Section 4 of Chapter 24,914, Laws of Florida, Acts of 1947, the same being entitled "An Act authorizing the City of Tallahassee to enlarge and extend its electric plant and distribution system, authorizing the issuance of certificates of indebtedness to pay therefor, authorizing the city to do all things necessary or incidental to the enlargement, extension and operation of such electric plant and distribution system and the issuance of such certificates of indebtedness, providing for the payment of such certificates solely from the net revenues to be derived from the operation of said plant and system, authorizing the refunding of certain outstanding certificates of indebtedness, and providing remedies in the event of a default by the city," relating to the issuance of certificates of indebtedness by the City of Tallahassee for the purpose of enlarging and extending its electric plant and distribution system, by providing that the maximum interest rate that such certificates of indebtedness may bear shall be increased from the rate of four per centum (4%) per annum to six per centum (6%) per annum.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 20-X(57), 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 also read:

Tallahassee, Florida,
October 2, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Beall—

S. B. No. 21-X(57)—A bill to be entitled "An Act amending Section 2.F of Chapter 57-1310 of the Florida Statutes relating to Escambia County water development authority, so as to eliminate the part thereof that provides that no water supply facilities as therein defined shall be constructed or operated in such a manner as to subject the said authority to the jurisdiction of the Federal Power Commission under the provisions of Title 16, Section 797, United States Code."

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 21-X(57), 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 also read:

Tallahassee, Florida,
October 2, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senators Dickinson and Cabot—

S. B. No. 4-X(57)—A bill to be entitled An Act relating to the term of court of the Fifteenth Judicial Circuit of the State; amending Section 26.36, Florida Statutes; providing an effective date.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 4-X(57), 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 also read:

Tallahassee, Florida,
October 2, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Messrs. Barron and Harris of Bay—

H. B. No. 27-X—A bill to be entitled An Act authorizing the County of Bay, Florida, to construct or acquire, own, operate and maintain water reservoirs, dams, levees, spillways, artificial lakes and other water storage areas and facilities, for commercial, industrial, domestic or recreational purposes; authorizing the acquisition of lands and other properties, facilities and equipment necessary for such purposes; authorizing the issuance of bonds of said county to finance the cost of the construction or acquisition of such improvements, and purposes related thereto; authorizing the levy of an ad valorem tax of not exceeding 3 mills on the dollar of assessed valuation on all taxable property within said county for the payment of said bonds and the interest thereon; providing that such bonds shall not be issued unless the issuance thereof has been approved by the freeholders of said county; providing for tax exemption of such bonds issued and the properties acquired pursuant to this act, and providing for a referendum.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 27-X, contained in the foregoing message, 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.

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.

Senator Knight moved that the rules be waived and House Bill No. 27-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 27-X was read the second time by title only.

Senator Knight moved that the rules be further waived and House Bill No. 27-X 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. 27-X was read the third time in full.

Upon the passage of House Bill No. 27-X the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kickliter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So House Bill No. 27-X passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 2, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Messrs. O'Neill and Chappell of Marion, Rowell of Sumter, Daniel and Duncan of Lake, Ayers of Hernando and Strickland of Citrus—

H. B. No. 38-X—A bill to be entitled An Act providing for the appointment and salary of secretaries for each of the Circuit Judges of the Fifth Judicial Circuit of Florida, embracing Citrus, Hernando, Lake, Marion and Sumter Counties, and providing that a part of the salary of the secretary of each judge shall be paid from the general revenue fund of such counties in the proportion that the population of each county bears to the total population of such circuit as determined by the last preceding State or Federal census, whichever shall be later; making the same a county purpose; making an annual appropriation therefor; repealing all laws in conflict herewith; and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 38-X, contained in the foregoing message, 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.

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.

Senator Edwards moved that the rules be waived and House Bill No. 38-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 38-X was read the second time by title only.

Senator Edwards moved that the rules be further waived and House Bill No. 38-X 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. 38-X was read the third time in full.

Upon the passage of House Bill No. 38-X the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kickliter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So House Bill No. 38-X passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 2, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Messrs. Barron and Harris of Bay—

H. B. No. 28-X—A bill to be entitled An Act to authorize and empower the Board of County Commissioners of Bay County, Florida, to appropriate the sum of \$10,000 annually from the general fund of the county to the St. Andrew Bay Center for Retarded Children and declaring all sums so paid to be for a county purpose.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 28-X, contained in the foregoing message, 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.

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 House Bill No. 28-X 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 Knight moved that the rules be waived and House Bill No. 28-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 28-X was read the second time by title only.

Senator Knight moved that the rules be further waived and House Bill No. 28-X 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. 28-X was read the third time in full.

Upon the passage of House Bill No. 28-X the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kicklitter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So House Bill No. 28-X passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 2, 1957.

The Honorable W. A. Shands,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Mr. Hatnaway of Charlotte—

H. B. No. 22-X—A bill to be entitled An Act providing compensation for the county prosecuting attorney on bond forfeitures in the county judge's court in all counties having a population of not more than five thousand three hundred (5,300) nor less than four thousand two hundred eighty (4,280) according to the last federal state-wide decennial census; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 22-X, contained in the foregoing message, 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.

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.

Senator Rood moved that the rules be waived and House Bill No. 22-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 22-X was read the second time by title only.

Senator Rood offered the following amendment to House Bill No. 22-X:

In (typewritten bill) strike out the words and figures five thousand three hundred (5,300) wherever they appear in the title and the bill and insert in lieu thereof the following five thousand (5,000).

Senator Rood moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Rood moved that the rules be further waived and House Bill No. 22-X, as amended, 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. 22-X, as amended, was read the third time in full.

Upon the passage of House Bill No. 22-X, as amended, the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kicklitter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So House Bill No. 22-X passed, as amended, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 2, 1957.

The Honorable W. A. Shands,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Messrs. Hopkins and Stone of Escambia—

H. B. No. 26-X—A bill to be entitled An Act to amend Sections 5 and 13 of Chapter 26141 Laws of Florida and Sections 4, 6, and 12 of Chapter 31160 Laws of Florida, relating to the pensioning of employees of the City of Pensacola and their dependents.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 26-X, contained in the foregoing message, 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.

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 House Bill No. 26-X 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 House Bill No. 26-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 26-X was read the second time by title only.

Senator Beall moved that the rules be further waived and House Bill No. 26-X 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. 26-X was read the third time in full.

Upon the passage of House Bill No. 26-X the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kicklitter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So House Bill No. 26-X passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 2, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Mr. Surlles of Polk—

H. B. No. 21-X—A bill to be entitled An Act authorizing the City of Lakeland, Florida, to pay out of the General Fund and the Debt Service Fund of the City of Lakeland, the costs of revaluation of all the property within the territorial limits of the City of Lakeland, Florida, for the purpose of promoting and preserving a more uniform and equal taxation of the said property, by said City, and providing the manner in which such authority may be used.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 21-X, contained in the foregoing message, 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.

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 House Bill No. 21-X 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 Kelly moved that the rules be waived and House Bill No. 21-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 21-X was read the second time by title only.

Senator Kelly moved that the rules be further waived and House Bill No. 21-X 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. 21-X was read the third time in full.

Upon the passage of House Bill No. 21-X the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kicklitter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So House Bill No. 21-X passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 2, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Mr. Horne of Leon—

H. B. No. 35-X—A bill to be entitled An Act providing for the payment of mileage and per diem to certain members of the House of Representatives in attendance of the 1957 Special Session Caucus held in Tallahassee and to members and chairmen of authorized committees carrying on official duties in Tallahassee prior to convening of the Special Session of the Legislature.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 35-X, contained in the foregoing message, 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.

And by a two-thirds affirmative vote of the Senate the Bill was admitted for introduction and consideration by the Senate, was read the first time by title only, and referred to the Committee on Appropriations.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 2, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Messrs. Duncan and Daniel of Lake—

H. B. No. 37-X—A bill to be entitled An Act amending Chapter 30912, Acts of 1955, creating the position of Librarian for Lake County Law Library; amending Section 2 and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 37-X, contained in the foregoing message, 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.

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.

Senator Boyd moved that the rules be waived and House Bill No. 37-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 37-X was read the second time by title only.

Senator Boyd moved that the rules be further waived and House Bill No. 37-X 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. 37-X was read the third time in full.

Upon the passage of House Bill No. 37-X the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kickliter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So House Bill No. 37-X passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 2, 1957.

The Honorable W. A. Shands,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Mr. Saunders of Clay—

H. B. No. 33-X—A bill to be entitled An Act requiring all hospital authorities in counties in the State having a population of not less than fourteen thousand three hundred (14,300) and not more than fourteen thousand seven hundred (14,700), according to the last official state-wide decennial census, to promulgate by-laws and to establish rules and regulations for the management of the authority and the operation and management of any hospital, operating or proposed, within the jurisdiction of such hospital authorities; to elect officers from among themselves; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 33-X, contained in the foregoing message, 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.

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.

Senator Adams moved that the rules be waived and House Bill No. 33-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 33-X was read the second time by title only.

Senator Adams moved that the rules be further waived and House Bill No. 33-X 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. 33-X was read the third time in full.

Upon the passage of House Bill No. 33-X the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kickliter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So House Bill No. 33-X passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 2, 1957.

The Honorable W. A. Shands,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Messrs. Papy and Porter of Monroe—

H. B. No. 34-X—A bill to be entitled An Act to empower the Boards of County Commissioners in counties of the State of Florida having a population of not less than 29,500 nor more than 34,500 inhabitants according to the last official census to regulate and restrict within territory particularly described in said counties, not included in any municipality, the height, number of stories and size of buildings and other structures on land and water, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, the use of land for junk yards and automobile trailer camps, the use of land or buildings in connection with or reference to nuisances and objectionable noises, and the location and use of buildings, structures and land for trade, industry, residence or other specific use of the premises; providing for the division of such counties into districts and within such districts to regulate and restrict the erection and construction, alteration, repair or use of buildings; providing for method of procedure; providing for remedies and penalties for violation of this Act or of any order or resolution made under authority conferred hereby and conferring upon the Boards of County Commissioners of said counties power to provide for enforcement of this Act and to make appropriation therefor, and the power to prescribe and enforce regulations to effectuate the purposes of this Act; and repealing all laws and parts of laws in conflict herewith to the extent of said conflict, and providing when this Act shall take effect.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 34-X, contained in the foregoing message, 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.

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.

Senator Neblett moved that the rules be waived and House Bill No. 34-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 34-X was read the second time by title only.

Senator Neblett moved that the rules be further waived and House Bill No. 34-X 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. 34-X was read the third time in full.

Upon the passage of House Bill No. 34-X the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kicklitter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So House Bill No. 34-X passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 2, 1957.

The Honorable W. A. Shands,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has adopted—

By Senators Kicklitter, Connor, Hair, Bishop, Morgan, Belser, Bronson, Boyd, Hodges, Johns, Brackin, Rawls and Johnson—

Senate Memorial No. 19-X(57)—

A MEMORIAL TO THE CONGRESS OF THE UNITED STATES TO ENACT MEASURES TENDING TO CAUSE THE WITHDRAWAL OF FEDERAL MILITARY FORCES FROM THE OCCUPATION OF LITTLE ROCK, ARKANSAS, AND PREVENT THE FURTHER INTRUSION BY FEDERAL MILITARY TROOPS ON THE CONSTITUTIONAL RIGHTS OF THE SOVEREIGN STATES OF THE UNION, BY WITHHOLDING OF APPROPRIATIONS AND PUBLIC FUNDS FROM SUCH TROOPS WHILE SO ENGAGED, THEREBY GUARANTEEING THE SOVEREIGN STATES FREEDOM FROM MILITARY RULE AS CONTEMPLATED BY THE FIRST FOUR ARTICLES TO THE CONSTITUTION.

WHEREAS, the Legislature of Florida, during the 1957 Legislative Session, through Senate Concurrent Resolution No. 72, unequivocally expressed a firm and determined resolution to maintain and defend the Constitution of the United States against every attempt, whether foreign or domestic, to undermine and destroy the fundamental principles, embodied in our basic law, by which the liberty of the people and the sovereignty of the states, in their proper spheres, have long been protected and assured, and

WHEREAS, the Legislature of Florida doth hereby express a firm belief that the recent action of the President of the United States, in inflicting military rule upon the sovereign state of Arkansas, is a far more serious threat to the security of the Nation and our constitutional form of government than any possible threat from abroad, and

WHEREAS, the Legislature of Florida lately did explicitly and peremptorily assert that it viewed the powers of the federal government as resulting solely from the compact to which the states are parties, as limited by the plain sense and intention of the instrument creating that compact, which compact carefully expressed the limited powers of the President of the United States, and

WHEREAS, the Legislature of Florida did assert most clearly that the powers of the federal government, including those of the President, are valid only to the extent that such powers have been enumerated in the compact to which the various states assented originally and to which the states have assented in subsequent amendments validly adopted and ratified, and

WHEREAS, the Legislature of Florida did consider that the very nature of this basic compact, apparent upon its face, is that the ratifying states, parties thereto, have agreed voluntarily to surrender certain of their sovereign rights, but only certain of these sovereign rights, to a federal government thus constituted; and that all powers not delegated to the United States, including the President thereof, by the Constitution, or prohibited by it to the states, have been reserved to the states, respectively, or to the people, and

WHEREAS, the several sovereign states have at no time surrendered to the federal government their right under the Tenth Amendment to the Constitution to exercise their discretion in the regulation of matters of strictly local concern, and

WHEREAS, the sovereign states, in ratifying the Fourteenth Amendment to the Constitution, did not agree that the power to regulate matters of local concern be prohibited to them thereby, and

WHEREAS, the Legislature of Florida emphatically denies that the President of the United States had the right which he asserted recently to peremptorily use federal troops in the sovereign state of Arkansas to compel the enforcement of a questionable judicial edict requiring the enforced integration of the public schools therein, and

WHEREAS, the threats and coercive measures of the federal military troops occupying the sovereign state of Arkansas constitute a deliberate, palpable, and dangerous attempt by the President and the federal government to prohibit to the states certain rights and powers never surrendered by them, and

WHEREAS, the President of the United States, without the request, consent, and in the absence of the Governor, ordered federal troops to occupy a portion of the sovereign state of Arkansas, and such troops through the exercise of brute force and with the high-handed tactics reminiscent of Hitler's storm troopers declared their intention to rule the citizenry therein, and thereby proceeded to maliciously and unnecessarily enjoin the inherent and inalienable rights and powers of the citizens thereof, and

WHEREAS, the immediate military leader of such troops, arrogantly and with impunity and with the implied acquiescence of the President of the United States, entered the public schools of Arkansas and thrust his views upon the minds of the children therein, thereby indelibly impressing upon the minds and hearts of such children the imprint of Fascism and military arrogance, and

WHEREAS, the President of the United States, in ordering federal military troops to occupy Little Rock, Arkansas, cited

as authority for such act a clearly unconstitutional law which was created by a vengeful Reconstruction Congress to give dictatorial powers to the President of the United States, and

WHEREAS, even if such law were constitutional its provisions were improperly invoked by the President in that no federal law was being breached, and

WHEREAS, the federal military forces occupying Little Rock, Arkansas, under the express order of the President of the United States are not in nature or fact a *posse comitatus* authorized by federal law to assist a federal marshal in enforcement of a federal law, and

WHEREAS, the President was without authority and jurisdiction to invoke federal military rule in the sovereign state of Arkansas because (1) the Governor of Arkansas did not provide the requisite request for military assistance, (2) a state of insurrection, rebellion, or need to repel an invasion, did not exist, (3) no federal law existed upon which a violation was predicated, and

WHEREAS, if the President of the United States had had jurisdiction and authority to invoke federal military rule in the sovereign state of Arkansas, he was powerless to interfere with the operation of the public schools therein because the Constitution of the United States does not confer upon the President, or the federal government, any power or authority over such schools or over the subject of education, jurisdiction over these matters being reserved to the states, nor did the states by the Fourteenth Amendment authorize any interference on the part of the President or any other department of the federal government with the operation by the states of such public schools as they might in their discretion see fit to establish and operate, and

WHEREAS, the President of the United States, by his recent action invoking military rule in the sovereign state of Arkansas, announced his power to adjudge state laws ineffectual and inoperative on the basis of his opinion of such laws as tested by the existing climate of political expediency, and

WHEREAS, the President of the United States, by federalizing the State Militia of Arkansas, rendered the Governor thereof powerless to employ such agency of state government for the protection of the inhabitants thereof should an emergency arise within the State requiring their use, and

WHEREAS, if the President of the United States is permitted to exercise the power to determine the method of enforcing a federal decree, and thereby to invoke military rule because of the inconvenience attendant in the proper use of constitutional processes, the states will have been destroyed; and the indestructible union of indestructible states established by the Constitution of the United States will have ceased to exist, and in its stead the President will have created, without jurisdiction or authority from the people, a dictator form of government, possessing total, unrestricted power, and

WHEREAS, it is clear that the President of the United States has deliberately resolved to disobey the Constitution of the United States and to flout and defy the supreme law of the land. The duty and responsibility of protecting life, property and the priceless possession of freedom rests with each government of each individual state of the union, as to all those within their respective territorial limits. The state alone has this responsibility, and

WHEREAS, it is clearly evident to the Legislature of Florida that the President of the United States, by his action, in the sovereign state of Arkansas, and his general intent as inadvertently disclosed by the Pentagon to occupy southern states with military forces, is deserving of the censure of the Congress, and

WHEREAS, the Legislature of Florida asserts that whenever the President of the United States engages in the deliberate, palpable and dangerous exercise of powers not granted to him, the states who are parties to the compact have the right to expect and require that the Congress of the United States exercise the powers granted by the compact to arrest the progress of the evil, and maintain the constitutional guarantees of the several sovereign states under the Tenth Amendment to the United States Constitution, and

WHEREAS, a failure on the part of the Congress thus to

assert its authority in this regard would be construed as acquiescence in the surrender thereof; and that such submissive acquiescence to the seizure of one right by the President would in the end lead to the surrender of all rights, and inevitably to the consolidation of all functions of government under one separate dictatorial head, contrary to the sacred compact by which this Union of States was created, NOW, THEREFORE,

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

That the Congress of the United States be and it is hereby requested to:

- (1) withhold all funds and appropriations from any federal military forces directed to occupy any sovereign state without the express approval of the governor therein, and
- (2) enact legislation designed to assure the several sovereign states freedom from federal military control, and
- (3) enact an appropriate measure censuring the President of the United States for his deliberate interference with the constitutional guarantees of the citizens of Little Rock, Arkansas, and admonishing the President to recognize the Congress of the United States as the legally proper branch of the government charged with the responsibility of furnishing direction in matters relating to civil rights as contemplated by the language of Section 2 of the Fourteenth Amendment that "The Congress shall have power to enforce this article by appropriate legislation."

BE IT FURTHER RESOLVED, that copies of this Memorial be dispatched to the President of the United States; to the President of the United States Senate; to the Speaker of the United States House of Representatives; and to each of the congressional delegation in the United States Congress.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Memorial No. 19-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

CONSIDERATION OF BILLS AND JOINT RESOLUTIONS ON SECOND READING

Senate Joint Resolution No. 12-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE X OF THE CONSTITUTION OF THE STATE OF FLORIDA.

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

Section 1. The following proposed revision of Article X of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE X EDUCATION

Section 1. **Uniform system of free public schools and higher institutions.**—The legislature shall provide for the establishment, maintenance, and operation of a uniform system of free public schools, and for institutions of higher learning.

Section 2. **State board of education—powers and duties.**—The members of the cabinet shall constitute the State Board of Education, which shall be a body corporate and have the management and investment of all state school funds pursuant to applicable law and such supervision of public schools and institutions of higher learning as may be provided by law.

Section 3. **County school boards—membership—duties.**—In each county the school board members shall constitute the county school board, which shall operate, control, and supervise all public schools within the county, levy the county school taxes, appoint the county school superintendent in

those counties in which appointment is authorized, and perform other duties prescribed by law.

Section 4. State school fund—derivation—use.—The State School Fund shall consist of the proceeds of all lands granted to the state by the United States for public school purposes, twenty-five percent of the proceeds of sale of other public lands now or hereafter owned by the state, proceeds from escheats and forfeitures, state appropriations, and donations to this fund or to the state without specification of purpose. The principal of this fund shall remain inviolate, and interest derived from investment thereof shall be applied exclusively to the support of free public schools. Such interest and all other state means provided for the support and maintenance of free public schools shall be apportioned and distributed among the counties according to a principle of classification prescribed by general law.

Section 5. County school fund—sources—apportionment.—restrictions on use.—Each county school board shall levy annually for the support of the free public schools of the county a tax of not less than three or more than ten mills of the assessed valuation of all taxable property therein, and upon vote of the electors that pay a tax on real or personal property it may levy an additional tax not exceeding ten mills. The County School Fund shall consist of the proceeds of these taxes, its share of the interest derived from the state school fund, any state appropriations distributed to it, and revenue derived from any other source for support and maintenance of free public schools. The county school board shall disburse these proceeds solely for the support and maintenance of free public schools as prescribed by general law, but no law shall be enacted authorizing the diversion or lending of such funds or the use of any part for support of any sectarian school.

Section 6. School bonds for capital outlay—issuance.—(a) Beginning January 1, 1953, and for thirty years thereafter, the first proceeds of the revenues derived from the licensing of motor vehicles to the extent necessary to comply with the provisions of this section shall, as collected, be placed monthly in the County Capital Outlay and Debt Service School Fund in the state treasury, and used only as provided in this section. Such revenue shall be distributed annually among the several counties in the ratio of the number of instruction units in each county in each year computed as provided herein. The amount of the first revenues derived from the licensing of motor vehicles to be so set aside in each year and distributed as provided herein shall be an amount equal in the aggregate to the product of four hundred dollars multiplied by the total number of instruction units in all the counties of the state. The number of instruction units in each county in each year for the purposes of this section shall be the greater of (1) the number of instruction units in each county for the school fiscal year 1951-52 computed in the manner heretofore or hereafter provided by general law, or (2) the number of instruction units in such county for the preceding school fiscal year computed in the manner heretofore or hereafter provided by general law and approved by the state board of education (hereinafter called the state board).

Such funds so distributed shall be administered by the state board as now created and constituted by Section 2 of Article X hereof. For the purposes of this section, the state board, as now constituted, shall continue as a body corporate during the life of this section and shall have all the powers provided in this section in addition to all other constitutional and statutory powers related to the purposes of this section heretofore or hereafter conferred upon the state board.

(b) The state board shall, in addition to its other constitutional and statutory powers, have the management, control, and supervision of the proceeds of the first part of the revenues derived from the licensing of motor vehicles provided for in subsection (a) hereof. The state board shall also have power, for the purpose of obtaining funds for the use of any county school board in acquiring, building, constructing, altering, improving, enlarging, furnishing, or equipping capital outlay projects for school purposes, to issue bonds or motor vehicle tax anticipation certificates, and also to issue such bonds or motor vehicle tax anticipation certificates to pay, fund, or refund any bonds or motor vehicle tax anticipation certificates theretofore issued by said state board. All such bonds shall bear interest at not exceeding four percent per annum and shall mature serially in annual installments

commencing not more than three years from the date of issuance thereof and ending not later than January 1, 1983, and each annual installment shall not be less than three percent of the total amount of the issue. All such motor vehicle tax anticipation certificates shall bear interest at not exceeding four percent per annum and shall mature prior to January 1, 1983. The state board shall have power to determine all other details of said bonds or motor vehicle tax anticipation certificates and to sell at public sale after public advertisement, or exchange said bonds or motor vehicle tax anticipation certificates, upon such terms and conditions as the state board shall provide.

The state board shall also have power to pledge for the payment of the principal of and interest on such bonds or motor vehicle tax anticipation certificates, including refunding bonds or refunding motor vehicle tax anticipation certificates, all or any part from the anticipated revenues to be derived from the licensing of motor vehicles provided for in this section and to enter into any covenants and other agreements with the holders of such bond or motor vehicle tax anticipation certificates at the time of the issuance thereof concerning the security thereof and the rights of the holders thereof, all of which covenants and agreements shall constitute legally binding and irrevocable contracts with such holders and shall be fully enforceable by such holders in any court of competent jurisdiction.

No such bonds or motor vehicle tax anticipation certificates shall ever be issued by the state board until after the adoption of a resolution requesting the issuance thereof by the county school board of the county on behalf of which such obligations are to be issued. The state board shall limit the amount of such bonds or motor vehicle tax anticipation certificates which can be issued on behalf of any county to seventy-five percent of the amount which it determines can be serviced by the revenue accruing to the county under the provisions of this section. All such bonds or motor vehicle tax anticipation certificates shall be issued in the name of the state board but shall be issued for and on behalf of the county school board requesting the issuance thereof, and no election or approval of qualified electors or freeholders shall be required for the issuance thereof.

(c) The state board shall in each year use the funds distributable pursuant to this section to the credit of each county only in the following manner and order of priority:

(1) To pay all amounts of principal and interest maturing in such year on any bonds or motor vehicle tax anticipation certificates issued under the authority hereof, including refunding bonds or motor vehicle tax anticipation certificates, issued on behalf of the county school board of such county; subject, however, to any covenants or agreements made by the state board concerning the rights between holders of different issues of such bonds or motor vehicle tax anticipation certificates, as herein authorized.

(2) To establish and maintain a sinking fund or funds to meet future requirements for debt service, or reserves therefor, on bonds or motor vehicle tax anticipation certificates issued on behalf of the county school board of such county, under the authority hereof, whenever the state board shall deem it necessary or advisable, and in such amounts and under such terms and conditions as the state board shall in its discretion determine.

(3) To distribute annually to the several county school boards for use in payment of debt service on bonds heretofore or hereafter issued by any such board where the proceeds of the bonds were used, or are to be used, in the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects in such county, and which capital outlay projects have been approved by the county school board pursuant to a survey or surveys conducted subsequent to July 1, 1947 in the county, under regulations prescribed by the state board to determine the capital outlay needs of the county.

The state board shall have power at the time of issuance of any bonds by any county school board to covenant and agree with such board as to the rank and priority of payments to be made for different issues of bonds under this subsection (3), and may further agree that any amounts to be distributed under this subsection (3) may be pledged for the debt service on bonds issued by any county school board and for the rank and priority of such pledge. Any such cove-

nants or agreements of the state board may be enforced by any holders of such bonds in any court of competent jurisdiction.

(4) To distribute annually to the several county school boards for the payment of the cost of the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects for school purposes in such county as shall be requested by resolution of the county school board of such county.

(5) When all major capital outlay needs of a county have been met as determined by the state board, on the basis of a survey made pursuant to regulations of the state board and approved by the state board, all such funds remaining shall be distributed annually and used for such school purposes in such county as the county school board shall determine, or as may be provided by general law.

(d) Capital outlay projects of a county shall be eligible to participate in the funds accruing under this section and derived from the proceeds of bonds and motor vehicle tax anticipation certificates and from the motor vehicle license taxes, only in the order of priority of needs, as shown by a survey or surveys conducted in the county under regulations prescribed by the state board, to determine the capital outlay needs of the county and approved by the state board; provided, the priority of such projects may be changed from time to time upon the request of the county school board and with the approval of the state board; and provided further, this subsection (d) shall not in any manner affect any covenant, agreement, or pledge made by the state board in the issuance by the state board of any bonds or motor vehicle tax anticipation certificates, or in connection with the issuance of any bonds of any county school board.

(e) The state board may invest any sinking fund or funds created pursuant to this section in direct obligations of the United States or in the bonds or motor vehicle tax anticipation certificates, matured or to mature, issued by the state board on behalf of any county school board.

(f) The state board shall have power to make and enforce all rules and regulations necessary to the full exercise of the powers herein granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1953; provided, the legislature may by general law of state-wide application repeal or amend rules and regulations promulgated under this section. The legislature shall not reduce the levies of said motor vehicle license taxes during the life of this section to any degree which will fail to provide the full amount necessary to comply with the provisions of this section and pay the necessary expenses of administering the laws relating to the licensing of motor vehicles, and shall not enact any law having the effect of withdrawing the proceeds of such motor vehicle license taxes from the operation of this section and shall not enact any law impairing or materially altering the rights of the holders of any bonds or motor vehicle tax anticipation certificates issued pursuant to this section or impairing or altering any covenant or agreement of the state board as provided in such bonds or motor vehicle tax anticipation certificates.

The state board shall have power to appoint such persons and fix their compensation for the administration of the provisions of this section as it shall deem necessary, and the expenses of the state board in administering the provisions of this section shall be prorated among the various counties and paid out of the proceeds of the bonds or motor vehicle tax anticipation certificates or from the funds distributable to each county on the same basis as such motor vehicle license taxes are distributable to the various counties under the provisions of this section. Interest or profit on sinking fund investments shall accrue to the counties in proportion to their respective equities in the sinking fund or funds.

Section 7. County school bonds.—issuance—payment—restrictions.—The legislature may authorize county school boards to issue bonds to raise funds for the exclusive use of the free public schools of the county wherever the issuance of such bonds is approved by a majority of the votes cast in an election in which a majority of the electors who are freeholders participate; provided, no election shall be necessary to issue refunding bonds. A special tax on all taxable property in the county shall be levied at a rate sufficient to meet and shall be applied exclusively to the payment when due of the installments of principal and interest on such

bonds. Such bonds shall become payable within thirty years from the date of issuance in annual installments commencing not more than three years after the date of issuance. After the first three years from date of issuing, each annual installment shall be not less than three percent of the total amount of the issue. The principal of such bonds, together with the principal of the existing indebtedness of the county incurred for public school purposes and unpaid bonds of special tax school districts thereof shall not exceed twenty percent of the assessed valuation of all taxable property of the county.

Section 8. White and colored—separate schools.—White and colored children shall not be taught in the same school, but impartial provision shall be made for both.

Section 9. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through IX, and XI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Was taken up in its order and read the second time in full.

The Committee on Constitutional Amendments offered the following amendment to Senate Joint Resolution No. 12-X(57):

In Section 1, lines 1 and 2 (printed bill), strike out the words: "**Uniform system of free public schools and higher institutions.**—" and insert in lieu thereof the following: "**Uniform system of free education, including higher learning.**—"

Senator Rawls moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Constitutional Amendments also offered the following amendment to Senate Joint Resolution No. 12-X(57):

In Section 1, lines 4 and 5 (printed bill), strike out the words: "free public schools, and for institutions of higher learning." and insert in lieu thereof the following: "free education, including higher learning, as the legislature shall deem proper."

Senator Rawls moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Constitutional Amendments also offered the following amendment to Senate Joint Resolution No. 12-X(57):

In Section 6, Subsection (f), line 6 (printed bill), after the word "application", insert the following: "; but not by any law based on population,"

Senator Rawls moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Rawls moved that the rules be waived and Senate Joint Resolution No. 12-X(57), 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. 12-X(57), as amended, was read the third time in full as follows:

Senate Joint Resolution No. 12-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE X OF THE CONSTITUTION OF THE STATE OF FLORIDA.

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

Section 1. The following proposed revision of Article X of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

**ARTICLE X
EDUCATION**

Section 1. **Uniform system of free education, including higher learning.**—The legislature shall provide for the establishment, maintenance, and operation of a uniform system of free education, including higher learning, as the legislature shall deem proper.

Section 2. **State board of education—powers and duties.**—The members of the cabinet shall constitute the State Board of Education, which shall be a body corporate and have the management and investment of all state school funds pursuant to applicable law and such supervision of public schools and institutions of higher learning as may be provided by law.

Section 3. **County school boards—membership—duties.**—In each county the school board members shall constitute the county school board, which shall operate, control, and supervise all public schools within the county, levy the county school taxes, appoint the county school superintendent in those counties in which appointment is authorized, and perform other duties prescribed by law.

Section 4. **State school fund—derivation—use.**—The State School Fund shall consist of the proceeds of all lands granted to the state by the United States for public school purposes, twenty-five percent of the proceeds of sale of other public lands now or hereafter owned by the state, proceeds from escheats and forfeitures, state appropriations, and donations to this fund or to the state without specification of purpose. The principal of this fund shall remain inviolate, and interest derived from investment thereof shall be applied exclusively to the support of free public schools. Such interest and all other state means provided for the support and maintenance of free public schools shall be apportioned and distributed among the counties according to a principle of classification prescribed by general law.

Section 5. **County school fund—sources—apportionment.—restrictions on use.**—Each county school board shall levy annually for the support of the free public schools of the county a tax of not less than three or more than ten mills of the assessed valuation of all taxable property therein, and upon vote of the electors that pay a tax on real or personal property it may levy an additional tax not exceeding ten mills. The County School Fund shall consist of the proceeds of these taxes, its share of the interest derived from the state school fund, any state appropriations distributed to it, and revenue derived from any other source for support and maintenance of free public schools. The county school board shall disburse these proceeds solely for the support and maintenance of free public schools as prescribed by general law, but no law shall be enacted authorizing the diversion or lending of such funds or the use of any part for support of any sectarian school.

Section 6. **School bonds for capital outlay—issuance.**—(a) Beginning January 1, 1953, and for thirty years thereafter,

the first proceeds of the revenues derived from the licensing of motor vehicles to the extent necessary to comply with the provisions of this section shall, as collected, be placed monthly in the County Capital Outlay and Debt Service School Fund in the state treasury, and used only as provided in this section. Such revenue shall be distributed annually among the several counties in the ratio of the number of instruction units in each county in each year computed as provided herein. The amount of the first revenues derived from the licensing of motor vehicles to be so set aside in each year and distributed as provided herein shall be an amount equal in the aggregate to the product of four hundred dollars multiplied by the total number of instruction units in all the counties of the state. The number of instruction units in each county in each year for the purposes of this section shall be the greater of (1) the number of instruction units in each county for the school fiscal year 1951-52 computed in the manner heretofore or hereafter provided by general law, or (2) the number of instruction units in such county for the preceding school fiscal year computed in the manner heretofore or hereafter provided by general law and approved by the state board of education (hereinafter called the state board).

Such funds so distributed shall be administered by the state board as now created and constituted by Section 2 of Article X hereof. For the purposes of this section, the state board, as now constituted, shall continue as a body corporate during the life of this section and shall have all the powers provided in this section in addition to all other constitutional and statutory powers related to the purposes of this section heretofore or hereafter conferred upon the state board.

(b) The state board shall, in addition to its other constitutional and statutory powers, have the management, control, and supervision of the proceeds of the first part of the revenues derived from the licensing of motor vehicles provided for in subsection (a) hereof. The state board shall also have power, for the purpose of obtaining funds for the use of any county school board in acquiring, building, constructing, altering, improving, enlarging, furnishing, or equipping capital outlay projects for school purposes, to issue bonds or motor vehicle tax anticipation certificates, and also to issue such bonds or motor vehicle tax anticipation certificates to pay, fund, or refund any bonds or motor vehicle tax anticipation certificates theretofore issued by said state board. All such bonds shall bear interest at not exceeding four percent per annum and shall mature serially in annual installments commencing not more than three years from the date of issuance thereof and ending not later than January 1, 1983, and each annual installment shall not be less than three percent of the total amount of the issue. All such motor vehicle tax anticipation certificates shall bear interest at not exceeding four percent per annum and shall mature prior to January 1, 1983. The state board shall have power to determine all other details of said bonds or motor vehicle tax anticipation certificates and to sell at public sale after public advertisement, or exchange said bonds or motor vehicle tax anticipation certificates, upon such terms and conditions as the state board shall provide.

The state board shall also have power to pledge for the payment of the principal of and interest on such bonds or motor vehicle tax anticipation certificates, including refunding bonds or refunding motor vehicle tax anticipation certificates, all or any part from the anticipated revenues to be derived from the licensing of motor vehicles provided for in this section and to enter into any covenants and other agreements with the holders of such bond or motor vehicle tax anticipation certificates at the time of the issuance thereof concerning the security thereof and the rights of the holders thereof, all of which covenants and agreements shall constitute legally binding and irrevocable contracts with such holders and shall be fully enforceable by such holders in any court of competent jurisdiction.

No such bonds or motor vehicle tax anticipation certificates shall ever be issued by the state board until after the adoption of a resolution requesting the issuance thereof by the county school board of the county on behalf of which such obligations are to be issued. The state board shall limit the amount of such bonds or motor vehicle tax anticipation certificates which can be issued on behalf of any county to seventy-five percent of the amount which it determines can be serviced by the revenue accruing to the county under the provisions of this section. All such bonds or motor vehicle tax anticipation certificates shall be issued in the name of

the state board but shall be issued for and on behalf of the county school board requesting the issuance thereof, and no election or approval of qualified electors or freeholders shall be required for the issuance thereof.

(c) The state board shall in each year use the funds distributable pursuant to this section to the credit of each county only in the following manner and order of priority:

(1) To pay all amounts of principal and interest maturing in such year on any bonds or motor vehicle tax anticipation certificates issued under the authority hereof, including refunding bonds or motor vehicle tax anticipation certificates, issued on behalf of the county school board of such county; subject, however, to any covenants or agreements made by the state board concerning the rights between holders of different issues of such bonds or motor vehicle tax anticipation certificates, as herein authorized.

(2) To establish and maintain a sinking fund or funds to meet future requirements for debt service, or reserves therefor, on bonds or motor vehicle tax anticipation certificates issued on behalf of the county school board of such county, under the authority hereof, whenever the state board shall deem it necessary or advisable, and in such amounts and under such terms and conditions as the state board shall in its discretion determine.

(3) To distribute annually to the several county school boards for use in payment of debt service on bonds heretofore or hereafter issued by any such board where the proceeds of the bonds were used, or are to be used, in the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects in such county, and which capital outlay projects have been approved by the county school board pursuant to a survey or surveys conducted subsequent to July 1, 1947, in the county, under regulations prescribed by the state board to determine the capital outlay needs of the county.

The state board shall have power at the time of issuance of any bonds by any county school board to covenant and agree with such board as to the rank and priority of payments to be made for different issues of bonds under this subsection (3), and may further agree that any amounts to be distributed under this subsection (3) may be pledged for the debt service on bonds issued by any county school board and for the rank and priority of such pledge. Any such covenants or agreements of the state board may be enforced by any holders of such bonds in any court of competent jurisdiction.

(4) To distribute annually to the several county school boards for the payment of the cost of the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects for school purposes in such county as shall be requested by resolution of the county school board of such county.

(5) When all major capital outlay needs of a county have been met as determined by the state board, on the basis of a survey made pursuant to regulations of the state board and approved by the state board, all such funds remaining shall be distributed annually and used for such school purposes in such county as the county school board shall determine, or as may be provided by general law.

(d) Capital outlay projects of a county shall be eligible to participate in the funds accruing under this section and derived from the proceeds of bonds and motor vehicle tax anticipation certificates and from the motor vehicle license taxes, only in the order of priority of needs, as shown by a survey or surveys conducted in the county under regulations prescribed by the state board, to determine the capital outlay needs of the county and approved by the state board; provided, the priority of such projects may be changed from time to time upon the request of the county school board and with the approval of the state board; and provided further, this subsection (d) shall not in any manner affect any covenant, agreement, or pledge made by the state board in the issuance by the state board of any bonds or motor vehicle tax anticipation certificates, or in connection with the issuance of any bonds of any county school board.

(e) The state board may invest any sinking fund or funds created pursuant to this section in direct obligations of the United States or in the bonds or motor vehicle tax anticipa-

tion certificates, matured or to mature, issued by the state board on behalf of any county school board.

(f) The state board shall have power to make and enforce all rules and regulations necessary to the full exercise of the powers herein granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1953; provided, the legislature may by general law of state-wide application, but not by any law based on population, repeal or amend rules and regulations promulgated under this section. The legislature shall not reduce the levies of said motor vehicle license taxes during the life of this section to any degree which will fail to provide the full amount necessary to comply with the provisions of this section and pay the necessary expenses of administering the laws relating to the licensing of motor vehicles, and shall not enact any law having the effect of withdrawing the proceeds of such motor vehicle license taxes from the operation of this section and shall not enact any law impairing or materially altering the rights of the holders of any bonds or motor vehicle tax anticipation certificates issued pursuant to this section or impairing or altering any covenant or agreement of the state board as provided in such bonds or motor vehicle tax anticipation certificates.

The state board shall have power to appoint such persons and fix their compensation for the administration of the provisions of this section as it shall deem necessary, and the expenses of the state board in administering the provisions of this section shall be prorated among the various counties and paid out of the proceeds of the bonds or motor vehicle tax anticipation certificates or from the funds distributable to each county on the same basis as such motor vehicle license taxes are distributable to the various counties under the provisions of this section. Interest or profit on sinking fund investments shall accrue to the counties in proportion to their respective equities in the sinking fund or funds.

Section 7. County school bonds.—issuance—payment—restrictions—The legislature may authorize county school boards to issue bonds to raise funds for the exclusive use of the free public schools of the county whenever the issuance of such bonds is approved by a majority of the votes cast in an election in which a majority of the electors who are freeholders participate; provided, no election shall be necessary to issue refunding bonds. A special tax on all taxable property in the county shall be levied at a rate sufficient to meet and shall be applied exclusively to the payment when due of the instalments of principal and interest on such bonds. Such bonds shall become payable within thirty years from the date of issuance in annual instalments commencing not more than three years after the date of issuance. After the first three years from date of issuing, each annual instalment shall be not less than three percent of the total amount of the issue. The principal of such bonds, together with the principal of the existing indebtedness of the county incurred for public school purposes and unpaid bonds of special tax school districts thereof shall not exceed twenty percent of the assessed valuation of all taxable property of the county.

Section 8. White and colored—separate schools.—White and colored children shall not be taught in the same school, but impartial provision shall be made for both.

Section 9. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through IX, and XI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Upon the passage of Senate Joint Resolution No. 12-X(57), as amended, the roll was called and the vote was:

Yeas—32.

Mr. President	Bronson	Getzen	Neblett
Adams	Cabot	Hair	Pearce
Barber	Clarke	Hodges	Pope
Beall	Davis	Johns	Rawls
Bishop	Dickinson	Johnson	Rood
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicklitter	Stratton
Branch	Gautier	Knight	Sutton

Nays—2.

Belser Houghton

So Senate Joint Resolution No. 12-X(57) passed, as amended, by the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Rawls moved that the rules be waived and Senate Joint Resolution No. 12-X(57) be immediately certified to the House of Representatives after being engrossed.

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

Senate Joint Resolution No. 11-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE IX OF THE CONSTITUTION OF THE STATE OF FLORIDA.

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

Section 1. The following proposed revision of Article IX of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE IX
HOMESTEAD

Section 1. **Homestead—exemption from forced sale—freedom from liens—exceptions—limitations on disposition.**—The following property, owned by the head of a family residing on the realty in this state, shall be exempt from forced sale under process of any court for all obligations incurred by him or imposed thereon, and no judgment, decree, or execution shall be a lien thereon, except for payment of (a) taxes and assessments thereon, (b) obligations contracted for the purchase thereof, (c) obligations contracted for erection or repair of improvements on the realty, or (d) obligations contracted for house, field, or other labor performed on the realty:

(i) A homestead to the extent of one hundred sixty acres of contiguous land and improvements thereon located outside a municipality, which area shall not be reduced without the owner's consent by reason of subsequent inclusion in a municipality, or one-half acre of contiguous land located within a municipality, which exemption within a municipality shall be limited to the residence and business house of the owner;

(ii) Personal property of the value of \$1,000.

Said exemptions shall inure to the surviving spouse and heirs of the owner.

The homestead shall not be subject to devise if the owner

is survived by children. If the owner is married, it shall not be alienated or encumbered without the consent of the spouse. If the owner or spouse is incompetent, the method of alienation or encumbrance shall be as provided by law.

Section 2. **Effective date of this article.**—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, IV, VI, VII, VIII, and X through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Was taken up in its order and read the second time in full.

Senator Johnson moved that the rules be waived and Senate Joint Resolution No. 11-X(57) 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. 11-X(57) was read the third time in full.

Upon the passage of Senate Joint Resolution No. 11-X(57) the roll was called and the vote was:

Yeas—32.

Mr. President	Bronson	Getzen	Neblett
Adams	Cabot	Hair	Pearce
Barber	Clarke	Hodges	Pope
Beall	Davis	Johns	Rawls
Bishop	Dickinson	Johnson	Rood
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicklitter	Stratton
Branch	Gautier	Knight	Sutton

Nays—2.

Belser Houghton

So Senate Joint Resolution No. 11-X(57) passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senate Joint Resolution No. 13-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE XI OF THE CONSTITUTION OF THE STATE OF FLORIDA.

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

Section 1. The following proposed revision of Article XI of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or re-

jection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE XI

MILITIA

Section 1. **Composition of militia.**—The militia shall be composed of all able-bodied inhabitants of the state that are or have declared their intention to become citizens of the United States; and no person shall because of religious creed or opinion be exempted from military duty except upon conditions prescribed by law.

Section 2. **Organization—equipping—housing—discipline—safekeeping of arms.**—The legislature may provide for organizing, equipping, housing, maintaining, and disciplining the militia of the state, and for the safekeeping of public arms.

Section 3. **Officers of militia.**—The governor shall appoint all commissioned officers of the militia, including an adjutant general. The appointment of all general officers shall be with the consent of the senate. Officers shall take rank according to the dates of their commissions. The officers and enlisted men of the state militia, when uniformed, shall wear the uniform prescribed for the United States military service.

Section 4. **Call by governor.**—The governor shall have power to call out the militia to preserve the public peace, to execute the laws of the state, to suppress insurrection, or to repel invasion.

Section 5. **Federally recognized national guard.**—Whenever a federally recognized national guard exists in the state it shall be sui generis and subject to the lawful orders of the governor, who shall be commander-in-chief. It shall be supported and maintained by the state pursuant to the provisions of federal statutes and regulations of the United States department of defense pertaining to organizing, arming, governing, and disciplining it. Its officers, including the adjutant general, shall be appointed, and shall be subject to suspension, discharge, removal, or compulsory retirement, solely on the basis of military proficiency, character, and service determined pursuant to United States department of defense regulations and usages sanctioned by law, and the qualifications of its personnel shall be those prescribed in military regulations of the United States department of defense.

Section 6. **Effective date of this article.**—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effectation or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through X, and XII through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Was taken up in its order and read the second time in full.

The Committee on Constitutional Amendments offered the following amendment to Senate Joint Resolution No. 13-X(57):

In Section 6, line 5 (printed bill), strike out the word "effectation" and insert in lieu thereof the following: "effective"

Senator Johnson moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johnson moved that the rules be waived and Senate Joint Resolution No. 13-X(57), 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. 13-X(57), as amended, was read the third time in full as follows:

Senate Joint Resolution No. 13-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE XI OF THE CONSTITUTION OF THE STATE OF FLORIDA.

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

Section 1. The following proposed revision of Article XI of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE XI

MILITIA

Section 1. **Composition of militia.**—The militia shall be composed of all able-bodied inhabitants of the state that are or have declared their intention to become citizens of the United States; and no person shall because of religious creed or opinion be exempted from military duty except upon conditions prescribed by law.

Section 2. **Organization—equipping—housing—discipline—safekeeping of arms.**—The legislature may provide for organizing, equipping, housing, maintaining, and disciplining the militia of the state, and for the safekeeping of public arms.

Section 3. **Officers of militia.**—The governor shall appoint all commissioned officers of the militia, including an adjutant general. The appointment of all general officers shall be with the consent of the senate. Officers shall take rank according to the dates of their commissions. The officers and enlisted men of the state militia, when uniformed, shall wear the uniform prescribed for the United States military service.

Section 4. **Call by governor.**—The governor shall have power to call out the militia to preserve the public peace, to execute the laws of the state, to suppress insurrection, or to repel invasion.

Section 5. **Federally recognized national guard.**—Whenever a federally recognized national guard exists in the state it shall be sui generis and subject to the lawful orders of the governor, who shall be commander-in-chief. It shall be supported and maintained by the state pursuant to the provisions of federal statutes and regulations of the United States department of defense pertaining to organizing, arming, governing, and disciplining it. Its officers, including the adjutant general, shall be appointed, and shall be subject to suspension, discharge, removal, or compulsory retirement, solely on the basis of military proficiency, character, and service determined pursuant to United States department of defense regulations and usages sanctioned by law, and the qualifications of its personnel shall be those prescribed in military regulations of the United States department of defense.

Section 6. **Effective date of this article.**—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simul-

taneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through X, and XII through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Upon the passage of Senate Joint Resolution No. 13-X(57), as amended, the roll was called and the vote was:

Yeas—30.

Mr. President	Clarke	Johns	Pearce
Adams	Davis	Johnson	Pope
Barber	Dickinson	Kelly	Rawls
Boyd	Eaton	Kicklitter	Rood
Brackin	Edwards	Knight	Stenstrom
Branch	Gautier	Morgan	Stratton
Bronson	Getzen	Neblett	Sutton
Cabot	Hair		

Nays—2.

Belser	Houghton
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So Senate Joint Resolution No. 13-X(57) passed, as amended, by the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Johnson moved that the rules be waived and Senate Joint Resolution No. 13-X(57) be immediately certified to the House of Representatives after being engrossed.

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

Senate Joint Resolution No. 10-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE VIII OF THE CONSTITUTION OF THE STATE OF FLORIDA.

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

Section 1. The following proposed revision of Article VIII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE VIII

TAXATION AND FINANCE

Section 1. **Levy of tax pursuant to law—surrender of taxing power prohibited—drawing money from treasury.**—No tax shall be levied except as provided by law, and the power of taxation shall never be surrendered, suspended, or contracted away. No money shall be drawn from the treasury except in pursuance of appropriations made by law; pro-

vided, expenses of interim legislative committees as provided by concurrent resolution, including compensation of committee employees, may be drawn as legislative expense unless otherwise provided by law.

Section 2. **Credit and taxing power—limitations.**—The credit of the state shall not be pledged or loaned, directly or indirectly, to any individual, company, corporation, partnership, or association. The state shall not become a joint owner or stockholder in any company, association, or corporation. No tax shall be levied for the benefit of any chartered company. The legislature shall not authorize any county, municipality, special district, or agency of any of them to become a stockholder in any company, association, or corporation, or to obtain, or to appropriate money for, or to loan its credit to, any corporation, association, institution, or individual.

Section 3. **State bonds prohibited.**—State bonds shall not be issued for any purpose.

Section 4. **County, municipal, or district bonds.**—No county, municipality, or district shall issue any bonds other than refunding bonds without prior approval by a majority of the votes cast in an election in which a majority of the freeholders who are qualified electors residing therein shall participate. Such election may be held as a special election on that subject only, or by the use of separate ballots in conjunction with any special or general election.

Section 5. **Uniform and equal rate—no state ad valorem tax except on intangibles.**—(a) The legislature shall provide for raising sufficient revenue for each fiscal year to defray the expenses of the state, including state appropriations for state institutions of higher learning and the uniform system of free public schools, but no ad valorem tax shall be levied for any state purpose on any property except intangible personal property. The rate of taxation on all property except intangible personal property shall be uniform and equal.

(b) The legislature may levy on intangible personal property, in lieu of all other state, county, district, and municipal taxes, a tax at special rates not exceeding two mills of the assessed valuation, but any such intangible tax relating to an obligation secured by lien evidenced by writing shall be imposed only once. The instrument shall not be entitled to record until the tax is paid.

(c) The legislature may apportion the proceeds of intangible taxes.

Section 6. **Motor vehicle license tax.**—Motor vehicles shall be subject to a license tax for their operation in lieu of all ad valorem taxes on them as personal property.

Section 7. **Income tax prohibited—limit on inheritance or estate tax.**—No tax shall be levied by the state or under its authority upon the income, inheritances, or estates of citizens or residents of the state; provided, the legislature may provide for the assessment, levy, and collection of a tax upon inheritances or estates of decedents not exceeding in the aggregate the amounts which may by any law of the United States be credited against or deducted from any similar tax on inheritances, or taxes on estates, assessed or levied by the United States on the same subject. The legislature may apportion all taxes collected hereunder to any state, county, or municipal purposes.

Section 8. **Allocation of pari mutuel excise taxes.**—The legislature may allocate and distribute to the counties, in equal amounts and at such times as it shall determine, any portion or all of the proceeds of state excise taxes on the operation of pari mutuel pools.

Section 9. (a) **Board of administration—gasoline and like taxes — distribution and use.**—Until January 1, 1993, the proceeds of two cents per gallon of the total tax levied by state law upon gasoline and other like products of petroleum, now known as the Second Gas Tax, and upon other fuels used to propel motor vehicles, shall as collected be placed monthly in the State Roads Distribution Fund in the state treasury and divided into three equal parts which shall be distributed monthly among the several counties as follows:

One part according to area, one part according to popu-

lation, and one part according to the counties' contributions to the cost of state road construction in the ratio of distribution as provided in Chapter 15659, Laws of Florida, Acts of 1931 and for the purposes of the apportionment based on the counties' contributions for the cost of state road construction, the amount of the contributions established by the certificates made in 1931 pursuant to said Chapter 15659, shall be taken and deemed conclusive in computing the monthly amounts distributable according to said contributions. Such funds so distributed shall be administered by the State Board of Administration as herein-after provided.

(b) The governor as chairman, the state treasurer, and the state comptroller shall constitute a body corporate to be known as the State Board of Administration. Said board shall have, in addition to such powers as may be conferred upon it by law, the management, control and supervision of the proceeds of said two cents of said taxes and all moneys and other assets which on January 1, 1943, are applicable or may become applicable to the bonds of the several counties of this state, or any special road and bridge district, or other special taxing district thereof, issued prior to July 1, 1931, for road and bridge purposes. The word "bonds" as used herein shall include bonds, time warrants, notes and other forms of indebtedness issued for road and bridge purposes by any county or special road and bridge district or other special taxing district, outstanding on July 1, 1931, or any refunding issues thereof. Said board shall have the statutory powers of boards of county commissioners and bond trustees and of any other authority of special road and bridge districts, and other special taxing districts thereof with regard to said bonds, (except that the power to levy ad valorem taxes is expressly withheld from said board) and shall take over all papers, documents and records concerning the same. Said board shall have the power from time to time to issue refunding bonds to mature prior to January 1, 1993, for any of said outstanding bonds or interest thereon, and to secure them by a pledge of anticipated receipts from such gasoline or other fuel taxes to be distributed to such county as herein provided, but not at a greater rate of interest than said bonds now bear; and to issue, sell or exchange on behalf of any county or unit for the sole purpose of retiring said bonds issued by such county, or special road and bridge district, or other special taxing district thereof, gasoline or other fuel tax anticipation certificates bearing interest at not more than three percent per annum in such denominations and maturing at such time prior to January 1, 1993, as the board may determine. In addition to exercising the powers now provided by statute for the investment of sinking funds, said board may use the sinking funds created for said bonds of any county or special road and bridge district, or other unit hereunder, to purchase the matured or maturing bonds participating herein of any other county or any other special road and bridge district, or other special taxing district thereof, provided that as to said matured bonds, the value thereof as an investment shall be the price paid therefor, which shall not exceed the par value plus accrued interest, and that said investment shall bear interest at the rate of three percent per annum.

(c) The said board shall annually use said funds in each county account, first, to pay current principal and interest maturing, if any, of said bonds and gasoline or other fuel tax anticipation certificates of such county or special road and bridge district, or other special taxing district thereof; second, to establish a sinking fund account to meet future requirements of said bonds and gasoline or other fuel tax anticipation certificates where it appears the anticipated income for any year or years will not equal scheduled payments thereon; and third, any remaining balance out of the proceeds of said two cents of said taxes shall monthly during the year be remitted by said board as follows: Eighty percent to the State Road Department for the construction or reconstruction of state roads and bridges within the county, or for the lease or purchase of bridges connecting state highways within the county, and twenty percent to the board of county commissioners of such county for use on roads and bridges therein.

(d) Said board shall have the power to make and enforce all rules and regulations necessary to the full exercise of the powers hereby granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1943. The legislature shall continue the levies of said taxes during the life of this section, and shall

not enact any law having the effect of withdrawing the proceeds of said two cents of said taxes from the operation of this section. The board shall pay refunding expenses and other expenses for services rendered specifically for, or which are properly chargeable to, the account of any county from funds distributed to such county; but general expenses of the board for services rendered all the counties alike shall be prorated among them and paid out of said funds on the same basis said tax proceeds are distributed among the several counties; provided, report of said expenses shall be made to each regular session of the legislature, and the legislature may limit the expenses of the board.

Section 10. Tax exemptions.—(a) **Personal effects and household goods of family head.**—No tax shall be levied on \$500 of the assessed valuation of household goods and personal effects of the head of a family residing in this state, or on \$500 of the assessed valuation of property of a widow residing in this state or of a resident who has lost a limb or been disabled by war or other misfortune. These exemptions shall be cumulative.

(b) **Exemption of homestead from taxation.**—Every person who has the legal title or beneficial title in equity to real property in this state and who resides thereon and in good faith makes the same his or her permanent home, or the permanent home of another or others legally or naturally dependent upon said person, shall be entitled to an exemption from all taxation, except for assessments for special benefits, up to the assessed valuation of \$5,000 on the said home and contiguous real property, as defined in Article IX hereof. Said title may be held by the entireties, jointly, or in common with others, and said exemption may be apportioned among such of the owners as shall reside thereon, as their respective interests shall appear, but no such exemption of more than \$5,000 shall be allowed to any one person or on any one dwelling house, nor shall the amount of the exemption allowed any person exceed the proportionate assessed valuation based on the interest owned by such person. The legislature may prescribe appropriate and reasonable laws regulating the manner of establishing the right to said exemption.

(c) **Religious, charitable, and other institutions.**—The legislature may by law exempt from taxation property held and used exclusively for religious, charitable, educational, literary, scientific, state, county, or municipal purposes, and the property of a corporation authorized to construct a ship or barge canal for public use.

(d) No tax exemption shall be granted unless authorized herein.

Section 11. Local taxation.—The legislature shall make adequate provision for the assessment of property for taxation and the levying of taxes and of assessments for special benefits by counties and municipalities and by or for districts, for their respective purposes and for no other purpose. The legislature shall prescribe regulations that will insure a just valuation of all taxable real and personal property, and all assessments shall be subject to review, equalization, or adjustment as provided by law. The rate of taxation shall be uniform and equal.

Section 12. Illegal tax—prerequisite to relief.—Each taxpayer shall pay into court the portion of his taxes admitted to be regularly assessed and legally imposed before he can seek judicial relief from payment of the remainder, and before such relief is granted he shall pay any additional amount found to be due.

Section 13. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, IV, VI, VII, and IX through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election

and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Was taken up in its order and read the second time in full.

Senator Johnson offered the following amendment to Senate Joint Resolution No. 10-X(57):

Page 6, in Section 10, sub-paragraph (b), line 8, (type-written bill) strike out the word "contiguous" and insert in lieu thereof the following: "contiguous".

Senator Johnson moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johnson moved that the rules be waived and Senate Joint Resolution No. 10-X(57), 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. 10-X(57), as amended, was read the third time in full as follows:

Senate Joint Resolution No. 10-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE VIII OF THE CONSTITUTION OF THE STATE OF FLORIDA.

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

Section 1. The following proposed revision of Article VIII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE VIII

TAXATION AND FINANCE

Section 1. **Levy of tax pursuant to law—surrender of taxing power prohibited—drawing money from treasury.**—No tax shall be levied except as provided by law, and the power of taxation shall never be surrendered, suspended, or contracted away. No money shall be drawn from the treasury except in pursuance of appropriations made by law; provided, expenses of interim legislative committees as provided by concurrent resolution, including compensation of committee employees, may be drawn as legislative expense unless otherwise provided by law.

Section 2. **Credit and taxing power—limitations.**—The credit of the state shall not be pledged or loaned, directly or indirectly, to any individual, company, corporation, partnership, or association. The state shall not become a joint owner or stockholder in any company, association, or corporation. No tax shall be levied for the benefit of any chartered company. The legislature shall not authorize any county, municipality, special district, or agency of any of them to become a stockholder in any company, association, or corporation, or to obtain, or to appropriate money for, or to loan its credit to, any corporation, association, institution, or individual.

Section 3. **State bonds prohibited.**—State bonds shall not be issued for any purpose.

Section 4. **County, municipal, or district bonds.**—No county, municipality, or district shall issue any bonds other than refunding bonds without prior approval by a majority of the votes cast in an election in which a majority of the freehold-

ers who are qualified electors residing therein shall participate. Such election may be held as a special election on that subject only, or by the use of separate ballots in conjunction with any special or general election.

Section 5. **Uniform and equal rate—no state ad valorem tax except on intangibles.**—(a) The legislature shall provide for raising sufficient revenue for each fiscal year to defray the expenses of the state, including state appropriations for state institutions of higher learning and the uniform system of free public schools, but no ad valorem tax shall be levied for any state purpose on any property except intangible personal property. The rate of taxation on all property except intangible personal property shall be uniform and equal.

(b) The legislature may levy on intangible personal property, in lieu of all other state, county, district, and municipal taxes, a tax at special rates not exceeding two mills of the assessed valuation, but any such intangible tax relating to an obligation secured by lien evidenced by writing shall be imposed only once. The instrument shall not be entitled to record until the tax is paid.

(c) The legislature may apportion the proceeds of intangible taxes.

Section 6. **Motor vehicle license tax.**—Motor vehicles shall be subject to a license tax for their operation in lieu of all ad valorem taxes on them as personal property.

Section 7. **Income tax prohibited—limited on inheritance or estate tax.**—No tax shall be levied by the state or under its authority upon the income, inheritances, or estates of citizens or residents of the state; provided, the legislature may provide for the assessment, levy, and collection of a tax upon inheritances or estates of decedents not exceeding in the aggregate the amounts which may by any law of the United States be credited against or deducted from any similar tax on inheritances, or taxes on estates, assessed or levied by the United States on the same subject. The legislature may apportion all taxes collected hereunder to any state, county, or municipal purposes.

Section 8. **Allocation of pari mutuel excise taxes.**—The legislature may allocate and distribute to the counties, in equal amounts and at such times as it shall determine, any portion or all of the proceeds of state excise taxes on the operation of pari mutuel pools.

Section 9. (a) **Board of administration—gasoline and like taxes—distribution and use.**—Until January 1, 1993, the proceeds of two cents per gallon of the total tax levied by state law upon gasoline and other like products of petroleum, now known as the Second Gas Tax, and upon other fuels used to propel motor vehicles, shall as collected be placed monthly in the State Roads Distribution Fund in the state treasury and divided into three equal parts which shall be distributed monthly among the several counties as follows:

One part according to area, one part according to population, and one part according to the counties' contributions to the cost of state road construction in the ratio of distribution as provided in Chapter 15659, Laws of Florida, Acts of 1931, and for the purposes of the apportionment based on the counties' contributions for the cost of state road construction, the amount of the contributions established by the certificates made in 1931 pursuant to said Chapter 15659, shall be taken and deemed conclusive in computing the monthly amounts distributable according to said contributions. Such funds so distributed shall be administered by the State Board of Administration as hereinafter provided.

(b) The governor as chairman, the state treasurer, and the state comptroller shall constitute a body corporate to be known as the State Board of Administration. Said board shall have, in addition to such powers as may be conferred upon it by law, the management, control and supervision of the proceeds of said two cents of said taxes and all moneys and other assets which on January 1, 1943, are applicable or may become applicable to the bonds of the several counties of this state, or any special road and bridge district, or other special taxing district thereof, issued prior to July 1, 1931, for road and bridge purposes. The word "bonds" as used herein shall include bonds, time warrants,

notes and other forms of indebtedness issued for road and bridge purposes by any county or special road and bridge district or other special taxing district, outstanding on July 1, 1931, or any refunding issues thereof. Said board shall have the statutory powers of boards of county commissioners and bond trustees and of any other authority of special road and bridge districts, and other special taxing districts thereof with regard to said bonds, (except that the power to levy ad valorem taxes is expressly withheld from said board) and shall take over all papers, documents and records concerning the same. Said board shall have the power from time to time to issue refunding bonds to mature prior to January 1, 1993, for any of said outstanding bonds or interest thereon, and to secure them by a pledge of anticipated receipts from such gasoline or other fuel taxes to be distributed to such county as herein provided, but not at a greater rate of interest than said bonds now bear; and to issue, sell or exchange on behalf of any county or unit for the sole purpose of retiring said bonds issued by such county, or special road and bridge district, or other special taxing district thereof, gasoline or other fuel tax anticipation certificates bearing interest at not more than three percent per annum in such denominations and maturing at such time prior to January 1, 1993, as the board may determine. In addition to exercising the powers now provided by statute for the investment of sinking funds, said board may use the sinking funds created for said bonds of any county or special road and bridge district, or other unit hereunder, to purchase the matured or maturing bonds participating herein of any other county or any other special road and bridge district, or other special taxing district thereof, provided that as to said matured bonds, the value thereof as an investment shall be the price paid therefor, which shall not exceed the par value plus accrued interest, and that said investment shall bear interest at the rate of three percent per annum.

(c) The said board shall annually use said funds in each county account, first, to pay current principal and interest maturing, if any, of said bonds and gasoline or other fuel tax anticipation certificates of such county or special road and bridge district, or other special taxing district thereof; second, to establish a sinking fund account to meet future requirements of said bonds and gasoline or other fuel tax anticipation certificates where it appears the anticipated income for any year or years will not equal scheduled payments thereon; and third, any remaining balance out of the proceeds of said two cents of said taxes shall monthly during the year be remitted by said board as follows: Eighty percent to the State Road Department for the construction or reconstruction of state roads and bridges within the county, or for the lease or purchase of bridges connecting state highways within the county, and twenty percent to the board of county commissioners of such county for use on roads and bridges therein.

(d) Said board shall have the power to make and enforce all rules and regulations necessary to the full exercise of the powers hereby granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1943. The legislature shall continue the levies of said taxes during the life of this section, and shall not enact any law having the effect of withdrawing the proceeds of said two cents of said taxes from the operation of this section. The board shall pay refunding expenses and other expenses for services rendered specifically for, or which are properly chargeable to, the account of any county from funds distributed to such county; but general expenses of the board for services rendered all the counties alike shall be prorated among them and paid out of said funds on the same basis said tax proceeds are distributed among the several counties; provided, report of said expenses shall be made to each regular session of the legislature, and the legislature may limit the expenses of the board.

Section 10. Tax exemptions. — (a) **Personal effects and household goods of family head.**—No tax shall be levied on \$500 of the assessed valuation of household goods and personal effects of the head of a family residing in this state, or on \$500 of the assessed valuation of property of a widow residing in this state or of a resident who has lost a limb or been disabled by war or other misfortune. These exemptions shall be cumulative.

(b) **Exemption of homestead from taxation.**—Every person who has the legal title or beneficial title in equity to

real property in this state and who resides thereon and in good faith makes the same his or her permanent home, or the permanent home of another or others legally or naturally dependent upon said person, shall be entitled to an exemption from all taxation, except for assessments for special benefits, up to the assessed valuation of \$5,000 on the said home and contiguous real property, as defined in Article IX hereof. Said title may be held by the entireties, jointly, or in common with others, and said exemption may be apportioned among such of the others as shall reside thereon, as their respective interests shall appear, but no such exemption of more than \$5,000 shall be allowed to any one person or on any one dwelling house, nor shall the amount of the exemption allowed any person exceed the proportionate assessed valuation based on the interest owned by such person. The legislature may prescribe appropriate and reasonable laws regulating the manner of establishing the right to said exemption.

(c) **Religious, charitable, and other institutions.**—The legislature may by law exempt from taxation property held and used exclusively for religious, charitable, educational, literary, scientific, state, county, or municipal purposes, and the property of a corporation authorized to construct a ship or barge canal for public use.

(d) No tax exemption shall be granted unless authorized herein.

Section 11. Local taxation.—The legislature shall make adequate provision for the assessment of property for taxation and the levying of taxes and of assessments for special benefits by counties and municipalities and by or for districts, for their respective purposes and for no other purpose. The legislature shall prescribe regulations that will insure a just valuation of all taxable real and personal property, and all assessments shall be subject to review, equalization, or adjustment as provided by law. The rate of taxation shall be uniform and equal.

Section 12. Illegal tax—prerequisite to relief.—Each taxpayer shall pay into court the portion of his taxes admitted to be regularly assessed and legally imposed before he can seek judicial relief from payment of the remainder, and before such relief is granted he shall pay any additional amount found to be due.

Section 13. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, IV, VI, VII, and IX through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Upon the passage of Senate Joint Resolution No. 10-X(57), as amended, the roll was called and the vote was:

Yeas—34.

Mr. President	Barber	Bishop	Brackin
Adams	Beall	Boyd	Branch

Bronson	Edwards	Kelly	Rawls
Cabot	Gautier	Kicklitter	Rood
Clarke	Getzen	Knight	Stenstrom
Connor	Hair	Morgan	Stratton
Davis	Hodges	Neblett	Sutton
Dickinson	Johns	Pearce	
Eaton	Johnson	Pope	

Nays—2.

Belser Houghton

So Senate Joint Resolution No. 10-X(57) passed, as amended, by the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Johnson moved that the rules be waived and Senate Joint Resolution No. 10-X(57) be immediately certified to the House of Representatives after being engrossed.

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

Senator Davis presiding.

Senate Joint Resolution No. 9-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE VII OF THE CONSTITUTION OF THE STATE OF FLORIDA.

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

Section 1. The following proposed revision of Article VII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE VII

LOCAL GOVERNMENT

Section 1. **Counties—municipalities—special districts—powers and functions.**—All powers of local government shall be exercised by counties, municipalities, and special districts, and shall be limited to those delegated herein or by the legislature. They shall also perform such state functions as the legislature may provide.

Section 2. **Counties as political subdivisions.—county seats.**—The state shall be divided into political subdivisions called counties. The counties and their respective county seats as now established are recognized, and no county seat may be changed except by vote of the electors; provided, in the formation of new counties the county seat may be temporarily established by law.

Section 3. **Establishment of new counties.**—The legislature shall have power to establish new counties and to change county lines. Every newly established county shall be held liable for its proportion of the then existing liabilities of the county or counties from which it shall be formed, rated upon the basis of the assessed value of the property, both real and personal, subject to taxation within the territory taken from any county or counties; and every county acquiring additional territory from another county shall be held liable for its proportion of the liabilities of such other county existing at the time of such acquisition, to be rated upon the basis of the assessed value of all property subject to taxation within such acquired territory.

Section 4. **Location of county offices—public records.**—The principal offices and permanent records of all county officers shall be at the county seat; provided, by vote of the electors, branch offices for the conduct of county business and facilities for court proceedings may be established elsewhere in the county. No instrument shall be deemed recorded until filed in the proper office at the county seat.

Section 5. (a) **Commissioner districts—decennial revision—county commission.**—Each county shall be divided into five commissioner districts numbered consecutively, and its governing body shall be a Board of County Commissioners, consisting of five members, one from each commissioner district. Upon certification of each decennial federal census the board

of county commissioners shall forthwith revise the boundaries of the commissioner districts so that according thereto they will be approximately equal in population, giving consideration to geographic area.

(b) **County officers—selection—term of office.**—The following officers shall be elected by and from among the electors of each county for a term of four years: one member of the board of county commissioners from each commissioner district, one member of the County School Board from each commissioner district unless otherwise provided by law, County Judge or Judges as provided herein, Clerk of the Circuit Court, Sheriff, Tax Assessor, Tax Collector, County School Superintendent, and Supervisor of Registration; provided, by local or general law subject to the approval of the electors of any county, each member of the board of county commissioners and of the county school board shall be elected by and from among the electors of the district within which he resides and qualifies for office. Each member of the board of county commissioners and of the county school board shall reside in the district from which elected. Successors to those members of the board of county commissioners representing odd-numbered districts and of the county school board representing even-numbered districts shall be elected in 1960, and successors to those representing respectively even-numbered districts and odd-numbered districts shall be elected in 1962; provided, succession to county school board membership may be changed by law.

Section 6. **Welfare.**—Counties shall provide in the manner prescribed by law for residents having claim upon the aid and sympathy of society by reason of age, infirmity, or misfortune.

Section 7. **Alcoholic beverages—county option.** Upon petition of one fourth of the electors of a county the board of county commissioners shall provide for a special election to determine whether sale of all intoxicating beverages shall be prohibited therein or to determine the method of such sale where permitted; and in like manner an election shall be held in a county prohibiting sale to determine whether such prohibition shall be removed. The election shall be held within sixty days from presentation of the petition unless a regular primary or general election falls within such period, in which event it shall be held within sixty days thereafter. Not more than one such election shall be held in any two-year period.

Section 8. **Criminal cases—costs and fines.**—In all criminal cases prosecuted in the name of the state against an insolvent or discharged defendant, the county in which the case was prosecuted shall under regulations prescribed by law pay the legal costs. All fines and forfeitures collected in each county under the state penal laws shall be applied to payment of costs and expenses of prosecuting crimes therein.

Section 9. **Municipalities — establishment — abolition — government — protection of creditors.**—The legislature may establish and abolish municipalities, may provide for their government, and may prescribe and alter at any time their jurisdiction and powers. Whenever a municipality is abolished, provision shall be made for the protection of its creditors.

Section 10. **Municipal taxes—assessment and collection by county officers.**—Subject to approval by vote of the municipal electors at a special election held separately or with any other election the legislature may by general, special, or local law provide for assessment and collection of the taxes of any municipality by the tax assessor and tax collector respectively of the county in which it is situated and for payment by the municipality of reasonable compensation to these county officers for performance of these additional duties.

Section 11. **Special districts lying in one county—governing board.**—Unless otherwise provided by law, the governing board of special districts lying wholly within a county shall be the board of county commissioners of the county. The legislature may provide by law for the appointment of the governing board by the governor or by the board of county commissioners, or for election thereof by the electors.

Section 12. **Special districts lying in more than one county—government.**—The legislature by special or local law may create special districts that include territory lying in more than one county and may prescribe their form of government, powers, and duties.

Section 13. **Local governmental units — cooperation with other governmental units.**—Any local governmental unit may

contract and cooperate with other local governmental units, with the state, or with the United States in the exercise of any of its authorized proprietary functions for the planning, development, construction, acquisition, or operation of any public improvement or facility or for a common service.

Section 14. **Effective date of this article.**—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, IV, VI, and VIII through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Was taken up in its order and read the second time in full.

Senator Cabot offered the following amendment to Senate Joint Resolution No. 9-X(57):

In (typewritten bill) insert the following as Section 9 following Section 8:

Section 9. **County Ordinances—Legislative grant of authority to enact.**—The legislature may by special or local law authorize any board of county commissioners to enact county ordinances. Each law shall specify the subjects to which the ordinances shall be confined. No such law shall conflict with any general law; no ordinance shall conflict with any general, special or local law; and the legislature may amend or repeal any ordinance.

And renumber the remaining sections.

Senator Cabot moved the adoption of the amendment.

A roll call was demanded.

Upon call of the roll on the motion made by Senator Cabot the vote was:

Yeas—16.

Belser	Dickinson	Kelly	Pope
Bishop	Eaton	Kickliter	Rood
Boyd	Gautier	Morgan	Stenstrom
Cabot	Houghton	Neblett	Sutton

Nays—21.

Mr. President	Bronson	Getzen	Pearce
Adams	Carraway	Hair	Rawls
Barber	Clarke	Hodges	Stratton
Beall	Connor	Johns	
Brackin	Davis	Johnson	
Branch	Edwards	Knight	

So the amendment failed of adoption.

Senator Johnson moved that the rules be waived and Senate Joint Resolution No. 9-X(57) 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. 9-X(57) was read the third time in full.

Upon the passage of Senate Joint Resolution No. 9-X(57) the roll was called and the vote was:

Yeas—30.

Mr. President	Cabot	Getzen	Neblett
Adams	Carraway	Hair	Pearce
Barber	Clarke	Hodges	Rawls
Bishop	Connor	Johns	Stenstrom
Boyd	Davis	Johnson	Stratton
Brackin	Dickinson	Kickliter	Sutton
Branch	Edwards	Knight	
Bronson	Gautier	Morgan	

Nays—5.

Belser	Houghton	Pope	Rood
Eaton			

So Senate Joint Resolution No. 9-X(57) passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The President presiding.

Senator Kelly moved that a committee be appointed to escort Senator Spessard L. Holland, former member of the Florida Senate, former Governor of Florida and presently Senior United States Senator from Florida, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Kelly, Connor and Sutton as the committee which escorted Senator Holland to the rostrum.

Senate Joint Resolution No. 14-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE XII OF THE CONSTITUTION OF THE STATE OF FLORIDA.

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

Section 1. The following proposed revision of Article XII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE XII

AMENDMENTS

Section 1. **Amendment pursuant to legislative action.**—The legislature may by joint resolution adopted as provided in this section propose an amendment to this constitution. A resolution proposing an amendment shall confine itself to the subject matters of one article but may include any provisions in other articles relating thereto; provided, when the legislature submits more than one proposed revised article hereof, to be voted upon in the same general election, any such proposed article may provide that it shall not become effective unless other specified proposed articles are adopted by the electors at such election, and thereupon none of such proposed articles shall become a part hereof unless all of them are adopted. The resolution shall be processed in the manner provided herein for enactment of laws, except that:

(1) It shall forthwith be entered in full on the journal of the house in which introduced.

(2) The house in which it is introduced shall forthwith furnish a copy to the attorney general, who shall consider it and within ten days transmit to each house recommendations or suggestions as to its effect upon other provisions of the constitution and as to its form and substance, but his failure to act shall not affect legislative action thereon.

(3) No vote upon the adoption of the joint resolution shall be taken until on or after the eighteenth calendar day after its introduction in the originating house. Final adoption shall require affirmative vote of three fifths of the membership of each house, the yeas and nays to be entered on the journal; and if the resolution is amended it shall be entered on the journals as finally adopted.

(4) The resolution shall not be subject to veto.

Section 2. Submission to electors.—A proposed amendment shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after the adoption of the resolution unless by vote of three fourths of the membership of each house the legislature shall provide for its submission at a special election at an earlier date. The secretary of state shall cause the proposed amendment, together with a notice of the date of the election thereon, to be published twice in one newspaper in each county where a newspaper is published, the first publication to be not more than ten or less than eight weeks before the election, and the second publication to be at least one week after the first and not less than six weeks before the election.

Section 3. Effective date—approval by electors.—If a majority of the electors of the state shall vote in favor of the proposed amendment, it shall take effect at noon on the first Tuesday after the first Monday in January next after the election if voted upon in a general election, and on the sixtieth day after the election if voted upon at a special election, or in either case at such other date as the joint resolution shall provide.

A proposed amendment that applies to fewer than all the counties of the state shall not become a part hereof unless adopted by vote of the electors of the county or counties designated and also by vote of the electors of the state.

Section 4. Revision by convention.—Whenever the legislature, by vote of two thirds of the membership of each house with the yeas and nays entered on the journals, determines that revision of the constitution is necessary, it shall provide for a convention, to be convened within six months thereafter to adopt and submit a revision to it for its consideration. The convention membership shall be equal to and apportioned among the counties in the same manner as the membership of the senate and house of representatives. Vacancies shall be filled by the governor. The legislature shall provide for election of delegates and notice of election. A legislator or any other public officer may be elected delegate. The convention shall determine its own organization, discipline, and rules of procedure; provided, a majority shall be required for all action other than compelling attendance of absent members.

The legislature shall at its next regular session, or at a special session called for the purpose, act upon the revision submitted, which may be amended by vote of three fourths of the membership of each house. If the revision is approved by vote of three fifths of the membership of each house it shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after adoption of the resolution, unless by vote of three fourths of the membership of each house the legislature provides for its submission at an earlier special election. The secretary of state shall cause the proposed revision and a notice of the election date to be published twice in one newspaper in each county where a newspaper is published, the first publication to be not more than ten or less than eight weeks before the election, and the second to be at least one week after the first and not less than six weeks before the election.

Section 5. Effective date—approval by electors.—If a majority of the electors of the state shall vote in favor of the revised constitution, it shall take effect at noon on the first Tuesday after the first Monday in January next after the election if voted upon in a general election, and on the sixtieth day after the election if voted upon at a special election, or in either case at such other date as the joint resolution shall provide.

Section 6. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously

with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through XI, XIII, and XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Was taken up in its order and read the second time in full.

The Committee on Constitutional Amendments offered the following amendment to Senate Joint Resolution No. 14-X(57):

In Section 1, Subsection (3), line 4 (printed bill), strike out the word: "Final" and insert in lieu thereof the following: "Amendments thereto shall require a three-fifths majority of those voting thereon, and final"

Senator Rawls moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Rawls moved that the rules be waived and Senate Joint Resolution No. 14-X(57), 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. 14-X(57), as amended, was read the third time in full as follows:

Senate Joint Resolution No. 14-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE XII OF THE CONSTITUTION OF THE STATE OF FLORIDA.

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

Section 1. The following proposed revision of Article XII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE XII AMENDMENTS

Section 1. Amendment pursuant to legislative action.—The legislature may by joint resolution adopted as provided in this section propose an amendment to this constitution. A resolution proposing an amendment shall confine itself to the subject matters of one article but may include any provisions in other articles relating thereto; provided, when the legislature submits more than one proposed revised article hereof, to be voted upon in the same general election, any such proposed article may provide that it shall not become effective unless other specified proposed articles are adopted by the electors at such election, and thereupon none of such proposed articles shall become a part hereof unless all of them are adopted. The resolution shall be processed in the manner provided herein for enactment of laws, except that:

(1) It shall forthwith be entered in full on the journal of the house in which introduced.

(2) The house in which it is introduced shall forthwith furnish a copy to the attorney general, who shall consider it and within ten days transmit to each house recommendations or suggestions as to its effect upon other provisions of the constitution and as to its form and substance, but his failure to act shall not affect legislative action thereon.

(3) No vote upon the adoption of the joint resolution shall be taken until on or after the eighteenth calendar day after its introduction in the originating house. Amendments thereto shall require a three-fifths majority of those voting thereon, and final adoption shall require affirmative vote of three fifths of the membership of each house, the yeas and nays to be entered on the journal; and if the resolution is amended it shall be entered on the journals as finally adopted.

(4) The resolution shall not be subject to veto.

Section 2. **Submission to electors.**—A proposed amendment shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after the adoption of the resolution unless by vote of three fourths of the membership of each house the legislature shall provide for its submission at a special election at an earlier date. The secretary of state shall cause the proposed amendment, together with a notice of the date of the election thereon, to be published twice in one newspaper in each county where a newspaper is published, the first publication to be not more than ten or less than eight weeks before the election, and the second publication to be at least one week after the first and not less than six weeks before the election.

Section 3. **Effective date—approval by electors.**—If a majority of the electors of the state shall vote in favor of the proposed amendment, it shall take effect at noon on the first Tuesday after the first Monday in January next after the election if voted upon in a general election, and on the sixtieth day after the election if voted upon at a special election, or in either case at such other date as the joint resolution shall provide.

A proposed amendment that applies to fewer than all the counties of the state shall not become a part hereof unless adopted by vote of the electors of the county or counties designated and also by vote of the electors of the state.

Section 4. **Revision by convention.**—Whenever the legislature, by vote of two thirds of the membership of each house with the yeas and nays entered on the journals, determines that revision of the constitution is necessary, it shall provide for a convention, to be convened within six months thereafter, to adopt and submit a revision to it for its consideration. The convention membership shall be equal to and apportioned among the counties in the same manner as the membership of the senate and house of representatives. Vacancies shall be filled by the governor. The legislature shall provide for election of delegates and notice of election. A legislator or any other public officer may be elected delegate. The convention shall determine its own organization, discipline, and rules of procedure; provided, a majority shall be required for all action other than compelling attendance of absent members.

The legislature shall at its next regular session, or at a special session called for the purpose, act upon the revision submitted, which may be amended by vote of three fourths of the membership of each house. If the revision is approved by vote of three fifths of the membership of each house it shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after adoption of the resolution, unless by vote of three fourths of the membership of each house the legislature provides for its submission at an earlier special election. The secretary of state shall cause the proposed revision and a notice of the election date to be published twice in one newspaper in each county where a newspaper is published, the first publication to be not more than ten or less than eight weeks before the election, and the second to be at least one week after the first and not less than six weeks before the election.

Section 5. **Effective date—approval by electors.**—If a majority of the electors of the state shall vote in favor of the revised constitution, it shall take effect at noon on the first

Tuesday after the first Monday in January next after the election if voted upon in a general election, and on the sixtieth day after the election if voted upon at a special election, or in either case at such other date as the joint resolution shall provide.

Section 6. **Effective date of this article.**—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through XI, XIII, and XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Upon the passage of Senate Joint Resolution No. 14-X(57), as amended, the roll was called and the vote was:

Yeas—33.

Mr. President	Cabot	Hodges	Pearce
Adams	Carraway	Johns	Pope
Barber	Clarke	Johnson	Rawls
Beall	Connor	Kelly	Rood
Bishop	Davis	Kickliter	Stenstrom
Boyd	Dickinson	Knight	Stratton
Brackin	Edwards	Morgan	Sutton
Branch	Getzen	Neblett	
Bronson	Hair		

Nays—3.

Belser	Eator	Houghton
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So Senate Joint Resolution No. 14-X(57) passed, as amended, by the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Rawls moved that the rules be waived and Senate Joint Resolution No. 14-X(57) be immediately certified to the House of Representatives after being engrossed.

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

Senate Joint Resolution No. 7-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE IV OF THE CONSTITUTION OF THE STATE OF FLORIDA.

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

Section 1. The following proposed revision of Article IV of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE IV
EXECUTIVE

Section 1. Governor--chief executive--commander-in-chief--grants--commissions.—The supreme executive power shall be vested in the governor. He shall take care that the laws are faithfully executed, be commander-in-chief of all state armed forces not in the active service of the United States, transact all executive business with state civil and military officers, and sign all grants. He shall issue each state and county officer a commission in the name of the state, bearing its great seal attested by the secretary of state, and shall sign it unless otherwise provided by law.

Section 2. Governor--message to legislature.—At least once in each regular session the governor shall by message inform the legislature concerning the condition of the state and recommend measures in the public interest.

Section 3. Governor--suspensions--filling office during suspensions.—By executive order stating the ground and filed with the secretary of state, the governor may suspend from office any state officer not subject to impeachment, any officer of the militia not in the active service of the United States, or any county officer, for malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform his official duties, or commission of a felony, and may fill the office by appointment for the period of suspension.

The suspended officer shall be deemed to have acquiesced in the suspension and surrendered all claim to the office unless within thirty days from the filing of the suspension order he shall file with the secretary of state a written demand for a hearing, which shall be accorded promptly before the governor or a disinterested cabinet member designated by the governor in writing. All evidence supporting the suspension and all evidence that the officer has in his defense shall be presented and recorded at the hearing, and a transcript thereof and all documentary evidence shall be filed with the secretary of state. The governor shall thereupon file with the secretary of state a further order stating his findings and finally confirming or revoking the suspension. If the order does not revoke the suspension and reinstate the officer, the secretary of state shall transmit to the senate, on the next day it is in regular session, certified copies of the orders and of the record of the hearing; provided, if these copies are not submitted prior to the forty-sixth day of the session the senate may postpone consideration until the next session. The senate may take further evidence and shall sustain or disapprove the suspension. If it disapproves before adjourning the officer shall be reinstated and shall receive compensation from the state to the date of reinstatement or to the date of expiration of his term of office, whichever is earlier. The proceedings hereunder shall not affect his criminal or civil liability.

Section 4. Cabinet—membership—election—term—qualifications.—The Cabinet shall consist of the Governor, Secretary of State, Attorney General, Comptroller, Treasurer, Superintendent of Education, and Commissioner of Agriculture. Each cabinet member shall be elected quadrennially at the same state-wide general election for a term of four years and when elected shall be at least twenty-five years of age and for the ten immediately preceding years shall have been a citizen and resident of the state. No person who has become governor by election or succession shall again be governor until four years after the expiration of the term within which he served.

Section 5. Cabinet—duties as board of commissioners of state institutions and as budget commission.—The cabinet shall constitute the Board of Commissioners of State Institutions, which shall supervise state institutions in the manner prescribed by law.

Section 6. Appointment of directors—reports.—The legislature may authorize any board composed entirely of cabinet members to appoint a director of any department under the supervision of such board.

The governor may require information in writing from any state executive or administrative officer and from any county officer regarding his executive or administrative duties. At the beginning of each regular session of the legislature, and

at such other times as the governor may request, each state executive officer shall report in writing his official acts and the receipts, expenditures, and requirements of his office to the governor, who shall lay the reports before the legislature at the beginning of the session.

Each state, county, district, or municipal executive officer, agency head, or employee shall furnish information regarding his department, office, or employment upon the request of either house of the legislature.

Section 7. (a) Pardon board—application for pardon.—The cabinet shall constitute the Pardon Board. In all cases except treason the governor and any three others may grant full or conditional pardons, restore civil rights, commute punishment, and remit fines and forfeitures. The legislature shall prescribe the manner of applying for pardons.

(b) Governor—reprieves—remissions or suspensions of fines.—The governor may suspend collection of fines and forfeitures and grant reprieves not exceeding sixty days in all cases except treason. In cases of treason the reprieve may extend to the next legislative session, and at the commencement thereof the governor shall report the treason cases to the legislature, which may direct execution of the sentence or grant a pardon or further reprieve. If it adjourns without disposing of the case the governor shall enforce the sentence. A record of each pardon, commutation, remission, reprieve, and suspension granted shall be filed with the secretary of state.

(c) Parole commission.—The legislature may create a Parole Commission, prescribe the qualifications, method of selection, and terms of its members, and empower it to supervise persons on probation and to grant parole or conditional releases to persons under sentence for crime.

Section 8. Advisory opinions of justices.—The governor may request in writing the opinion of the justices of the supreme court as to the interpretation of any portion of this constitution upon any question affecting his executive powers and duties. The justices shall, subject to their rules of procedure, permit interested persons to be heard on the questions presented. They shall render their written opinion not earlier than ten days from the filing and docketing of such request, unless in their judgment such delay would cause public injury.

Section 9. Succession to office of governor—service as acting governor.—The secretary of state shall become governor upon failure of the governor-elect to qualify or upon death, resignation, or removal of the governor. Further succession to the office of governor shall devolve first upon the president of the senate, next upon the speaker of the house of representatives, and thereafter as prescribed by law. A successor shall serve for the remainder of the term.

Upon impeachment of the governor and until completion of trial thereon, or during his physical or mental incapacity, the secretary of state shall act as governor. Further succession as acting governor shall devolve first upon the president of the senate, next upon the speaker of the house of representatives, and thereafter as prescribed by law. Incapacity to serve as governor shall be determined only by the supreme court upon due notice after docketing of written suggestion thereof by four cabinet members, and restoration of capacity shall be similarly determined after docketing of written suggestion thereof by the governor, the legislature, or four cabinet members; provided, by certificate filed with the secretary of state the governor may declare his incapacity for physical reasons to serve as governor or may declare that incapacity has ceased.

Section 10. Secretary of state—duties.—The secretary of state shall keep the records of official acts of the legislative and executive departments and when requested by either house of the legislature shall lay them and all related matters before it. He shall attest and affix the great seal of the state to all grants and commissions and be custodian of the great seal of the state.

Section 11. Attorney general—duties.—The attorney general shall be the legal advisor to each officer of the state executive branch.

Section 12. Comptroller—duties.—The comptroller shall examine, preaudit, adjust, and settle all state accounts. He shall be responsible for collecting all taxes due the state except as provided by law.

Section 13. Treasurer—duties.—The treasurer, in the manner prescribed by law, shall keep all funds and securities and make all disbursements, but he shall not disburse funds without the order of the comptroller, countersigned by the governor as a ministerial duty enforceable by writ of mandamus.

Section 14. Superintendent of education—duties.—The state superintendent of education shall supervise the public school system according to law.

Section 15. Commissioner of agriculture—duties.—The commissioner of agriculture shall perform the duties prescribed by law relating to agriculture, shall maintain the Bureau of Agricultural Information, and shall be custodian of records pertaining to public lands.

Section 16. Game and fresh water fish commission—duties—membership — director — powers — licenses — penalties — state game fund.—(a) The management, restoration, conservation, and regulation of the mammal, bird, reptile, and amphibian wildlife, and of the fresh water fish of the state, and the acquisition, establishment, control, and management of hatcheries, sanctuaries, refuges, reservations, and property owned or used for such purposes by the state, shall be vested in a Game and Fresh Water Fish Commission, a body corporate composed of five members. The cabinet shall from time to time divide the state into five districts and, subject to confirmation by the senate, shall appoint the commissioners, one from each district, for terms of five years staggered so that one of the terms expires each year. The commissioners shall annually select one of their members as chairman. They shall receive travel and per diem allowances and may receive compensation as provided by law.

(b) The commission shall appoint and at pleasure remove a Director, who shall be its executive head. He shall, subject to approval by the commission, appoint, fix the salaries of, and discharge its assistants and employees and shall exercise other powers and perform other duties prescribed by it. Members of the commission are ineligible for employment by it.

(c) The commission may, among its powers, establish bag limits and open and closed seasons on a state-wide, regional, or local basis and regulate the manner of taking, transporting, storing, and using mammals, birds, game, fur-bearing animals, reptiles, amphibians, and fresh water fish.

(d) The legislature shall have exclusive power to enact laws imposing license taxes relating to this section and to fix penalties for violation of regulations made pursuant to it and may enact laws in aid of but not inconsistent with its provisions.

(e) Funds derived from the operation of the commission and from license taxes authorized by this section, and all other funds appropriated or provided from any source for the purposes comprehended by it, shall constitute the State Game Fund and shall be used exclusively by the commission and solely for the purposes provided in this section. Unless otherwise authorized by law the commission shall not incur any obligations exceeding the current amount of the fund.

Section 17. Conservation of salt water fish, shellfish, and products.—The legislature shall establish an agency to conserve and supervise the salt water fish, salt water shellfish, and salt water products of the state and shall empower it to make regulations relating thereto, which need not apply uniformly throughout the state and may be repealed or modified by law. Should the game and fresh water fish commission be established as the agency, it shall thereupon be designated Game and Fish Commission.

Section 18. Railroad and public utilities commission.—The legislature shall establish a Railroad and Public Utilities Commission and prescribe its membership, duties, and powers, including quasi-judicial powers.

Section 19. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, and VI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the inter-

locking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Was taken up in its order and read the second time in full.

The Committee on Constitutional Amendments offered the following amendment to Senate Joint Resolution No. 7-X(57):

In Section 7, Subsection (b), line 4 (printed bill), strike out the period after the word "treason" and insert in lieu thereof the following: and impeachment.

Senator Rawls moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Constitutional Amendments also offered the following amendment to Senate Joint Resolution No. 7-X(57):

In Section 11, line 2 (printed bill), after the word "be", insert the following: an attorney at law and

Senator Rawls moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Constitutional Amendments also offered the following amendment to Senate Joint Resolution No. 7-X(57):

In Section 16, (printed bill), Add a new subsection to be (d) to read as follows: (d) Rules and Regulations of the commission may be amended or repealed by general law of statewide application or of application throughout a district or districts established pursuant hereto, but not by any law based on population."

Renumber Subsection (d) to be (e), and Subsection (e) to be (f).

Senator Adams moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johns offered the following amendment to Senate Joint Resolution No. 7-X(57):

In Article IV, Section 9, pp. 4 & 5, (typewritten bill) strike out the entire Section 9 and insert in lieu thereof the following:

Section 9. Succession to office of Governor—service as Acting Governor. There shall be elected at the same time as the governor, for a like term but separately on the ballot from the governor, a lieutenant governor. The lieutenant governor shall become governor for the term for which the governor has been elected or the residue thereof upon the death of the governor-elect or his failure to qualify or upon the death, resignation or removal of the governor. The lieutenant governor shall assume and discharge the powers and duties of the office of governor during any period the governor is absent from the state. The lieutenant governor shall assist the governor and perform such other duties as may be prescribed by law. Further succession to the office of governor shall devolve first upon the president of the senate, next upon the speaker of the house, and thereafter as prescribed by law; and the provisions above relating to the lieu-

tenant governor shall apply with equal force to those in the order of succession as enumerated herein. Upon impeachment of the governor and until completion of trial thereon, or during his physical or mental incapacity, the lieutenant governor shall act as governor. Further succession as acting governor shall devolve first upon the president of the senate, next upon the speaker of the house of representatives, and thereafter as prescribed by law. Incapacity to serve as governor shall be determined only by the supreme court upon due notice after docketing of written suggestion thereof by four cabinet members, and restoration of capacity shall be similarly determined after docketing of written suggestion thereof by the governor, the legislature, or four cabinet members; provided, by certificate filed with the secretary of state the governor may declare his incapacity for physical reasons to serve as governor or may declare that incapacity has ceased. The lieutenant governor may not succeed himself or become a candidate for governor until a period of four years has elapsed.

Senator Johns moved the adoption of the amendment.

A roll call was demanded.

Upon call of the roll on the motion made by Senator Johns, the vote was:

Yeas—21.

Barber	Dickinson	Kelly	Rood
Belser	Eaton	Kicklitter	Stenstrom
Bishop	Gautier	Morgan	Sutton
Boyd	Getzen	Neblett	
Brackin	Houghton	Pearce	
Cabot	Johns	Pope	

Nays—15.

Mr. President	Bronson	Davis	Johnson
Adams	Carraway	Edwards	Rawls
Beall	Clarke	Hair	Stratton
Branch	Connor	Hodges	

So the amendment was adopted.

Senator Bishop offered the following amendment to Senate Joint Resolution No. 7-X(57):

In Section 16, Subsection (e) (printed bill), strike out: all of Subsection (e).

Senator Bishop moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Rawls moved that the rules be waived and Senate Joint Resolution No. 7-X(57), 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. 7-X(57), as amended, was read the third time in full as follows:

Senate Joint Resolution No. 7-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE IV OF THE CONSTITUTION OF THE STATE OF FLORIDA.

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

Section 1. The following proposed revision of Article IV of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE IV

EXECUTIVE

Section 1. **Governor—chief executive—commander-in-chief—grants—commissions.** — The supreme executive power shall be vested in the governor. He shall take care that the laws are faithfully executed, be commander-in-chief of all state armed forces not in the active service of the United States, transact all executive business with state civil and military officers, and sign all grants. He shall issue each

state and county officer a commission in the name of the state, bearing its great seal attested by the secretary of state, and shall sign it unless otherwise provided by law.

Section 2. **Governor—message to legislature.** — At least once in each regular session the governor shall by message inform the legislature concerning the condition of the state and recommend measures in the public interest.

Section 3. **Governor — suspensions — filling office during suspensions.**—By executive order stating the ground and filed with the secretary of state, the governor may suspend from office any state officer not subject to impeachment, any officer of the militia not in the active service of the United States, or any county officer, for malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform his official duties, or commission of a felony, and may fill the office by appointment for the period of suspension.

The suspended officer shall be deemed to have acquiesced in the suspension and surrendered all claim to the office unless within thirty days from the filing of the suspension order he shall file with the secretary of state a written demand for a hearing, which shall be accorded promptly before the governor or a disinterested cabinet member designated by the governor in writing. All evidence supporting the suspension and all evidence that the officer has in his defense shall be presented and recorded at the hearing, and a transcript thereof and all documentary evidence shall be filed with the secretary of state. The governor shall thereupon file with the secretary of state a further order stating his findings and finally confirming or revoking the suspension. If the order does not revoke the suspension and reinstate the officer, the secretary of state shall transmit to the senate, on the next day it is in regular session, certified copies of the orders and of the record of the hearing; provided, if these copies are not submitted prior to the forty-sixth day of the session the senate may postpone consideration until the next session. The senate may take further evidence and shall sustain or disapprove the suspension. If it disapproves before adjourning, the officer shall be reinstated and shall receive compensation from the state to the date of reinstatement or to the date of expiration of his term of office, whichever is earlier. The proceedings hereunder shall not affect his criminal or civil liability.

Section 4. **Cabinet—membership—election—term—qualifications.**—The Cabinet shall consist of the Governor, Secretary of State, Attorney General, Comptroller, Treasurer, Superintendent of Education, and Commissioner of Agriculture. Each cabinet member shall be elected quadrennially at the same state-wide general election for a term of four years and when elected shall be at least twenty-five years of age and for the ten immediately preceding years shall have been a citizen and resident of the state. No person who has become governor by election or succession shall again be governor until four years after the expiration of the term within which he served.

Section 5. **Cabinet—duties as board of commissioners of state institutions and as budget commission.**—The cabinet shall constitute the Board of Commissioners of State Institutions, which shall supervise state institutions in the manner prescribed by law.

Section 6. **Appointment of directors—reports.**—The legislature may authorize any board composed entirely of cabinet members to appoint a director of any department under the supervision of such board.

The governor may require information in writing from any state executive or administrative officer and from any county officer regarding his executive or administrative duties. At the beginning of each regular session of the legislature, and at such other times as the governor may request, each state executive officer shall report in writing his official acts and the receipts, expenditures, and requirements of his office to the governor, who shall lay the reports before the legislature at the beginning of the session.

Each state, county, district, or municipal executive officer, agency head, or employee shall furnish information regarding his department, office, or employment upon the request of either house of the legislature.

Section 7. (a) **Pardon board—application for pardon.**—The cabinet shall constitute the Pardon Board. In all cases except treason the governor and any three others may grant full or conditional pardons, restore civil rights, commute punishment, and remit fines and forfeitures. The legislature shall prescribe the manner of applying for pardons.

(b) **Governor—reprieves—remissions or suspensions of fines.**—The governor may suspend collection of fines and forfeitures and grant reprieves not exceeding sixty days in all cases except treason and impeachment. In cases of treason the reprieve may extend to the next legislative session, and at the commencement thereof the governor shall report the treason cases to the legislature, which may direct execution of the sentence or grant a pardon or further reprieve. If it adjourns without disposing of the case the governor shall enforce the sentence. A record of each pardon, commutation, remission, reprieve, and suspension granted shall be filed with the secretary of state.

(c) **Parole commission.**—The legislature may create a Parole Commission, prescribe the qualifications, method of selection, and terms of its members, and empower it to supervise persons on probation and to grant parole or conditional releases to persons under sentence for crime.

Section 8. **Advisory opinions of justices.**—The governor may request in writing the opinion of the justices of the supreme court as to the interpretation of any portion of this constitution upon any question affecting his executive powers and duties. The justices shall, subject to their rules of procedure, permit interested persons to be heard on the questions presented. They shall render their written opinion not earlier than ten days from the filing and docketing of such request, unless in their judgment such delay would cause public injury.

Section 9. **Succession to office of Governor—service as Acting Governor.** There shall be elected at the same time as the governor, for a like term but separately on the ballot from the governor, a lieutenant governor. The lieutenant governor shall become governor for the term for which the governor has been elected or the residue thereof upon the death of the governor-elect or his failure to qualify or upon the death, resignation or removal of the governor. The lieutenant governor shall assume and discharge the powers and duties of the office of governor during any period the governor is absent from the state. The lieutenant governor shall assist the governor and perform such other duties as may be prescribed by law. Further succession to the office of governor shall devolve first upon the president of the senate, next upon the speaker of the house, and thereafter as prescribed by law; and the provisions above relating to the lieutenant governor shall apply with equal force to those in the order of succession as enumerated herein.

Upon impeachment of the governor and until completion of trial thereon, or during his physical or mental incapacity, the lieutenant governor shall act as governor. Further succession as acting governor shall devolve first upon the president of the senate, next upon the speaker of the house of representatives, and thereafter as prescribed by law. Incapacity to serve as governor shall be determined only by the supreme court upon due notice after docketing of written suggestion thereof by four cabinet members, and restoration of capacity shall be similarly determined after docketing of written suggestion thereof by the governor, the legislature, or four cabinet members; provided, by certificate filed with the secretary of state the governor may declare his incapacity for physical reasons to serve as governor or may declare that incapacity has ceased.

The lieutenant governor may not succeed himself or become a candidate for governor until a period of four years has elapsed.

Section 10. **Secretary of state—duties.**—The secretary of state shall keep the records of official acts of the legislative and executive departments and when requested by either house of the legislature shall lay them and all related matters before it. He shall attest and affix the great seal of the state to all grants and commissions and be custodian of the great seal of the state.

Section 11. **Attorney general—duties.**—The attorney general shall be an attorney at law and the legal advisor to each officer of the state executive branch.

Section 12. **Comptroller—duties.**—The comptroller shall ex-

amine, preaudit, adjust, and settle all state accounts. He shall be responsible for collecting all taxes due the state except as provided by law.

Section 13. **Treasurer—duties.**—The treasurer, in the manner prescribed by law, shall keep all funds and securities and make all disbursements, but he shall not disburse funds without the order of the comptroller, countersigned by the governor as a ministerial duty enforceable by writ of mandamus.

Section 14. **Superintendent of education—duties.**—The state superintendent of education shall supervise the public school system according to law.

Section 15. **Commissioner of agriculture—duties.**—The commissioner of agriculture shall perform the duties prescribed by law relating to agriculture, shall maintain the Bureau of Agricultural Information, and shall be custodian of records pertaining to public lands.

Section 16. **Game and fresh water fish commission—duties—membership — director — powers — licenses — penalties — state game fund.**—(a) The management, restoration, conservation, and regulation of the mammal, bird, reptile, and amphibian wildlife, and of the fresh water fish of the state, and the acquisition, establishment, control, and management of hatcheries, sanctuaries, refuges, reservations, and property owned or used for such purposes by the state, shall be vested in a Game and Fresh Water Fish Commission, a body corporate composed of five members. The cabinet shall from time to time divide the state into five districts and, subject to confirmation by the senate, shall appoint the commissioners, one from each district, for terms of five years staggered so that one of the terms expires each year. The commissioners shall annually select one of their members as chairman. They shall receive travel and per diem allowances and may receive compensation as provided by law.

(b) The commission shall appoint and at pleasure remove a Director, who shall be its executive head. He shall, subject to approval by the commission, appoint, fix the salaries of, and discharge its assistants and employees and shall exercise other powers and perform other duties prescribed by it. Members of the commission are ineligible for employment by it.

(c) The commission may, among its powers, establish bag limits and open and closed seasons on a state-wide, regional, or local basis and regulate the manner of taking, transporting, storing, and using mammals, birds, game, fur-bearing animals, reptiles, amphibians, and fresh water fish.

(d) Rules and Regulations of the commission may be amended or repealed by general law of statewide application or of application throughout a district or districts established pursuant hereto, but not by any law based on population.

(e) The legislature shall have exclusive power to enact laws imposing license taxes relating to this section and to fix penalties for violation of regulations made pursuant to it and may enact laws in aid of but not inconsistent with its provisions.

Section 17. **Conservation of salt water fish, shellfish, and products.**—The legislature shall establish an agency to conserve and supervise the salt water fish, salt water shellfish, and salt water products of the state and shall empower it to make regulations relating thereto, which need not apply uniformly throughout the state and may be repealed or modified by law. Should the game and fresh water fish commission be established as the agency, it shall thereupon be designated Game and Fish Commission.

Section 18. **Railroad and public utilities commission.**—The legislature shall establish a Railroad and Public Utilities Commission and prescribe its membership, duties, and powers, including quasi-judicial powers.

Section 19. **Effective date of this article.**—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, and VI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional

provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Upon the passage of Senate Joint Resolution No. 7-X(57), as amended, the roll was called and the vote was:

Yeas—31.

Mr. President	Bronson	Getzen	Neblett
Adams	Cabot	Hair	Pearce
Barber	Carraway	Johns	Pope
Beall	Clarke	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kicklitter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	

Nays—6.

Belser	Davis	Houghton	Rawls
Connor	Hodges		

So Senate Joint Resolution No. 7-X(57) passed, as amended, by the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Rawls moved that the rules be waived and Senate Joint Resolution No. 7-X(57) be immediately certified to the House of Representatives after being engrossed.

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

Senator Davis moved that when the Senate adjourns at this Session it recess to reconvene at 4:00 o'clock P.M., this day.

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

Senator Davis moved that the Senate adjourn.

Which was agreed to and the Senate recessed at 11:48 o'clock A.M., until 4:00 o'clock P.M., this day, pursuant to the motion made by Senator Davis.

AFTERNOON SESSION

The Senate reconvened at 4:00 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	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kicklitter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

—37.

A quorum present.

Senator Carlton was excused from attendance upon the Session.

By permission the following Reports of Committees were received:

REPORTS OF COMMITTEES

Senator Rawls, Chairman of the Committee on Governmental Reorganization, reported that the Committee had carefully considered the following Bill:

S. B. No. 33-X(57)—A bill to be entitled An Act amending Chapter 361, Florida Statutes, relating to eminent domain and public utilities, by providing for an additional section to be known as Section 361.06, granting the right of eminent domain and other rights to petroleum and petroleum products pipeline companies.

—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 Constitutional Amendments, reported that the Committee had carefully considered the following Joint Resolution:

S. J. R. No. 22-X(57)—A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE III OF THE CONSTITUTION OF THE STATE OF FLORIDA.

—and recommends that the same pass.

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

Senator Carraway, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Bill:

H. B. No. 35-X—A bill to be entitled An Act providing for the payment of mileage and per diem to certain members of the House of Representatives in attendance of the 1957 Special Session caucus held in Tallahassee and to members and chairmen of authorized committees carrying on official duties in Tallahassee prior to convening of the Special Session of the Legislature.

—and recommends that the same pass.

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

CONSIDERATION OF BILLS AND JOINT RESOLUTIONS ON SECOND READING

S. B. No. 33-X(57)—A bill to be entitled An Act amending Chapter 361, Florida Statutes, relating to eminent domain and public utilities, by providing for an additional section to be known as Section 361.06, granting the right of eminent domain and other rights to petroleum and petroleum products pipeline companies.

Was taken up in its order.

Senator Rawls moved that the rules be waived and Senate Bill No. 33-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 33-X(57) was read the second time by title only.

Senator Rawls moved that the rules be further waived and Senate Bill No. 33-X(57) 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. 33-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 33-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Barber	Clarke	Houghton	Pope
Beall	Connor	Johns	Rawls
Belser	Davis	Johnson	Rood
Bishop	Dickinson	Kelly	Stenstrom
Boyd	Eaton	Kicklitter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Gautier	Morgan	
Bronson	Getzen		

Nays—None.

So Senate Bill No. 33-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senate Joint Resolution No. 22-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE III OF THE CONSTITUTION OF THE STATE OF FLORIDA.

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

Section 1. The following proposed revision of Article III of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE III
LEGISLATIVE

Section 1. **Composition.**—The legislative power of the state shall be vested in a Legislature of the State of Florida, consisting of a Senate and a House of Representatives, whose sessions shall be held at the seat of government.

Section 2. (a) **Regular sessions—extensions.**—A regular legislative session shall be convened on the first Tuesday after the first Monday in April of each odd-numbered year for not more than sixty consecutive days; provided, by three-fifths vote of the membership of each house it may be extended from time to time for periods not exceeding in the aggregate thirty calendar days, not necessarily consecutive but not extending beyond the following August, during which no new legislation may be introduced without the consent of two thirds of the house in which it originates.

(b) **Extra sessions.**—When within sixty days from the filing of the first certificate one fifth of the membership of each house of the legislature shall have filed with the secretary of state their certificates that an extra session of the legislature is required for the common good, he shall within seven days thereafter give notice thereof to all legislators by registered mail and poll them on the question: "Shall such session be held?" If three fifths of the membership of each house shall within fifteen days after such mailing file with him their affirmative votes thereon, he shall call such session to convene on a date fixed by him not less than fourteen or more than twenty-one days after such mailing. Such session shall not exceed thirty consecutive days.

(c) **Special sessions.**—The governor may by proclamation stating the purpose convene the legislature in special session not to exceed twenty consecutive days, during which only such legislative business may be transacted as pertains to reapportionment, if action thereon is necessary, or as is within the purview of the proclamation or of a communication from the governor or is introduced by consent of two thirds of each house.

(d) **Reapportionment sessions.**—Should the legislature fail to reapportion its representation at any regular session as herein provided, the governor shall within thirty days after adjournment thereof call the legislature into reapportionment session to perform its duty in that behalf. Such session shall transact no other business and shall complete reapportionment before adjournment; provided, after the lapse of sixty days from the date such session is convened the governor by proclamation or the legislature by concurrent resolution may adjourn the session to a certain date or sine die.

(e) **Organization—expenses.**—The legislature may provide

for its organization, expenses, and other incidental matters, including per diem of members.

(f) **Adjournment by governor.**—If the two houses cannot agree upon a time for adjournment, the governor may adjourn the session sine die or to any date within the period authorized for such session; provided, at least two legislative days other than recess days before adjourning the session he shall give each house formal written notice of his intention to do so, and agreement reached within that period by both houses on a time for adjournment shall prevail.

Section 3. (a) **First legislature.**—The first legislature shall be composed of the legislators elected pursuant to the constitution of 1885, whose terms of office shall expire as therein provided, and of the additional legislators created hereby. If this article becomes effective as the result of a special election thereon the additional legislative offices created hereby shall be filled at the general election in 1958. If this article becomes effective as the result of a general election the additional legislative offices created hereby shall be filled by a special election, as provided by law, as early as practicable after the effective date hereof. Senators from odd-numbered districts shall be those elected in 1956 and senators from even-numbered districts shall be those elected in 1958; provided, the first senators from the additional odd-numbered districts created hereby shall be elected, at a general or special election as provided in this subsection, for a term expiring with the terms of senators from the other odd-numbered districts.

(b) **Terms of legislators—vacancies.**—Except as provided herein for the first senators from the additional odd-numbered districts created hereby, each representative shall be elected for a term of two years and each senator for a term of four years, by the electors of the area within which he qualifies, at a general election held in the year in which the term of the incumbent expires. He shall take office upon election. Vacancies shall be filled only by special election as provided by law.

(c) **Qualifications of legislators.**—Each legislator shall be at least twenty-one years of age and an elector and resident of the area from which elected.

(d) **Eligibility for other office.**—Except as provided herein, no legislator shall during the term for which elected be appointed to any state civil office created by the legislature during such term.

(e) **Compensation—allowances.**—Each legislator shall receive compensation, payable monthly, and travel and per diem allowances as provided by law.

Section 4. **Representation—apportionment.**—(a) **Senate.**—The state shall be apportioned into forty-five senatorial districts designated by number in consecutive order. Such apportionment shall provide fairness and equity among districts, based upon population and such other pertinent factors as may be determined by the legislature at the time of apportionment; provided:

- (1) There shall be only one senator for each district;
- (2) No district shall be composed of more than three counties;
- (3) Counties forming a district shall not be entirely separated by territory of another district; and
- (4) No county shall be divided in creating a district.

(b) **House of representatives.**—The representation in the house of representatives shall be apportioned as follows:

- (1) Five representatives for the most populous county;
- (2) Four representatives for each of the next two most populous counties;
- (3) Three representatives for each of the next seven most populous counties;
- (4) Two representatives for each of the next twenty-three most populous counties; and
- (5) One representative for each other county.

(c) **First apportionment—reapportionment.**—The first ap-

portionment of each legislative house shall become effective upon adoption hereof, and at the regular session in 1965 and decennially thereafter the legislature shall reapportion its representation in accordance herewith. Should it fail to do so, its duty shall continue in every session, of whatever type.

(d) **Representation of newly created county.**—A newly created county shall have one representative in the house of representatives until the succeeding reapportionment, and until that time it shall be part of such adjoining senatorial district as the legislature shall designate.

Section 5. **Organization—officers.**—Each house shall be the sole judge of the qualifications, elections, and returns of its members, and upon convening each regular session shall choose its officers, including a permanent presiding officer selected from its membership, who shall be designated in the senate as President of the Senate, and in the house as Speaker of the House of Representatives. The senate shall designate a Secretary, to serve at its pleasure, and the house of representatives shall designate a Chief Clerk, to serve at its pleasure.

Each house of the legislature shall provide a liaison representative to the budget commission. He shall be responsible to his appointive house only, shall have access to all records and information available to the budget commission, and may sit with it at any time.

Section 6. **Procedure—adjournment—open doors—journal—discipline—compelling attendance.**—Except as provided herein, each house shall determine its rules of procedure. Neither house may adjourn for more than three days without the consent of the other. The senate may close its doors to the public while sitting in executive session. Other sessions of each house shall be public. Each house shall keep and publish a journal of its proceedings, in which the yeas and nays of each member on any question shall be entered upon request of five members present. Each house may punish a member for contempt and by two-thirds vote may expel him. A majority of the members elected to each house shall constitute a quorum, but less than a quorum may adjourn from day to day, compel attendance of absent members, and prescribe penalties for failure to attend.

Section 7. **Attendance of witnesses—production of evidence—contempt and penalties.**—Each house may when in session compel attendance of witnesses and production of public and private documents and other evidence upon any matter under investigation before it or any of its committees, and may punish by fine not exceeding \$1,000 or imprisonment not exceeding ninety days any person not a member who has been guilty of disorderly or contemptuous conduct in its presence or has refused to obey its lawful summons or to answer lawful questions. For making investigations between sessions the legislature may confer such powers upon any committee of legislators by a law limited to the committee designated, to a stated period of operation, and to the matters specifically assigned. The manner of exercising such powers, including the fixing of witness fees and expenses and appropriate right of appeal, shall be prescribed by law.

Section 8. **Form of bill—one subject—title—amendment—enacting clause.**—Every law shall embrace but one subject and matter properly connected therewith, which subject shall be briefly expressed in the title. No law shall be revised or amended by reference to its title only. Laws to revise or amend shall set out in full the revised act or amended section, subsection, or paragraph of a subsection. The enacting clause of every law shall read: "Be it enacted by the Legislature of the State of Florida."

Section 9. **Passage of bills.**—Any bill may originate in either house and after passage in one may be amended in the other. In each house it shall be read on three separate days unless two thirds waive this rule. Its first reading shall be by title only unless one third order it read in full. Its second reading shall be in full unless two thirds order it read by title only. Its third reading shall be in full unless it is a general revision of the entire laws, in which instance two thirds may order it read by title only. In each house passage of a bill shall require a majority vote. On final passage the vote in each house shall be taken by yeas and nays and entered on its journal. The bill shall be signed by the presiding officers of the respective houses and by the secretary of the senate and the chief clerk of the house of representatives.

Section 10. **Executive approval—veto—item veto of appro-**

priations—repassage.—Every bill passed by the legislature shall be presented to the governor for his approval and shall become a law if he approves and signs it, or fails to do so or to veto it within seven days after presentation; provided, if during such period the legislature finally adjourns or takes a recess of more than thirty days he shall have twenty days from the date of adjournment or recess to act on the bill. In all cases except general appropriation bills, the veto shall extend to the entire bill. The governor may veto specific items of a general appropriation bill except the expression of legislative intent as to expenditures.

When a bill or any item of a general appropriation bill has been vetoed by the governor, he shall transmit his signed objections thereto to the house in which the bill originated. If that house is not in session he shall file them with the secretary of state, who shall lay them before that house at its next session, and they shall be entered on its journal.

If each house shall reenact the bill or reinstate a vetoed item of an appropriation bill by two-thirds vote, the yeas and nays shall be entered on the respective journals, and the bill shall become law or the item reinstated, the veto notwithstanding.

Section 11. **Effective date of laws.**—No law shall take effect until sixty days from the final adjournment of the session of the legislature in which enacted; provided, by amendment adopted separately by two-thirds vote of each house the legislature may set an earlier effective date.

The classification by general law of counties, municipalities, and special districts according to population shall, as to those falling within a different class by reason of change in population, become operative thirty days after the adjournment of the regular session of the legislature next convening after certification of the census establishing such change.

Section 12. **Distribution of laws—judicial decisions.**—The legislature shall provide for the speedy publication and distribution of all laws. Laws and judicial decisions shall be free for publication by any person.

Section 13. **Special and local laws—requisites for enactment.**—No special law or local law shall be passed unless notice of intention to seek enactment thereof has been published in the manner provided by law, in each county in the area to be affected thereby, not less than thirty days or more than ninety days prior to introduction in the legislature. The fact that publication has been made shall be recited on the journal of each house and the evidence of publication shall be preserved with the bill in the office of the secretary of state. Such notice shall not be necessary when the law is conditioned to become effective only upon approval by vote of the electors.

Section 14. **Types of special and local laws prohibited.**—The legislature shall not pass any special or local law pertaining to:

- (1) jurisdiction, duties, fees other than those for special county purposes, or election, including the opening and conducting thereof and the designation of places of voting, of any officers except municipal officers;
- (2) assessment or collection of taxes for state or county purposes, including extension of time therefor, relief of tax officers from due performance of their duties, and relief of their sureties from liability;
- (3) practice or rules of evidence of any court;
- (4) punishment for crime;
- (5) grand or petit juries, including compensation of jurors, except establishment of jury commissions;
- (6) change of civil or criminal venue;
- (7) conditions precedent to bringing any civil or criminal proceedings, or limitations of time therefor;
- (8) refund of money legally paid or remission of fines, penalties, or forfeitures;
- (9) creation, enforcement, extension, or impairment of liens, or fixing of interest rates on private contracts;
- (10) disposal of public property, including any interest therein;

- (11) vacation of roads;
- (12) private incorporation or grant of privilege to a private corporation, except as to a ship or barge canal across the state;
- (13) effectuation of invalid deeds, wills, or other instruments, or change in the law of descent;
- (14) change of name of any person;
- (15) divorce;
- (16) legitimation or adoption of persons;
- (17) relief of minors from legal disabilities;
- (18) transfer of any property interest of persons under legal disabilities or of estates of decedents;
- (19) fishing or hunting;
- (20) regulation of trades, professions, or occupations. The legislature may by general law prohibit special or local laws on any other subject. Repeal thereof shall be by general law only.

Section 15. Impeachment—effect—filling office during trial.—The governor, justices of the supreme court, members of the cabinet, judges of district courts of appeal, and judges of the circuit court may be removed from office only by impeachment by the house of representatives by two-thirds vote. Impeachments shall be tried by the senate, whose members shall be upon oath or affirmation when sitting for that purpose, and conviction shall require concurrence by two-thirds vote. The senate may adjourn to a fixed date for the trial, which date shall be not more than six months from the time articles of impeachment are preferred. The house of representatives need not be in session during the trial. The chief justice or an associate justice appointed by him shall preside at the trial unless the chief justice is on trial, in which event the governor shall preside. Judgment shall extend only to removal from office and disqualification to hold any office of honor, trust, or profit under the state, and shall not affect the criminal or civil liability of the convicted officer.

An impeached officer shall immediately be disqualified from performing any duties until acquitted by the senate, and unless the governor is impeached he may by appointment fill the office until completion of trial.

Section 16. Appropriation bills—withdrawal of public funds.—Laws making appropriations for salaries of public officers and other current expenses of the state shall contain provisions on no other subject.

Section 17. Civil service systems and boards.—The legislature may create or abolish civil service systems and boards for state, county, district, or municipal employees, and also for such officers thereof as are not appointed by the governor or elected, and may authorize such boards to prescribe the qualifications, methods of selection, and tenure of such employees and officers.

Section 18. Welfare.—The legislature may provide by general law for a uniform system of benefits to residents having claim upon the aid and sympathy of society by reason of age, infirmity, or misfortune. No person shall receive state benefits unless he has been a resident of the state for five years immediately preceding application and, if application is based solely on age, has reached the age of sixty-five; provided, when necessary to secure state participation in federal funds the legislature may adopt the federal requirements then in effect.

Section 19. Mechanics liens.—The legislature shall provide for giving to mechanics and other laborers an adequate lien on the subject matter of their labor.

Section 20. Alcoholic beverages—legislative authority.—In those counties in which the sale of intoxicating beverages is not prohibited as herein provided, the legislature shall regulate the manufacture and sale thereof by private persons or provide for the manufacture or sale thereof by the state or a state agency.

Section 21. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the

same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, IV, and VI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Was taken up in its order.

Senator Johnson moved that the rules be waived and Senate Joint Resolution No. 22-X(57) be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 22-X(57) was read the second time in full.

Senator Getzen offered the following amendment to Senate Joint Resolution No. 22-X(57):

In Section 4, line 2, Pg. 4 (typewritten bill) strike out the words and figure: "Forty Five" and insert in lieu thereof the following: the figure "Forty Six".

Senator Getzen moved the adoption of the amendment.

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

Senator Rood offered the following amendment to Senate Joint Resolution No. 22-X(57):

In Section 4, Subsection (a), (typewritten bill) strike out the words: "forty-five" and insert in lieu thereof the following: "forty-three".

Senator Rood moved the adoption of the amendment.

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

Senator Rood also offered the following amendment to Senate Joint Resolution No. 22-X(57):

In Section 4, Subsection (b) Item 4, (typewritten bill) strike out the words: "Twenty-three" and insert in lieu thereof the following: "Eighteen".

Senator Rood moved the adoption of the amendment.

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

Senators Eaton, Johns and Stenstrom offered the following amendment to Senate Joint Resolution No. 22-X(57):

In Section 6, lines 5, 6, 7 (printed bill), strike out the words "The Senate may close its doors to the public while sitting in executive session. Other sessions of each house shall be public." and insert in lieu thereof the following:

"All sessions of each house shall be open to the public."

Senator Eaton moved the adoption of the amendment.

A roll call was demanded.

Upon call of the roll on the motion made by Senator Eaton, the vote was:

Yeas—15.

Barber	Dickinson	Kelly	Rood
Belser	Eaton	Kickliter	Stenstrom
Boyd	Gautier	Neblett	Sutton
Cabot	Johns	Pope	

Nays—22.

Mr. President	Bronson	Getzen	Morgan
Adams	Carraway	Hair	Pearce
Beall	Clarke	Hodges	Rawls
Bishop	Connor	Houghton	Stratton
Brackin	Davis	Johnson	
Branch	Edwards	Knight	

So the amendment failed of adoption.

Senators Eaton and Johns offered the following amendment to Senate Joint Resolution No 22-X (57):

In Section 6, line 6, (typewritten bill) strike out the words: "while sitting in executive session." and insert in lieu thereof the following: "only while sitting in executive session for the purpose of duly considering the confirmation of appointments by the Governor or removal of office holders."

Senator Eaton moved the adoption of the amendment.

A roll call was demanded.

Upon call of the roll on the motion made by Senator Eaton the vote was:

Yeas—16

Barber	Dickinson	Johns	Pope
Belser	Eaton	Kelly	Rood
Boyd	Gautier	Kickliter	Stenstrom
Cabot	Houghton	Neblett	Sutton

Nays—21.

Mr. President	Bronson	Getzen	Pearce
Adams	Carraway	Hair	Rawls
Beall	Clarke	Hodges	Stratton
Bishop	Connor	Johnson	
Brackin	Davis	Knight	
Branch	Edwards	Morgan	

So the amendment failed of adoption.

Senator Johnson moved that the rules be further waived and Senate Joint Resolution No. 22-X(57) 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. 22-X(57) was read the third time in full.

Upon the passage of Senate Joint Resolution No. 22-X(57) the roll was called and the vote was:

Yeas—28.

Mr. President	Bronson	Getzen	Morgan
Adams	Carraway	Hair	Neblett
Barber	Clarke	Hodges	Pearce
Beall	Connor	Johns	Pope
Bishop	Davis	Johnson	Rawls
Brackin	Dickinson	Kickliter	Stenstrom
Branch	Edwards	Knight	Stratton

Nays—9.

Belser	Eaton	Houghton	Rood
Boyd	Gautier	Kelly	Sutton
Cabot			

So Senate Joint Resolution No. 22-X(57) passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Beall moved that the rules be waived and the Senate revert to the introduction of bills.

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

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

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 Dickinson—

S. B. No. 38-X(57)—A bill to be entitled An Act to repeal C. 57-1773, Special Laws of Florida, Acts of 1957, the same being An Act relating to the Town of Riviera Beach, Palm Beach County, Florida, amending the provisions of Section 1 of Chapter 9894, Acts of the Legislature of the State of Florida of 1923, as amended, renaming and redefining the boundaries of the town so as to include within the corporate limits of the town certain additional lands located upon Singer Island and certain lands in Sections 30 and 31, all in

Township 42 South, Range 43 East, Palm Beach County, Florida.

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. 38-X(57) 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 Dickinson moved that the rules be waived and Senate Bill No. 38-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 38-X(57) was read the second time by title only.

Senator Dickinson moved that the rules be further waived and Senate Bill No. 38-X(57) 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. 38-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 38-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Pearce
Adams	Carraway	Hodges	Pope
Barber	Clarke	Houghton	Rawls
Beall	Connor	Johns	Rood
Belser	Davis	Johnson	Stenstrom
Bishop	Dickinson	Kelly	Stratton
Boyd	Eaton	Kickliter	Sutton
Brackin	Edwards	Knight	
Branch	Gautier	Morgan	
Bronson	Getzen	Neblett	

Nays—None.

So Senate Bill No. 38-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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 Dickinson—

S. B. No. 39-X(57)—A bill to be entitled An Act relating to the Town of Riviera Beach, Palm Beach County, Florida, ratifying, validating and confirming the annexation of certain lands in Sections 22, 23, 26 and 27, Township 42 South, Range 43 East, to the Town of Riviera Beach; providing for an effective date and for other purposes.

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. 39-X(57) 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 Dickinson moved that the rules be waived and Senate Bill No. 39-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 39-X(57) was read the second time by title only.

Senator Dickinson moved that the rules be further waived and Senate Bill No. 39-X(57) 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. 39-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 39-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Pearce
Adams	Carraway	Hodges	Pope
Barber	Clarke	Houghton	Rawls
Beall	Connor	Johns	Rood
Belser	Davis	Johnson	Stenstrom
Bishop	Dickinson	Kelly	Stratton
Boyd	Eaton	Kickliter	Sutton
Brackin	Edwards	Knight	
Branch	Gautier	Morgan	
Bronson	Getzen	Neblett	

Nays—None.

So Senate Bill No. 39-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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 Beall—

S. B. No. 40-X(57)—A bill to be entitled An Act authorizing the county commission of any county in this state having a population of not less than one hundred thousand (100,000) and not more than one hundred fourteen thousand (114,000) according to the last official state-wide decennial census, to enter into agreements for group insurance of civil service employees; to provide for contributions by said county to premiums therefor; providing for a limitation on the amount of such contributions; authorizing deductions from salaries of such employees for part payment of premiums; and providing an effective date.

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.

Senator Beall moved that the rules be waived and Senate Bill No. 40-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 40-X(57) was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 40-X(57) 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. 40-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 40-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Pearce
Adams	Carraway	Hodges	Pope
Barber	Clarke	Houghton	Rawls
Beall	Connor	Johns	Rood
Belser	Davis	Johnson	Stenstrom
Bishop	Dickinson	Kelly	Stratton
Boyd	Eaton	Kickliter	Sutton
Brackin	Edwards	Knight	
Branch	Gautier	Morgan	
Bronson	Getzen	Neblett	

Nays—None.

So Senate Bill No. 40-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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 Rood—

S. B. No. 41-X(57)—A bill to be entitled An Act relating to all counties of not more than thirty-six thousand (36,000) and not less than thirty-four thousand six hundred and fifty (34,650) population, according to the last official state-wide decennial census; providing for the paving, grading, curbing and drainage or paving, grading, curbing, or drainage of public roads upon petition, outside of the corporate limits of a municipality and for assessing the costs thereof in whole or in part against abutting property, and giving the boards of county commissioners of such counties full power and authority therefor; setting effective date.

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.

Senator Rood moved that the rules be waived and Senate Bill No. 41-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 41-X(57) was read the second time by title only.

Senator Rood moved that the rules be further waived and Senate Bill No. 41-X(57) 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. 41-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 41-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Pearce
Adams	Carraway	Hodges	Pope
Barber	Clarke	Houghton	Rawls
Beall	Connor	Johns	Rood
Belser	Davis	Johnson	Stenstrom
Bishop	Dickinson	Kelly	Stratton
Boyd	Eaton	Kickliter	Sutton
Brackin	Edwards	Knight	
Branch	Gautier	Morgan	
Bronson	Getzen	Neblett	

Nays—None.

So Senate Bill No. 41-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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 Knight—

S. B. No. 42-X(57)—A bill to be entitled An Act authorizing the City of Blountstown to abate certain nuisances, including weeds, grass or underbrush, upon property within the city, to assess the costs and expenses of such abatement, and issue lien certificates therefor against the property on which such nuisances exist, to foreclose such liens and to recover the costs and attorney's fees in foreclosure proceedings brought therefor.

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.

Senator Knight moved that the rules be waived and Senate Bill No. 42-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 42-X(57) was read the second time by title only.

Senator Knight offered the following amendment to Senate Bill No. 42-X(57):

In Section 13, (typewritten bill) strike out all of Section 13 and insert in lieu thereof the following:

Section 13. This act shall not be effective until voted upon by the electors of the City of Blountstown at the next city election to be held in November, 1957, and must be approved by a majority of the qualified electors voting in the election in favor of this act. Upon approval by the majority of the voting electors, this act shall become effective immediately.

Senator Knight moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Knight moved that the rules be further waived and Senate Bill No. 42-X(57), 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. 42-X(57), as amended, was read the third time in full.

Upon the passage of Senate Bill No. 42-X(57), as amended, the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Pearce
Adams	Carraway	Hodges	Pope
Barber	Clarke	Houghton	Rawls
Beall	Connor	Johns	Rood
Belser	Davis	Johnson	Stenstrom
Bishop	Dickinson	Kelly	Stratton
Boyd	Eaton	Kicklitter	Sutton
Brackin	Edwards	Knight	
Branch	Gautier	Morgan	
Bronson	Getzen	Neblett	

Nays—None.

So Senate Bill No. 42-X(57) passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Knight moved that the rules be waived and Senate Bill No. 42-X(57) be immediately certified to the House of Representatives after being engrossed.

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

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 Boyd—

S. B. No. 43-X(57)—A bill to be entitled An Act repealing Chapter 57-1482, Laws of Florida, Acts of 1957, relating to plats and platting; providing for the approval, recording and vacating of plats and fixing an effective date.

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.

Senator Boyd moved that the rules be waived and Senate Bill No. 43-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 43-X(57) was read the second time by title only.

Senator Boyd moved that the rules be further waived and Senate Bill No. 43-X(57) 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. 43-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 43-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Cabot	Hair	Pearce
Adams	Carraway	Hodges	Pope
Barber	Clarke	Houghton	Rawls
Beall	Connor	Johns	Rood
Belser	Davis	Johnson	Stenstrom
Bishop	Dickinson	Kelly	Stratton
Boyd	Eaton	Kicklitter	Sutton
Brackin	Edwards	Knight	
Branch	Gautier	Morgan	
Bronson	Getzen	Neblett	

Nays—None.

So Senate Bill No. 43-X(57) 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 Davis moved that the Senate proceed to the consideration of Executive Business.

Which was agreed to.

And the Senate went into Executive Session at 4:59 o'clock P. M.

The Senate emerged from Executive Session at 5:08 o'clock P. M., and resumed its Session.

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

Mr. President	Cabot	Hair	Pearce
Adams	Carraway	Hodges	Pope
Barber	Clarke	Houghton	Rawls
Beall	Connor	Johns	Rood
Belser	Davis	Johnson	Stenstrom
Bishop	Dickinson	Kelly	Stratton
Boyd	Eaton	Kicklitter	Sutton
Brackin	Edwards	Knight	
Branch	Gautier	Morgan	
Bronson	Getzen	Neblett	

—37.

A quorum present.

Senator Davis moved that the rules be waived and when the Senate adjourns today it adjourn to reconvene at 4:00 o'clock P. M., Thursday, October 3, 1957.

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

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 5:10 o'clock P. M., until 4:00 o'clock P. M., Thursday, October 3, 1957.