

EXTRAORDINARY SESSION

JOURNAL OF THE SENATE

112

Tuesday, October 8, 1957

The Senate convened at 11:00 o'clock A.M., pursuant to adjournment on Monday, October 7, 1957.

The President in the Chair.

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

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

—37.

A quorum present.

Senator Barber was excused from attendance upon the Session.

The following Prayer was offered by Senator B. C. Pearce, of the 26th Senatorial District:

Direct us this day, O Lord, in all our doings, with thy most gracious favour, and further us with thy continual help; that in all our works begun, continued, and ended in thee, we may glorify thy Holy Name and finally, by thy mercy, obtain everlasting life; through Jesus Christ our Lord. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Thursday, October 3, 1957, was further corrected as follows:

Page 77, column 1, strike out lines 14, 15, 16 and 17, and insert in lieu thereof the following:

"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."

Also—

Page 77, column 1, line 11, counting from the bottom of the column, strike out the word "Engrossing" and insert in lieu thereof the word "Enrolling".

Also—

Page 78, column 2, line 16, counting from the bottom of the column, strike out the word "than" and insert in lieu thereof the word "that".

Also—

Page 79, column 1, strike out lines 33 and 34 and insert in lieu thereof the following:

"Which was read the first time in full and placed on the Calendar of Bills on Second Reading, without reference."

Also—

Page 82, column 1, line 18, counting from the bottom of the column, strike out the letters "for" and insert in lieu thereof the letters "fer".

Also—

Page 83, column 1, line 25, strike out the word "adjuded" and insert in lieu thereof the word "adjudged".

Also—

Page 83, column 2, line 14, counting from the bottom of the column, strike out the word "Jont" and insert in lieu thereof the word "joint".

Also—

Page 83, column 2, line 16, counting from the bottom of the column, strike out the name "Chappel" and insert in lieu thereof the name "Chappell".

Also—

Page 89, column 1, line 25, following the word "road" and before the word "to" insert the word "and".

Also—

Page 89, column 2, line 15, counting from the bottom of the column, strike out the word "term" and insert in lieu thereof the word "terms".

Also—

Page 89, column 2, line 23, counting from the bottom of the column, strike out the word "filing" and insert in lieu thereof the word "filling".

Also—

Page 90, column 2, line 25, strike out the word "or" at the end of the line and insert in lieu thereof the word "of".

Also—

Page 92, column 1, line 19, counting from the bottom of the column, strike out the word "owner" and insert in lieu thereof the word "power".

Also—

Page 93, column 1, line 23, counting from the bottom of the column, strike out line 23 and insert in lieu thereof the following:

"Nays—2."

And as further corrected was approved.

The Senate daily Journal of Monday, October 7, 1957, was corrected and as corrected was approved.

REPORTS OF COMMITTEE

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

H. J. R. No. 8-X—A Joint Resolution proposing revision of the Preamble 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:

H. J. R. No. 9-X—A Joint Resolution proposing revision of Article I 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 REPORTS

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

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; validating and affirming acts or transactions consummated between adoption and repeal; fixing an effective date.

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

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

And Senate Bill No. 43-X(57), contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

S. B. No. 47-X(57)—A bill to be entitled An Act granting certain powers to the City of Pensacola and the Board of County Commissioners of Escambia County; providing an effective date.

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

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

And Senate Bill No. 47-X(57), contained in the above report was ordered certified to the House of Representatives immediately.

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

S. B. No. 48-X(57)—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Escambia County, Florida, to construct or acquire a hospital or hospitals in and for the county of Escambia, Florida; authorizing such board of commissioners to create and establish a hospital system or systems; providing for the governing and administration of such hospital or hospitals, system or systems; authorizing and providing for the issuance and sale of revenue bonds in an aggregate principal amount not exceeding \$2,500,000.00 to finance such construction or acquisition; authorizing the board of commissioners to fix, establish and collect rates, fees, rentals and other charges for the services and facilities of such hospital or hospitals, system or systems; providing that such revenue bonds may be payable as to both principal and interest from revenues derived from the operation of such hospital or hospitals, system or systems or from any other moneys lawfully available therefor; authorizing and providing for the levy and collection of ad valorem taxes for the payment of the operation and maintenance of said hospital or hospitals, system or systems; providing for the rights and remedies of the holders of such revenue bonds and other details of such revenue bonds; and providing when this Act shall take effect.

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

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

And Senate Bill No. 48-X(57), contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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 Kickliter—

S. B. No. 53-X(57)—A bill to be entitled An Act relating to county water systems and sanitary sewers; amending Subsections (5) and (8) of Section 153.03, Florida Statutes, by providing a procedure for the exercise of the right of eminent domain.

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 Kickliter moved that the rules be waived and Senate Bill No. 53-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 53-X(57) was read the second time by title only.

Senator Kickliter moved that the rules be further waived and Senate Bill No. 53-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. 53-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 53-X(57) the roll was called and the vote was:

Yeas—31.

Mr. President	Bronson	Gautier	Knight
Adams	Cabot	Getzen	Morgan
Beall	Carlton	Hair	Neblett
Belser	Carraway	Houghton	Pearce
Bishop	Clarke	Johns	Rood
Boyd	Connor	Johnson	Stenstrom
Branchin	Davis	Kelly	Sutton
Branch	Edwards	Kickliter	

Nays—5.

Dickinson	Hodges	Rawls
Eaton	Pope	

So Senate Bill No. 53-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 Kickliter—

S. B. No. 54-X(57)—A bill to be entitled An Act exempting the sale, use, storage or consumption of United States and Florida State flags from taxation under Chapter 212, Florida Statutes, also known as the Florida Revenue Act, and repealing all laws and parts of laws in conflict herewith, and providing an effective date.

And S. B. No. 54-X(57) failed to receive the required two-thirds vote of the Senate and, therefore, was not admitted for introduction.

By Senators Johnson, Rawls, Davis and Adams—

Senate Joint Resolution No. 55-X(57):

A JOINT RESOLUTION PROPOSING THAT THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA SET FORTH IN SENATE JOINT RESOLUTION NO. 49-X(57) AND THE PROPOSED AMENDMENTS CONSTITUTING THE PREAMBLE AND ARTICLES I THROUGH IV AND VI THROUGH XIV OF THE PRO-

POSED REVISED CONSTITUTION BE SUBMITTED TO THE ELECTORS IN THE MANNER PRESCRIBED THEREIN AT THE GENERAL ELECTION IN 1958.

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

Section 1. The proposed amendment to the Constitution of the State of Florida set forth in Senate Joint Resolution No. 49-X(57) and the fourteen proposed amendments constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution shall be submitted to the electors of the state at the general election in 1958 in the manner prescribed in said Senate Joint Resolution No. 49-X(57) and in the respective fourteen joint resolutions containing said fourteen proposed amendments.

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. 56-X(57):

A JOINT RESOLUTION DETERMINING THAT AN EMERGENCY EXISTS REQUIRING AN EARLY APPROVAL OR REJECTION BY THE ELECTORS OF THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA SET FORTH IN SENATE JOINT RESOLUTION NO. 49-X(57) AND OF THE PROPOSED AMENDMENTS CONSTITUTING THE PREAMBLE AND ARTICLES I THROUGH IV AND VI THROUGH XIV OF THE PROPOSED REVISED CONSTITUTION, AND PROPOSING THAT A SPECIAL ELECTION BE HELD THEREON.

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

Section 1. The legislature hereby determines that an emergency exists requiring an early approval or rejection by the electors of the state of the proposed amendment to the Constitution of the State of Florida set forth in Senate Joint Resolution No. 49-X(57) and of the fourteen proposed amendments constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution.

Section 2. A special election shall be held, in the manner and within the period prescribed by law, at which said fifteen proposed amendments shall be presented to the electorate in the manner set forth respectively in Senate Joint Resolution No. 49-X(57) and in each of the respective fourteen joint resolutions containing said fourteen proposed amendments.

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 Senator Carraway—

S. B. No. 57-X(57)—A bill to be entitled An Act amending Chapter 57-170, creating a special committee to be known as the Agriculture Service Committee; amending Section 1, Subsection (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 Carraway moved that the rules be waived and Senate Bill No. 57-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

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

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

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

Yeas—37.

Mr. President	Carlton	Hair	Neblett
Adams	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
Bronson	Gautier	Morgan	
Cabot	Getzen		

Nays—None.

So Senate Bill No. 57-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 Carraway—

S. B. No. 58-X(57)—A bill to be entitled An Act relating to the state auditing department; amending Subsection (5) of Section 21.011, Florida Statutes, relating to expenses of members of the auditing committee; 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 Carraway moved that the rules be waived and Senate Bill No. 58-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 58-X(57) was read the second time by title only.

Senator Carraway moved that the rules be further waived and Senate Bill No. 58-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. 58-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 58-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Carlton	Hair	Neblett
Adams	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
Bronson	Gautier	Morgan	
Cabot	Getzen		

Nays—None.

So Senate Bill No. 58-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 Carraway—

S. B. No. 59-X(57)—A bill to be entitled An Act relating to compensation of members of interim committees, amending

Section 11.13, Subsection (3), Paragraph (a), Florida Statutes; 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 Carraway moved that the rules be waived and Senate Bill No. 59-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 59-X(57) was read the second time by title only.

Senator Carraway moved that the rules be further waived and Senate Bill No. 59-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. 59-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 59-X(57) the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 59-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 Eaton, Cabot, Dickinson and Neblett—

S. B. No. 60-X(57)—A bill to be entitled An Act to define criminal sexual psychopathic persons and to provide for the commitment of such persons and the procedure therefor.

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 Cabot moved that the rules be waived and Senate Bill No. 60-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 60-X(57) was read the second time by title only.

Senator Cabot moved that the rules be further waived and Senate Bill No. 60-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. 60-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 60-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Carlton	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Beall	Clarke	Houghton	Pope
Belser	Connor	Johns	Rawls
Bishop	Davis	Johnson	Rood
Boyd	Dickinson	Kelly	Stenstrom

Brackin	Eaton	Kicklitter	Stratton
Branch	Edwards	Knight	Sutton
Bronson	Gautier	Morgan	
Cabot	Getzen		

Nays—None.

So Senate Bill No. 60-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, Hodges, Adams and Johns—

S. B. No. 61-X(57)—A bill to be entitled An Act providing for an additional assistant state attorney for the Eighth (8th) Judicial Circuit of Florida; prescribing the powers, duties and salary of such additional assistant state attorney and providing for the payment of such salary from the state treasury; fixing the term of office of such additional assistant state attorney and providing that such term shall expire with the term of office of the state attorney for said circuit; providing that after the expiration of the term of office being served by the assistant state attorney now holding office in said circuit, all future terms of said office shall expire with the terms of office of the state attorney for said circuit; and prescribing the effective date hereof.

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

Which was agreed to by a two-thirds vote.

And Senate Bill No. 61-X(57) was read the second time by title only.

Senator Hodges moved that the rules be further waived and Senate Bill No. 61-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. 61-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 61-X(57) the roll was called and vote was:

Yeas—36.

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

Nays—None.

So Senate Bill No. 61-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 Sutton—

S. B. No. 62-X(57)—A bill to be entitled An Act relating to sheriffs of counties in the state having a population not less than one hundred fourteen thousand nine hundred (114,900) nor more than one hundred twenty thousand (120,000) according to the last official state-wide census; amending Chapter 30, Florida Statutes, by directing the sheriffs of such

counties to charge a fixed, non-refundable fee for service of process; 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 Sutton moved that the rules be waived and Senate Bill No. 62-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 62-X(57) was read the second time by title only.

Senator Sutton moved that the rules be further waived and Senate Bill No. 62-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. 62-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 62-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Carlton	Hair	Neblett
Adams	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
Bronson	Gautier	Morgan	
Cabot	Getzen		

Nays—None.

So Senate Bill No. 62-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. 63-X(57)—A bill to be entitled An Act relating to assistant county attorneys in all counties of the state having a population of not less than eighteen thousand five hundred (18,500) and not more than twenty thousand (20,000), according to the latest state-wide federal decennial census; 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 Brackin moved that the rules be waived and Senate Bill No. 63-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 63-X(57) was read the second time by title only.

Senator Brackin moved that the rules be further waived and Senate Bill No. 63-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. 63-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 63-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Carlton	Hair	Neblett
Adams	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
Bronson	Gautier	Morgan	
Cabot	Getzen		

Nays—None.

So Senate Bill No. 63-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 Johnson and Carraway—

S. B. No. 64-X(57)—A bill to be entitled An Act appropriating one hundred twenty-five thousand dollars (\$125,000) from the State General Revenue Fund for printing the Revised State Constitution.

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 Carraway moved that the rules be waived and Senate Bill No. 64-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 64-X(57) was read the second time by title only.

Senator Carraway moved that the rules be further waived and Senate Bill No. 64-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. 64-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 64-X(57) the roll was called and the vote was:

Yeas—34.

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

Nays—3.

Boyd	Houghton	Rood
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So Senate Bill No. 64-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 Johnson—

S. B. No. 65-X(57)—A bill to be entitled An Act to provide for the reapportionment of the membership of the House of Representatives of the Legislature of the State of Florida as required by the State Constitution; amending Section 10.03, Florida Statutes; providing an effective date contingent upon adoption of proposed amendments to the Constitution.

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 Johnson—

S. B. No. 66-X(57)—A bill to be entitled An Act amending Section 10.01, Florida Statutes, relating to division of the state into senatorial districts; apportionment of the senate; providing effective date, contingent upon adoption of proposed amendments to the constitution.

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 Resolution 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—

Senate Resolution No. 67-X(57):

A RESOLUTION PAYING TRIBUTE TO DR. RADDIN LEE MILLER OF GRACEVILLE, JACKSON COUNTY, FLORIDA.

WHEREAS, Dr. Raddin Lee Miller, a distinguished family physician, will be seventy-two (72) years of age on his next birthday, October 20, 1957, and

WHEREAS, Dr. Miller was born at Miller's Crossroads in Holmes County, Florida, on October 20, 1885, graduated with honors from Emory University Medical School on April 30, 1910, and

WHEREAS, upon graduation, Dr. Miller moved to Graceville, Florida, where he has practiced medicine continuously for the past forty-eight (48) years, and during that time he has assisted in delivering over five thousand (5,000) babies and through his skillful hands he has prolonged the life of thousands of citizens of the community of Graceville and vicinity, and

WHEREAS, the community of Graceville has been blessed by the activities and the life of Dr. Raddin Lee Miller, and in expression of their appreciation, will, on October 20, 1957, celebrate with him his seventy-second (72nd) birthday, and

WHEREAS, there is no greater opportunity for service nor any higher calling than administering to the sick and bringing back health and happiness to mankind, NOW, THEREFORE,

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

Section 1. That the Senate of the State of Florida joins the citizens of Graceville in paying respectful tribute to Dr. Raddin Lee Miller and does offer to him their heartfelt congratulations and appreciation for his long and successful career as a beloved family physician to citizens of Graceville and the State of Florida.

Section 2. The secretary of the Senate is hereby directed to spread upon the journals of the Senate this Resolution and to send a copy of this Resolution to Dr. Raddin Lee Miller.

And by a two-thirds affirmative vote of the Senate the Resolution was admitted for introduction and consideration by the Senate, and was read the first time in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 67-X(57) was adopted.

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 Stratton—

S. B. No. 68-X(57)—A bill to be entitled An Act relating to the charter of the Town of Hilliard, Florida; amending Sections 6, 18, and 27, of Chapter 24561, Laws of Florida, Special Acts of 1947; said amendments relating to powers and duties of officers of said town; and providing for referendum to make said act effective; repealing Chapter 57-1376, Laws of Florida, Special Acts, 1957.

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 Stratton moved that the rules be waived and Senate Bill No. 68-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 68-X(57) was read the second time by title only.

Senator Stratton moved that the rules be further waived and Senate Bill No. 68-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. 68-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 68-X(57) the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So Senate Bill No. 68-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.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
October 8, 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 Johns—

S. B. No. 51-X(57)—A bill to be entitled An Act authorizing the Boards of Public Instruction of all counties in the State having a population of not less than eleven thousand four hundred ten (11,410) and not more than eleven thousand four hundred sixty (11,460) according to the last official statewide census, to enter into contracts with parents for the transportation of school children residing in an adjoining county upon receipt of a petition from a majority of such parents of a community within an adjacent school district of such adjoining county; providing an effective date.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 51-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 8, 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 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".

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 24-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 8, 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 Brackin and Pearce—

S. B. No. 52-X(57)—A bill to be entitled An Act relating to tax on sales, use and certain transactions amending Section 212.08(3), Florida Statutes.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 52-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 Mr. Sweeny of Volusia—

H. B. No. 40-X—A bill to be entitled "An Act creating and incorporating a special tax district in Volusia County, Florida, to be known as the West Volusia Hospital Authority; fixing and prescribing the boundaries of said district; providing for the governing and administration of the same; providing and defining the powers and purposes of said district and of the board of commissioners thereof; authorizing and empowering

such board to establish, contract, operate and maintain such hospital or hospitals as may be established and constructed by said board in said district, for indigents of said district and pay patients; authorizing and providing for the issuance and sale of bonds of said district; authorizing and empowering such board to borrow money on the note or notes of said district; authorizing and providing for the levy and collection of taxation for the payment of the said bonds and the interest thereon, and for the payment of said notes or the interest thereon and authorizing and providing for the levy and collection of additional taxes for the repair and maintenance of said hospital or hospitals; authorizing and providing generally the powers and duties of said board on its behalf 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. 40-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 Gautier moved that the rules be waived and House Bill No. 40-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 40-X was read the second time by title only.

Senator Gautier offered the following amendment to House Bill No. 40-X:

In Section 16, (typewritten bill) strike out the words: "It shall be the duty of the Comptroller of the State of Florida to assess and levy on all the railroad lines and railroad property and telegraph lines and telegraph property situated or located in said district, including as well all telephone lines."

Senator Gautier moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gautier moved that the rules be further waived and House Bill No. 40-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. 40-X, as amended, was read the third time in full.

Upon the passage of House Bill No. 40-X, as amended, the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 40-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 7, 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 passed by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1957 Extraordinary Session of the Florida Legislature—

By the Committee on Constitutional Amendments—

Committee Substitute for House Joint Resolution No. 11-X:

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 such evidence as the officer may desire to offer 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 sustains the suspension or fails to act or postpone consideration before adjourning, the officer shall be removed from office as of the date of the original order of 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—lieutenant governor—election—term—qualifications.**—The Cabinet shall consist of the Governor, Secretary of State, Attorney General, Comptroller, Treasurer, Superintendent of Education, and Commissioner of Agriculture. There shall be a Lieutenant Governor, who shall be an executive officer and shall perform the duties prescribed herein. Each cabinet member and the lieutenant governor 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. The legislature shall provide a method and requirements by which in primary and general elections candidates for the offices of governor and lieutenant governor may form a joint candidacy. No person who has become governor or lieutenant governor by election or succession shall be eligible to be elected governor or lieutenant governor until three years from the termination of such service.

Section 5. **Cabinet—duties as board of commissioners of state institutions.**—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 lieutenant governor 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 written direction of the governor filed with the secretary of state, the lieutenant governor shall perform those duties of the governor specified in the directive for the time therein limited.

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 such physical 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 an attorney at law and 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.

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 cabinet shall appoint and at pleasure remove a Director, who shall be the executive head of the commission. He shall, subject to approval by the cabinet, appoint, fix the salaries of, and discharge the assistants and employees of the commission and shall exercise other powers and perform other duties prescribed by the cabinet. 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 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.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Committee Substitute for House Joint Resolution No. 11-X, contained in the above message, was read the first time in full and referred to the Committee on Constitutional Amendments.

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

Tallahassee, Florida,
October 7, 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 passed by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1957 Extraordinary Session of the Florida Legislature—

By the Committee on Constitutional Amendments—

Committee Substitute for House Joint Resolution No. 29-X:

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 required, 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 call the legislature into reapportionment session, to be convened within thirty days after adjournment of the regular 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 during any session 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 before adjourning the session he shall while neither house is in recess 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 district or county 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 appointive state civil office created by the legislature during such term.

(e) **Compensation—allowances.**—Each legislator shall receive compensation, payable monthly, not exceeding \$2,400 per annum until November 1962 and thereafter as provided by law, and shall receive 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; the house of representatives shall designate a Chief Clerk, to serve at its pleasure; and the legislature may designate an auditor, to serve at its pleasure, to post-audit state accounts and any others prescribed by law.

Each house of the legislature shall provide a liaison representative to the budgeting authority. He shall be responsible to his appointive house only, shall have access to all records and information available to the budgeting authority, 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.**—Each law shall take effect on the sixtieth day from the date it is filed in the office of the secretary of state unless otherwise provided therein.

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 in any court except municipal courts;
- (4) rules of evidence in any court;
- (5) punishment for crime;
- (6) grand or petit juries, including compensation of jurors, except establishment of jury commissions;
- (7) change of civil or criminal venue;
- (8) conditions precedent to bringing any civil or criminal proceedings, or limitations of time therefor;
- (9) refund of money legally paid or remission of fines, penalties, or forfeitures;

- (10) creation, enforcement, extension, or impairment of liens, or fixing of interest rates on private contracts;
- (11) disposal of public property, including any interest therein;
- (12) vacation of roads;
- (13) private incorporation or grant of privilege to a private corporation, except as to a ship or barge canal across the state;
- (14) effectuation of invalid deeds, wills, or other instruments, or change in the law of descent;
- (15) change of name of any person;
- (16) divorce;
- (17) legitimation or adoption of persons;
- (18) relief of minors from legal disabilities;
- (19) transfer of any property interest of persons under legal disabilities or of estates of decedents;
- (20) fishing or hunting;
- (21) regulation of professions which have a state regulatory board.

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, lieutenant 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.

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.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Committee Substitute for House Joint Resolution No. 29-X, contained in the above message, was read the first time in full.

Senator Johnson moved that the rules be waived and Committee Substitute for House Joint Resolution No. 29-X be read the second time in full.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Joint Resolution No. 29-X was read the second time in full.

Senator Johnson moved that the rules be further waived and Committee Substitute for House Joint Resolution No. 29-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Joint Resolution No. 29-X was read the third time in full.

Upon the passage of Committee Substitute for House Joint Resolution No. 29-X the roll was called and the vote was:

Yeas—29.

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

Nays—8.

Belser	Cabot	Houghton	Rood
Boyd	Eaton	Kelly	Sutton

So Committee Substitute for House Joint Resolution No. 29-X 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 following message from the House of Representatives was also read:

Tallahassee, Florida,
October 7, 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. Griffin of Polk—

H. B. No. 61-X—A bill to be entitled An Act relating to all counties in this state having a population of not less than one hundred twenty thousand (120,000) and not more than one hundred fifty thousand (150,000) inhabitants, according to the last official state-wide decennial census; providing for the salary of the superintendent of Public Instruction; providing for superseding that portion of Section 330.302, Florida Statutes, relating to payment of salary; 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. 61-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 placed on the Calendar of Local Bills on Second Reading.

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

Tallahassee, Florida,
October 3, 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. Anderson of Jefferson—

H. B. No. 52-X—A bill to be entitled An Act designating State Road #158 between U. S. Highway 90 and Lloyd, Florida, the Lester C. Lawrence Highway.

—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. 52-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 Clarke moved that the rules be waived and House Bill No. 52-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 52-X was read the second time by title only.

Senator Clarke moved that the rules be further waived and House Bill No. 52-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. 52-X was read the third time in full.

Upon the passage of House Bill No. 52-X the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 52-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 7, 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. Pratt and Grimes of Manatee—

H. B. No. 69-X—A bill to be entitled An Act amending Sections 3 and 6 of Chapter 57-1548, Laws of Florida, 1957, providing for the licensing, bonding and examination of building contractors; 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. 69-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. 69-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 69-X was read the second time by title only.

Senator Rood moved that the rules be further waived and House Bill No. 69-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. 69-X was read the third time in full.

Upon the passage of House Bill No. 69-X the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 69-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 8, 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. Surler of Polk and Duncan of Lake—

H. B. No. 81-X—A bill to be entitled An Act relating to corporations; amending Sub-section (6) of Section 608.30 relating to dissolution; 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. 81-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 Davis moved that the rules be waived and House Bill No. 81-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 81-X was read the second time by title only.

Senator Davis moved that the rules be further waived and House Bill No. 81-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. 81-X was read the third time in full.

Upon the passage of House Bill No. 81-X the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 81-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 8, 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. Hopkins of Escambia—

H. B. No. 82-X—A bill to be entitled An Act pertaining to plats and platting of land in Escambia County, Florida, and defining the same; requiring the approval and recording of plats in certain cases; authorizing the Board of County Commissioners of Escambia County, Florida, and the governing body of each municipality in Escambia County, Florida, to prescribe drainage facilities, the width of roads, streets, alleys and other thoroughfares, and setbacks therefrom; making certain requirements a prerequisite to approval of plats; authorizing Board of County Commissioners of Escambia County, Florida, and governing body of each municipality in said county to adopt rules and regulations to effectuate provisions and purposes of this Act; repealing all laws and parts of laws in conflict therewith.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 82-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 placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 82-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.

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

Tallahassee, Florida,
October 8, 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. Stewart of Hendry—

H. B. No. 80-X—A bill to be entitled An Act to amend Chapter 57-536, relating to distribution of race track funds in Hendry County; providing the retroactive distribution for 1956-1957 race track funds; providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 80-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. 80-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 Neblett moved that the rules be waived and House Bill No. 80-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 80-X was read the second time by title only.

Senator Neblett moved that the rules be further waived and House Bill No. 80-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. 80-X was read the third time in full.

Upon the passage of House Bill No. 80-X the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 80-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 8, 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. Rowell of Martin—

H. B. No. 83-X—A bill to be entitled An Act fixing the compensation of superintendents of public instruction in all counties in the State of Florida having a population of not less than seven thousand five hundred (7,500) and not more than seven thousand nine hundred (7,900) inhabitants, according to the last official state-wide decennial census; 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. 83-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 Davis, at the request of Senator Barber who was excused from attendance upon the Session, moved that the rules be waived and House Bill No. 83-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 83-X was read the second time by title only.

Senator Davis moved that the rules be further waived and House Bill No. 83-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. 83-X was read the third time in full.

Upon the passage of House Bill No. 83-X the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 83-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 8, 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. Crews of Baker—

H. B. No. 84-X—A bill to be entitled An Act relating to fixing

the compensation of clerks of circuit courts in all counties of this state having a population of not less than six thousand two hundred (6,200) and not more than six thousand four hundred (6,400) inhabitants according to the last official state-wide decennial census; repealing Chapter 16870, Laws of Florida, 1935; 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. 84-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 placed on the Calendar of Local Bills on Second Reading.

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

Tallahassee, Florida,
October 8, 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. Stewart and Wise of Okaloosa—

H. B. No. 77-X—A bill to be entitled An Act amending Section 553.13, Florida Statutes, relating to plumbing control law; striking out the word "Okaloosa" from counties excepted; 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. 77-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 Brackin moved that the rules be waived and House Bill No. 77-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 77-X was read the second time by title only.

Senator Brackin moved that the rules be further waived and House Bill No. 77-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. 77-X was read the third time in full.

Upon the passage of House Bill No. 77-X the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 77-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 7, 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. Pratt and Grimes of Manatee—

H. B. No. 70-X—A bill to be entitled An Act amending Section 8 (a) of Chapter 57-1547, Laws of Florida, 1957, relating to the occupation and business of plumbing and plumbing contractors; prescribing qualifications and providing for registration of plumbers and plumbing contractors; and fixing 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. 70-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. 70-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 70-X was read the second time by title only.

Senator Rood moved that the rules be further waived and House Bill No. 70-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. 70-X was read the third time in full.

Upon the passage of House Bill No. 70-X the roll was called and the vote was:

Yeas—37.

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

Bronson Gautier Morgan
Cabot Getzen

Tallahassee, Florida,
October 8, 1957.

Nays—None.

So House Bill No. 70-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 7, 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. Pratt and Grimes of Manatee—

H. B. No. 68-X—A bill to be entitled An Act amending Sections 3 and 6 of Chapter 57-1554, Laws of Florida, 1957, relating to the licensing and examination of electrical contractors, 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. 68-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. 68-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 68-X was read the second time by title only.

Senator Rood moved that the rules be further waived and House Bill No. 68-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. 68-X was read the third time in full.

Upon the passage of House Bill No. 68-X the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 68-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:

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. Smith of St. Lucie—

H. B. No. 96-X—A bill to be entitled An Act providing for the closing of all county offices in the courthouse of all counties having a population of not less than nineteen thousand (19,000) and not more than twenty thousand five hundred (20,500) inhabitants according to the last official state-wide decennial census, from each Friday at 5:00 P. M. until 8:30 A. M., the following Monday morning, except in cases of emergency and cases of necessity as may be directed by any official in charge of a particular public office; 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. 96-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 Davis, at the request of Senator Barber who was excused from attendance upon the Session, moved that the rules be waived and House Bill No. 96-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 96-X was read the second time by title only.

Senator Davis moved that the rules be further waived and House Bill No. 96-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. 96-X was read the third time in full.

Upon the passage of House Bill No. 96-X the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 96-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 8, 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. Smith of St. Lucie—

H. B. No. 95-X—A bill to be entitled An Act providing for the payment by St. Lucie County, Florida, of the salary of a secretary for the judge of the circuit court of the Ninth Judicial Circuit residing in St. Lucie County, Florida; providing effective date.

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. 95-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. 95-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 Davis, at the request of Senator Barber who was excused from attendance upon the Session, moved that the rules be waived and House Bill No. 95-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 95-X was read the second time by title only.

Senator Davis moved that the rules be further waived and House Bill No. 95-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. 95-X was read the third time in full.

Upon the passage of House Bill No. 95-X the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 95-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 8, 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. Karl and Sweeny of Volusia—

H. B. No. 94-X—A bill to be entitled An Act to amend Chapter 57-1928 creating a zoning commission in Volusia County; empowering the Board of County Commissioners of Volusia County to adopt zoning and building regulations in territories not included in the corporate limits of any city or town, to divide the territory into districts, regulate and restrict the uses of lands, buildings and other structures, to prescribe regulations for the control of business and lands by establishing codes and zoning regulations, amending Section 17 relating to referendum; 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. 94-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 Gautier moved that the rules be waived and House Bill No. 94-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 94-X was read the second time by title only.

Senator Gautier moved that the rules be further waived and House Bill No. 94-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. 94-X was read the third time in full.

Upon the passage of House Bill No. 94-X the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 94-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 8, 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. Smith of St. Lucie—

H. B. No. 98-X—A bill to be entitled An Act prohibiting the throwing, placing or allowing to remain in or upon any private premises, road, street, alley, canal, ditch, stream, lake, pond or public property, except duly designated and established dumps, in all counties having a population of not less than nineteen thousand (19,000) and not more than twenty thousand and five hundred (20,500) inhabitants according to the last official state-wide decennial census, any filth, offal, garbage, foul water, dye-water, refuse from manufactories, urine, animal or bird manure, decayed animal or vegetable matter or other offensive substances in such quantity as to create a nuisance or be annoying to other residents or property owners in the area; authorizing and empowering the Board of County Commissioners of such counties to enforce the provisions of this Act by injunction or other legal means; making the violation of this Act a misdemeanor; repealing all laws or parts of laws in conflict herewith, and providing 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. 98-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 Davis, at the request of Senator Barber who was excused from attendance upon the Session, moved that the rules be waived and House Bill No. 98-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 98-X was read the second time by title only.

Senator Davis moved that the rules be further waived and House Bill No. 98-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. 98-X was read the third time in full.

Upon the passage of House Bill No. 98-X the roll was called and the vote was:

Yeas—37.

Mr. President	Carlton	Hair	Neblett
Adams	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
Bronson	Gautier	Morgan	
Cabot	Getzen		

Nays—None.

So House Bill No. 98-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 8, 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. Smith of St. Lucie—

H. B. No. 97-X—A bill to be entitled An Act authorizing the St. Lucie County Health Department to establish, charge and collect fees for the issuance of certified copies of vital records, and providing for the accounting and disposition of such fees; providing effective date.

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. 97-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. 97-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 Davis, at the request of Senator Barber who was excused from attendance upon the Session, moved that the rules be waived and House Bill No. 97-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 97-X was read the second time by title only.

Senator Davis moved that the rules be further waived and House Bill No. 97-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. 97-X was read the third time in full.

Upon the passage of House Bill No. 97-X the roll was called and the vote was:

Yeas—37.

Mr. President	Carlton	Hair	Neblett
Adams	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
Bronson	Gautier	Morgan	
Cabot	Getzen		

Nays—None.

So House Bill No. 97-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 8, 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. Costin of Gulf—

H. B. No. 91-X—A bill to be entitled An Act providing compensation for necessary travel expense of county commissioners of any county in the state having a population of not less than seven thousand (7,000) and not more than seven thousand eight hundred (7,800) according to the last official state-wide decennial census.

—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. 91-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. 91-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 91-X was read the second time by title only.

Senator Knight moved that the rules be further waived and House Bill No. 91-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. 91-X was read the third time in full.

Upon the passage of House Bill No. 91-X the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 91-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 7, 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. 76-X—A bill to be entitled An Act repealing Section 3 of Chapter 57-1700 and Section 2 of Chapter 57-1703,

Laws of Florida, relating to firemen's relief and pension fund and police pension fund; providing 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. 76-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. 76-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 76-X was read the second time by title only.

Senator Knight moved that the rules be further waived and House Bill No. 76-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. 76-X was read the third time in full.

Upon the passage of House Bill No. 76-X the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 76-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.

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

House Joint Resolution No. 8-X:

A JOINT RESOLUTION PROPOSING REVISION OF THE PREAMBLE 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 the Preamble 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:

PREAMBLE

We, the people of the State of Florida, being grateful to Almighty God for our constitutional liberty, in order to secure its blessings and to form a more perfect government, insuring domestic tranquility, maintaining public order, and guaranteeing equal civil and political rights to all, do ordain and establish this constitution.

This Preamble 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 Preamble the amendments constituting respectively Articles I through IV and VI through XIV. This paragraph is an integral part of this Preamble and the entire Preamble shall be invalid if this paragraph 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.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

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

Senator Johnson moved that the rules be waived and House Joint Resolution No. 8-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Joint Resolution No. 8-X was read the third time in full.

Upon the passage of House Joint Resolution No. 8-X the roll was called and the vote was:

Yeas—33.

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

Nays—3.

Belser	Houghton	Rood
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So House Joint Resolution No. 8-X 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.

House Joint Resolution No. 9-X:

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE I 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 I 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 I

DECLARATION OF RIGHTS

Section 1. **Political power—government.**—All political power is inherent in the people. Government is instituted for their protection, security, and benefit. They have the right to regulate their government and to amend or repeal this constitution. The enumeration herein of certain rights shall not be construed to deny or impair others retained by the people.

Section 2. **Equality—inalienable rights—property rights of foreigners.**—All persons, including foreigners eligible to become citizens of the United States, are equal before the law and have inalienable rights. Among these are the right to enjoy life and liberty, to pursue happiness, to be rewarded for industry, and to acquire, possess, and protect property; but the legislature may regulate or prohibit the ownership, inheritance, disposition, or possession of real property by persons ineligible for citizenship.

Section 3. **Religious freedom.**—The free exercise and enjoyment of religious belief and worship shall never be abridged, but this freedom shall not be construed to justify licentiousness or practices inconsistent with peace and safety. No person shall be incompetent as a witness or ineligible for jury duty or public office because of religious belief. No preference shall be given by law to any religious denomination or mode of worship, and no public funds shall be granted directly or indirectly in aid of any religious denomination or sectarian institution.

Section 4. **Freedom of speech and press.**—Every person may freely speak, write, and publish his sentiments on any subject, being responsible for the abuse of this right, and no law shall restrain or abridge the freedom of speech or of the press. The truth of the matter published and good motive in publishing it shall constitute a complete defense in any criminal or civil proceeding for defamation.

Section 5. **Assembly—petition.**—The people may assemble peaceably to consult for the common good, may instruct their representatives, and may petition for redress of grievances.

Section 6. **Right to work—collective bargaining.**—The right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization. This section shall not be construed to deny or abridge the right of employees by and through a labor organization or labor union to bargain collectively with their employer.

Section 7. **Right to bear arms.**—Every person may keep and bear arms in defense of his home, person, property, and the lawful authority of the state, but the legislature may prescribe the manner of bearing them.

Section 8. **Searches and seizures.**—The people shall be secure in their persons, houses, papers, and effects against unreasonable searches and seizures; and no warrant to search any place or seize any person or thing shall issue except upon oath or affirmation showing probable cause and particularly describing the place to be searched and the person or thing to be seized.

Section 9. **Access to courts.**—The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.

Section 10. **Condemnation—preliminary taking.**—Private property shall not be taken without full compensation determined by a jury of twelve. Interim possession may be obtained after commencement of suit upon securing payment by deposit of money, an equitable part of which shall be released upon application of the party entitled. Benefits resulting from improvements proposed to be made by an individual or a private or public corporation, except a governmental corporation when acquiring a road right of way, shall not be applied in reduction of compensation. The legislature may provide for drainage of private land over or through that of another upon payment of full compensation.

Section 11. **Attainder—ex post facto law—impairment of contract.**—No bill of attainder, ex post facto law, or law impairing the obligation of contracts shall be passed.

Section 12. **Indictment—information—plea—sentence.**—No person shall be tried for capital crime without presentment or

indictment by a grand jury, or for other felony without such presentment or indictment or an information under oath filed by the prosecuting officer of the court. A person charged with any crime not capital may be arraigned and may plead thereto in term or vacation, and the court may at any time pronounce judgment and sentence on a plea of guilty.

Section 13. **Habeas corpus.**—The writ of habeas corpus shall be granted as of right, promptly and without cost.

Section 14. **Bail.**—Until adjudged guilty, every person is entitled to release on reasonable bail with sufficient surety unless charged with a capital offense and the proof of guilt is evident or the presumption is great.

Section 15. **Jury trial — rights of accused.**—The right of trial by jury in criminal and civil proceedings as heretofore established shall be secured to all and remain inviolate.

In all criminal prosecutions the accused shall have the right to demand the nature and cause of the accusation, to be furnished with a copy of the charges, to have compulsory process for attendance of witnesses in his favor, to be confronted in any trial with the witnesses against him, to be heard in person or by counsel or both, and to have a speedy, public, and impartial trial by jury in the county where the crime was committed, if such county is known. If such county is not known, the indictment or information may charge venue in two or more counties conjunctively and proof that the crime was committed in such area shall be sufficient, but the accused may before pleading elect the county in which to be tried. No person shall be compelled to pay costs until convicted on final trial.

No person shall be twice put in jeopardy for the same offense, or be compelled in any criminal case to be a witness against himself, or be deprived of life, liberty, or property without due process of law.

Section 16. **Excessive fines—cruel punishment—attainder—detention of witnesses.**—Excessive fines, cruel or unusual punishment, attainder, indefinite imprisonment, and unreasonable detention of witnesses are forbidden.

Section 17. **Involuntary servitude—imprisonment for debt.**—Involuntary servitude is prohibited except as punishment for crime following conviction. No person shall be imprisoned for debt without fraud.

Section 18. **Penalties imposed by administrative agencies.**—No administrative agency shall impose a sentence of imprisonment. Any penalty imposed by an administrative agency shall be prescribed by law and its imposition shall be subject to judicial review as the legislature may provide.

Section 19. **Treason.**—Treason against the state consists only of levying war against it or of adhering to or aiding its enemies; and no person shall be convicted thereof without confession in open court or the testimony of two witnesses to the same overt act.

Section 20. **Military subordinate to civil—quartering.**—The military power is in strict subordination to the civil. No member of the military shall be quartered on private property in time of peace without the consent of the owner, and in time of war all quartering shall be as prescribed by law.

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 II, III, 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.

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.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

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

The Committee on Constitutional Amendments offered the following amendment to House Joint Resolution No. 9-X:

In Section 10, lines 8, 9 and 10 (printed bill), strike out the words: "except a governmental corporation when acquiring a road right of way,"

Senator Johnson 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 House Joint Resolution No. 9-X:

In Section 10, line 10 (printed bill), change the period at the end of the sentence to a semi-colon and add the following: "provided, that a governmental agency acquiring road rights of way may off-set benefits resulting from proposed improvements against severance damages to property not taken.

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 House Joint Resolution No. 9-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 Joint Resolution No. 9-X, as amended, was read the third time in full, as follows:

House Joint Resolution No. 9-X:

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE I 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 I 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 I

DECLARATION OF RIGHTS

Section 1. **Political power—government.**—All political power is inherent in the people. Government is instituted for their protection, security, and benefit. They have the right to regulate their government and to amend or repeal this constitution. The enumeration herein of certain rights shall not be construed to deny or impair others retained by the people.

Section 2. **Equality—inalienable rights—property rights of foreigners.**—All persons, including foreigners eligible to become citizens of the United States, are equal before the law and have inalienable rights. Among these are the right to enjoy life and liberty, to pursue happiness, to be rewarded for industry, and to acquire, possess, and protect property;

but the legislature may regulate or prohibit the ownership, inheritance, disposition, or possession of real property by persons ineligible for citizenship.

Section 3. Religious freedom.—The free exercise and enjoyment of religious belief and worship shall never be abridged, but this freedom shall not be construed to justify licentiousness or practices inconsistent with peace and safety. No person shall be incompetent as a witness or ineligible for jury duty or public office because of religious belief. No preference shall be given by law to any religious denomination or mode of worship, and no public funds shall be granted directly or indirectly in aid of any religious denomination or sectarian institution.

Section 4. Freedom of speech and press.—Every person may freely speak, write, and publish his sentiments on any subject, being responsible for the abuse of this right, and no law shall restrain or abridge the freedom of speech or of the press. The truth of the matter published and good motive in publishing it shall constitute a complete defense in any criminal or civil proceeding for defamation.

Section 5. Assembly—petition.—The people may assemble peaceably to consult for the common good, may instruct their representatives, and may petition for redress of grievances.

Section 6. Right to work—collective bargaining.—The right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization. This section shall not be construed to deny or abridge the right of employees by and through a labor organization or labor union to bargain collectively with their employer.

Section 7. Right to bear arms.—Every person may keep and bear arms in defense of his home, person, property, and the lawful authority of the state, but the legislature may prescribe the manner of bearing them.

Section 8. Searches and seizures.—The people shall be secure in their persons, houses, papers, and effects against unreasonable searches and seizures; and no warrant to search any place or seize any person or thing shall issue except upon oath or affirmation showing probable cause and particularly describing the place to be searched and the person or thing to be seized.

Section 9. Access to courts.—The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.

Section 10. Condemnation — preliminary taking. — Private property shall not be taken without full compensation determined by a jury of twelve. Interim possession may be obtained after commencement of suit upon securing payment by deposit of money, an equitable part of which shall be released upon application of the party entitled. Benefits resulting from improvements proposed to be made by an individual or a private or public corporation, shall not be applied in reduction of compensation; provided, that a governmental agency acquiring road rights of way may off-set benefits resulting from proposed improvements against severance damages to property not taken. The legislature may provide for drainage of private land over or through that of another upon payment of full compensation.

Section 11. Attainder—ex post facto law—impairment of contract.—No bill of attainder, ex post facto law, or law impairing the obligation of contracts shall be passed.

Section 12. Indictment—information—plea—sentence. — No person shall be tried for capital crime without presentment or indictment by a grand jury, or for other felony without such presentment or indictment or an information under oath filed by the prosecuting officer of the court. A person charged with any crime not capital may be arraigned and may plead thereto in term or vacation, and the court may at any time pronounce judgment and sentence on a plea of guilty.

Section 13. Habeas corpus.—The writ of habeas corpus shall be granted as of right, promptly and without cost.

Section 14. Bail.—Until adjudged guilty, every person is entitled to release on reasonable bail with sufficient surety unless charged with a capital offense and the proof of guilt is evident or the presumption is great.

Section 15. Jury trial—rights of accused.—The right of

trial by jury in criminal and civil proceedings as heretofore established shall be secured to all and remain inviolate.

In all criminal prosecutions the accused shall have the right to demand the nature and cause of the accusation, to be furnished with a copy of the charges, to have compulsory process for attendance of witnesses in his favor, to be confronted in any trial with the witnesses against him, to be heard in person or by counsel or both, and to have a speedy, public, and impartial trial by jury in the county where the crime was committed, if such county is known. If such county is not known, the indictment or information may charge venue in two or more counties conjunctively and proof that the crime was committed in such area shall be sufficient, but the accused may before pleading elect the county in which to be tried. No person shall be compelled to pay costs until convicted on final trial.

No person shall be twice put in jeopardy for the same offense, or be compelled in any criminal case to be a witness against himself, or be deprived of life, liberty, or property without due process of law.

Section 16. Excessive fines—cruel punishment—attainder—detention of witnesses.—Excessive fines, cruel or unusual punishment, attainder, indefinite imprisonment, and unreasonable detention of witnesses are forbidden.

Section 17. Involuntary servitude—imprisonment for debt.—Involuntary servitude is prohibited except as punishment for crime following conviction. No person shall be imprisoned for debt without fraud.

Section 18. Penalties imposed by administrative agencies.—No administrative agency shall impose a sentence of imprisonment. Any penalty imposed by an administrative agency shall be prescribed by law and its imposition shall be subject to judicial review as the legislature may provide.

Section 19. Treason.—Treason against the state consists only of levying war against it or of adhering to or aiding its enemies; and no person shall be convicted thereof without confession in open court or the testimony of two witnesses to the same overt act.

Section 20. Military subordinate to civil—quartering.—The military power is in strict subordination to the civil. No member of the military shall be quartered on private property in time of peace without the consent of the owner, and in time of war all quartering shall be as prescribed by law.

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 II, III, 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.

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.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of

said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Upon the passage of House Joint Resolution No 9-X, as amended, the roll was called and the vote was:

Yeas—32.

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

Nays—3.

Belser Houghton Rood

So House Joint Resolution No. 9-X 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 the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

PAIRING

The following Pair was announced by the Secretary in accordance with Senate Rule 12:

I am paired with Senator Barber on the passage of House Joint Resolution No. 9-X, as amended.

If he were present he would vote "Yea" and I would vote "Nay".

John A. Sutton
Senator, 19th District.

H. B. No. 50-X—A bill to be entitled An Act to amend Section 129 of Chapter 29965, Laws of Florida of 1955, also designated as Section 338.19, Florida Statutes, 1955, as amended by Chapter 57-135, Laws of Florida of 1957, relating to relocation of utilities; to provide that the State Road Department may require relocation of utility facilities for Federal aid projects; to provide for payment of costs and repeal of conflicting laws and fixing the effective date of this Act.

Was taken up in its order.

Senator Morgan moved that the rules be waived and House Bill No. 50-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 50-X was read the second time by title only.

Senator Morgan offered the following amendment to House Bill No. 50-X:

In the preamble of the typewritten bill, strike out the last paragraph, beginning with the words, "WHEREAS, the state" and ending with the words "NOW, THEREFORE" and insert in lieu thereof the following:

"WHEREAS, the state desires to include such relocation cost within the cost of the project in those instances in which the cost of the project is eligible and approved for reimbursement by the federal government to the extent of 90% or more; NOW, THEREFORE,"

Senator Morgan moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Morgan also offered the following amendment to House Bill No. 50-X:

In Section 1, (typewritten bill) strike out all of subsection (1), Section 338.19, as the same appears in said bill following the figures and words

"129

338.19 RELOCATION OF UTILITY; EXPENSES. - -" and insert in lieu thereof the following:

"(1) Any utility heretofore or hereafter placed upon, under, over or along any public road that is found by the state or other authority to be unreasonably interfering in any way with the convenient, safe or continuous use or maintenance, improvement, extension or expansion of such public road shall, upon thirty (30) days written notice to the utility or its agent, by the state or other authority be removed or relocated by such utility at its own expense; provided, however, that if the relocation of utility facilities, as referred to in section 111 of the federal aid highway act of 1956, public law 627 of the eighty-fourth congress, is necessitated by the construction of a project on the federal aid interstate system, including extensions thereof within urban areas, and the cost of such project is eligible and approved for reimbursement by the federal government to the extent of 90% or more under the federal aid highway act, or any amendment thereof, then in that event the utility owning or operating such facilities shall relocate same upon order of the state road department, and the state shall pay the entire expense properly attributable to such relocation after deducting therefrom any increase in the value of the new facility and any salvage value derived from the old facility."

Senator Morgan moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Morgan moved that the rules be further waived and House Bill No. 50-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. 50-X, as amended, was read the third time in full.

Upon the passage of House Bill No. 50-X, as amended, the roll was called and the vote was:

Yeas—30.

Mr. President	Carlton	Getzen	Morgan
Adams	Carraway	Hair	Pearce
Belser	Clarke	Hodges	Rawls
Bishop	Connor	Houghton	Stenstrom
Boyd	Davis	Johns	Stratton
Branch	Dickinson	Johnson	Sutton
Bronson	Edwards	Kelly	
Cabot	Gautier	Kickliter	

Nays—4.

Eaton Neblett Pope Rood

So House Bill No. 50-X passed, as amended, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By unanimous consent Senator Morgan withdrew Senate Bill No. 45-X(57) from the further consideration of the Senate.

Senator Davis moved that when the Senate adjourns at this Session it recess to reconvene at 4:30 o'clock P. M., this day.

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 recessed at 1:04 o'clock P. M., until 4:30 o'clock P. M., this day.

AFTERNOON SESSION

The Senate reconvened at 4:30 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	Boyd	Carlton	Davis
Adams	Branch	Carraway	Dickinson
Belser	Bronson	Clarke	Eaton
Bishop	Cabot	Connor	Edwards

Gautier	Johns	Morgan	Rood
Getzen	Johnson	Neblett	Stenstrom
Hair	Kelly	Pearce	Stratton
Hodges	Kickliter	Pope	Sutton
Houghton	Knight	Rawls	

—35.

A quorum present.

Senators Barber, Beall and Brackin were 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. 50-X(57)—A bill to be entitled An Act relating to appointment and assignment as acting prosecuting attorney, and to the compensation of acting prosecuting attorneys; amending Sections 34.15 and 34.16, Florida Statutes.

—and recommends that the same pass.

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

Senator 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 (together with the proposed House Amendment thereto).

—and recommends that the House Amendment be concurred in by the Senate.

And the Joint Resolution contained in the preceding report was placed on the Calendar together with pending House amendment thereto.

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

H. J. R. No. 10-X—A joint resolution proposing revision of Article II 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:

Committee Substitute for H. J. R. No. 11-X—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.

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

H. J. R. No. 12-X—A Joint Resolution proposing revision of Article VI 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:

H. J. R. No. 17-X—A Joint Resolution proposing revision of Article XI 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 Davis moved that the Senate revert to the consideration of messages from the House of Representatives.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
October 8, 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. 47-X(57)—A bill to be entitled An Act granting certain powers to the City of Pensacola and the board of county commissioners of Escambia County; providing an effective date.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 47-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 8, 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, with amendment—

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.

Which amendment reads as follows—

At the end of Section 1 add the following paragraph:

It is specifically provided, however, that no such company shall have any right of eminent domain as to any property belonging to or operated by the State or any agency thereof, or by any county, Board of Public Instruction, municipality or public body. However, any such pipeline company shall have the right to all necessary permits to install, operate, maintain, repair and replace its pipelines under, along and across such property, subject only to reasonable regulations that may be imposed by the particular authority having jurisdiction of such property.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 33-X(57), contained in the above message, was read by title, together with the House Amendment thereto.

Senator Rawls moved that the Senate concur in the House Amendment to Senate Bill No. 33-X(57).

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 33-X(57).

And Senate Bill No. 33-X(57), as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida,
October 8, 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 passed by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1957 Extraordinary Session of the Florida Legislature—

By the Committee on Constitutional Amendments—

Committee Substitute for House Joint Resolution No. 30-X:

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 prepare and adopt a revision. 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 revision as proposed by the convention shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after its adoption by the convention, 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.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Committee Substitute for House Joint Resolution No. 30-X, contained in the above message, was read the first time in full and referred to the Committee on Constitutional Amendments.

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

Tallahassee, Florida,
October 8, 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 passed by the required Constitutional three fifths vote of all members elected to the House of Representatives for the 1957 Extraordinary Session of the Florida Legislature—

By the Committee on Constitutional Amendments—

Committee Substitute for House Joint Resolution No. 31-X:

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, 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 special elections and for election of legislators in the first legislature hereunder, the first elections hereunder shall be at the first general election after this constitution takes effect. 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.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Committee Substitute for House Joint Resolution No. 31-X, contained in the above message, was read the first time in full and referred to the Committee on Constitutional Amendments.

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

Tallahassee, Florida,
October 8, 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 passed by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1957 Extraordinary Session of the Florida Legislature—

By the Committee on Constitutional Amendments—

Committee Substitute for House Joint Resolution No. 16-X:

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, and may for a period of emergency not to extend beyond the adjournment date for the next regular session of the legislature provide assistance for other non-sectarian schools.

Section 2. **State board of education—powers—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 and one-half (4½) 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 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. 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 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.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Committee Substitute for House Joint Resolution No. 16-X, contained in the above message, was read the first time in full and referred to the Committee on Constitutional Amendments.

The following message from the House of Representatives was read:

Tallahassee, Florida,
October 8, 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 passed by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1957 Extraordinary Session of the Florida Legislature—

By Messrs. Chappell of Marion, Chaires of Dixie, Cross of Alachua, Herrell of Dade and Horne of Leon—

House Joint Resolution No. 18-X:

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE XIV 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 XIV 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 XIV

SPECIAL PROVISIONS

Section 1. **Cities of Jacksonville and Key West.**—Subject to vote of the county electors the legislature may establish or abolish, and without such vote may amend the laws governing, two municipalities, to be named the City of Jacksonville and the City of Key West, extending respectively throughout the present territory of Duval and Monroe Counties, superseding all governmental agencies therein, and succeeding to the ownership of all property thereof and of municipalities therein. Subject to the provisions hereof governing special and local laws other than provisions relating to jurisdiction and duties of any class of officers, summoning and empanelling of grand and petit juries, assessment and collection of taxes for county purposes, and regulation of fees and compensation of county officers, the legislature may prescribe the functions, powers, and jurisdiction of each municipality, may divide it into districts, may determine what portion of it is rural and subject to the limitations on rural homestead realty, and may prescribe the system of taxation and liabilities of the municipality and its districts; provided, upon establishment of each municipality the respective properties taxable for debts then existing shall be solely liable therefor.

Each municipality may exercise all municipal powers herein granted and shall perform all functions and enjoy all powers and privileges of a county, including representation in the legislature. County offices shall not be abolished or con-

solidated without providing for performance of state functions assigned thereto. The legislature shall not abolish the offices of clerk of the circuit court and sheriff but may prescribe special methods and times of filling them.

Section 2. **Dade County home rule.**—(1) The electors of Dade County are granted power to adopt, revise, and amend from time to time a home rule charter of government for Dade County, under which the board of county commissioners of Dade County shall be the governing body. This charter:

(a) Shall fix the boundaries of each county commission district, provide a method for changing them from time to time, and fix the number, terms and compensation of the commissioners, and their method of election.

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

(c) May change the boundaries of, merge, consolidate, and abolish and may provide a method for changing the boundaries of, merging, consolidating and abolishing from time to time all municipal corporations, county or district governments, special taxing districts, authorities, boards, or other governmental units whose jurisdiction lies wholly within Dade County, whether such governmental units are created by the constitution or the legislature or otherwise, except the Dade County Board of County Commissioners as it may be provided for from time to time by this home rule charter and the county school board of Dade County.

(d) May provide a method by which any and all of the functions or powers of any municipal corporation or other governmental unit in Dade County may be transferred to the board of county commissioners of Dade County.

(e) May provide a method for establishing new municipal corporations, special taxing districts, and other governmental units in Dade County from time to time and provide for their government and prescribe their jurisdiction and powers.

(f) May abolish and may provide a method for abolishing from time to time all county offices provided herein or by the legislature except the county school superintendent and may provide for the consolidation and transfer of the functions of such offices, provided, however, that there shall be no power to abolish or impair the jurisdiction of the circuit court or to abolish any other court provided for by this constitution or by general law, or the judges or clerks thereof although such charter may create new courts and judges and clerks thereof with jurisdiction to try all offenses against ordinances passed by the board of county commissioners of Dade County and none of the other courts provided for by this constitution or by general law shall have original jurisdiction to try such offenses, although the charter may confer appellate jurisdiction on such courts, and provided further that if said home rule charter shall abolish any county office or offices as authorized in this section, that said charter shall contain adequate provision for the carrying on of all functions of said office or offices as are now or may hereafter be prescribed by general law.

(g) Shall provide a method by which each municipal corporation in Dade County shall have the power to make, amend or repeal its own charter. Upon adoption of this home rule charter by the electors this method shall be exclusive and the legislature shall have no power to amend or repeal the charter of any municipal corporation in Dade County.

(h) May change the name of Dade County.

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

(2) Provision shall be made for the protection of the creditors of any governmental unit which is merged, consolidated, or abolished or whose boundaries are changed or functions or powers transferred.

(3) This home rule charter shall be prepared by a Metropolitan Charter Board created by the legislature and shall be presented to the electors of Dade County for ratification or rejection in the manner provided by the legislature. Until a home rule charter is adopted the legislature may from time to time create additional charter boards to prepare charters to be presented to the electors of Dade County for ratification or rejection in the manner provided by the legislature. Such charter, once adopted by the electors, may be amended only by the electors of Dade County and this charter shall provide a method for submitting future charter revisions and amendments to the electors of Dade County.

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

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

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

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

(8) If any section, subsection, sentence, clause or provision of this section is held invalid as violative of the provisions hereof relating to amendments the remainder of this section shall not be affected by such invalidity.

(9) It is declared to be the intent of the legislature and of the electors of the state to provide by this section home rule for the people of Dade County in local affairs and this section shall be liberally construed to carry out such purpose, and it is further declared to be the intent of the legislature and of the electors of the state that the provisions hereof and of general laws which shall relate to Dade County and any other one or more counties of the state or to any municipality in Dade County and any other one or more municipalities of the state enacted pursuant thereto by the

legislature shall be the supreme law in Dade County, except as expressly provided in this section and this section shall be strictly construed to maintain such supremacy hereof and of the legislature in the enactment of general laws pursuant hereto.

Section 3. Assessment and collection of taxes in certain counties.—In Broward, Hillsborough, Monroe, Pinellas, Saint Lucie, and Volusia Counties the county tax assessor shall assess all property therein upon which ad valorem taxes are levied by the county or any other taxing authority, and the county tax collector of each of these counties except Monroe shall collect all taxes; provided, no law relating thereto shall become effective in Saint Lucie until approved by vote of the electors, and in Broward the county tax assessor and county tax collector shall respectively assess and collect the taxes of only those municipalities that by ordinance so request. The legislature shall prescribe additional compensation corresponding to the additional functions performed.

Section 4. Consolidation of county offices and transfer of municipal tax functions—Orange County.—The legislature may provide for creation, abolition, or consolidation of any Orange County offices except judicial offices or for assessment or collection of municipal taxes and assessments by the county tax officers and distribution of the proceeds to the municipal authorities; provided, additional compensation for performance of additional tax functions shall be provided, and the law shall be subject to approval by county referendum held within ninety days of its enactment and after publication of notice in a newspaper of general circulation once in each of the four weeks immediately preceding the election. Laws so approved relating respectively to municipal tax assessment or collection and to creation or consolidation of county offices shall respectively take effect on the first of the year following the referendum and on the first Tuesday after the first Monday of the year following the first United States presidential election held after the referendum.

Section 5. Appointment of county school superintendent in certain counties.—Upon authorization by local law or by vote of the county electors at a special election called by the board of county commissioners upon request by the county school board and held within sixty days of receipt thereof, the county school board of Dade, Duval, Pinellas, and Sarasota Counties shall appoint the county school superintendent, and not less than four years after such authorization the county may by either method revoke it.

Section 6. Escambia County fees.—All charges collected by the officers of Escambia County shall be paid into its general fund and disbursed as provided by law, and the compensation and expenses of its officers shall be provided for by local law.

Section 7. 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 and VI through XIII. 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.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Joint Resolution No. 18-X, contained in the above message, was read the first time in full and referred to the Committee on Constitutional Amendments.

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

Tallahassee, Florida,
October 8, 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 passed—

By Messrs. Chappell of Marion, Horne of Leon, Chaires of Dixie, Herrell of Dade and Cross of Alachua—

H. B. No. 105-X—A bill to be entitled An Act amending Section 10.01, Florida Statutes, relating to division of the State into senatorial districts; apportionment of the Senate; providing effective date, contingent upon adoption of proposed amendments to the constitution.

—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. 105-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 Rawls moved that the rules be waived and House Bill No. 105-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 105-X was read the second time by title only.

Senator Rawls moved that the rules be further waived and House Bill No. 105-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. 105-X was read the third time in full.

Upon the passage of House Bill No. 105-X the roll was called and the vote was:

Yeas—25.

Mr. President	Branch	Clarke	Edwards
Adams	Bronson	Connor	Hair
Belser	Carlton	Davis	Hodges
Bishop	Carraway	Dickinson	Johns

Johnson	Morgan	Pearce	Stenstrom
Kickliter	Neblett	Rawls	Stratton
Knight			

Nays—9.

Boyd	Gautier	Pope
Cabot	Getzen	Rood
Eaton	Kelly	Sutton

So House Bill No. 105-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.

PAIRING

The following pair was announced by the Secretary in accordance with Senate Rule 12:

I am paired with Senator Barber on the passage of House Bill No. 105-X.

If he were present he would vote "Aye" and I would vote "Nay".

J. Frank Houghton
11th Senatorial District

EXPLANATION OF VOTE

The following Explanation of Vote was filed with the Secretary:

I voted against House Bill 105-X because this bill creates 12 senatorial districts that are smaller than Pasco County by itself. This bill also creates 18 districts that are smaller than the 38th district, composed of Pasco and Sumter counties. I voted for the new constitutional article to create 45 senatorial districts, feeling that Bay county, Okaloosa county, Monroe county, Brevard county and Sarasota county were entitled to senatorial district.

I feel that in order for the people of Florida to get a revision of the constitution, it is not necessary for them to take redistricting as set up in the above mentioned bill. I feel that the Governor does not have to take redistricting as set up in the above mentioned bill in order to get redistricting or revision of the constitution.

I feel that if the daily and weekly papers of Florida will advise the voters of Florida that the above redistricting is bad, if the revision fails the Governor can get proper redistricting from the Legislature by letting the Legislature know he will take nothing less than fair representation based on population.

J. C. Getzen, Jr.
38th Senatorial District

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

Tallahassee, Florida,
October 8, 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 passed, with amendments, by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1957 Extraordinary Session of the Florida Legislature—

By Senators Johnson, Rawls, Davis and Adams—

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 re-

jection 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.

Which amendments read as follows:

Amendment No. 1—

In Section 4 of Article VII, strike out all of the section after the caption and insert the following in lieu thereof:

The principal offices and permanent records of all county officers shall be at the county seat; provided, branch offices for the conduct of county business and facilities for court proceedings including jury trials in civil cases may be established by law elsewhere in the county. No instrument shall be deemed recorded until filed at the county seat according to law.

Amendment No. 2—

In Section 5, Sub-section (b) of Article VII strike out: Subsection (b) and insert the following in lieu thereof:

(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 except in those counties where he is appointed according to law at the effective date hereof, and Supervisor of Registration; provided, by local or general law subject to the approval of the electors of any county, the county school superintendent shall be appointed by and serve at the pleasure of the county school board, and not less than four years after so providing the county may by the same method provide for his election. 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, this method of electing county school board members may be changed by law.

Amendment No. 3—

In Section 12 of Article VII strike out all of the section after the caption and insert the following in lieu thereof:

The legislature by special or local law may for special purposes create special districts that include territory lying in more than one county and may prescribe the composition, powers, and duties of their governing bodies.

Amendment No. 4—

Add the following section at the end of the resolution:

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Amendment No. 5—

After Section 5 of Article VII insert the following as Section 6:

Section 6. **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 of the article.

Amendment No. 6—

In Section 5, Sub-section (b) of Article VII as amended, just before the sentence beginning: "Successors to those members of the board of county commissioners representing . . .", insert the following sentence: "In counties having justice districts a Constable shall be elected for a term of four years by and from among the electors of each district."

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Senator Johnson moved that Senate Joint Resolution No. 9-X(57), with pending House Amendments thereto, be referred to the Committee on Constitutional Amendments.

Which was agreed to and it was so ordered.

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

Tallahassee, Florida,
October 8, 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 passed—

By Messrs. Chappell of Marion, Horne of Leon, Chaires of Dixie, Herrell of Dade and Cross of Alachua—

H. B. No. 104-X—A bill to be entitled An Act to provide for the reapportionment of the membership of the House of Representatives of the Legislature of the State of Florida as required by the State Constitution; amending Section 10.03, Florida Statutes; providing an effective date contingent upon adoption of proposed amendments to the Constitution.

—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. 104-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 Rawls moved that the rules be waived and House Bill No. 104-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 104-X was read the second time by title only.

Senator Rawls moved that the rules be further waived and House Bill No. 104-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. 104-X was read the third time in full.

Upon the passage of House Bill No. 104-X the roll was called and the vote was:

Yeas—28.

Mr. President	Carraway	Getzen	Morgan
Adams	Clarke	Hair	Neblett
Belser	Connor	Hodges	Pearce
Bishop	Davis	Johns	Pope
Branch	Dickinson	Johnson	Rawls
Bronson	Eaton	Kickliter	Stenstrom
Carlton	Edwards	Knight	Stratton

Nays—6.

Boyd	Gautier	Rood
Cabot	Kelly	Sutton

So House Bill No. 104-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.

PAIRING

The following pair was announced by the Secretary in accordance with Senate Rule 12:

I am paired with Senator Barber on the passage of House Bill No. 104-X.

If he were present he would vote "Aye" and I would vote "Nay."

J. FRANK HOUGHTON
11th Senatorial District

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

Tallahassee, Florida,
October 8, 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. Orr of Dade, Maness of Duval and Horne of Leon—

H. B. No. 46-X—A bill to be entitled An Act making an appropriation for compensation and expenses to House Managers in preparation and prosecution of impeachment proceedings.

—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. 46-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 House Bill No. 46-X failed to receive the required two-thirds vote of the Senate and, therefore, was not admitted for introduction.

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

Tallahassee, Florida,
October 8, 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. Smith of DeSoto, Mitchell of Washington and Griffin of Osceola—

H. B. No. 108-X—A bill to be entitled An Act amending paragraph (d) of Subsection (6) of Section 122.03, Florida Statutes, as amended by Section 2 of Chapter 57-363, Laws of Florida, relating to state and county officers and employees retirement system; 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. 108-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. 108-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 108-X was read the second time by title only.

Senator Knight moved that the rules be further waived and House Bill No. 108-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. 108-X was read the third time in full.

Upon the passage of House Bill No. 108-X the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So House Bill No. 108-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 8, 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. Walker of Collier—

H. B. No. 102-X—A bill to be entitled An Act designating that part of State Road 29, in Collier County from Everglades City to Chokoloskee Island, the Ted Smallwood, Sr. Causeway; providing 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. 102-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. 102-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No 102-X was read the second time by title only.

Senator Neblett moved that the rules be further waived and House Bill No. 102-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. 102-X was read the third time in full.

Upon the passage of House Bill No. 102-X the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 102-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 8, 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. Williams of Pasco—

H. B. No. 100-X—A bill to be entitled An Act amending Chapter 57-1247, Laws of Florida, which amended Chapter 14591, Acts of 1929, being the city charter of the City of Dade City; amending Section 1 of Chapter 57-1247, which amended Section 4 of Chapter 14591, Acts of 1929, and Section 2 of Chapter 57-1247, which amended Section 5 of Chapter 14591, Acts of 1929; providing 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. 100-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 Getzen moved that the rules be waived and House Bill No. 100-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 100-X was read the second time by title only.

Senator Getzen moved that the rules be further waived and

House Bill No. 100-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. 100-X was read the third time in full.

Upon the passage of House Bill No. 100-X the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 100-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 8, 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. Walker of Collier—

H. B. 103-X—A bill to be entitled An Act authorizing per diem for members of the Board of County Commissioners of any county in the state having a population of not less than six thousand four hundred (6,400) and not more than six thousand six hundred (6,600) inhabitants according to the latest official state-wide decennial census.

—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. 103-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. 103-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 103-X was read the second time by title only.

Senator Neblett moved that the rules be further waived and House Bill No. 103-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. 103-X was read the third time in full.

Upon the passage of House Bill No. 103-X the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 103-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 8, 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. Grimes and Pratt of Manatee—

H. B. No. 56-X—A bill to be entitled An Act providing for annual salaries for the constables in all counties of the State of Florida, having a population of not less than thirty four thousand six hundred fifty (34,650) nor more than thirty six thousand (36,000) inhabitants according to the last official census; providing that all fees collected shall be delivered monthly to the general fund of the counties; providing for the method of payment; repealing conflicting laws; 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. 56-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. 56-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 56-X was read the second time by title only.

Senator Rood moved that the rules be further waived and House Bill No. 56-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. 56-X was read the third time in full.

Upon the passage of House Bill No. 56-X the roll was called and the vote was:

Yeas—35.

Mr. President	Boyd	Carlton	Davis
Adams	Branch	Carraway	Dickinson
Belser	Bronson	Clarke	Eaton
Bishop	Cabot	Connor	Edwards

Gautier	Johns	Morgan	Rood
Getzen	Johnson	Neblett	Stenstrom
Hair	Kelly	Pearce	Stratton
Hodges	Kicklitter	Pope	Sutton
Houghton	Knight	Rawls	

Nays—None.

So House Bill No. 56-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 8, 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. Costin of Gulf—

H. B. No. 101-X—A bill to be entitled An Act relating to the City of Port St. Joe, amending Chapter 28733, Laws of Florida, Special Acts, 1951, by adding Section 135A to authorize the establishment of polling places subject to a referendum election.

—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. 101-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. 101-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 101-X was read the second time by title only.

Senator Knight moved that the rules be further waived and House Bill No. 101-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. 101-X was read the third time in full.

Upon the passage of House Bill No. 101-X the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 101-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 8, 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. Papy of Monroe—

H. B. No. 107-X—A bill to be entitled An Act cancelling and setting aside certain instrument of dedication made by the trustees of the Internal Improvement Fund of the State of Florida of lands in Monroe County, Florida, under management of the Florida Board of Parks and Historic Memorials, as an overseas parkway and vesting full power and control of said lands in said trustees of the Internal Improvement Fund of the State of Florida; fixing 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. 107-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. 107-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 107-X was read the second time by title only.

Senator Neblett moved that the rules be further waived and House Bill No. 107-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. 107-X was read the third time in full.

Upon the passage of House Bill No. 107-X the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 107-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 8, 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 passed by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1957 Extraordinary Session of the Florida Legislature—

By the Committee on Constitutional Amendments—

House Joint Resolution No. 106-X:

A JOINT RESOLUTION PROPOSING THAT THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA SET FORTH IN HOUSE JOINT RESOLUTION NO. 32-X AND THE PROPOSED AMENDMENTS CONSTITUTING THE PREAMBLE AND ARTICLES I THROUGH IV AND VI THROUGH XIV OF THE PROPOSED REVISED CONSTITUTION BE SUBMITTED TO THE ELECTORS IN THE MANNER PRESCRIBED THEREIN AT THE GENERAL ELECTION IN 1958.

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

Section 1. The proposed amendment to the Constitution of the State of Florida set forth in House Joint Resolution No. 32-X and the fourteen proposed amendments constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution shall be submitted to the electors of the state at the general election in 1958 in the manner prescribed in said House Joint Resolution No. 32-X and in the respective fourteen joint resolutions containing said fourteen proposed amendments.

and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Joint Resolution No. 106-X, contained in the above message, was read the first time in full.

Senator Johnson moved that the rules be waived and House Joint Resolution No. 106-X be read the second time in full.

Which was agreed to by a two-thirds vote.

And House Joint Resolution No. 106-X was read the second time in full.

Senator Johnson moved that the rules be further waived and House Joint Resolution No. 106-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Joint Resolution No. 106-X was read the third time in full.

Upon the passage of House Joint Resolution No. 106-X the roll was called and the vote was:

Yeas—33.

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

Nays—1.

Houghton

So House Joint Resolution No. 106-X 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 Adams requested unanimous consent of the Senate to take up and consider House Bill No. 84-X, out of its order.

Unanimous consent was granted, and—

H. B. No. 84-X—A bill to be entitled An Act relating to fixing the compensation of clerks of circuit courts in all counties of this State having a population of not less than six thousand two hundred (6,200) and not more than six thousand four hundred (6,400) inhabitants according to the last official state-wide decennial census; repealing Chapter 16870, Laws of Florida, 1935; and providing an effective date.

Was taken up.

Senator Adams moved that the rules be waived and House Bill No. 84-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 84-X was read the second time by title only.

Senator Adams moved that the rules be further waived and House Bill No. 84-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. 84-X was read the third time in full.

Upon the passage of House Bill No. 84-X the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 84-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 8, 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 passed by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1957 Extraordinary Session of the Florida Legislature—

By the Committee on Constitutional Amendments:

Committee Substitute for House Joint Resolution No. 14-X:

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 tax-

ing 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 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 on an annual basis 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 shall have the power to 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 purpose 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 may be claimed concurrently.

(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.**—Property held and used exclusively for religious, charitable, educational, literary, scientific, state, county, or municipal purposes, shall be exempt from taxation, and the legislature may exempt from taxation 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 interlock-

ing 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.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Committee Substitute for House Joint Resolution No. 14-X, contained in the above message, was read the first time in full.

Senator Johnson moved that the rules be waived and Committee Substitute for House Joint Resolution No. 14-X be read the second time in full.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Joint Resolution No. 14-X was read the second time in full.

Senator Johnson offered the following amendment to Committee Substitute for House Joint Resolution No. 14-X:

In Section 10, (printed bill), strike out all of Subsection (c) and insert in lieu thereof the following:

“(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.”

Senator Johnson moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johnson moved that the rules be further waived and Committee Substitute for House Joint Resolution No. 14-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 Committee Substitute for House Joint Resolution No. 14-X, as amended, was read the third time in full, as follows:

Committee Substitute for House Joint Resolution No. 14-X:

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 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 on an annual basis 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 shall have the power to 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 purpose 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 may be claimed concurrently.

(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 respec-

tively 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.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Upon the passage of Committee Substitute for House Joint Resolution No. 14-X as amended, the roll was called and the vote was:

Yeas—32.

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

Nays—3.

Belser	Houghton	Sutton
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So Committee Substitute for House Joint Resolution No. 14-X 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 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 7, 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—

H. B. No. 60-X—A bill to be entitled An Act creating the Marion County Water Conservation and Control Authority extending throughout the present limits of Marion County, Florida; providing for a governing board of the authority and defining its powers and duties; declaring the purposes for which the authority is created and declaring these to be public purposes; authorizing the levy of an annual tax of not

exceeding one-half mill upon all of the taxable real and personal property within the territorial limits of the authority, empowering the authority to acquire real and personal property or any rights therein by gift, purchase, lease, condemnation or eminent domain or otherwise; authorizing the authority to use and possess state land not used for a state purpose; authorizing the authority to acquire, construct, maintain and operate all works necessary to carry out the purposes of the Act and to borrow money for use of the authority; providing 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. 60-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. 60-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 60-X was read the second time by title only.

Senator Edwards moved that the rules be further waived and House Bill No. 60-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. 60-X was read the third time in full.

Upon the passage of House Bill No. 60-X the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 60-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.

Senator Davis moved that the rules be waived and the time of adjournment be extended for a period of thirty minutes.

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

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

Tallahassee, Florida,
October 8, 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. Petersen of Pinellas—

H. B. No. 113-X—A bill to be entitled An Act fixing the compensation of members of the board of County Commissioners in any county of the state of Florida having a population of not less than one hundred fifty thousand (150,000) and not more than two hundred forty thousand (240,000) inhabitants according to the last official 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. 113-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 Houghton moved that the rules be waived and House Bill No. 113-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 113-X was read the second time by title only.

Senator Houghton moved that the rules be further waived and House Bill No. 113-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. 113-X was read the third time in full.

Upon the passage of House Bill No. 113-X the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 113-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 8, 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. Papy of Monroe—

H. B. No. 114-X—A bill to be entitled An Act to amend Section 20 of Chapter 31478, Acts of 1955-1956 Extraordinary Session, creating and chartering the City of Marathon Shores.

—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. 114-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. 114-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 114-X was read the second time by title only.

Senator Neblett moved that the rules be further waived and House Bill No. 114-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. 114-X was read the third time in full.

Upon the passage of House Bill No. 114-X the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 114-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 8, 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. Costin of Gulf—

H. B. No. 109-X—A bill to be entitled An Act authorizing the city of Port St. Joe 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 providing 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. 109-X, contained in the foregoing message, should be introduced for consideration by the Senate notwithstanding that it did not come within the pur-

view 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. 109-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 109-X was read the second time by title only.

Senator Knight moved that the rules be further waived and House Bill No. 109-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. 109-X was read the third time in full.

Upon the passage of House Bill No. 109-X the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 109-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.

Senator Davis 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 Cabot—

S. B. No. 69-X(57)—A bill to be entitled An Act to provide for the creation of a municipal corporation to be known as Pembroke, in Broward County, Florida; to define its territorial limits; to provide for the jurisdiction, powers and privileges of said town and the jurisdiction, powers and privileges of its officers; and providing for a referendum.

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 Cabot moved that the rules be waived and Senate Bill No. 69-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 69-X(57) was read the second time by title only.

Senator Cabot moved that the rules be further waived and Senate Bill No. 69-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. 69-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 69-X(57) the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 69-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 Eaton, Cabot, Johns, Gautier, Houghton, Shands, Stenstrom and Connor—

S. B. No. 70-X(57)—A bill to be entitled An Act relating to the child molester law; amending Section 801.02, Subsections (1), (b) and (2) of Section 801.03, Sections 801.04, 801.06, 801.07, Subsection (2) of 801.08, 801.10, 801.11, 801.12, 801.13, and adding a new Section 801.16, Florida Statutes, providing for an appropriation to the created Florida Research and Treatment Center, providing and authorizing the hiring of certain personnel, providing certain methods of procedure to be used with sexual deviates, providing for keeping of records and other regulations as to committed persons, providing for severability.

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 Johns moved that the rules be waived and Senate Bill No. 70-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 70-X(57) was read the second time by title only.

Senators Eaton, Johns, Shands, Houghton and Gautier offered the following amendment to Senate Bill No. 70-X(57):

In Section 11, line 3 (typewritten bill) strike out the words:

"There shall be appropriated from the general revenue fund of the state a sum of money not to exceed two hundred sixty-five thousand dollars (\$265,000.00) for the first year for the purpose of creating and establishing the Florida research and treatment center at a site to be selected by the board of commissioners of state institutions. Thereafter there shall be allowed one hundred thousand dollars (\$100,000) per year to the said Florida research and treatment center for the proper maintenance of same and to effectuate the purposes of this act."

Senator Johns moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johns moved that the rules be further waived and Senate Bill No. 70-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. 70-X(57), as amended, was read the third time in full.

Upon the passage of Senate Bill No. 70-X(57), as amended, the roll was called and the vote was:

Yeas—29.

Mr. President	Cabot	Davis	Getzen
Adams	Carlton	Dickinson	Hair
Belser	Carraway	Eaton	Hodges
Branch	Clarke	Edwards	Houghton
Bronson	Connor	Gautier	Johns

Johnson	Pearce	Rawls	Stenstrom
Knight	Pope	Rood	Sutton
Neblett			

Nays—5.

Bishop	Kicklitter	Morgan	Stratton
Kelly			

So Senate Bill No. 70-X(57) passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Johns moved that the rules be waived and Senate Bill No. 70-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 Sutton—

S. B. No. 71-X(57)—A bill to be entitled An Act relating to divorce; amending Section 65.02, Florida Statutes, as amended by Chapter 57-44, Laws of Florida, 1957, relating to suits for divorce filed prior to October 1, 1957; 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 Sutton moved that the rules be waived and Senate Bill No. 71-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 71-X(57) was read the second time by title only.

Senator Sutton moved that the rules be further waived and Senate Bill No. 71-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. 71-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 71-X(57) the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 71-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 Branch—

S. B. No. 72-X(57)—A bill to be entitled An Act relating to the compensation of the clerk of the Circuit Court of Liberty County as secretary of the Board of County Commissioners 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.

Proof of publication of Notice was attached to Senate Bill No. 72-X(57) when it was introduced in the Senate, and evi-

dence 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 Branch moved that the rules be waived and Senate Bill No. 72-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 72-X(57) was read the second time by title only.

Senator Branch moved that the rules be further waived and Senate Bill No. 72-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. 72-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 72-X(57) the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 72-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 Branch—

S. B. No. 73-X(57)—A bill to be entitled An Act relating to the nomination and election of members of board of public instruction in any county of the state having a population of not less than three thousand (3,000) and not more than three thousand three hundred (3,300), according to the latest federal state-wide decennial census.

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 Branch moved that the rules be waived and Senate Bill No. 73-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 73-X(57) was read the second time by title only.

Senator Branch moved that the rules be further waived and Senate Bill No. 73-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. 73-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 73-X(57) the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 73-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 Stenstrom—

S. B. No. 74-X(57)—A bill to be entitled An Act relating to the North Brevard County Hospital District, amending Sections 1, 5, 6, 7, 8, Chapter 28924, Laws of Florida, 1953, and adding a new section to be numbered 8-A; relating to authority to establish, construct, equip, operate, maintain or repair a hospital or hospitals within said district; providing authority to borrow money; providing authority to mortgage property or to issue bonds upon vote of freeholders of said district; and providing authority to establish and maintain a training school for nurses; and providing a referendum.

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 Stenstrom moved that the rules be waived and Senate Bill No. 74-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 74-X(57) was read the second time by title only.

Senator Stenstrom moved that the rules be further waived and Senate Bill No. 74-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. 74-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 74-X(57) the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 74-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 Carraway—

S. B. No. 75-X(57)—A bill to be entitled An Act appropriating two hundred thousand dollars (\$200,000.00) to rebuild a condemned auditorium and classroom building at the Suniland Training Center in Gainesville; 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 Carraway moved that the rules be waived and Senate Bill No. 75-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 75-X(57) was read the second time by title only.

Senator Carraway moved that the rules be further waived and Senate Bill No. 75-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. 75-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 75-X(57) the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 75-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 Edwards—

S. B. No. 76-X(57)—A bill to be entitled An Act relating to appropriations for salaries and operating expenses of the state government; amending Section 2, Item 16 of Chapter 57-424, Laws of Florida, 1957; 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 Edwards moved that the rules be waived and Senate Bill No. 76-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 76-X(57) was read the second time by title only.

Senator Edwards moved that the rules be further waived and Senate Bill No. 76-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. 76-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 76-X(57) the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 76-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 Branch—

S. B. No. 77-X(57)—A bill to be entitled An Act relating to publication of minutes by the Board of County Commissioners and Board of Public Instruction of Liberty County; repealing Chapter 22375, Acts of 1943; 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.

Proof of publication of Notice was attached to Senate Bill No. 77-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 Branch moved that the rules be waived and Senate Bill No. 77-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 77-X(57) was read the second time by title only.

Senator Branch moved that the rules be further waived and Senate Bill No. 77-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. 77-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 77-X(57) the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 77-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 Johnson moved that the rules be waived and the Senate revert to the consideration of messages from the House of Representatives.

Which was agreed to by a two-thirds vote.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
October 8, 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 refused to concur in Senate Amendments 1 and 2 to—

By Messrs. Chappell of Marion, Chaires of Dixie, Cross of Alachua, Herrell of Dade and Horne of Leon—

House Joint Resolution No. 9-X:

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE I 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 I 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 I
DECLARATION OF RIGHTS**

Section 1. **Political power—government.**—All political power is inherent in the people. Government is instituted for their protection, security, and benefit. They have the right to regulate their government and to amend or repeal this constitution. The enumeration herein of certain rights shall not be construed to deny or impair others retained by the people.

Section 2. **Equality—inalienable rights—property rights of foreigners.**—All persons, including foreigners eligible to become citizens of the United States, are equal before the law and have inalienable rights. Among these are the right to enjoy life and liberty, to pursue happiness, to be rewarded for industry, and to acquire, possess, and protect property; but the legislature may regulate or prohibit the ownership, inheritance, disposition, or possession of real property by persons ineligible for citizenship.

Section 3. **Religious freedom.**—The free exercise and enjoyment of religious belief and worship shall never be abridged, but this freedom shall not be construed to justify licentiousness or practices inconsistent with peace and safety. No person shall be incompetent as a witness or ineligible for jury duty or public office because of religious belief. No preference shall be given by law to any religious denomination or mode of worship, and no public funds shall be granted directly or indirectly in aid of any religious denomination or sectarian institution.

Section 4. **Freedom of speech and press.**—Every person may freely speak, write, and publish his sentiments on any subject, being responsible for the abuse of this right, and no law shall restrain or abridge the freedom of speech or of the press. The truth of the matter published and good motive in publishing it shall constitute a complete defense in any criminal or civil proceeding for defamation.

Section 5. **Assembly—petition.**—The people may assemble peaceably to consult for the common good, may instruct their representatives, and may petition for redress of grievances.

Section 6. **Right to work—collective bargaining.**—The right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization. This section shall not be construed to deny or abridge the right of employees by and through a labor organization or labor union to bargain collectively with their employer.

Section 7. **Right to bear arms.**—Every person may keep and bear arms in defense of his home, person, property, and the lawful authority of the state, but the legislature may prescribe the manner of bearing them.

Section 8. **Searches and seizures.**—The people shall be secure in their persons, houses, papers, and effects against unreasonable searches and seizures; and no warrant to search any place or seize any person or thing shall issue except upon oath or affirmation showing probable cause and particularly describing the place to be searched and the person or thing to be seized.

Section 9. **Access to courts.**—The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.

Section 10. **Condemnation—preliminary taking.**—Private property shall not be taken without full compensation determined by a jury of twelve. Interim possession may be obtained after commencement of suit upon securing payment by deposit of money, an equitable part of which shall be released upon application of the party entitled. Benefits resulting from improvements proposed to be made by an individual or a private or public corporation, except a governmental corporation when acquiring a road right of way, shall not be applied in reduction of compensation. The legislature may provide for drainage of private land over or through that of another upon payment of full compensation.

Section 11. **Attainder—ex post facto law—impairment of contract.**—No bill of attainder, ex post facto law, or law impairing the obligation of contracts shall be passed.

Section 12. **Indictment—information—plea—sentence.**—No person shall be tried for capital crime without presentment or indictment by a grand jury, or for other felony without such presentment or indictment or an information under oath filed by the prosecuting officer of the court. A person charged with any crime not capital may be arraigned and may plead thereto in term or vacation, and the court may at any time pronounce judgment and sentence on a plea of guilty.

Section 13. **Habeas corpus.**—The writ of habeas corpus shall be granted as of right, promptly and without cost.

Section 14. **Bail.**—Until adjudged guilty, every person is entitled to release on reasonable bail with sufficient surety unless charged with a capital offense and the proof of guilt is evident or the presumption is great.

Section 15. **Jury trial—rights of accused.**—The right of trial by jury in criminal and civil proceedings as heretofore established shall be secured to all and remain inviolate.

In all criminal prosecutions the accused shall have the right to demand the nature and cause of the accusation, to be furnished with a copy of the charges, to have compulsory process for attendance of witnesses in his favor, to be confronted in any trial with the witnesses against him, to be heard in person or by counsel or both, and to have a speedy, public, and impartial trial by jury in the county where the crime was committed, if such county is known. If such county is not known, the indictment or information may charge venue in two or more counties conjunctively and proof that the crime was committed in such area shall be sufficient, but the accused may before pleading elect the county in which to be tried. No person shall be compelled to pay costs until convicted on final trial.

No person shall be twice put in jeopardy for the same offense, or be compelled in any criminal case to be a witness against himself, or be deprived of life, liberty, or property without due process of law.

Section 16. **Excessive fines—cruel punishment—attainder—detention of witnesses.**—Excessive fines, cruel or unusual punishment, attainder, indefinite imprisonment, and unreasonable detention of witnesses are forbidden.

Section 17. **Involuntary servitude—imprisonment for debt.**—Involuntary servitude is prohibited except as punishment for crime following conviction. No person shall be imprisoned for debt without fraud.

Section 18. **Penalties imposed by administrative agencies.**—No administrative agency shall impose a sentence of imprisonment. Any penalty imposed by an administrative agency shall be prescribed by law and its imposition shall be subject to judicial review as the legislature may provide.

Section 19. **Treason.**—Treason against the state consists only of levying war against it or of adhering to or aiding its enemies; and no person shall be convicted thereof without confession in open court or the testimony of two witnesses to the same overt act.

Section 20. **Military subordinate to civil—quartering.**—The military power is in strict subordination to the civil. No member of the military shall be quartered on private property in time of peace without the consent of the owner, and in time of war all quartering shall be as prescribed by law.

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 II, III, 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.

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.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Which amendments read as follows:

Amendment No. 1—

In Section 10, lines 8, 9 and 10 (printed bill), strike out the words: “, except a governmental corporation when acquiring a road right of way.”

Amendment No. 2—

In Section 10, line 10 (printed bill), change the period at the end of the sentence to a semi-colon and add the following: “provided, that a governmental agency acquiring road rights of way may off-set benefits resulting from proposed improvements against severance damages to property not taken.”

—and respectfully requests the Senate to recede therefrom.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Senator Johnson moved that House Joint Resolution No. 9-X, with pending Senate Amendments thereto, be referred to the Committee on Constitutional Amendments.

Which was agreed to and it was so ordered.

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

Tallahassee, Florida,
October 8, 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. Arrington and Inman of Gadsden—

H. B. No. 115-X—A bill to be entitled An Act creating and establishing a port authority in Gadsden County; designating its members; defining its rights, duties and authority; prescribing the method of financing said authority and its activities as prescribed by this Act, and any other matters incidental to carrying out the purpose of the Act; subject to referendum; 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. 115-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 Johnson moved that the rules be waived and House Bill No. 115-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 115-X was read the second time by title only.

Senator Johnson moved that the rules be further waived and House Bill No. 115-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. 115-X was read the third time in full.

Upon the passage of House Bill No. 115-X the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 115-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 8, 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. 87-X—A bill to be entitled An Act relating to the state auditing department; amending Subsection (5) of Section 21.011, Florida Statutes, relating to expenses of members of the auditing committee; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

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

Tallahassee, Florida,
October 8, 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. 88-X—A bill to be entitled An Act relating to compensation of members of interim committees, amending Section 11.13, Subsection (3), paragraph (a), Florida Statutes; providing effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

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

Tallahassee, Florida,
October 8, 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. 89-X—A bill to be entitled An Act amending Chapter 57-170, creating a special committee to be known as the Agriculture Service Committee; amending Section 1, Subsection (3); providing effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

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

Tallahassee, Florida,
October 8, 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 requests the return of—

By Mr. Horne of Leon—

H. B. No. 87-X—A bill to be entitled An Act relating to the state auditing department; amending Subsection (5) of Section 21.011, Florida Statutes, relating to expenses of members of the auditing committee; providing an effective date.

Also—

By Mr. Horne of Leon—

H. B. No. 88-X—A bill to be entitled An Act relating to compensation of members of interim committees, amending Section 11.13, Subsection (3), paragraph (a), Florida Statutes; providing effective date.

Also—

By Mr. Horne of Leon—

H. B. No. 89-X—A bill to be entitled An Act amending Chapter 57-170, creating a special committee to be known as the Agriculture Service Committee; amending Section 1, Subsection (3); providing effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Senator Carraway moved that the request of the House of Representatives, as contained in the foregoing message, be granted.

Which was agreed to and House Bills Nos. 87, 88 and 89 were ordered returned to the House of Representatives.

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

Tallahassee, Florida,
October 8, 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. Cross of Alachua, Crews of Baker, Marshburn of Levy, Turlington of Alachua, Roberts of Union and Lancaster of Gilchrist—

H. B. No. 99-X—A bill to be entitled An Act providing for an additional Assistant State Attorney for the Eighth (8th) Judicial Circuit of Florida; prescribing the powers, duties and salary of such additional Assistant State Attorney and providing for the payment of such salary from the state treasury; fixing the term of office of such additional Assistant State Attorney and providing that such term shall expire with the term of office of the State Attorney for said circuit; providing that after the expiration of the term of office being served by the Assistant State Attorney now holding office in said circuit, all future terms of said office shall expire with the terms of office of the State Attorney for said circuit; and prescribing the effective date hereof.

and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

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

Tallahassee, Florida,
October 8, 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 requests the return of—

By Messrs. Cross of Alachua, Crews of Baker, Marshburn of Levy, Lancaster of Gilchrist, Turlington of Alachua and Roberts of Union—

H. B. No. 99-X—A bill to be entitled An Act providing for an additional Assistant State Attorney for the Eighth (8th) Judicial Circuit of Florida; prescribing the powers, duties and salary of such additional Assistant State Attorney and providing for the payment of such salary from the state treasury; fixing the term of office of such additional Assistant State Attorney and providing that such term shall expire with the term of office of the State Attorney for said circuit; providing that after the expiration of the term of office being served by the Assistant State Attorney now holding office in said circuit, all future terms of said office shall expire

with the terms of office of the State Attorney for said circuit; and prescribing the effective date hereof.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Senator Hodges moved that the request of the House of Representatives, as contained in the foregoing message, be granted.

Which was agreed to and House Bill No. 99-X was ordered returned to the House of Representatives.

The Senate resumed the consideration of Bills and Joint Resolutions on Second Reading.

Senator Rawls presiding.

CONSIDERATION OF BILLS AND JOINT RESOLUTIONS ON SECOND READING

S. B. No. 50-X(57)—A bill to be entitled An Act relating to appointment and assignment as acting prosecuting attorney, and to the compensation of acting prosecuting attorneys; amending Sections 34.15 and 34.16, Florida Statutes.

Was taken up in its order.

Senator Johnson moved that the rules be waived and Senate Bill No. 50-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 50-X(57) was read the second time by title only.

Senator Johnson moved that the rules be further waived and Senate Bill No. 50-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. 50-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 50-X(57) the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 50-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 presiding.

Senator Davis moved that when the Senate adjourns at this Session it adjourn to reconvene at 10:30 o'clock A. M., Wednesday, October 9, 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 5:40 o'clock P. M., until 10:30 o'clock A. M., Wednesday, October 9, 1957.