

# JOURNAL OF THE SENATE

Friday, April 5, 1957

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The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Thursday, April 4, 1957.

The President in the Chair.

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

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

—38.

A quorum present.

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

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

Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Thursday, April 4, 1957, was corrected as follows:

Page 31, column 1, at the end of line 27, strike the period and add the following:

“and the Committee on Public Utilities.”

And as corrected was approved.

## REPORTS OF COMMITTEES

Senator Bronson, Chairman of the Committee on Legislative Management and Population, reported that the Committee had carefully considered the following Resolution:

Senate Resolution No. 77—

A Resolution providing for pay of officers and attaches including indexers of the Senate; and mileage for members.

—and recommends that the same be adopted.

And the Resolution contained in the preceding report was placed on the Calendar of Senate Resolutions.

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

S. B. No. 25—A bill to be entitled An Act relating to the Florida School for the Deaf and the Blind; amending Sections 242.35, 242.36, 242.38 and 242.40, Florida Statutes, relating to admission of students, transportation of students,

furnishing of necessities to students, and to the salary of the President of the Florida School for the Deaf and the Blind; and repealing Section 242.37, Florida Statutes, relating to charges against parents for expenses of their children attending such school.

—and recommends that the same pass.

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

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

By Senator Stratton—

S. B. No. 82—A bill to be entitled An Act relating to per diem and traveling expenses of State Officers and Employees; amending Subsection (1) of Section 112.061, Florida Statutes, relating to the amount of such allowances and including Judges of the District Court of Appeals; and providing an effective date.

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

By Senator Belser—(By Request)—

S. B. No. 83—A bill to be entitled An Act relating to Rural Electric Cooperatives, Municipal Corporations, and other public service corporations; giving them the right to continue to operate in and to serve territory even after inclusion in a new or existing municipality; establishing the period and other terms and conditions of such continuance; repealing conflicting laws; and fixing the effective date of this Act.

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

By Senators Dickinson and Stenstrom—

S. B. No. 84—A bill to be entitled An Act to prescribe a distinctive color for motor vehicles and motorcycles of the various Sheriffs' Departments; prescribing a distinctive badge to be worn by sheriffs and deputy sheriffs; making it unlawful for any person, other than those authorized herein, to color or cause to be colored any motor vehicle or motorcycle the same or similar colors or to wear a sheriff's badge or an insignia similar to the official sheriff's badge; providing penalties for violations.

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

By Senators Dickinson, Eaton, Cabot, Clarke, Stenstrom, Rawls and Kickliter—

S. B. No. 85—A bill to be entitled An Act relating to the prevention of accidents due to contact with power lines; defining the terms used; providing for its administration and enforcement; establishing certain precautionary measures and exemptions; prescribing penalties for violations; repealing all conflicting laws; and providing for the effective date of this Act.

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

By Senator Dickinson—

S. B. No. 86—A bill to be entitled An Act amending Section 335.04, Florida Statutes, providing for the definition of a State road system and authorizing the State Road Board and the County Commissioners to designate certain roads and providing for the width of right-of-way on said roads and for the classification of State roads and providing for an effective date.

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

By Senator Dickinson—

S. B. No. 87—A bill to be entitled An Act amending Section 73.10, Florida Statutes, relating to the trial of eminent domain proceedings; by providing for the determination of compensation and damages in such proceedings and providing for an effective date.

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

By Senator Dickinson—

S. B. No. 88—A bill to be entitled An Act relating to eminent domain amending Sections 73.01, 73.11, 73.12, 73.13, and 73.16, Florida Statutes, providing for the institution of suit and providing for the content of the petition, form of verdict, form of judgment, payment of compensation and the cost of the procedures and providing for an effective date.

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

By Senator Dickinson—

S. B. No. 89—A bill to be entitled An Act amending Sections 74.01, 74.02, 74.03, 74.05, 74.07, 74.10 and repealing Section 74.09, Florida Statutes, relating to eminent domain proceedings providing for a declaration of taking, service of process, filing and publication of notice and providing for the hearing before the court for an order of taking and for the payment of monies into the court and payment of monies from the court to property owners and providing for the payment of attorney fees and costs under certain conditions and providing for an effective date.

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

By Senator Bishop—

S. B. No. 90—A bill to be entitled An Act relating to school transportation; amending Subsection (4) of Section 236.07, Florida Statutes, by increasing the amount of the Minimum Foundation Program for transportation; and providing that such increase shall be used for increasing the compensation of school bus drivers; providing an effective date.

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

By Senator Bishop—

S. B. No. 91—A bill to be entitled An Act relating to the regulation of the issue, sale, gift, or other disposition or use of trading stamps as herein defined, for or with the sale of goods or services; defining certain terms as used in this Act; providing for registration and bonding of issuers and agents for redemption of trading stamps; providing for service of process upon the Secretary of State with respect to issuers and agents for redemption of trading stamps; providing annual registration fee; requiring that certain information be printed upon the face of trading stamps; regulating the redemption of trading stamps; prohibiting discrimination against Florida residents on redemption of trading stamps; fixing liability for redemption of trading stamps; providing for the escheat to the State of the face value of trading stamps not redeemed within a specific period of time; providing for the keeping of records by issuers and agents for redemption of trading stamps and requiring the filing of annual reports with the Treasurer of the State of Florida; providing for the posting of notice to the public of certain provisions hereof; providing for penalties for the violation of this Act; providing remedies for the enforcement of this Act; and providing the effective date of this Act.

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

By Senator Gautier—

S. B. No. 92—A bill to be entitled An Act relating to pensions of wives of deceased highway patrolmen; amending Section 321.221, Florida Statutes; providing for pension in addition to Workmen's Compensation; fixing an effective date.

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

By Senator Houghton—

S. B. No. 93—A bill to be entitled An Act to provide for the incorporation of all lands in Pinellas County, Florida, included within the boundaries as set forth below, according to the public records of Pinellas County, Florida, as a special fire control district; to provide for the incorporation of all of said lands and territory into and as a special fire control district; to provide for and limit the powers, duties and liabilities of said district in and about the purchase and acquiring of fire-fighting equipment, fire stations, fire hydrants and water supply, in prevention of all types of fires; to provide for inspection of places of business, apartment houses, theatres and buildings where large groups of persons might congregate; to provide for the exercise and administration of the powers of said district by a board of commissioners to be elected as provided herein below; to provide for raising all necessary funds for financing said district and all of its purposes; to provide for the levy, collection and enforcement of special assessments against and creating liens upon lands in said district in order to raise funds for the purposes of said district and to determine the benefits of such assessments and the priority and dignity of such liens in raising revenues for the purposes of said district; to provide for limitations of claims, demands and suits against said district; to authorize and empower such district to make and enter into contracts with firms and individuals, natural or corporate, relating to any and all of the purposes of said district; to authorize the borrowing of money for the purposes of the district and pledging of not over 50% of the total assessment roll on tax anticipation notes; and to provide for and establish the proceedings by which said special fire control district shall become incorporated as a public municipal corporation to be known as:

"Lealman Special Fire Control District" and providing for a referendum.

Which was read the first time by title only.

Senator Houghton moved that the rules be waived and Senate Bill No. 93 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 93 was read the second time by title only.

Senator Houghton moved that the rules be further waived and Senate Bill No. 93 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. 93 was read the third time in full.

Upon the passage of Senate Bill No. 93 the roll was called and the vote was:

Yeas—38.

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

Nays—None.

So Senate Bill No. 93 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Dickinson—

S. B. No. 94—A bill to be entitled An Act for relief of Gladys H. Mickle for damages for personal injury received as the result of the negligent placing of a slide in a public park.

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

By Senators Dickinson and Stenstrom—

S. B. No. 95—A bill to be entitled An Act relating to voting

absentee procedure for allowing original registration by members of the armed services; amending Section 101.692 (4), Florida Statutes.

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

By Senator Neblett—

S. B. No. 96—A bill to be entitled An Act relating to dog racing daily license fee; repealing Chapter 29751, Acts 1955, appearing as Section 550.163, Florida Statutes.

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

By Senators Barber, Carraway, Connor, Pearce and Eaton—

S. B. No. 97—A bill to be entitled An Act to amend Subsection (2) and (3) of Section 317.22, Florida Statutes, relating to speed restrictions, to make excessive speeds unlawful rather than prima facie evidence of reckless driving; to increase maximum lawful speed limits; to impose restrictions on vehicles towing other vehicles.

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

By Senators Barber, Carraway, Connor, Pearce and Eaton—

S. B. No. 98—A bill to be entitled An Act to amend Chapter 317, Florida Statutes, relating to regulation of traffic on highways by adding Section 317.241 to authorize local authorities to alter speed limits on roads under their jurisdictions.

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

By Senators Barber, Carraway, Connor, Pearce and Eaton—

S. B. No. 99—A bill to be entitled An Act to amend Section 317.23, Florida Statutes, relating to minimum speed, by deleting the requirement of warning to the driver by a police officer and authorizing the State Road Department and local authorities to establish minimum speeds.

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

By Senators Barber, Carraway, Connor, Pearce and Eaton—

S. B. No. 100—A bill to be entitled An Act to amend Subsection (2) of Section 317.33, Florida Statutes, relating to distance to be maintained between certain vehicles on the highways; to increase the minimum distance between trucks and other vehicles; to apply such rule to vehicles towing other vehicles; and to make violations unlawful.

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

By Senator Stenstrom—

S. B. No. 101—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Brevard County, Florida, to fix by resolution, fees to be charged by the Brevard County Health Unit for the issuance of certified copies of vital records, permits, and for other services performed, and providing for the collection thereof.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 101 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 Stenstrom moved that the rules be waived and Senate Bill No. 101 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 101 was read the second time by title only.

Senator Stenstrom moved that the rules be further waived and Senate Bill No. 101 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. 101 was read the third time in full.

Upon the passage of Senate Bill No. 101 the roll was called and the vote was:

Yeas—38.

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

Nays—None.

So Senate Bill No. 101 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Bronson, Johnson and Rawls—

S. B. No. 102—A bill to be entitled An Act relating to auction sales of livestock; amending Section 205.28, Florida Statutes; providing a license tax of fifty dollars (\$50.00).

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

By Senator Barber—

S. B. No. 103—A bill to be entitled An Act relating to the Military Department of Florida; amending Subsection (2) of Section 250.05, Florida Statutes, by eliminating the duties of the Governor therefrom; setting effective date.

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

By Senator Stratton—

S. B. No. 104—A bill to be entitled An Act amending Chapter 208, Florida Statutes, by adding thereto a Section to be designated Section 208.441 imposing a further additional tax upon gasoline or other like products of petroleum; authorizing municipalities to impose a like tax; providing for a credit on the State tax to the extent of any such municipal tax; providing for the manner and method of levy, collection, distribution, and use of said taxes; and providing for the repeal of laws or parts of laws in conflict herewith.

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

By Senator Cabot—

S. B. No. 105—A bill to be entitled An Act relating to primary elections; amending Sections 100.061 and 100.091, Florida Statutes, by changing the dates of the primary elections in Florida.

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

By Senator Kicklitter—

S. B. No. 106—A bill to be entitled An Act relating to Constitutional Amendments; amending Sections 101.161 and 101.171, Florida Statutes; requiring Comptroller to estimate ultimate cost of amendment; providing for inclusion of estimate on ballot; fixing an effective date.

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

By Senator Kicklitter—

S. B. No. 107—A bill to be entitled An Act relating to State Welfare; amending the introductory or explanatory paragraph of Section 409.16, Florida Statutes; increasing the amount of monthly old age assistance.

Which was read the first time by title only and referred to

the Committee on Welfare and the Committee on Appropriations.

By Senator Kickliter—

S. B. No. 108—A bill to be entitled An Act abolishing common law marriages in Florida.

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

By Senator Kickliter—

S. B. No. 109—A bill to be entitled An Act relating to aid to dependent children, amending Section 409.18, Florida Statutes, by adding a new Subsection thereto limiting assistance to one (1) illegitimate child of the same mother.

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

By Senator Kickliter—

S. B. No. 110—A bill to be entitled An Act designating and naming the new Tampa Bay Bridge in Hillsborough County, Florida; and prescribing an effective date.

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

By Senators Getzen, Pearce, Brackin, Bronson, Barber, Neblett, Stratton, Carraway, Hodges, Edwards, Branch, Johnson, Bishop, Johns, Gautier, Cabot, Clarke, Belsler, Shands, Kelly, Rodgers, Dickinson, Stenstrom, Davis, Knight, Adams, Rood, Connor, Beall and Kickliter—

S. B. No. 111—A bill to be entitled An Act to provide for the establishment of a branch of the Florida State Prison in Sumter County, Florida, on lands to be deeded to the State by Sumter County.

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

By Senator Rawls—

S. B. No. 112—A bill to be entitled An Act creating and establishing within the Florida Industrial Commission and as a division thereof, a Division of Labor and Industry Services; prescribing the duties and the powers of the Industrial Commission in connection therewith; providing for the appointment of a director and such other personnel as may be required for the administration of such division; authorizing the establishment and maintenance of a voluntary mediation and conciliation service for the prevention and settlement of labor disputes; authorizing the transfer of other functions and activities of the Florida Industrial Commission to such division; making an appropriation for such division, and specifying an effective date.

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

By Senator Carlton—

S. B. No. 113—A bill to be entitled An Act relating to deputy sheriffs; amending Section 30.09, Subsection (4), Florida Statutes, by authorizing the appointment in specific instances of special deputy sheriffs, without regard to the procedural requirements of Sections 30.08 and 30.09, Florida Statutes; providing an effective date.

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

By Senator Carlton—

S. B. No. 114—A bill to be entitled An Act relating to criminals; requiring the registration of all persons convicted of a felony in any court of this State, in federal courts, or in courts of foreign states or countries; fixing penalties and repealing all laws in conflict herewith.

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

By Senator Gautier—

S. B. No. 115—A bill to be entitled An Act amending Section

167.61, Florida Statutes, by substituting the State Auditor for the Comptroller in making audits of municipalities.

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

By Senator Davis—

Senate Concurrent Resolution No. 116:

A CONCURRENT RESOLUTION MEMORIALIZING CONGRESS TO CALL A CONVENTION FOR THE PURPOSE OF CONSIDERING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATIVE TO APPEALS FROM DECISIONS OF THE SUPREME COURT OF THE UNITED STATES INVOLVING STATES' RIGHTS TO THE SENATE OF THE UNITED STATES

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

That the Florida State Legislature does hereby make application to the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States, to wit:

#### ARTICLE—

Section 1. **Jurisdiction of senate as an appellate court.**—The Senate of the United States shall comprise a court with final appellate jurisdiction to review decisions and judgments of the Supreme Court of the United States, where questions of the powers reserved to the states, or the people, are either directly or indirectly involved and decided, and a state is a party or otherwise interested in such question involved and decided. The senate's exercise of such final appellate jurisdiction shall be under such rules and regulations as may be provided by the senate, including the time within which appeals shall be taken. The decision of the senate affirming, modifying or reversing the decision or judgment of the Supreme Court of the United States shall be final.

BE IT FURTHER RESOLVED that the Congress of the United States be, and it is hereby requested to provide as the mode of ratification that said amendment shall be valid to all intents and purposes, as part of the Constitution of the United States, when ratified by the legislature of three-fourths of the several states; and

BE IT FURTHER RESOLVED that a duly attested copy of this resolution be immediately transmitted to the secretary of the Senate of the United States, the clerk of the House of Representatives of the United States and to each member of the Congress from this State.

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

By Senator Edwards—

S. B. No. 117—A bill to be entitled An Act relating to motor vehicle licenses; amending Section 320.08 and repealing Subsection (3) of Section 320.082, Florida Statutes, eliminating trucks in series "P", used in citrus groves.

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

By Senator Brackin—(By Request)—

S. B. No. 118—A bill to be entitled An Act providing for the practice of physical therapy; defining and regulating the practice thereof; prescribing in the duties of the State Board of Medical Examiners under this Act; prescribing penalties for violation of this Act; and repealing Chapter 486, Florida Statutes, 1951, and all Acts amendatory thereto, and all laws in conflict herewith.

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

By Senator Carlton—

S. B. No. 119—A bill to be entitled An Act creating in the State Board of Conservation the Department of Water Resources; prescribing its powers and duties; providing for the appointment of a director and his powers and duties; providing certain powers and duties for the Board of Conservation;

authorizing Boards of County Commissioners to cooperate with the department and to expend county funds for water development and conservation; providing penalties for violations and making an appropriation for carrying out the purpose of this Act.

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

By Senators Eaton, Shands, Stenstrom, Barber and Pope—

S. B. No. 120—A bill to be entitled An Act creating the Florida Advisory Commission on public facilities, institutions and activities; prescribing its purpose, membership, compensation and duties; authorizing employment of personnel; providing an appropriation for carrying out the provisions of the Act and providing an effective date.

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

By Senators Eaton, Shands, Barber, Stenstrom, Carlton and Pope—

Senate Concurrent Resolution No. 121:

A CONCURRENT RESOLUTION RELATING TO POWERS OF THE STATE OF FLORIDA TO COMBAT RACIAL AGITATION, RESIST RACIAL EXTREMISM AND PREVENT VIOLENCE.

WHEREAS, The decisions of the Supreme Court of the United States relating to integration of the races in the public schools and in other public places have produced general unrest amongst members of the various races and threatened serious public mischief within the state; and

WHEREAS, The State of Florida recognizes that as one of the sovereign states of this Union, the decisions of the Supreme Court of the United States in the exercise of its federal jurisdiction have a binding effect upon it, notwithstanding that such decisions may be contrary to the customs, mores, traditions and attitudes of its citizens; and

WHEREAS, No law can be stronger than the attitude of those subjected to its sanctions; and

WHEREAS, The duly elected members of both houses of the Florida Legislature recognize that the decisions of the United States Supreme Court have been and are being used by racial extremists from within and without our state to create dissension and unrest among its citizens contrary to the well being and general welfare of all citizens of Florida by the advocacy of unseemly haste on the one side and violence on the other; and

WHEREAS, The active expression of such extreme views has met with failure in several of our sister states, having produced the opposite effect from that intended, and therefore some practical appeal to reason, common sense, and good judgment is advisable; and

WHEREAS, This can only be achieved by the recognition of lawful process on the one hand and the recognition of the traditions and attitudes of the several sovereign states on the other; and

WHEREAS, The recorded history of all mankind reveals that violent and sudden social changes wreck havoc with the orderly processes of civilization and government where extremism takes the place of calm representative deliberation; and

WHEREAS, The duly elected members of both houses of the Florida State Legislature believe in the ability of the citizens of the sovereign State of Florida to adjust racial problems without domination over its citizenry by the Federal Government; and

WHEREAS, Significant events have occurred in the course of contemporary history under our government of laws which call for a rededication of our State sovereignty under those laws; and

WHEREAS, It is within the power of the several states and in fact, their duty to preserve law and order and to protect the public peace and tranquility; and

WHEREAS, There is now in existence, by virtue of the appointment by the Governor of the State of Florida, a Committee charged with the responsibility of advising him in the accomplishment of these purposes; and

WHEREAS, The Legislature of Florida, in 1956, after great deliberation and in consideration of the work and study of some of the leading citizens of Florida, culminating in the Fabisinski Report, enacted into law the "Pupil Assignment Law" and other measures designed to protect, to the fullest extent possible under the law, the customs and traditions of the people of Florida; and

WHEREAS, The United States Supreme Court has recognized that local conditions must be taken into consideration in this difficult and complex problem; NOW, THEREFORE,

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

That the federal branches of our government be and they are hereby petitioned to allow the State of Florida to solve the difficult and complex problems of race relations without interference from the federal government.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to His Excellency, the Governor of Florida, to the Governors of the other States of the United States, to the President of the United States, to the Congress of the United States, to Florida Representatives and Senators in Congress, to the Attorney General of the United States, and to the Supreme Court of the United States.

Which was read the first time in full and referred to the Committee on Governmental Reorganization.

Senator Carraway moved that the General Appropriations Bill when introduced be made a Special and Continuing Order of Business for consideration by the Senate when Special Order is reached in the daily order of business on Thursday, April 18, 1957.

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

CONSIDERATION OF SENATE RESOLUTION

Senate Resolution No. 77:

A RESOLUTION PROVIDING FOR PAY OF OFFICERS AND ATTACHES INCLUDING INDEXERS OF THE SENATE; AND MILEAGE FOR MEMBERS.

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

Section 1. That all officers and attaches, including indexers of the Senate shall receive twelve dollars (\$12.00) per day except messengers and pages who shall receive eight dollars (\$8.00) per day.

Section 2. That all attaches including indexers of the Senate shall be entitled to and receive additional compensation for additional services they perform both before and after the 1957 session of the legislature upon their names and amounts therefor being certified to the comptroller by the chairman of the legislative management of the Senate.

Section 3. That each member of the Senate shall receive payment for mileage between their homes and the seat of government for eight (8) round trips during the 1957 session of the Legislature as provided by Section 11.13, Florida Statutes, irrespective of the number of trips actually traveled.

Was taken up in its order and read in full.

Upon the adoption of Senate Resolution No. 77 the roll was called and the vote was:

Yeas—38.

Mr. President	Brackin	Connor	Hair
Adams	Branch	Davis	Hodges
Barber	Bronson	Dickinson	Houghton
Beall	Cabot	Eaton	Johns
Belser	Carlton	Edwards	Johnson
Bishop	Carraway	Gautier	Kelly
Boyd	Clarke	Getzen	Kicklitter

Knight	Pearce	Rodgers	Stratton
Morgan	Pope	Rood	
Neblett	Rawls	Stenstrom	

*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 adopted—

Nays—None.

So Senate Resolution No. 77 was adopted.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 4, 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. Surlles, Mattox and Griffin of Polk—

H. B. No. 7—A bill to be entitled An Act relating to Polk County; authorizing veterans' organizations to act as agents in the sale and distribution of automobile license plates; providing for payment.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 7 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 7, contained in the above message, was read the first time by title only.

Senator Kelly moved that the rules be waived and House Bill No. 7 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 7 was read the second time by title only.

Senator Kelly moved that the rules be further waived and House Bill No. 7 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. 7 was read the third time in full.

Upon the passage of House Bill No. 7 the roll was called and the vote was:

Yeas—38.

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

Nays—None.

So House Bill No. 7 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 4, 1957.

By Messrs. Hopkins and Stone of Escambia, Alexander of Liberty, Anderson of Jefferson, Arrington and Inman of Gadsden, Askins of Nassau, Ayers of Hernando, Barron and Harris of Bay, Bartholomew and Youngberg of Sarasota, Beasley of Walton, Beck of Putnam, Blank and Roberts of Palm Beach, Chaires of Dixie, Chappell and O'Neill of Marion, Cleveland of Seminole, Conner of Bradford, Crews of Baker, Cross of Alachua, Daniel and Duncan of Lake, Gibbons and Mann of Hillsborough, Surlles, Griffin and Mattox of Polk, Griffin of Osceola, Grimes and Pratt of Manatee, Hathaway of Charlotte, Herrell and Hollahan of Dade, Horne and Mitchell of Leon, Jones of Taylor, Karl and Sweeny of Volusia, Kimbrough of Santa Rosa, Lancaster of Gilchrist, Land and Sutton of Orange, Manning of Holmes, Marshburn of Levy, Westberry, Maness and Mathews of Duval, McAlpin of Hamilton, Mitchell of Washington, Muldrew of Brevard, Musselman and Ryan of Broward, Papy and Porter of Monroe, Peavy of Madison, Peters of Calhoun, Petersen and Shaffer of Pinellas, Putnal of Lafayette, Roberts of Union, Roberts of Suwannee, Rowell of Sumter, Rowell of Martin, Russ of Wakulla, Saunders of Clay, Sheppard of Lee, Shipp of Jackson, Smith of St. Lucie, Smith of DeSoto, Stewart and Wise of Okaloosa, Stewart of Hendry, Strickland of Citrus, Usina and Weinstein of St. Johns, Wadsworth of Flagler, Walker of Collier, Williams of Columbia, Williams of Hardee, Williams of Pasco, and Zelmanovitz of Okeechobee—

House Concurrent Resolution No. 61:

A CONCURRENT RESOLUTION COMMENDING JUDGE L. L. FABISINSKI, AS CHAIRMAN, AND THE MEMBERS OF THE COMMITTEE APPOINTED IN 1956 TO RECOMMEND LEGISLATIVE ACTION FOR THE PRESERVATION OF THE PUBLIC SCHOOLS OF THE STATE.

WHEREAS, On May 17, 1954, the nine men who constitute the Supreme Court of the United States by judicial decision leveled against the educational system—and through this at the entire social and economic structure — of Florida and her sister states of the South the gravest blow with which they have been threatened since those administered by the Reconstruction Congresses of more than seventy-five years ago and have, in fact, by their decision gone far beyond the intention of the Congress that framed and the states that ratified the Fourteenth Amendment to the Constitution of the United States; and

WHEREAS, In an effort to avert this threat and to preserve our public schools, the Governor and members of the cabinet did appoint a committee, whose purposes and obligations were to endeavor to determine the best interests, from an educational standpoint, of all of the children of our state; to further such interests in every manner and to do all that is possible to achieve and maintain the highest intellectual, moral and cultural standards in our school system; and to determine, as thoughtful and responsible citizens of the State of Florida and the United States, measures that should be considered by the Legislature of the State of Florida in keeping with these purposes and the preservation of our public school system, now therefore,

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

That this Legislature, in behalf of the people of Florida and for itself, does commend and offer its most sincere gratitude for their untiring work and sound, constructive accomplishments to Judge L. L. Fabisinski as chairman, Judge Rivers Buford, as vice chairman, and Judge Millard Smith, the Honorable Cody Fowler, Luther Mershon, J. Lewis Hall and John T. Wigginton, as members of the committee appointed by the Governor and members of the cabinet of the State of Florida to recommend legislative action relating to public school education made expedient by recent decisions of the Supreme Court of the United States.

BE IT FURTHER RESOLVED, That a copy of this resolution, suitably engrossed, signed by the President of the Senate

and the Speaker of the House of Representatives and attested, be sent to each of the members of the committee.

and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Concurrent Resolution No. 61, contained in the above message, was read the first time in full and referred to the Committee on Governmental Reorganization.

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

S. B. No. 36—A bill to be entitled An Act appropriating to the Board of Commissioners of State Institutions for capital outlay—buildings and improvements for the Florida Livestock Board the sum of \$130,000 for constructing and equipping the domestic animal diagnostic disease laboratory and the poultry diagnostic disease laboratories; and providing for the effective date thereof.

Was taken up in its order.

Senator Stratton moved that the rules be waived and Senate Bill No. 36 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 36 was read the second time by title only.

Senator Stratton moved that the rules be further waived and Senate Bill No. 36 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 36 was read the third time in full.

Upon the passage of Senate Bill No. 36 the roll was called and the vote was:

Yeas—38.

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

Nays—None.

So Senate Bill No. 36 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, Chairman of the Committee on Rules and Calendar, moved that the rules be waived and when the Senate adjourns, it adjourn to reconvene at 4:00 o'clock P. M., Monday, April 8, 1957.

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

Senator Davis moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 11:23 o'clock, A. M., until 4:00 o'clock, P. M., Monday, April 8, 1957.