

JOURNAL OF THE SENATE

Thursday, April 9, 1959

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The Senate convened at 11:00 o'clock A.M., pursuant to adjournment on Wednesday, April 8, 1959.

The President in the Chair.

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

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

—38.

A quorum present.

The following Prayer was offered by the Senate Chaplain, Reverend L. B. Thomason:

Eternal Father of our souls, keep this moment from being merely a tribute to custom or convention. To each of these who is a member of this Legislative Body, grant a spirit of unity, cooperation, and purpose.

As we face this day, we call upon Thee for guidance and help.

Bless each of us in the light of our deepest need, and use us for Thy praise, honor, and glory. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Wednesday, April 8, 1959, was corrected and as corrected was approved.

REPORT OF COMMITTEE

ENROLLING REPORT

Your Enrolling Clerk to whom was referred—

H. C. R. No. 1

—reports same has been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on April 9, 1959.

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

The President announced the following additions and substitutions in committee assignments:

Senators Getzen and Eaton will serve on the Committee on Finance and Taxation;

Senator Stenstrom will serve on the Committee on Labor and Industry in place of Senator Davis;

Senator Brackin will serve as Vice Chairman of the Committee on Public Roads and Highways in place of Senator Rawls;

Senator Gresham will serve as a member of the Committee on Game and Fisheries in the place of Senator Adams.

Senator Carraway moved that the Committee on Appropriations be allowed fourteen (14) days in addition to the number of days now provided by the rules to report on bills referred to the Committee.

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

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
April 8, 1959.

*The Honorable Dewey M. Johnson,
President of the Senate,
The Capitol,
Tallahassee, Florida.*

Dear Senator Johnson:

I am directed by the House of Representatives to invite the Members of the Senate to convene in Joint Session in the Chamber of the House of Representatives on April 9, 1959, for the purpose of receiving addresses by His Excellency, Governor LeRoy Collins, and Justice Stephen C. O'Connell concerning the matter of constitutional revision.

The House has suggested the hour of 11:15 A. M. as the time for the Joint Session, as the Governor has indicated he and Justice O'Connell would like to begin their addresses at 11:30 A. M.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Senator Davis, Chairman of the Committee on Rules and Calendar, moved that the foregoing invitation from the House of Representatives to meet with the House in Joint Session for the purpose of hearing addresses by His Excellency, Governor LeRoy Collins, and Justice Stephen C. O'Connell, be accepted.

Which was agreed to and the invitation was accepted.

The hour of 11:15 o'clock A. M., having arrived, the Senate formed in processional order and marched in a body to the Chamber of the House of Representatives in the order of their services as Senators, preceded by the President and the President Pro Tempore of the Senate, the way being opened to the Hall of the House of Representatives for the Senators by the Sergeant-at-Arms of the Senate.

The House of Representatives received the Senate, members of the Supreme Court of Florida and members of the Cabinet in due form.

Honorable Thomas D. Beasley, Speaker of the House of Representatives, received the President of the Senate on the rostrum and requested him to preside over the Joint Assembly.

The President in the Chair.

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

Mr. Speaker	Costin	Horne	McClain
Allsworth	Craig	Hosford	Miner
Anderson	Crews	Inman, J. C.	Mitchell, R. O.
Arrington	Cunningham	Inman, W. M.	Mitchell, Sam
Askev	Daniel	Johnson	Nash
Askins	Drummond	Jones	O'Neill
Ayers	Edmondson	Karl	Papy
Barron	Eldredge	Kimbrough	Peacock
Beck	Fagan	Knowles	Peavy
Blank	Frederick	Lancaster	Peoples
Boyd	Fuqua	Liles	Pruitt
Boylston	Griffin, B.H., Jr.	Livingston	Reedy
Carney	Griffin, J.J., Jr.	Mann	Roberts, C. A.
Chaires	Harris	Markham	Roberts, E. S.
Chappell	Hatcher	Marshburn	Roberts, H. W.
Chiles	Hathaway	Mathews	Rowell
Cleveland	Herrell	Mattox	Russ
Conner	Hollahan	McAlpin	Russell

Ryan	Smith, R. J.	Sweeny	Whitaker
Saunders	Smith, S. C.	Turlington	Williams, B. D.
Scott	Stallings	Usina	Williams, G. W.
Shaffer	Stewart	Vocelle	Wise
Sheppard	Stone	Wadsworth	
Shipp	Strickland	Walker	

A quorum of the House of Representatives was declared present.

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

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

A quorum of the Senate was declared present.

The President announced a quorum of the Joint Assembly present.

Senator Carraway moved that a committee be appointed to escort His Excellency, Governor LeRoy Collins, and Supreme Court Justice Stephen C. O'Connell, to the House Chamber.

Which was agreed to.

The President appointed Senators Carraway and Carlton as the committee on the part of the Senate; and Messrs. Cleveland of Seminole, Kimbrough of Santa Rosa and Whitaker of Hillsborough on the part of the House of Representatives, as the committee.

The committee reappeared in the Chamber of the House of Representatives escorting Governor Collins and Mr. Justice O'Connell.

Governor Collins and Mr. Justice O'Connell were received by the Joint Assembly standing and were escorted to the rostrum.

The President presented Governor LeRoy Collins to the Body, and the Governor addressed the Joint Assembly on the subject of constitutional revision.

Mr. Justice O'Connell was then presented to the Body by the President and as a member of the Judicial Council delivered an address concerning constitutional revision.

At the conclusion of Mr. Justice O'Connell's address the committee reappeared and escorted His Excellency, Governor LeRoy Collins, and Mr. Justice O'Connell from the Chamber.

Senator Davis moved that the Senate repair to the Senate Chamber and resume its session.

Which was agreed to.

The President declared the Joint Session dissolved and the Senate returned to the Senate Chamber in processional order and resumed its session at 12:15 o'clock P.M.

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

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

—38.

A quorum present.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Brackin—

S. B. No. 36—A bill to be entitled An Act relating to the Highway Patrol; amending Chapter 321, Florida Statutes, by adding Section 321.021, providing for the qualifications of the director of the State Department of Public Safety.

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

By Senator Brackin—

S. B. No. 37—A bill to be entitled An Act relating to the employees and officers of the Florida Highway Patrol; amending Section 321.07, Florida Statutes, relating to base pay of the several classifications of employees and officers; providing an appropriation; providing an effective date.

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

By Senators Pope and Ripley—

S. B. No. 38—A bill to be entitled An Act relating to the Florida School for the Deaf and the Blind; repealing Section 242.37, Florida Statutes, relating to charges against parents for expenses of their children attending such school; and providing an effective date.

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

By Senator Ripley—

S. B. No. 39—A bill to be entitled An Act relating to jurisdiction of juvenile court judges; amending SubSection (4) of Section 39.02, Florida Statutes; by providing that a juvenile court judge shall have the jurisdiction of a committing magistrate only in those causes wherein the welfare of a child is directly involved; providing an effective date.

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

By Senator Ripley—

S. B. No. 40—A bill to be entitled An Act relating to county judges; authorizing the county judge of any county of the State of Florida having a population of not less than three hundred thousand (300,000) and not more than four hundred thousand (400,000) inhabitants, according to the latest official state-wide decennial census to appoint a deputy county judge, and providing for the duties and compensation of said deputy.

Which was read the first time by title only and referred to the Committee on Legislative Management and Population.

By Senator Getzen—

S. B. No. 41—A bill to be entitled An Act relating to Florida Highway Code; amending Section 335.05(1), Florida Statutes; providing that any roads designated as primary running through and located in a municipality shall not be relocated or changed without the concurrence or consent of the City Council.

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

By Senator Getzen—

S. B. No. 42—A bill to be entitled An Act relating to public welfare; amending Chapter 409, Florida Statutes, by adding Section 409.183; providing that when more than one illegitimate child shall be born to the same mother said child shall be taken and placed for adoption; providing procedure therefor; providing for welfare payments.

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

By Senator Getzen—

S. B. No. 43—A bill to be entitled An Act relating to Florida Highway Code; amending Section 335.05(1), Florida Statutes, providing that any roads designated as primary running through and located in a municipality shall not be relocated or changed without proper notice to and hearing of public and city council.

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

By Senator Pope—

S. B. No. 44—A bill to be entitled An Act to amend the charter of the City of St. Augustine, Florida, by prescribing and establishing the compensation to be paid to the mayor-commissioner and other members of the city commission of the City of St. Augustine, Florida; by providing that the compensation of the members of the city commission of the City of St. Augustine, Florida, shall be twelve hundred (\$1200.00) dollars annually, payable monthly; and that the compensation of the mayor-commissioner of the City of St. Augustine, Florida, shall be eighteen hundred (\$1800.00) dollars annually, payable monthly; repealing all laws or parts of laws in conflict herewith and providing that this Act shall not become effective unless ratified by a majority of the qualified electors of the City of St. Augustine, Florida, voting at a special election which may be called and held as herein provided.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 44 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 Pope moved that the rules be waived and Senate Bill No. 44 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 44 was read the second time by title only.

Senator Pope moved that the rules be further waived and Senate Bill No. 44 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. 44 was read the third time in full.

Upon the passage of Senate Bill No. 44 the roll was called and the vote was:

Yeas—38.

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kieliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So Senate Bill No. 44 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By the Committee on Legislative Management and Population —

Senate Resolution No. 45:

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 1959 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 1959 session of the legislature as provided by section 11.13, Florida

Statutes, irrespective of the number of trips actually traveled.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Upon the adoption of Senate Resolution No. 45 the roll was called and the vote was:

Yeas—38.

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kieliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So Senate Resolution No. 45 was adopted.

By Senator Carlton—(By Request)—

S. B. No. 46—A bill to be entitled An Act to create and establish a product quality committee and to prescribe the qualifications, terms of office, and manner of appointment of the members thereof; to grant to the Florida Citrus Commission additional powers to raise quality standards for frozen concentrated orange juice over and above the minimum requirements of Section 601.0108 Florida Statutes of 1957 and to regulate the use of freeze damaged oranges in the production of frozen concentrated orange juice upon the recommendation and approval of said product quality committee and after a public hearing; and to provide for an effective date.

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

By Senators Carraway and Connor—

S. B. No. 47—A bill to be entitled An Act to amend Section 665.071, Florida Statutes, relating to place of transacting business; and providing for a method by which domestic building and loan associations might participate in a school savings program.

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

By Senators Carraway and Connor—

S. B. No. 48—A bill to be entitled An Act to amend Chapter 668, Florida Statutes, by adding Section 668.11, providing that out of state savings and loan associations participating in certain business transactions in the State be exempt from qualification under the provisions of Chapter 668.

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

By Senators Carraway and Connor—

S. B. No. 49—A bill to be entitled An Act authorizing building and loan associations or federal savings and loan associations to make Saturday a legal holiday upon adoption of a resolution to that effect by a majority of the board of directors.

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

By Senators Carraway and Connor—

S. B. No. 50—A bill to be entitled An Act relating to contents and form of receipt of payments on loans to building and loan associations and Federal savings and loan associations, amending Section 687.10, Florida Statutes, by providing exemption from provisions of Section 687.08, and Section 687.09, Florida Statutes.

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

By Senators Carraway and Connor—

S. B. No. 51—A bill to be entitled An Act relating to organization requirements for domestic building and loan associations; amending SubSection (1) of Section 665.02, Florida Statutes.

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

By Senator Carraway—

S. B. No. 52—A bill to be entitled An Act to authorize the Board of Control to complete the Florida Agricultural and Mechanical University stadium; providing for payment of costs thereof from certain collections and funds; and providing an effective date.

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

By Senators Carraway and Gibbons—

S. B. No. 53—A bill to be entitled An Act to amend Section 240.101, Florida Statutes, relating to appropriation for revolving funds of institutions of higher learning; and providing an effective date.

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

By Senator Cross—

S. B. No. 54—A bill to be entitled An Act relating to certain

institutions under the State Board of Control to amend Subsection (4) of Section 241.63 to provide for transfer of additional general service operations to working capital funds and providing an effective date.

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

By Senator Cross—

S. B. No. 55—A bill to be entitled An Act relating to the State Plant Board; providing for public liability insurance; and providing an effective date.

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

Senator Davis, Chairman of the Committee on Rules and Calendar, moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 12:25 o'clock P.M., until 10:00 o'clock A.M., Friday, April 10, 1959, pursuant to the motion made by Senator Davis, Chairman of the Committee on Rules and Calendar, adopted by the Senate on April 8, 1959.