

# JOURNAL OF THE SENATE

Friday, April 10, 1959

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The Senate convened at 10:00 o'clock A.M., pursuant to adjournment on Thursday, April 9, 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	Kieliter	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:

O Lord our God, teach us to know Thy way and to apprehend that which is Thy will for us.

And lead us, Father, into the paths in which we can best walk for Thee.

Bless us this day for Thy glory. In Jesus name we pray. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Wednesday, April 8, 1959, was further corrected as follows:

Page 12, column 2, line 23, counting from the bottom of the column, strike out the word "Slated" and insert in lieu thereof the word "Stated".

Also—

Page 19, column 2, line 2, strike out the word "Advertsiing" and insert in lieu thereof the word "Advertising".

Also—

Page 19, column 2, line 9, strike out the word "Statues" and insert in lieu thereof the word "Statutes".

Also—

Page 20, column 2, line 4, counting from the bottom of the column, strike out the word "premsies" and insert in lieu thereof the word "premises".

And as further corrected was approved.

The Senate daily Journal of Thursday, April 9, 1959, was corrected as follows:

Page 25, column 1, line 23, counting from the bottom of the column, strike out the word "immediately".

Also—

Page 25, column 1, line 6, counting from the bottom of the column, strike out the word "therefore" and insert in lieu thereof the word "therefor".

Also—

Page 25, column 2, between lines 28 and 29, counting from the bottom of the column, insert the following:

"By Senators Carraway and Connor—".

And as corrected was approved.

## REPORTS OF COMMITTEES

Senator Bronson, Chairman of the Committee on Legisla-

tive Management and Population, reported that the Committee had carefully considered the following Bill:

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.

—and recommends that the same pass.

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

## ENGROSSING REPORT

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

Senate Resolution No. 34—A Resolution relating to appropriations and increasing taxes.

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

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

And Senate Resolution No. 34 was filed.

The President announced the following substitution in committee assignments:

Senator Adams will serve as a member of the Committee on Public Health in the place of Senator Gresham.

Senator Carraway moved that Senate Bill No. 37, previously referred to the Committee on Transportation and Traffic, be also referred to the Committee on Appropriations.

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

Senator Johns moved that Senate Bill No. 55, previously referred to the Committee on Appropriations, be also referred to the Committee on Insurance.

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

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

By Senator Gautier—(By Request)—

S. B. No. 56—A bill to be entitled An Act to amend sections 443.10 and 443.14, Florida Statutes, relating to unemployment compensation, by providing enabling authority for use of federal "Reed Act" funds credited to Florida under Section 903 of the Social Security Act, providing conditions and limitations on such use, and providing an effective date.

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

By Senator Gautier—(By Request)—

S. B. No. 57—A bill to be entitled An Act to amend Section 215.19, Florida Statutes, relating to wages on public contracts, and providing an effective date.

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

By Senator Gautier—(By Request)—

S. B. No. 58—A bill to be entitled An Act to amend Section 443.08, Florida Statutes, relating to unemployment compensa-

tion; providing for computation of contribution rate factors to fifth decimal place; and providing an effective date.

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

By Senator Carraway—

S. B. No. 59—A bill to be entitled An Act relating to certain institutions under the Board of Control; amending Sections 216.28, 240.102, 240.28, and 243.131, Florida Statutes, relating to: Limitations of expenditures of certain funds without detailed budgets; the limitation of expenditure of non-State funds for construction or repair of buildings of the State University System; Federal loan funds for construction of dormitories; authorizing Board of Control to secure public liability insurance; and providing an effective date.

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

By Senator Ripley—

S. B. No. 60—A bill to be entitled An Act relating to jurors; amending Section 40.24, Florida Statutes, relating to pay of jurors by increasing the amount thereof.

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

By Senator Carraway—

S. B. No. 61—A bill to be entitled An Act relating to funeral homes, mortuaries, chapels or funeral establishments; requiring same to be licensed by the State Board of Funeral Directors and Embalmers; to pay an annual license registration fee; to meet certain requirements, and to submit to inspection by authorized persons of the State Board of Funeral Directors and Embalmers, and providing penalties.

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

By Senator Carraway—

S. B. No. 62—A bill to be entitled An Act relating to funeral directing and embalming in the State of Florida; providing for the destruction of certain papers and records and amending Section 470.09, and Subsection (1) of Section 470.10, Florida Statutes; providing for annual renewal of licenses to persons engaged in funeral directing and embalming; providing for registering intern trainees or apprentices and setting annual renewal and registration fee.

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

By Senator Knight—

S. B. No. 63—A bill to be entitled An Act to apportion the representation of the State of Florida in the Senate; amending Section 10.01, Florida Statutes; providing an effective date.

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

By Senators Johns, Hodges, Knight, Ripley, Rawls, Clarke, Brackin, Stratton, Melton, Getzen, Bronson, Connor, Cross, Davis, Carlton, Hair, Kelly, Branch, Pope, Johnson, Gresham, Adams, Gautier, Dickinson, Sutton, Carraway, Gibbons, Price and Tedder—

S. B. No. 64—A bill to be entitled An Act to provide for the creation and appointment of a committee of the Legislature to make investigations of the activities in this State of organizations and individuals advocating violence or a course of conduct which would constitute a violation of the laws of Florida; for the conduct of hearings and the subpoenaing of witnesses; providing for circuit courts to enforce committee's processes; for a report of such committee to the 1961 Legislature; authorizing the employment of specialized assistance by the committee; making an appropriation for the expenses of the committee; providing an effective date; and providing for the extension of the joint committee set up by Chapter 57-125, Laws of Florida, 1957, until the committee created by this Act is duly appointed and organized.

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

By Senator Johns—

S. B. No. 65—A bill to be entitled An Act relating to Bradford County; providing for the allocation of a sum of money by the County Commissioners for the purpose of advertising and promoting Bradford County, Florida; providing an effective date.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 65 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 Johns moved that the rules be waived and Senate Bill No. 65 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 65 was read the second time by title only.

Senator Johns moved that the rules be further waived and Senate Bill No. 65 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. 65 was read the third time in full.

Upon the passage of Senate Bill No. 65 the roll was called and the vote was:

Yeas—38.

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Beiser	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	

Nays—None.

So Senate Bill No. 65 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Eaton and Dickinson—

S. B. No. 66—A bill to be entitled An Act to amend Sections 39.01 and 39.02, Florida Statutes, relating to juvenile courts, to deprive juvenile courts as such of jurisdiction over violations of law involving the use or operation of a motor vehicle; and providing an effective date.

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

By Senators Eaton, Connor and Dickinson—

S. B. No. 67—A bill to be entitled An Act relating to drivers licenses, amending Section 322.18; subsections (1), (3) and (4) of Section 322.21 and Section 322.17, Florida Statutes; providing for the issuance of drivers licenses during the birth month of the driver; prescribing fees for delinquent licenses; prescribing fees for operators and chauffeurs licenses and distribution thereof; prescribing driver examinations and duplicate certificates; providing for the issuance of drivers licenses by mail through the Department of Public Safety; 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 Finance and Taxation.

By Senators Eaton, Pearce, Connor and Dickinson—

S. B. No. 68—A bill to be entitled An Act to amend Section 322.34, Florida Statutes, relating to drivers' licenses; providing penalties for driving while license is cancelled, suspended or revoked, and providing an effective date.

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

By Senators Eaton, Carlton, Connor and Dickinson—

S. B. No. 69—A bill to be entitled An Act relating to the Driver Education Program in secondary schools in the state, amending paragraph (K) of subsection (4) of Section 230.23, Florida Statutes, relating to appropriation for carrying out the program and the disposition of the Public School Driver Education Fund; 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 Education.

By Senators Eaton, Pearce, Connor and Dickinson—

S. B. No. 70—A bill to be entitled An Act to amend Chapter 322, Florida Statutes, relating to drivers' licenses by repealing Sections 322.31 and 322.311, which provide for appeal of driver's license revocation to the Parole Commission; and by amending Section 322.28 relating to periods for suspension and revocation of drivers' licenses; providing periods of revocation to be imposed by the Court of Conviction in prosecutions for driving a motor vehicle while under the influence of intoxicating liquor; providing authority for the Department of Public Safety to revoke drivers' licenses when not done by the Court or when bail bond is forfeited and forfeiture is not vacated; and providing an effective date.

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

By Senators Eaton, Pearce, Connor and Dickinson—

S. B. No. 71—A bill to be entitled An Act relating to pedestrian traffic on rural highways; setting forth regulations for the conduct of pedestrians on rural highways; providing for warnings to pedestrians for infractions of such regulations and penalties for violation of such warnings; amending Sections 335.09 and 336.06, Florida Statutes, by adding subsections requiring the posting of signs warning pedestrians on rural highways; and providing an effective date.

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

By Senators Eaton, Carlton, Connor and Dickinson—

S. B. No. 72—A bill to be entitled An Act to amend Chapter 322, Florida Statutes, relating to driver's licenses by adding Section 322.111, providing that no driver's or chauffeur's license shall be issued to a minor under eighteen (18) years of age without first having successfully completed an approved driver education course; providing free enrollment for driver training courses in the public schools; and providing an effective date.

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

By Senators Eaton, Pearce and Dickinson—

S. B. No. 73—A bill to be entitled An Act to amend Subsection (1) of Section 317.20, Florida Statutes, relating to driving while under the influence of intoxicating liquor; prescribing the standard upon which it shall be presumed that the defendant was under the influence of intoxicating liquor; providing for the promulgation of rules and regulations by the Department of Public Safety; and providing an effective date.

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

By Senators Eaton, Pearce, Connor and Dickinson—

S. B. No. 74—A bill to be entitled An Act prohibiting the sale for use in motor vehicles of hydraulic brake fluid below the minimum standard of SAE heavy duty type brake fluid; requiring all containers of brake fluid to be marked; providing for the submission of certified samples to the Department of Public Safety; providing penalties for violation thereof and providing an effective date.

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

By Senators Eaton, Pearce and Dickinson—

S. B. No. 75—A bill to be entitled An Act relating to the

Florida Highway Patrol; amending Section 321.04, Florida Statutes, by authorizing additional rank classifications of members of the Highway Patrol; limiting the total number of Patrol personnel; amending Section 321.071, Florida Statutes, by authorizing additional special service officers; providing an effective date.

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

By Senators Eaton, Pearce, Connor and Dickinson—

S. B. No. 76—A bill to be entitled An Act to amend Subsection (2) of Section 317.20, Florida Statutes, relating to driving while under the influence of intoxicating liquor; providing fines and jail sentences for persons convicted of driving a motor vehicle while under the influence of intoxicating liquor; and providing an effective date.

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

By Senators Eaton, Pearce and Dickinson—

S. B. No. 77—A bill to be entitled An Act relating to regulation of traffic on highways; amending Chapter 317, Florida Statutes, by adding Section 317.231; prescribing standards governing the use of electronic, electric, or mechanical speed measuring devices; providing for warning signs; providing for admissibility of such evidence in courts; and providing an effective date.

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

By Senators Johns, Belser, Hodges and Connor—

Senate Concurrent Resolution No. 78:

A CONCURRENT RESOLUTION PROVIDING THAT THE 1959 LEGISLATURE SHALL AS A MATTER OF FIRST ORDER OF BUSINESS ENACT LEGISLATION TO REAPPORTION ITS MEMBERSHIP AND SHALL CONSIDER NO OTHER BUSINESS UNTIL SUCH LEGISLATION IS APPROVED OR BECOMES LAW.

WHEREAS, Reapportionment of representation in the House and the Senate has been represented by His Excellency, the Governor, as being one of the most important matters to be presented to the 1959 session of the Legislature, and

WHEREAS, This view has been adopted by certain out of state chain owned metropolitan newspapers in Florida, and

WHEREAS, Such papers have through their news and editorial columns attempted and are continuing to attempt to arouse a disinterested public and impose upon it their views, and

WHEREAS, This publicity has apparently served to increase the Governor's determination to continue to use all power at his command to coerce the 1959 Legislature to reapportion its membership in accordance with his personal wishes, and

WHEREAS, Many members of this Legislature experienced the extraordinary session called by the Governor on June 6, 1955 under the authority of Article VII, Section 3 for the sole and exclusive purpose of reapportionment, and

WHEREAS, The Legislature passed two reapportionment bills known as House Bill 10X and Senate Bill 18X only to be vetoed by the Governor on July 13, 1955 and August 5, 1955 respectively, and

WHEREAS, Because of such vetoes, the extraordinary session lasted on an in-again, out-again basis for fifty-three (53) weeks before taking an indefinite recess with no change being made in the existing apportionment of the Senate, and

WHEREAS, The cost of such extraordinary session resulted in a useless expenditure of the taxpayers' monies estimated at one-half million dollars in addition to great personal expense and sacrifice to the individual members of the Legislature who were forced to be away from their businesses and professions, and

WHEREAS, The members of this Legislature like those of the 1955 session deplore such waste of taxpayers' monies and have no desire to engage in a recurrence of or even a situation similar to the Governor's fiasco of 1955, and

WHEREAS, It appears imminent that unless reapportionment is accomplished during the regular session of the 1959 Legislature, the Governor will again call an extraordinary session limited to reapportionment, and

WHEREAS, It is highly probable that the Governor will not be in the State during such session but rather, according to news releases, will be in the company of eight other state Governors and staff making a good-will tour of Russia, financed by private foundations under the sponsorship of New York University and the Institute of International Education, and will be absent from the United States for one month beginning the last week in June 1959, and

WHEREAS, Even if some reapportionment measure should pass the Legislature at such session the Legislature could not adjourn sine die until the Governor returned from Russia and approved such measure, NOW, THEREFORE,

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

Section 1. That in the interest of economy the 1959 Legislature shall as a matter of first order of and continuing business reapportion its membership or adopt a resolution providing for constitutional amendment pertaining to reapportionment of such membership and shall consider no other business until legislation is enacted reapportioning the House and the Senate and such legislation is approved by the Governor or allowed to become law.

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

By Senator Hodges—

S. B. No. 79—A bill to be entitled An Act relating to taxation; amending Chapter 193, Florida Statutes, by adding Section 193.671; providing for monthly advances by the Board of County Commissioners to Tax Collectors, to provide funds for the operation of the 'Tax Collectors' offices until commissions are receivable in regular course; providing a retroactive effective date.

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

By Senator Ripley—

S. B. No. 80—A bill to be entitled An Act relating to the apportionment of estate taxes; amending Section 734.041, Florida Statutes, by reinstating the Florida Apportionment Act with clarifying amendments.

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

By Senator Ripley—

S. B. No. 81—A bill to be entitled An Act relating to privilege taxes on the sale, use and storage for use or consumption of tangible personal property, on admissions and the rental of tangible personal property and certain real property; amending Subsection (4) of Section 212.15, Florida Statutes, by providing for appeals from Comptroller's decision to certain Circuit Courts and giving the taxpayer the choice of venue; providing an effective date.

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

By Senator Ripley—

S. B. No. 82—A bill to be entitled An Act relating to repayment of funds paid into State Treasury through error; amending Subsection (2) of Section 215.26, Florida Statutes, by providing that application for refunds be filed with the Comptroller within three (3) years after refund shall have accrued; providing an effective date.

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

By Senator Ripley—

S. B. No. 83—A bill to be entitled An Act relating to definition and classification of intangible personal property; amending Section 199.02, Florida Statutes, by adding Subsection (7) exempting interest of partner in partnership, or of a member in

an unincorporated firm, from intangible personal property tax; providing an effective date.

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

By Senator Ripley—

S. B. No. 84—A bill to be entitled An Act relating to tangible personal property taxation; amending Section 200.24, Florida Statutes, by providing for correction of obvious clerical errors in assessment or equalization; providing an effective date.

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

By Senator Ripley—

S. B. No. 85—A bill to be entitled An Act relating to assistant state attorneys; by providing for additional supplementary salary and compensation to assistant state attorneys who are citizens and residents of a county having a population of three hundred thousand (300,000) or more inhabitants, according to the latest official state-wide decennial census, when said county shall be within a judicial circuit of the State which embraces and includes two (2) or more counties, to be paid out of the general revenue fund of said county of which said assistant state attorney is a citizen and resident, making said payments a county purpose and making such additional supplementary salary and compensation cumulative; providing an effective date.

Which was read the first time by title only.

Senator Ripley moved that the rules be waived and Senate Bill No. 85 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 85 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 85 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. 85 was read the third time in full.

Upon the passage of Senate Bill No. 85 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	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So Senate Bill No. 85 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Price—

S. B. No. 86—A bill to be entitled An Act relating to the John and Mable Ringling Museum of Art; creating and providing for the appointment and duties of a board of trustees; providing that all existing obligations shall be assumed by said trustees; providing that all general policies of said trustees shall be subject to the approval of the board of commissioners of State institutions; providing an effective date.

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

By Senator Price—

S. B. No. 87—A bill to be entitled An Act relating to the John and Mable Ringling Museum of Art; authorizing the board of trustees to make temporary loans of paintings and other objects of art belonging to the John and Mable Ring-

ling Museum of Art for the purpose of public exhibitions in art museums and institutions of higher learning where art exhibits will benefit the general public as in the judgment of the board of trustees is deemed wise and for the best interests of the John and Mable Ringling Museum of Art and under policies established by the board of trustees and approved by the board of commissioners of State institutions for the protection of the paintings and other objects of art; providing an effective date.

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

By Senator Edwards—

S. B. No. 88—A bill to be entitled An Act to amend Sections 239.43 and 239.44, Florida Statutes, relating to scholarship loans in the institutions of higher learning of the State; collection or satisfaction of notes; and providing an effective date.

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

By Senator Kelly—

S. B. No. 89—A bill to be entitled An Act relating to Polk County; empowering the State Game and Fresh Water Fish Commission to convey certain property in said county to the Board of Public Instruction of Polk County for its appraised value; providing an effective date.

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

Senator Davis moved that the Senate proceed to the consideration of Executive Business.

Which was agreed to.

And the Senate went into Executive Session at 10:14 o'clock A. M.

The Senate emerged from Executive Session at 11:25 o'clock A. M., and resumed its Session.

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.

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

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.

Was taken up in its order.

Senator Ripley moved that the rules be waived and Senate Bill No. 40 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 40 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 40 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 40 was read the third time in full.

Upon the passage of Senate Bill No. 40 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	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So Senate Bill No. 40 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

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 11:26 o'clock, A. M., until 4:00 o'clock P.M., Monday, April 13, 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.