

JOURNAL OF THE SENATE

Tuesday, April 21, 1959

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The Senate convened at 11:00 o'clock A.M., pursuant to adjournment on Monday, April 20, 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:

O Lord our God, before whom we shall one day give account, lend us Thy hand that this day's work may be pleasing to Thee.

Give us courage, faith, and the quiet mind. Bless us in all that is right and correct us in all that is wrong. In the Name of Christ. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Friday, April 17, 1959, was further corrected as follows:

Page 75, column 2, line 6, counting from the bottom of the column, strike out the figures "57.97" and insert in lieu thereof the following:

"57-97"

Also—

Page 78, column 1, line 9, strike out the word "an."

Also—

Page 80, column 1, line 19, strike out the word "or" and insert in lieu thereof the word "of."

Also—

Page 80, column 2, line 10, strike out the word "Alcholic" and insert in lieu thereof the word "Alcoholic."

Also—

Page 81, column 1, line 8, strike out the word "efefctive" and insert in lieu thereof the word "effective."

And as further corrected was approved.

The Senate daily Journal of Monday, April 20, 1959, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Senator Sutton, Chairman of the Committee on Privileges and Elections, reported that the Committee had carefully considered the following Bill:

S. B. No. 135—A bill to be entitled An Act relating to candidates; amending Subsection (1) of Section 99.061, Florida Statutes; and adding Subsection (5) to Section 99.061, Florida Statutes; by providing qualifying date for circuit judges, Court of Record of Escambia County Judges, District Court of Appeal Judges, and Supreme Court Judges to be not later than 12:00 noon, February first of the year in which any primary is held.

—and the Committee recommends that the Committee Substitute therefor, as reported herewith, pass.

And the Bill contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Belser, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bills:

S. B. No. 112—A bill to be entitled An Act relating to disqualification of judges; amending Section 38.01, Florida Statutes, providing for disqualification when party to suit.

S. B. No. 115—A bill to be entitled An Act relating to abatement of actions at law and suits in equity for lack of prosecution; amending Section 45.19, Florida Statutes; providing for dismissal thereof upon motion of the court.

—and recommends that the same pass.

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

Senator Belser, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bills:

S. B. No. 113—A bill to be entitled An Act relating to forgery; amending Section 831.01, Florida Statutes, to provide that the punishment for altering or forging an order for money or other property shall be the same as for the crime of larceny; amending Section 831.02, Florida Statutes, to provide that punishment for uttering and publishing as true an altered or forged order for money or other property be the same as for the crime of larceny; providing an effective date.

S. B. No. 119—A bill to be entitled An Act relating to bastardy; amending Section 742.031, Florida Statutes, to require payment of costs by defendant in bastardy proceedings.

S. B. No. 201—A bill to be entitled An Act providing for service of summons and other process on nonresident natural persons and partnerships doing business in this State by service upon certain agents of such persons or partnerships in this State.

—and recommends that the same pass.

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

Senator Belser, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bills:

S. B. No. 111—A bill to be entitled An Act relating to probation and appeals from orders relating to probation; amending Subsections (1) and (3) of Section 948.01, Florida Statutes, prescribing when the court may place a defendant on probation, by dispensing with the necessity of adjudicating the guilt of a defendant placed on probation and by authorizing probation for offenses not punishable by death; amending Subsection (1) of Section 948.06, Florida Statutes, relating to the violation of probation, so as to provide for the disposition of probation violation charges and for adjudication of guilt and imposition of sentence in case of revocation; amending Section 924.06, Florida Statutes, relating to appeals of defendants in criminal cases, by authorizing appeal from an order of probation without adjudication of guilt, with the same scope and effect as if a judgment of conviction had been entered, and by authorizing appeal from an order revoking probation to review only the proceedings after the order of probation, and by eliminating the right of appeal from a judgment entered after the revocation of probation; amending Section 924.09, Florida Statutes, so as to prescribe the time for a defendant to take an appeal from an order granting or revoking probation; providing an effective date.

S. B. No. 128—A bill to be entitled An Act relating to neglig-

ence and wrongful death actions; amending Chapter 768, Florida Statutes, by adding Section 768.13, by providing for damages for loss of consortium to wife when husband is killed or injured.

S. B. No. 132—A bill to be entitled An Act relating to disbursement of moneys for compensation of jurors by clerks; amending Section 40.32, Florida Statutes, to provide method of payment.

—and recommends that the same pass.

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

Senator Belser, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bills:

S. B. No. 114—A bill to be entitled An Act relating to suits for divorce; amending Section 65.20, Florida Statutes, as created by Section 1, Chapter 57-258, Laws of Florida, providing that said section be applicable to divorce proceedings only.

S. B. No. 133—A bill to be entitled An Act relating to sentence of imprisonment for failure to pay a fine or a fine and the costs of prosecution; amending Section 921.14, Florida Statutes, so as to provide that such imprisonment shall be in the county jail if the offense for which the sentence is imposed is a misdemeanor, and in either the State Prison or the county jail if the offense for which the sentence is imposed is a felony, and so as to require that a sentence imposing such imprisonment specify the place where it is to be served; and providing the effective date hereof.

S. B. No. 225—A bill to be entitled An Act relating to resisting arrests, amending Section 843.01, Florida Statutes, by providing that the provisions of said section shall also be applicable to municipal police officers.

—and recommends that the same pass.

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

Senator Belser, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bill:

S. B. No. 116—A bill to be entitled An Act relating to Free Dealer Law of 1943; amending Section 62.42, Florida Statutes, providing for service on husband; amending Chapter 62, Florida Statutes, by adding Section 62.421, to provide for mailing of petition.

—and recommends that the same pass with Committee Amendment as attached thereto.

And the Bill contained in the preceding report, together with the Committee Amendment attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Belser, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bill:

S. B. No. 120—A bill to be entitled An Act relating to jurors; amending Section 40.24, Florida Statutes, providing increase in mileage allowance.

—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 Belser, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bills:

S. B. No. 127—A bill to be entitled An Act relating to interest on homestead loans; amending Sections 516.14 and 519.08, Florida Statutes, providing exception for homestead as security.

S. B. No. 117—A bill to be entitled An Act relating to venue of actions; amending Section 46.01, Florida Statutes, to provide suit for divorce against nonresident be filed in county of residence of plaintiff.

—and recommends that the same not pass.

And the Bills contained in the preceding report were laid on the table.

ENGROSSING REPORT

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

S. B. No. 130—A bill to be entitled An Act relating to commencement of suits at law and process; reenacting Section 47.17, Florida Statutes, 1955, repealed by Chapter 57-97, Laws of Florida, providing for the service of process upon private corporations; providing an effective date.

—begs leave to report that the Amendment has been incorporated in the Bill 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 Bill No. 130, contained in the above report was ordered certified to the House of Representatives.

ENROLLING REPORTS

Your Enrolling Clerk to whom was referred—

H. B. No. 8	H. B. No. 103
H. B. No. 27	H. B. No. 118
H. B. No. 71	H. B. No. 138
H. B. No. 73	H. B. No. 139
H. B. No. 74	H. B. No. 140
H. B. No. 75	H. B. No. 141
H. B. No. 76	H. B. No. 152
H. B. No. 81	H. B. No. 208
H. B. No. 84	H. C. R. No. 161

—reports same have 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 21, 1959.

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

Your Enrolling Clerk to whom was referred—

H. B. No. 166	H. B. No. 169
H. B. No. 167	H. B. No. 205

—reports same have 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 21, 1959.

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

Senator Brackin moved that the rules be waived and Senate Bill No. 292, which passed the Senate on April 20, 1959, be immediately certified to the House of Representatives.

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

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Rawls—

S. B. No. 321—A bill to be entitled An Act providing for a gas transmission and distribution piping safety code to protect the general public; providing for the safe design, fabrication, installation, inspection, testing, and the operation and maintenance of gas transmission and distribution systems, including gas pipelines, gas compressor stations, gas metering and regulating stations, gas mains, and gas services

up to the outlet of the customer's meter set assembly; providing for the safety regulation, control and supervision of the basic design, quality of the materials and workmanship and requirements for the testing and maintenance of gas transmission and distribution facilities by the Florida Railroad and Public Utilities Commission and prescribing the duties and powers of the commission.

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

By Senators Belser and Davis—

S. B. No. 322—A bill to be entitled An Act relating to presidential electors; amending Subsections (1) and (4) of Section 103.021, Florida Statutes, by providing that the Governor shall nominate presidential electors of all political parties who have elected a president subsequent to January 1, 1900; providing procedure for appointments and filling vacancies that occur.

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

By Senator Adams—

S. B. No. 323—A bill to be entitled An Act relating to corporations not for profit; amending Subsections (9) and (10) of Section 617.01, Florida Statutes, by permitting corporations not for profit to incur indebtedness not to exceed the total value of property owned by the corporation; removing the need for approval of same by circuit judge; providing an effective date.

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

By Senators Hodges and Hair—

S. B. No. 324—A bill to be entitled An Act relating to game and fresh water fish; amending Subsection (2) of Section 372.573, Florida Statutes, by exempting from the payment of a fee for a permit to hunt on lands owned, managed, or leased by the State all persons sixty-five (65) years of age and older who are receiving old age assistance from the State of Florida; requiring such persons to obtain a permit before hunting on such lands; providing for issuance of such permit; providing an effective date.

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

By Senator Eaton—

S. B. No. 325—A bill to be entitled An Act relating to mortgages on real property; providing for the designation of balloon mortgage, providing for the form and contents of such mortgage; providing for penalties for violation; and providing an effective date.

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

By Senator Rawls—(By Request)—

S. B. No. 326—A bill to be entitled An Act relating to auto transportation companies; amending Subsection (1) of Section 323.22, Florida Statutes, relating to the fee charged by the Railroad and Public Utilities Commission for the registration of motor vehicles of such companies; and providing an effective date.

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

By Senator Rawls—(By Request)—

S. B. No. 327—A bill to be entitled An Act relating to auto transportation companies; amending Subsections (9) and (10) of Section 323.01, Subsection (4) of Section 323.05, and Subsections (2) and (3) of Section 323.14, Florida Statutes; redefining the terms "for hire" and "charter" to authorize the furnishing of "charter" carriage by companies holding "for hire" permits as well as by those holding certificates for the common carriage of passengers upon a showing of public convenience and necessity and to delete restrictions as to the capacity of motor vehicles used in "for hire" and "charter" carriage; authorizing the Railroad and Public Utilities Commission to adopt rules and regulations as to maximum charges for "charter" service and to impose restrictions in the public

interest upon performance of "charter" service under "for hire" permits; and providing an effective date.

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

By Senator Rawls—(By Request)—

S. B. No. 328—A bill to be entitled An Act relating to auto transportation companies; amending Section 323.24, Florida Statutes, to allow injunction proceedings against auto transportation brokers or persons acting as such unlawfully; and providing an effective date.

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

By Senator Rawls—(By Request)—

S. B. No. 329—A bill to be entitled An Act relating to auto transportation companies; amending Section 323.29, Florida Statutes, by adding thereto a new Subsection (3) to exempt from regulation motor vehicles transporting construction aggregates and motor vehicles transporting ice for use in packing agricultural or horticultural commodities; and providing an effective date.

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

By Senator Pope—

S. B. No. 330—A bill to be entitled An Act to authorize and empower the city of St. Augustine, Florida, to enter into contracts and agreements for the purchase, acquisition and construction of municipal and other public buildings or structures necessary or appropriate for the use of the city and to pay for such purchase, acquisition or construction over a period of time not exceeding five (5) years; providing that the city shall not levy more than one mill in any fiscal year for the purposes of this Act and that the outstanding indebtedness for such purposes shall not exceed \$100,000.00 at any time; providing that each municipal and other public buildings or structures purchased, acquired and constructed under the provisions of this Act shall be paid for in full prior to the execution of any contract or agreement for the purchase, acquisition and construction of any other municipal and other public buildings or structures; repealing all laws or parts of laws in conflict herewith and providing an effective date.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 330 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. 330 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 330 was read the second time by title only.

Senator Pope moved that the rules be further waived and Senate Bill No. 330 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. 330 was read the third time in full.

Upon the passage of Senate Bill No. 330 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. 330 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Pope—

S. B. No. 331—A bill to be entitled An Act to provide the method for the annexation of unincorporated territory which is adjacent and contiguous to the city limits of the City of St. Augustine, Florida, as such limits now or may hereafter exist; providing for the procedure to be followed in annexing such territory; providing for the exemption of such territory from the obligation of the bonded indebtedness of the City of St. Augustine, Florida, outstanding at the time of such annexation; providing that all residents of such annexed territory shall have the same rights and privileges as citizens of the City of St. Augustine, Florida; repealing all laws or parts of laws in conflict herewith and providing an effective date.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 331 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. 331 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 331 was read the second time by title only.

Senator Pope moved that the rules be further waived and Senate Bill No. 331 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. 331 was read the third time in full.

Upon the passage of Senate Bill No. 331 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. 331 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Pope—

S. B. No. 332—A bill to be entitled An Act authorizing and permitting the City of St. Augustine, Florida, to provide for life, health, accident, or hospitalization insurance, or all or any kinds of such insurance for its employees and officers upon a group insurance plan; to enter into agreements with insurance companies to provide such insurance; to deduct periodically from the wages and salary of any employee or officer upon written request of such employee or officer any premium or portion of premium for such insurance, providing that the City of St. Augustine, Florida, shall contribute and pay amounts not to exceed fifty per cent (50%) of the expenses and costs thereof in such portions and amounts as the City of St. Augustine, Florida, shall by ordinance determine and fix, based upon all employees and officers receiving equal benefits; and providing that the expenses thereof shall be paid out of the general fund of said city; repealing all Laws or parts of Laws in conflict herewith and providing an effective date.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill

No. 332 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. 332 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 332 was read the second time by title only.

Senator Pope moved that the rules be further waived and Senate Bill No. 332 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. 332 was read the third time in full.

Upon the passage of Senate Bill No. 332 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. 332 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Pope—

S. B. No. 333—A bill to be entitled An Act to authorize and empower the City of St. Augustine, Florida, to pay, by resolution, to each of its officers and employees a Christmas bonus not to exceed twenty-five (\$25.00) dollars including all necessary deductions; providing that such bonus shall be in addition to and in no manner in lieu of any other regular compensation; repealing all laws or parts of laws in conflict herewith and providing an effective date.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 333 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. 333 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 333 was read the second time by title only.

Senator Pope moved that the rules be further waived and Senate Bill No. 333 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. 333 was read the third time in full.

Upon the passage of Senate Bill No. 333 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. 333 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Pope—

S. B. No. 334—A bill to be entitled An Act authorizing and empowering the city of St. Augustine, Florida, to levy a tax for the purpose of aiding, promoting and sponsoring the quadricentennial celebration and to contribute funds to the St. Augustine's 400th Anniversary, Inc., or its duly authorized nominee or successor, as a contribution toward expenses of said celebration; providing the manner in which the proceeds from said tax shall be contributed and expended, and providing that such 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; repealing all laws or parts of laws in conflict herewith and providing an effective date.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 334 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. 334 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 334 was read the second time by title only.

Senator Pope moved that the rules be further waived and Senate Bill No. 334 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. 334 was read the third time in full.

Upon the passage of Senate Bill No. 334 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. 334 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Davis—

S. B. No. 335—A bill to be entitled An Act authorizing the Board of Public Instruction in all counties of this State having a population of not less than fourteen thousand (14,000) and not more than fourteen thousand two hundred (14,200) according to the last official statewide census, to enter into and make contracts for purchases for materials, supplies and services, without requiring competitive bidding thereon, for a sum not to exceed five hundred dollars (\$500.00); providing an effective date.

Which was read the first time by title only

Senator Davis moved that the rules be waived and Senate Bill No. 335 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 335 was read the second time by title only.

Senator Davis moved that the rules be further waived and

Senate Bill No. 335 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. 335 was read the third time in full.

Upon the passage of Senate Bill No. 335 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. 335 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Davis—

S. B. No. 336—A bill to be entitled An Act to authorize the County Board of Public Instruction in all counties having a population of not less than fourteen thousand one hundred (14,100) nor more than fourteen thousand two hundred (14,200) inhabitants by the last statewide decennial census to construct, repair, alter, or otherwise improve any or all school buildings at a cost not to exceed thirty five thousand (\$35,000) dollars for each project on a day labor basis; providing an effective date.

Which was read the first time by title only.

Senator Davis moved that the rules be waived and Senate Bill No. 336 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 336 was read the second time by title only.

Senator Davis moved that the rules be further waived and Senate Bill No. 336 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. 336 was read the third time in full.

Upon the passage of Senate Bill No. 336 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. 336 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Davis—

S. B. No. 337—A bill to be entitled An Act providing for the compensation of the Superintendent of Public Instruction of all counties in the State having a population of not less than fourteen thousand (14,000) and not more than fourteen thousand two hundred (14,200), according to the last official statewide census; providing an effective date.

Which was read the first time by title only.

Senator Davis moved that the rules be waived and Senate Bill No. 337 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 337 was read the second time by title only.

Senator Davis moved that the rules be further waived and Senate Bill No. 337 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. 337 was read the third time in full.

Upon the passage of Senate Bill No. 337 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. 337 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Davis—

Senate Joint Resolution No. 338—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE IX, OF THE FLORIDA CONSTITUTION, BY ADDING THERETO AN ADDITIONAL SECTION, TO BE NUMBERED BY THE SECRETARY OF STATE, ESTABLISHING A PERMANENT STATE BUILDING FUND.

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

That the following amendment to Article IX, of the Florida constitution, to be added as an additional section and appropriately numbered by the Secretary of State, is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the general election to be held on the first Tuesday after the first Monday in November 1960:

Permanent state building fund.—(1) There is created and established in the state treasury a permanent state building fund, which shall be used to finance the construction, equipping, maintaining, repairing, leasing, purchasing and otherwise acquiring buildings and other facilities and space, including sites for the same, for the use of the state, its officers, boards, commissions and agencies. Surplus moneys, assets, interest earned, and intangibles belonging to the said fund may be invested in such interest bearing securities as the legislature may provide until needed for the purposes hereunder.

(2) The legislature shall provide by law for such appropriations or grants of revenues or assets to be deposited in said fund as may be deemed necessary, including, but not restricted to, a percentage of the surplus in the general revenue fund at the end of each year or biennium, a percentage of the income of the Internal Improvement Fund, a percentage of the estate and inheritance taxes, escheats, interest earned on public deposits (not including interest on retirement and similar trust funds), rents, earnings or charges derived from public facilities or services, as well as other revenue sources. Provided the legislature shall retain authority to modify or repeal any appropriation or grant of revenues to said fund, but no funds theretofore paid or transferred into said fund shall be thereafter withdrawn or used for any purpose other than as provided herein.

(3) The said fund shall be administered by the Board of Commissioners of State Institutions under such rules and regulations as may be provided by the legislature.

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

By Senator Rawls—(By Request)—

S. B. No. 339—A bill to be entitled An Act amending Section 101.32, Florida Statutes, relating to the adoption of voting machines, to specifically provide that the provisions thereof relating to the submission of a question to the electorate to adopt or reject voting machines are permissive.

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

By Senator Rawls—(By Request)—

S. B. No. 340—A bill to be entitled An Act relating to elections; amending Subsection (3) of Section 100.041, Florida Statutes; providing for the election of County School Board members.

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

By Senator Rawls—(By Request)—

S. B. No. 341—A bill to be entitled An Act to amend Section 100.111, Florida Statutes, relating to the filling of vacancies in nomination and office to provide for nominating or electing a successor to an incumbent not up for reelection when said incumbent dies or becomes disabled between the filing date and the first primary election or between the first and second primary election or between the second primary and general election and providing for the printing of said names on the ballot.

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

By Senator Rawls—(By Request)—

S. B. No. 342—A bill to be entitled An Act to amend Section 104.36, Florida Statutes, relating to the distribution of political campaign literature by providing that no solicitation or distribution of partisan material will be made within 100 yards of polling places on election day and further providing that nonpartisan campaign materials may be exempt from said provisions upon approval of Supervisor of Registration and further providing that any candidate may voice objections to County Commissioners and further providing for a penalty.

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

By Senator Rawls—(By Request)—

S. B. No. 343—A bill to be entitled An Act relating to auto transportation companies; amending Chapter 323, Florida Statutes, by adding thereto Section 323.042, to prohibit an auto transportation company from holding at the same time more than one kind of certificate or permit unless after a public hearing it is found that such dual authority is not contrary to the public interest; exempting the present holders of such multiple authority; and providing an effective date.

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

By Senator Stenstrom—

S. B. No. 344—A bill to be entitled An Act relating to vacancies in political party offices amending Chapter 103, Florida Statutes, by adding thereto Section 103.13 providing when vacancies in said offices shall occur.

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

By Senators Stenstrom, Brackin and Dickinson—

S. B. No. 345—A bill to be entitled An Act to amend Section 103.111, Florida Statutes, relating to State and County political party Executive Committees by adding a provision requiring the clerks of the circuit courts to maintain a list of the elected and appointed members of the county political party executive committees and furnish said list to the appropriate State political party executive chairman.

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

By Senators Stenstrom, Brackin and Dickinson—

S. B. No. 346—A bill to be entitled An Act to amend Sections 101.62 and 101.64, Florida Statutes, relating to absentee ballots, to provide for applications for absentee ballots and absentee balloting by mail, and further providing that absentee ballots may be applied for and cast in the office of the Supervisor of Registration on the day prior to an election.

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

By Senators Edwards, Hodges, Pearce, Ripley, Connor, Boyd, Sutton, Hair, Johns and Stenstrom—

Senate Memorial No. 347:

A MEMORIAL TO THE CONGRESS OF THE UNITED STATES TO PROVIDE SUFFICIENT FUNDS FOR COMMENCEMENT OF CONSTRUCTION OF THE CROSS FLORIDA BARGE CANAL AT THE EARLIEST POSSIBLE TIME.

WHEREAS, The Florida Legislature has heretofore created the Florida Ship Canal Authority and the Ship Canal Navigation Districts by the respective sessions of 1953 and 1955, and

WHEREAS, Congress has heretofore authorized construction of this project conditioned upon establishment of economic feasibility, and

WHEREAS, The Corps of Engineers of the United States Army has recently filed its report with Congress establishing the economic feasibility of the project, and

WHEREAS, The construction is also justified as a defense measure and had it been so constructed when originally planned, the many hundreds of lives and thousands of tons of cargo lost by ships and vessels necessarily going around the tip of Florida during the last war would have been saved, and

WHEREAS, It has been firmly established that the construction of this project would be like driving a "golden spike," creating a statewide waterway system directly connected with the entire national inland navigation network east of the Rocky Mountains, and

WHEREAS, This great project was first conceived in an effort to relieve the economic stagnation of the great depression and would today provide a boon to the economic progress of the whole State of Florida, and

WHEREAS, The Barge Canal now proposed, contrary to the old proposed ship canal, would provide for the impounding for the many millions of gallons of water and increase the dwindling water supply of Florida, and

WHEREAS, The project has been endorsed by, and is being actively supported by the National Rivers and Harbors Congress, the Mississippi Valley Association, and the Intra-Coastal Canal Association of Louisiana and Texas, and

WHEREAS, The early completion of the Canal has been given top priority by the Florida Waterways Committee, which represents the entire State and is familiar with all waterways projects proposed for the State, NOW, THEREFORE,

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

That the Congress of the United States be and it is hereby requested to provide at the earliest possible time sufficient funds with which to commence construction of the Cross Florida Barge Canal during the next fiscal year and that such funds be provided from time to time thereafter as may be needed to pursue such project expeditiously to completion.

BE IT FURTHER RESOLVED, That copies of this memorial be dispatched to the President of the United States; to the President of the United States Senate; to the Speaker of the United States House of Representatives; to each of the ablest congressional delegations in the United States Congress, the Florida delegation; to the Chief of Engineers, Corps of Engineers, Washington, D.C., and to the Governor of the great State of Florida.

Which was read the first time in full.

Senator Edwards moved that the rules be waived and Senate Memorial No. 347 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Memorial No. 347 was read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to and Senate Memorial No. 347 was adopted and the action of the Senate was ordered certified to the House of Representatives.

By Senator Kelly—

S. B. No. 348—A bill to be entitled An Act appropriating certain moneys out of the Secondary Road Fund of Polk County for damages done to land in Polk County; providing an effective date.

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

By Senator Branch—

S. B. No. 349—A bill to be entitled An Act relating to annual salaries of County Commissioners; amending Paragraph (1) of Subsection (1) of Section 125.161, Florida Statutes, to increase salaries of Commissioners in Wakulla County; providing an effective date.

Which was read the first time by title only.

Senator Branch moved that the rules be waived and Senate Bill No. 349 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 349 was read the second time by title only.

Senator Branch moved that the rules be further waived and Senate Bill No. 349 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. 349 was read the third time in full.

Upon the passage of Senate Bill No. 349 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. 349 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Ripley—

S. B. No. 350—A bill to be entitled An Act providing for additional supplementary salary and compensation for State attorneys of each Judicial Circuit of the State embracing and including two or more counties in which is one county having a population of three hundred thousand (300,000) or more inhabitants according to the latest official state-wide decennial census, to be paid out of the general revenue funds of such counties within said Judicial Circuit in the proportion that the population of each county in said Judicial Circuit bears to the total population of said Judicial Circuit, as determined by the latest official state-wide decennial census; making said payments a county purpose, and making such additional supplementary salary and compensation cumulative; and 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. 350 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 350 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 350 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. 350 was read the third time in full.

Upon the passage of Senate Bill No. 350 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. 350 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Carraway, Chairman of the Committee on Appropriations, moved that Senate Bill No. 274, previously referred to the Committee on Constitutional Amendments and Governmental Reorganization, and the Committee on Judiciary "C," and Senate Bill No. 276, previously referred to the Committee on Judiciary "C," be also referred to the Committee on Appropriations.

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

VETOED BILLS OF 1957 REGULAR SESSION

The following message from the Honorable R. A. Gray, Secretary of State, was received and read:

Tallahassee, Florida,
April 15, 1959.

Hon. Dewey M. Johnson
President of the Senate
Senate Chamber
Capitol

Dear Senator Johnson:

In compliance with the requirements of the Constitution of the State of Florida, I herewith transmit to you, for consideration of the Senate, the following vetoed bills, with the Governor's objections attached thereto, viz:

Senate Bill No. 203

"An Act relating to aid for dependent children; amending Chapter 409, Florida Statutes, by adding Section 409.183 to provide leaving certain children on welfare rolls upon reaching seventeen (17) years of age."

Committee Substitute For Senate Bill No. 759

"An Act relating to the regulation of traffic on highways; amending Section 317.77, Subsection (1), Florida Statutes, limiting the gross weight imposed on the highways by the wheels of any one axle of a vehicle; providing an effective date."

Senate Bill No. 1051

"An Act relating to naturopathic physicians; requiring that

veterans of uniformed services and veterans trained under G. I. Bill shall be considered as having practiced naturopathy for at least fifteen years; amending Chapter 462, Florida Statutes, by adding a new Section 462.011, Florida Statutes; and providing an effective date."

Senate Bill No. 1207

"An Act relating to land surveyors; providing for licensing of certain persons with qualifications in Okaloosa County; providing an effective date."

Senate Bill No. 1213

"An Act relating to each county in the State having a population of not less than three thousand (3,000) nor more than three thousand three hundred (3,300), by the latest official state-wide decennial census; providing for the sale of revenue certificates at an interest rate not to exceed six per cent (6%); providing for amortization of revenue certificates; providing for use of proceeds; providing an effective date."

Senate Bill No. 1264

"An Act relating to Liberty County; directing the Liberty County Board of Public Instruction to construct an elementary school at Sumatra; providing for allocation of funds; providing an effective date."

Senate Bill No. 1293

"An Act authorizing the taking and cultivating of oysters from certain inside waters of Santa Rosa County by the use of a drag; limiting the size of such drag; providing an effective date."

Senate Bill No. 1304

"An Act relating to each county in the State having a population of not less than three thousand (3,000) nor more than three thousand three hundred (3,300), by the latest official state-wide decennial census, providing mileage of seven and one-half (7½c) cents per mile to any school teacher who has to travel more than fifteen (15) miles from his home to his school one way, providing payment to be made from county school funds; providing an effective date."

Senate Bill No. 1410

"An Act amending the charter of the City of Wilton Manors, Broward County, Florida; removing and excluding from the territorial and corporate limits of said city certain lands within the existing boundaries of said city."

Senate Bill No. 1418

"An Act to declare, designate and establish a certain State road, in Wakulla County, Florida."

Very truly yours,

R. A. GRAY,
Secretary of State.

Senate Bill No. 203 (1957 Regular Session)

"An Act relating to aid for dependent children; amending Chapter 409, Florida Statutes, by adding Section 409.183 to provide leaving certain children on welfare rolls upon reaching seventeen (17) years of age."

Was taken up and read by title, together with the following objections thereto of the Honorable LeRoy Collins, Governor of Florida:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

June 28, 1957

Hon. R. A. Gray
Secretary of State
State Capitol

Tallahassee, Florida

TALLAHASSEE

June 28, 1957

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill No. 203, enacted by the Legislature of 1957, and entitled:

"AN ACT RELATING TO AID FOR DEPENDENT CHILDREN; AMENDING CHAPTER 409, FLORIDA STATUTES, BY ADDING SECTION 409.183 TO PROVIDE LEAVING CERTAIN CHILDREN ON WELFARE ROLLS UPON REACHING SEVENTEEN (17) YEARS OF AGE."

This bill would provide that certain children may receive assistance under the Aid to Dependent Children Program upon reaching seventeen years of age, provided they are making passing grades in school.

The present State law has no requirement that a child over the age of sixteen must be dropped from the rolls. Effective July 1, 1957, under the 1956 amendments to the Federal Social Security Act, Federal matching will be available until the child reaches the age of eighteen whether or not he or she is attending school.

It does not seem that passing grades should be a basis upon which assistance is granted to a family, particularly with the limited amount authorized for a family of more than one child. The family would be further penalized by a reduction in the assistance grant if and when a child were removed for this reason. Low grades in school work are often caused by factors other than indifference. Often low grades result from illness; the necessity for a child to work at intervals to help support the family; environmental handicaps, and other causes.

In addition, this bill would result in added overhead and a delay in granting assistance, since regular checks would need to be made with the schools to determine grade eligibility.

For the foregoing reasons, I, therefore, withhold my approval from Senate Bill No. 203, Regular Session of the Legislature, 1957, and do hereby veto the same.

Respectfully,
LeRoy Collins
Governor

The President put the question, "Shall the Bill pass, the Governor's objection to the contrary notwithstanding?"

Upon the passage of Senate Bill No. 203 (1957 Regular Session) the roll was called and the vote was:

Yeas—None.
Nays—37.

Mr. President	Connor	Hair	Price
Adams	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	
Clarke	Gresham	Pope	

So Senate Bill No. 203 (1957 Regular Session) failed to pass over the Governor's veto.

Committee Substitute for Senate Bill No. 759 (1957 Regular Session)

"An Act relating to the regulation of traffic on highways; amending Section 317.77, Subsection (1), Florida Statutes, limiting the gross weight imposed on the highways by the wheels of any one axle of a vehicle; providing an effective date."

Was taken up and read by title, together with the following objections thereto of the Honorable LeRoy Collins, Governor of Florida:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR

Honorable R. A. Gray
Secretary of State
State Capitol
Tallahassee, Florida

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Com. Sub. for Senate Bill No. 759, enacted by the Legislature of 1957, and entitled:

"AN ACT RELATING TO THE REGULATION OF TRAFFIC ON HIGHWAYS; AMENDING SECTION 317.77, SUBSECTION (1), FLORIDA STATUTES, LIMITING THE GROSS WEIGHT IMPOSED ON THE HIGHWAYS BY THE WHEELS OF ANY ONE AXLE OF A VEHICLE; PROVIDING AN EFFECTIVE DATE."

This bill provides that the gross weight imposed on the highways by the wheels of any one axle of a vehicle will not exceed 20,000 pounds and provides for a 20% tolerance.

The provisions of this bill violate the restrictions placed upon the states by the Federal Congress in Public Law No. 627, enacted by the Congress in 1956, and generally known as the Federal Interstate Highway Act.

The question of excessive weights on highways was so seriously considered by the Federal Congress that it wrote into Public Law No. 627 a provision prohibiting the several states from increasing the maximum weight limits in effect on July 1, 1956, under penalty of losing federal monies.

If the provisions of Senate Bill 759 therefore were to become law the Bureau of Public Roads likely would withhold their contributions to the State of Florida under the Public Law No. 627. This would seriously affect the road construction program in Florida, and possibly deny to our state the benefits of interstate highways as contemplated by Public Law No. 627.

For the foregoing reasons, I, therefore, withhold my approval from Com. Sub. for Senate Bill No. 759, Regular Session of the Legislature, 1957, and do hereby veto the same.

Respectfully,
LeRoy Collins
Governor

The President put the question, "Shall the Bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of Committee Substitute for Senate Bill No. 759 (1957 Regular Session) the roll was called and the vote was:

Yeas—12.

Mr. President	Davis	Hodges	Melton
Brackin	Edwards	Johns	Pearce
Connor	Hair	Knight	Stratton

Nays—26

Adams	Carraway	Gibbons	Rawls
Beall	Clarke	Gresham	Ripley
Belser	Cross	Houghton	Stenstrom
Boyd	Dickinson	Kelly	Sutton
Branch	Eaton	Kicliter	Tedder
Bronson	Gautier	Pope	
Carlton	Getzen	Price	

So Committee Substitute for Senate Bill No. 759 (1957 Regular Session) failed to pass over the Governor's veto.

Senate Bill No. 1051 (1957 Regular Session)

"An Act relating to naturopathic physicians; requiring that veterans of uniformed services and veterans trained under G. I. Bill shall be considered as having practiced naturopathy for at least fifteen years; amending Chapter 462, Florida Statutes, by adding a new Section 462.011, Florida Statutes; and providing an effective date."

Was taken up and read by title, together with the following objections thereto of the Honorable LeRoy Collins, Governor of Florida:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

June 28, 1957

Honorable R. A. Gray
Secretary of State
State Capitol
Tallahassee, Florida

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III of the Constitution of this state, I hereby transmit to you, with my objections, Senate Bill 1051, enacted by the Legislature of 1957, and entitled:

"AN ACT RELATING TO NATUROPATHIC PHYSICIANS; REQUIRING THAT VETERANS OF UNIFORMED SERVICES AND VETERANS TRAINED UNDER G. I. BILL SHALL BE CONSIDERED AS HAVING PRACTICED NATUROPATHY FOR AT LEAST FIFTEEN YEARS; AMENDING CHAPTER 462, FLORIDA STATUTES, BY ADDING A NEW SECTION 462.011, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE."

There has been enacted at the 1957 session of the Legislature Committee Substitute for House Bill 75, which I signed and is now law designated as Chapter 57-129, Laws of Florida. This law deals with naturopathy and specifically amends Section 462.01, Florida Statutes, relating to a definition of naturopathy, and makes other provisions relating to the practice of naturopathy. This law will prohibit practitioners of naturopathy from prescribing or administering drugs, except for those practitioners who have been actively practicing in and licensed by the State of Florida for a period of fifteen years prior to October 1, 1957. As to these excepted practitioners, they are allowed to practice naturopathy as defined in Section 462.01, Florida Statutes, 1955, but would not be allowed to prescribe narcotic drugs. However, they would be permitted to administer narcotic drugs directly in cases of emergency justifying their use.

The bill which is returned herewith would put a new section in the naturopathic law which would place certain additional practitioners, who have practiced in this state less than fifteen years, in the same status as the fifteen year practitioners. It would thus "grandfather" those, regardless of the length of time practiced, who (1) served as naturopaths in the United States armed forces during World War II, or (2) who received their naturopathic training under the G. I. Bill of Rights.

Senate Bill No. 1051 does not make a reasonable classification for preference of some practitioners over others and thus is probably unconstitutional. Furthermore, it appears clear that none of the armed forces of the United States ever permitted the practice of naturopathy in the services, so there are none who can qualify as having "served as naturopaths in the armed forces of the United States during World War II." Therefore, the bill could only affect those "who received their naturopathic training under the provisions of the G. I. Bill of Rights." It also appears that such schools as were recognized by the Board of Naturopathy and which were attended under the G. I. Bill of Rights were schools which did not offer any substantial training in the prescribing or administration of drugs. Therefore, those who attended such schools are not any better qualified to practice drug medicine than any others. Therefore, the public interest is not served to extend "grandfather" privileges to those merely because they received benefits under the G. I. Bill of Rights.

It is recognized that probably one of the objects of this bill is to accord some benefit or relief to certain veterans of the armed forces. Whenever such can be done without endangering public health, safety or welfare or conferring an unreasonable advantage, it is proper and sound. However, in this instance, the preference sought to be given is not based on anything more than an arbitrary discrimination in favor of the G. I. Bill of Rights recipient. Also it would to a marked

degree reduce the effectiveness of Chapter 57-129 and be detrimental to public health and safety in that it would permit the prescribing and administering of drugs by those not established to be qualified to do so.

For the foregoing reasons, I therefore withhold my approval from Senate Bill 1051, Regular Session of the Legislature, 1957, and do hereby veto the same.

Respectfully,

LeRoy Collins,
Governor.

The President put the question, "Shall the Bill pass, the Governor's objections to the contrary notwithstanding"?

Upon the passage of Senate Bill No. 1051 (1957 Regular Session) the roll was called and the vote was:

Yeas—None.

Nays—37.

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

So Senate Bill No. 1051 (1957 Regular Session) failed to pass over the Governor's veto.

Senate Bill No. 1207 (1957 Regular Session)

"An Act relating to land surveyors; providing for licensing of certain persons with qualifications in Okaloosa County; providing an effective date."

Was taken up and read by title, together with the following objections thereto of the Honorable LeRoy Collins, Governor of Florida:

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

TALLAHASSEE

June 28, 1957

Honorable R. A. Gray
Secretary of State
State Capitol
Tallahassee, Florida

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill No. 1207, enacted by the Legislature of 1957, and entitled:

"AN ACT RELATING TO LAND SURVEYORS; PROVIDING FOR LICENSING OF CERTAIN PERSONS WITH QUALIFICATIONS IN OKALOOSA COUNTY; PROVIDING AN EFFECTIVE DATE."

This bill provides that the Florida State Board of Engineer Examiners "shall grant" surveyor's certificates to each of five persons in Okaloosa County who have ten years of professional surveying experience and have resided in the State for a period of ten years.

Under the present law (Chapter 472, Florida Statutes) other persons are required to produce evidence of certain educational or experience qualifications, in addition to evidence of good character, and also are required to take examinations. I can conceive of no justification for exempting five persons in Okaloosa County from these requirements and granting them a privilege denied to other persons in the State.

This bill apparently passed the Legislature as a local bill, though no notice of publication is attached and no referendum is provided.

The bill is not local, however. The five beneficiaries could practice surveying anywhere in Florida. Providing standards and uniform procedures for the licensing of persons to practice the professions is properly the responsibility of the Legislature. But when such is done it is not proper for the Legislature by special fiat to admit individually favored persons to practice a profession contrary to the requirements imposed on all.

For the foregoing reasons, I, therefore, withhold my approval from Senate Bill No. 1207, Regular Session of the Legislature, 1957, and do hereby veto the same.

Respectfully,
LeRoy Collins
Governor

The President put the question, "Shall the Bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of Senate Bill No. 1207 (1957 Regular Session) the roll was called and the vote was:

Yeas—None.
Nays—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	

So Senate Bill No. 1207 (1957 Regular Session) failed to pass over the Governor's veto.

Senate Bill No. 1213 (1957 Regular Session)

"An Act relating to each county in the State having a population of not less than three thousand (3,000) nor more than three thousand three hundred (3,300), by the latest official statewide decennial census; providing for the sale of revenue certificates at an interest rate not to exceed six per cent (6%); providing for amortization of revenue certificates; providing for use of proceeds; providing an effective date."

Was taken up and read by title, together with the following objections thereto of the Honorable LeRoy Collins, Governor of Florida:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

June 28, 1957

Honorable R. A. Gray
Secretary of State
State Capitol
Tallahassee, Florida

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill No. 1213, enacted by the Legislature of 1957, and entitled:

"AN ACT RELATING TO EACH COUNTY IN THE STATE HAVING A POPULATION OF NOT LESS THAN THREE THOUSAND (3,000) NOR MORE THAN THREE THOUSAND THREE HUNDRED (3,300), BY THE LATEST OFFICIAL STATE-WIDE DECENNIAL, CENSUS; PROVIDING FOR THE SALE OF REVENUE CERTIFICATES AT AN INTEREST RATE NOT TO EXCEED SIX PERCENT (6%), PROVIDING FOR AMORTIZATION OF REVENUE CERTIFICATES; PROVIDING FOR USE OF PROCEEDS; PROVIDING AN EFFECTIVE DATE."

This is a population bill applicable to Liberty County,

providing that the County Board of Public Instruction shall issue and sell not more than seventy-five thousand dollars of revenue certificates and that the Board shall allocate from monies received in the county general school fund under Chapter 550, Florida Statutes, a minimum of twenty-five thousand dollars per year to amortize this issue of revenue certificates.

The bill further provides that the proceeds from this issue shall be used solely for the construction of an elementary school building. The obvious purpose of this bill is to provide the funds with which to build such a building in Sumatra, Florida. This the Liberty County Board of Public Instruction would have been directed to do under Senate Bill No. 1264, which I have today vetoed, thus making Senate Bill No. 1213 unnecessary.

For the foregoing reasons, I, therefore, withhold my approval from Senate Bill No. 1213, Regular Session of the Legislature, 1957, and do hereby veto the same.

Respectfully,
LeRoy Collins
Governor

The President put the question, "Shall the Bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of Senate Bill No. 1213 (1957 Regular Session) the roll was called and the vote was:

Yeas—None.
Nays—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	

So Senate Bill No. 1213 (1957 Regular Session) failed to pass over the Governor's veto.

Senate Bill No. 1264 (1957 Regular Session)

"An Act relating to Liberty County; directing the Liberty County Board of Public Instruction to construct an elementary school at Sumatra; providing for allocation of funds; providing an effective date."

Was taken up and read by title, together with the following objections thereto of the Honorable LeRoy Collins, Governor of Florida:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

June 28, 1957

Hon. R. A. Gray
Secretary of State
State Capitol
Tallahassee, Florida

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill No. 1264, enacted by the Legislature of 1957, and entitled:

"AN ACT RELATING TO LIBERTY COUNTY; DIRECTING THE LIBERTY COUNTY BOARD OF PUBLIC INSTRUCTION TO CONSTRUCT AN ELEMENTARY SCHOOL AT SUMATRA; PROVIDING FOR ALLOCATION OF FUNDS; PROVIDING AN EFFECTIVE DATE."

This bill provides that the Board of Public Instruction of

Liberty County shall use the proceeds from the sale of revenue certificates in the amount of \$75,000 for the construction of an elementary school at Sumatra, such building to be of masonry construction and consisting of a minimum of three classrooms and an auditorium, seating approximately one hundred fifty students.

This bill is contrary to sound educational practice. The location and construction of school buildings is an administrative responsibility and should be based on actual surveys of county school needs, taking into account such facts as pupil enrollment trends, location of families, the extent and direction of county population growth and existing facilities.

I am advised by the State Superintendent of Public Instruction that in 1956-57 there were nine students in Sumatra in grades one through seven and that there are no indications that the number will increase appreciably. A similar bill, by a referendum vote, was overwhelmingly defeated by the people of Liberty County last year.

For the foregoing reasons, I, therefore, withhold my approval from Senate Bill No. 1264, Regular Session of the Legislature, 1957, and do hereby veto the same.

Respectfully,

LeRoy Collins,
Governor.

The President put the question, "Shall the Bill pass, the Governor's objections to the contrary notwithstanding"?

Upon the passage of Senate Bill No. 1264 (1957 Regular Session) the roll was called and the vote was:

Yeas—None.

Nays—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	

So Senate Bill No. 1264 (1957 Regular Session) failed to pass over the Governor's veto.

Senate Bill No. 1293 (1957 Regular Session)

"An Act authorizing the taking and cultivating of oysters from certain inside waters of Santa Rosa County by the use of a drag; limiting the size of such drag; providing an effective date."

Was taken up and read by title, together with the following objections thereto of the Honorable LeRoy Collins, Governor of Florida:

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

TALLAHASSEE

June 28, 1957

Honorable R. A. Gray
Secretary of State
State Capitol
Tallahassee, Florida

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill 1293, enacted by the Legislature of 1957, and entitled:

"AN ACT AUTHORIZING THE TAKING AND CULTIVATING OF OYSTERS FROM CERTAIN INSIDE WATERS OF SANTA ROSA COUNTY BY THE USE OF A DRAG; LIMITING THE SIZE OF SUCH DRAG; PROVIDING AN EFFECTIVE DATE."

This bill provides that it shall be lawful to take and recover oysters and to cultivate oyster beds in and from certain waters in East Bay in Santa Rosa County, by the process commonly known as "dredging or "dragging" by the use of a drag or rake or similar device of a size not in excess of three (3) feet in width.

I am advised by the Director of Conservation that natural oyster reefs are usually a mixture of mud, sand, and a very large component of shells. The use of a dredge, such as this measure seeks to authorize, destroys the physical make-up of this structure by dislodging the upper structures of the area. This dislodgement makes the attachment of small oysters very difficult during the ensuing spawning period. Also, dredges are not selective as to size of oysters taken. In fact, all oysters are harvested regardless of size. Subsequent culling operations, in which the smaller oysters by law must be returned to the water, are carried out in spots other than the point of original harvest. This means that the potential crops of oysters are destroyed, leaving the beds denuded for periods up to two years.

Almost since their inception dredges, or drags, have been prohibited from the public oyster bars of the State of Florida, and I do not regard the exception sought to be made in the public interest.

For the foregoing reasons, I, therefore, withhold my approval from Senate Bill 1293, Regular Session of the Legislature, 1957, and do hereby veto the same.

Respectfully,

LeRoy Collins,
Governor.

The President put the question, "Shall the Bill pass, the Governor's objections to the contrary notwithstanding"?

Upon the passage of Senate Bill No. 1293 (1957 Regular Session) 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. 1293 (1957 Regular Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 1304 (1957 Regular Session)

"An Act relating to each county in the State having a population of not less than three thousand (3,000) nor more than three thousand three hundred (3,300), by the latest official State-wide decennial census, providing mileage of seven and one-half (7½¢) cents per mile to any school teacher who has to travel more than fifteen (15) miles from his home to his school one way, providing payment to be made from county school funds; providing an effective date."

Was taken up and read by title, together with the following objections thereto of the Honorable LeRoy Collins, Governor of Florida:

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

TALLAHASSEE

June 28, 1957

Honorable R. A. Gray
Secretary of State
State Capitol
Tallahassee, Florida

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill No. 1304, enacted by the Legislature of 1957, and entitled:

"AN ACT RELATING TO EACH COUNTY IN THE STATE HAVING A POPULATION OF NOT LESS THAN THREE THOUSAND (3,000) NOR MORE THAN THREE THOUSAND THREE HUNDRED (3,300), BY THE LATEST OFFICIAL STATE-WIDE DECENNIAL CENSUS, PROVIDING MILEAGE OF SEVEN AND ONE-HALF (7½¢) CENTS PER MILE TO ANY SCHOOL TEACHER WHO HAS TO TRAVEL MORE THAN FIFTEEN (15) MILES FROM HIS HOME TO HIS SCHOOL ONE WAY, PROVIDING PAYMENT TO BE MADE FROM COUNTY SCHOOL FUNDS; PROVIDING AN EFFECTIVE DATE."

This is a population bill applicable to Liberty County, providing that the County Board of Public Instruction shall pay mileage of seven and one-half cents per mile to each public school teacher who has to travel more than fifteen miles from home to school.

The State Superintendent of Public Instruction advises me that this bill would affect only one school teacher in Liberty County. There is no similar law or authority applicable in the other counties of Florida. It is in direct conflict with the State's constitutional policy of maintaining a "uniform system of public free schools."

For the foregoing reasons, I, therefore, withhold my approval from Senate Bill No. 1304, Regular Session of the Legislature, 1957, and do hereby veto the same.

Respectfully,

LeRoy Collins
Governor

The President put the question, "Shall the Bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of Senate Bill No. 1304 (1957 Regular Session) the roll was called and the vote was:

Yeas—None.

Nays—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	

So Senate Bill No. 1304 (1957 Regular Session) failed to pass over the Governor's veto.

Senate Bill No. 1410 (1957 Regular Session)

"An Act amending the Charter of the City of Wilton Manors, Broward County, Florida; removing and excluding from the territorial and corporate limits of said city certain lands within the existing boundaries of said city."

Was taken up and read by title, together with the following objections thereto of the Honorable LeRoy Collins, Governor of Florida:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

June 28, 1957

Honorable R. A. Gray
Secretary of State
State Capitol
Tallahassee, Florida

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill 1410, enacted by the Legislature of 1957, and entitled:

"AN ACT AMENDING THE CHARTER OF THE CITY OF WILTON MANORS, BROWARD COUNTY, FLORIDA; REMOVING AND EXCLUDING FROM THE TERRITORIAL AND CORPORATE LIMITS OF SAID CITY CERTAIN LANDS WITHIN THE EXISTING BOUNDARIES OF SAID CITY."

Ordinarily, it is my policy not to interfere with the enactment of local legislation, recognizing that, unsatisfactory though the local bill procedure may be, it is the only form of home rule available to the people of Florida.

In the case of this bill, I feel compelled to make an exception. It seeks to remove from inside the corporate limits of the municipality of Wilton Manors in Broward County a 10 acre tract of land. If the bill should become law then this excluded tract would be an island completely surrounded by other areas of the municipality.

There is involved a controversy over rezoning in which I take no part since I am in no position to judge the right or wrong of it.

There is inherent in the sound development of any municipality the necessity to maintain the integrity of its territory. Sound financing, policing, and servicing make this essential. To provide for a no man's land, barren of municipal responsibility and control, within normal municipal confines, is wrong.

For the foregoing reasons, I, therefore, withhold my approval from Senate Bill 1410, Regular Session of the Legislature, 1957, and do hereby veto the same.

Respectfully,

LeRoy Collins
Governor

The President put the question, "Shall the Bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of Senate Bill No. 1410 (1957 Regular Session) the roll was called and the vote was:

Yeas—None.

Nays—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	

So Senate Bill No. 1410 (1957 Regular Session) failed to pass over the Governor's veto.

Senate Bill No. 1418 (1957 Regular Session)

"An Act to declare, designate and establish a certain State road, in Wakulla County, Florida."

Was taken up and read by title, together with the following objections thereto of the Honorable LeRoy Collins, Governor of Florida:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

June 28, 1957

Honorable R. A. Gray
Secretary of State
State Capitol
Tallahassee, Florida

Sir:

Pursuant to the authority vested in me as Governor of Florida under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill No. 1418, enacted by the Legislature of 1957, and entitled:

"AN ACT TO DECLARE, DESIGNATE AND ESTABLISH A CERTAIN STATE ROAD, IN WAKULLA COUNTY, FLORIDA."

This bill, (passed as a local bill without consideration by any committee in either House) designates a certain described road in Wakulla County as a part of the State system of roads.

Section 335.02, Florida Statutes, 1955, places the responsibility and authority for the designation and location of state roads in the State Road Board. This authority was once exercised solely by the Legislature with far reaching inequities and unsound results. Based upon studies made by committees of the Legislature, it was determined that in order for the State of Florida to meet its growing highway needs there must be constructed an integrated system of primary and secondary roads which would form a system of connecting and interlocking highways capable of handling the local traffic, but at the same time meeting the demand of mass transportation over long distances.

While possibly providing for a road desired by some people, this bill does not reflect the discretion and informed judgment for which the Legislature has seen fit to hold the Road Board responsible. Were this type of legislation to be encouraged the will of the Legislature as expressed in the Florida Highway Code of 1955 would be defeated and the efforts of the Road Board to meet its obligations would be seriously, and even critically, impaired.

For the foregoing reasons, I, therefore, withhold my approval from Senate Bill 1418, Regular Session of the Legislature, 1957, and do hereby veto the same.

Respectfully,

LeRoy Collins
Governor

The President put the question, "Shall the Bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of Senate Bill No. 1418 (1957 Regular Session) the roll was called and the vote was:

Yeas—None.

Nays—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	

So Senate Bill No. 1418 (1957 Regular Session) failed to pass over the Governor's veto.

VETOED BILLS 1957 EXTRAORDINARY SESSION

The following message from the Honorable R. A. Gray, Secretary of State, was received and read:

Tallahassee, Florida
April 15, 1959

The Honorable Dewey M. Johnson
President of the Senate
Senate Chamber
Capitol

Dear Senator Johnson:

In compliance with the requirements of the Constitution of the State of Florida, I herewith transmit to you, for consideration of the Senate, the following vetoed bills, (Extraordinary Session 1957), with the Governor's objections attached thereto, viz:

Senate Bill No. 73-X (57)

"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."

Senate Bill No. 79-X (57)

"An Act to amend Section 1 of Chapter 27,202, Acts of 1951, relating to the issuance of a beverage license to any municipality, county airport authority or other governmental agency operating an airport where an airline transportation company or companies, properly certificated by the United States of America, operate and maintain a regular passenger service on scheduled flights, in each county of the State of Florida having a population of more than 200,000 but less than 400,000 according to the most recent census, by making said Chapter 27,202, Acts of 1951, also applicable to counties having a population of not more than 36,000 or less than 34,650 according to the most recent census; and providing for the effective date of this Act."

Senate Bill No. 83-X (57)

"An Act providing method of distributing race track money allocated for school construction in Liberty County, as provided by Chapter 57-1024, Laws of Florida; providing an effective date."

Very truly yours,

R. A. GRAY,
Secretary of State.

Senate Bill No. 73-X (57) (1957 Extraordinary Session)

"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 statewide decennial census."

Was taken up and read by title, together with the following objections thereto of the Honorable LeRoy Collins, Governor of Florida.

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

TALLAHASSEE

October 29, 1957

Honorable R. A. Gray
Secretary of State
State Capitol
Tallahassee, Florida

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill No. 73-X, enacted by the Extraordinary Session of the Legislature of 1957, and 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."

This proposed act purports to permit the election in Liberty County of members of the Board of Public Instruction of that county by a vote of the qualified electors in each of the various school board election districts, rather than by the voters of the county at large.

The present general law (Section 230.10) requires that members of the Boards of Public Instruction be elected by a vote of the qualified electors of all counties.

The general law (Section 230.11) further requires that each member of the county board shall serve as the representative

of the entire county, rather than as the representative of any district in the county. Thus, and only thus, can the state and counties best be assured of an objective consideration of all the school needs of each county.

To make the maintenance of this policy throughout the state secure, under the general law county wide school board member elections are required to qualify any county for state minimum foundation financial aid. If this bill should become a law the whole public school program for Liberty County well might fail.

In view of the apparent conflict of this bill with the general state policy and state law, I regard it as my clear duty, as Governor, to veto this legislation.

For the foregoing reasons, I withhold my approval from said Senate Bill No. 73-X of the Legislature, Extraordinary Session, 1957, and do hereby veto the same.

Respectfully,
LeRoy Collins
Governor

The President put the question, "Shall the Bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of Senate Bill No. 73-X(57) (1957 Extraordinary Session) the roll was called and the vote was:

Yeas—None.

Nays—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	

So Senate Bill No. 73-X(57) (1957 Extraordinary Session) failed to pass over the Governor's veto.

Senate Bill No. 79-X(57) (1957 Extraordinary Session)

"An Act to amend Section 1 of Chapter 27,202, Acts of 1951, relating to the issuance of a beverage license to any municipality, County Airport Authority or other governmental agency operating an airport where an airline transportation company or companies, properly certificated by the United States of America, operate and maintain a regular passenger service on scheduled flights, in each county of the State of Florida having a population of more than 200,000 but less than 400,000 according to the most recent census, by making said Chapter 27,202, Acts of 1951, also applicable to counties having a population of not more than 36,000 or less than 34,650 according to the most recent census; and providing for the effective date of this act."

Was taken up and read by title, together with the following objections thereto of the Honorable LeRoy Collins, Governor of Florida:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

October 29, 1957

Honorable R. A. Gray
Secretary of State
Capitol Building
Tallahassee, Florida

Str:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill No. 79-X, enacted by the extraordinary session of the Legislature of 1957, and entitled:

'AN ACT TO AMEND SECTION 1 OF CHAPTER 27,202, ACTS OF 1951, RELATING TO THE ISSUANCE OF A

BEVERAGE LICENSE TO ANY MUNICIPALITY, COUNTY, AIRPORT AUTHORITY OR OTHER GOVERNMENTAL AGENCY OPERATING AN AIRPORT WHERE AN AIRLINE TRANSPORTATION COMPANY OR COMPANIES, PROPERLY CERTIFICATED BY THE UNITED STATES OF AMERICA, OPERATE AND MAINTAIN A REGULAR PASSENGER SERVICE ON SCHEDULED FLIGHTS, IN EACH COUNTY OF THE STATE OF FLORIDA HAVING A POPULATION OF MORE THAN 200,000 BUT LESS THAN 400,000 ACCORDING TO THE MOST RECENT CENSUS, BY MAKING SAID CHAPTER 27,202, ACTS OF 1951, ALSO APPLICABLE TO COUNTIES HAVING A POPULATION OF NOT MORE THAN 36,000 OR LESS THAN 34,650 ACCORDING TO THE MOST RECENT CENSUS; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ACT."

Under the provisions of Chapter 27,202, Acts of 1951, it was provided that a beverage license could be issued to any municipality, county, airport authority, or other governmental agency operating as an airport under the conditions specified therein in each county of the state having a population of more than 200,000 but less than 400,000.

The present proposed act attempts to amend the previous legislation by making the same also applicable to counties having a population of not more than 36,000 or less than 34,650, according to the most recent census. This intent is clearly set forth in the title to the act.

The body of the proposed act, however, substitutes a new Section 1 for Section 1 of Chapter 27,202, and the proposed new section applies only to the counties of the smaller classification.

Therefore, if allowed to become a law, this act would repeal the previous law insofar as it applied to the population bracket set forth therein and none of the counties within the previous classification would be included. I am confident this was not the intent of the sponsor.

For the foregoing reasons, I withhold my approval from Senate Bill No. 79-X of the Legislature, extraordinary session, 1957, and do hereby veto the same.

Respectfully,
LeRoy Collins
Governor

The President put the question, "Shall the Bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of Senate Bill No. 79-X(57) (1957 Extraordinary Session) the roll was called and the vote was:

Yeas—None.

Nays—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	

So Senate Bill No. 79-X(57) (1957 Extraordinary Session) failed to pass over the Governor's veto.

Senate Bill No. 83-X(57) (1957 Extraordinary Session)

"An Act providing method of distributing race track money allocated for school construction in Liberty County, as provided by Chapter 57-1024, Laws of Florida; providing an effective date."

Was taken up and read by title, together with the following objections thereto of the Honorable LeRoy Collins, Governor of Florida:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

October 29, 1957

Honorable R. A. Gray
Secretary of State
State Capitol
Tallahassee, Florida

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill No. 83-X, enacted by the Extraordinary Session of the Legislature of 1957, and entitled:

"AN ACT PROVIDING METHOD OF DISTRIBUTING RACE TRACK MONEY ALLOCATED FOR SCHOOL CONSTRUCTION IN LIBERTY COUNTY, AS PROVIDED BY CHAPTER 57-1024, LAWS OF FLORIDA; PROVIDING AN EFFECTIVE DATE."

This bill dealing with the use of race track funds in Liberty County for school building purposes purports to amend Chapter 57-1024, Laws of Florida, passed by the 1957 Legislature. Chapter 57-1024, however, is an act to require all motor boats, launches, and other water craft operating in counties of specified population bracket to be operated in a certain manner and to be provided with certain equipment. It is obvious, therefore, that the present bill would be ineffective and invalid.

For the foregoing reason and also because I strongly disapprove of the policy reflected in this proposed law, I withhold my approval from Senate Bill No. 83-X, Extraordinary Session of 1957, and do hereby veto the same.

Respectfully,

LeRoy Collins
Governor

The President put the question, "Shall the Bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of Senate Bill No. 83-X(57) (1957 Extraordinary Session) the roll was called and the vote was:

Yeas—None.

Nays—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	

So Senate Bill No. 83-X(57) (1957 Extraordinary Session) failed to pass over the Governor's veto.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
April 21, 1959.

The Honorable Dewey M. Johnson,
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 Senators Hodges and Connor—

S. B. No. 25—A bill to be entitled An Act relating to the Florida Forest Service Nursery at Chiefland; designating same as the M. D (Six) Andrews Memorial Nursery.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 25, 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 read:

Tallahassee, Florida,
April 21, 1959.

The Honorable Dewey M. Johnson,
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. Whitaker, Mann and Liles of Hillsborough—

H. B. No. 215—A bill to be entitled An Act amending Sections 11, 21, and 24, of Chapter 24927, Laws of Florida, Special Acts of 1947, relating to civil service classifications and regulations of the City of Tampa, and repealing Chapter 57-1910, Laws of Florida, relating to the same subject; and 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.

Proof of publication of Notice was attached to House Bill No. 215 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. 215, contained in the above message, was read the first time by title only.

Senator Gibbons moved that the rules be waived and House Bill No. 215 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 215 was read the second time by title only.

Senator Gibbons moved that the rules be further waived and House Bill No. 215 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. 215 was read the third time in full.

Upon the passage of House Bill No. 215 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 House Bill No. 215 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Carraway moved that Senate Bill No. 120, reported favorably by the Committee on Judiciary "A," be re-referred to the Committee on Appropriations.

Which was agreed to by a two-thirds vote and Senate Bill No. 120 was re-referred to the Committee on Appropriations.

CONSIDERATION OF BILLS AND JOINT RESOLUTIONS ON SECOND READING

S. B. No. 24—A bill to be entitled An Act to Amend Section

167,632, Florida Statutes, relating to minimum hours of duty for firemen to provide that all firemen employed by municipalities with a population in excess of fifteen thousand shall not remain on duty more than one hundred twelve hours in any two consecutive calendar weeks.

Was taken up in its order.

By unanimous consent Senator Stratton withdrew Senate Bill No. 24 from the further consideration of the Senate.

S. B. No. 33—A bill to be entitled An Act relating to the business of banking; prohibiting the engaging in or carrying on of banking business by unauthorized persons; amending Paragraph (a) of Subsection (1) of Section 659.52, Florida Statutes, by specifying certain activities prohibited to persons other than banks, and creating an exception thereto.

Was taken up in its order.

Senator Connor moved that the rules be waived and Senate Bill No. 33 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 33 was read the second time by title only.

The following Committee Substitute for Senate Bill No. 33:

By the Committee on Banking—

Com. Sub. for S. B. No. 33—A bill to be entitled An Act relating to the business of banking; prohibiting the engaging in or carrying on of banking business by unauthorized persons; amending Paragraph (a) of Subsection (1) of Section 659.52, Florida Statutes, by specifying certain activities prohibited to persons other than banks, and creating an exception thereto.

Was read the first time by title only.

Senator Connor moved that the rules be waived and the Committee Substitute for Senate Bill No. 33 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And the Committee Substitute for Senate Bill No. 33 was read the second time by title only.

Senator Connor moved the adoption of the Committee Substitute for Senate Bill No. 33.

Which was agreed to and the Committee Substitute for Senate Bill No. 33 was adopted.

Senator Connor moved that the rules be further waived and Committee Substitute for Senate Bill No. 33 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 Senate Bill No. 33 was read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 33 the roll was called and the vote was:

Yeas—36.

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

Nays—1.

Houghton

So Committee Substitute for Senate Bill No. 33 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bills Nos. 246, 248, 249, 250 and 251 were taken up in their order and the consideration thereof was informally passed, the Bills retaining their respective places on the Calendar of Bills on Second Reading.

Senator Eaton asked unanimous consent of the Senate to take up and consider House Bill No. 148, out of its order.

Unanimous consent was granted and—

H. B. No. 148—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.

Was taken up.

Senator Eaton moved that the rules be waived and House Bill No. 148 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 148 was read the second time by title only.

Senator Hodges, President Pro Tempore, presiding.

Pending further consideration of House Bill No. 148, Senator Kelly moved that House Bill No. 148 be re-referred to an appropriate committee for further study.

Which was not agreed to.

Senator Eaton moved that the rules be further waived and House Bill No. 148 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. 148 was read the third time in full.

Upon the passage of House Bill No. 148 the roll was called and the vote was:

Yeas—28.

Mr. President	Bronson	Eaton	Kicliter
Adams	Carlton	Gautier	Pearce
Beall	Carraway	Getzen	Pope
Belser	Clarke	Gibbons	Price
Boyd	Connor	Gresham	Stenstrom
Brackin	Cross	Houghton	Sutton
Branch	Dickinson	Kelly	Tedder

Nays—10.

Davis	Hodges	Melton	Stratton
Edwards	Johns	Rawls	
Hair	Knight	Ripley	

So House Bill No. 148 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Eaton withdrew Senate Bill No. 68 from the further consideration of the Senate.

The President presiding.

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.

Was taken up in its order.

Senator Eaton moved that the rules be waived and Senate Bill No. 73 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 73 was read the second time by title only.

Senators Eaton and Rawls offered the following amendment to Senate Bill No. 73:

In Section 1, line 14, page 1 after the word "breath," insert "and if there is corroboration by other competent evidence"

Senator Eaton moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Rawls and Eaton offered the following amendment to Senate Bill No. 73:

At end of Section 1, strike out the period, insert a semicolon, and add the following: provided, however, that the State shall not have the right to comment upon any defendant's failure or refusal to request or take such foregoing test.

Senator Rawls moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Eaton moved that the rules be further waived and Senate Bill No. 73, 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. 73, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 73, as amended, the roll was called and the vote was:

Yeas—34.

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

Nays—2.

Stenstrom Stratton

So Senate Bill No. 73 passed, as amended.

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.

Was taken up in its order.

Senator Eaton moved that the rules be waived and Senate Bill No. 76 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 76 was read the second time by title only.

Senator Eaton moved that the rules be further waived and Senate Bill No. 76 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 was read the third time in full.

Upon the passage of Senate Bill No. 76 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. 76 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

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.

Was taken up in its order.

Senator Eaton moved that the rules be waived and Senate Bill No. 77 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 77 was read the second time by title only.

Senator Eaton offered the following amendment to Senate Bill No. 77:

In Section 1, Subsection (2), page 2, line 2, after the words "state uses" at end of line add: "such"

Senator Eaton moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Eaton also offered the following amendment to Senate Bill No. 77:

In Section 1, Subsection (3), page 2, line 4, after the words "use of" add the word "such"

Senator Eaton moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Eaton also offered the following amendment to Senate Bill No. 77:

In Section 1, Subsection (2), page 2, line 8, beginning line 8 strike the word "year" and insert in lieu "six months"

Senator Eaton moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Eaton also offered the following amendment to Senate Bill No. 77:

In Section 1, Subsection 1, page 1, line 10, after the words "measuring device" add the following words: "approved by the Department of Public Safety and licensed by the Federal Communications Commission,"

Senator Eaton moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Rawls offered the following amendment to Senate Bill No. 77:

In Section 2, line 5, page 2, strike out the comma following the word "way" and insert a semicolon and add the following: "and shall be located at a point in which passing is allowed by vehicles going in each direction for a distance of 500 feet from the location of such device, and"

Senator Eaton moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Eaton moved that the rules be further waived and Senate Bill No. 77, 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. 77, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 77, as amended, the roll was called and the vote was:

Yeas—34.

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

Nays—4.

Connor Johns Ripley Stratton

So Senate Bill No. 77 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Pope moved that the Senate reconsider the vote by which Senate Bill No. 73, as amended, passed the Senate this day.

Senator Johns moved, as a substitute motion, that the rules be waived and the Senate immediately reconsider the vote by which Senate Bill No. 73, as amended, passed the Senate this day.

The President put the question on the substitute motion: "Will the Senate immediately reconsider the vote by which Senate Bill No. 73, as amended, passed the Senate this day"?

S. B. No. 73—A bill to be entitled An Act to amend Sub-section (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 agreed to by a two-thirds vote.

And the Senate reconsidered the vote by which Senate Bill No. 73, as amended, passed the Senate this day.

The question recurred on the passage of Senate Bill No. 73, as amended.

Pending roll call on the passage of Senate Bill No. 73, as amended, Senator Pope moved that the further consideration thereof be informally passed.

Which was agreed to and Senate Bill No. 73, as amended, was placed on the Calendar, pending roll call.

Senator Ripley moved that the House of Representatives be requested to return House Bill No. 97 to the Senate for further consideration.

Which was agreed to and it was so ordered.

The hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 1:00 o'clock P. M., until 11:00 o'clock A. M., Wednesday, April 22, 1959.