

# JOURNAL OF THE SENATE

Tuesday, May 5, 1959

359

The Senate convened at 10:00 o'clock A. M., pursuant to adjournment on Monday, May 4, 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:

Our Father, make us to feel Thy love and help us to respond to it. Strengthen and guide those who are sincerely trying to do right.

Make us more aware of the needs of our fellow men and less absorbed with our own selfish concerns.

We ask these things in Christ's name. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Monday, May 4, 1959, was corrected and as corrected was approved.

## REPORTS OF COMMITTEES

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

S. B. No. 567—A bill to be entitled An Act naming the administration building at the University of Florida the John J. Tigert Building.

S. B. No. 385—A bill to be entitled An Act authorizing the State Board of Education of Florida to grant, trade or exchange certain lands situate in the County of Polk, State of Florida, within the limits of the City of Winter Haven, and all rights, title and interest therein, for other lands of a like nature, suitable for use of housing State administrative agencies.

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

S. B. No. 568—A bill to be entitled An Act naming certain buildings and facilities at the College of Law, University of Florida, in honor of Harry R. Trusler, Clifford R. Crandall, Robert S. Cockrell and W. H. Ellis.

—and recommends that the same not pass.

And the Bill contained in the preceding report was laid on the table.

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

H. B. No. 134—A bill to be entitled An Act to amend Section 215.19, Florida Statutes, relating to wages on public contracts, and providing an effective date.

—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 Houghton, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following Bills:

S. B. No. 377—A bill to be entitled An Act for relief of Ben Lee Whitten for damages sustained as a result of the negligent operation of a bridge span by an employee of the State Road Department; providing for an appropriation; providing an effective date.

S. B. No. 627—A bill to be entitled An Act relating to the allowance of certain claims against the State not exceeding three hundred dollars (\$300.00) and stemming from injuries or damage caused by agents, agencies or employees of the State while in the line of duty; providing procedure; providing limitation; providing effective date.

—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 Kelly, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bill:

S. B. No. 393—A bill to be entitled An Act creating an interim committee to investigate, study and report on roads and highways, including costs and administration of the program; setting forth its powers and duties; providing for the appointment of members; making an appropriation; fixing an effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was referred to the Committee on Appropriations, under the joint reference.

Senator Kelly, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bills:

S. B. No. 436—A bill to be entitled An Act relating to the Florida Highway Code, amending Subsection (3) of Section 335.04, Florida Statutes, by excluding the interstate system from the 11,000 mile limitation on the primary road system, and providing an effective date.

S. B. No. 649—A bill to be entitled An Act designating and naming a certain highway in Walton and Okaloosa Counties; providing an effective date.

—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 Kelly, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bill:

S. B. No. 438—A bill to be entitled An Act relating to highways; amending Subsection (1) of Section 335.02, Florida Statutes, by requiring the State Road Board to conduct an advertised public hearing before designating, locating, or redesignating or relocating state roads; prescribing procedures; fixing an effective date.

—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 Kelly, Chairman of the Committee on Public Roads

and Highways, reported that the Committee had carefully considered the following Bill:

S. B. No. 195—A bill to be entitled An Act amending Chapter 30154, Laws of Florida, Acts of 1955, relating to the issuance and sale of interest bearing certificates of indebtedness by the several counties and the State Road Department to be paid from the surplus gasoline tax funds accruing to said counties and State Doad Department under the provisions of Section 16, Article IX, of the State Constitution for the purpose of financing improvements to State highways; making such certificates eligible as investment for public funds and acceptable as collateral to secure State and County fund deposits, and providing an effective date.

—and recommends the Committee Substitute as offered by the Senate Committee on Finance and Taxation pass in lieu of the original Senate Bill No. 195.

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

Senator Kelly, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following Bills:

H. B. No. 581—A bill to be entitled An Act relating to Paving of Roads; repealing Chapter 12043, Laws of 1927.

H. B. No. 191—A bill to be entitled An Act relating to the Florida Highway Code; amending Subsection (3) of Section 335.05, Florida Statutes, by eliminating the prohibition against use of restricted or unrestricted State Road Department funds for improvement of city streets or subdivision streets; providing an effective date.

—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 Dickinson, Chairman of the Committee on Judiciary "B," reported that the Committee had carefully considered the following Bill:

S. B. No. 101—A bill to be entitled An Act prohibiting the giving of false reports or information concerning crimes and providing penalties for violation.

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

S. B. No. 535—A bill to be entitled An Act amending Subsection (6) of Section 475.01, Section 475.05, Section 475.13, Section 475.15, Section 475.20, Florida Statutes, relating to registration and renewal of registrations of real estate brokers and salesmen by the Florida Real Estate Commission.

S. B. No. 536—A bill to be entitled An Act to authorize and empower the Florida Real Estate Commission to require the satisfactory completion of educational courses to be offered, conducted, or sponsored by the Commission, as a condition precedent to registration as a Real Estate Broker by renumbering Section 475.04, Florida Statutes, and adding the new Sections, Subsections and provisions hereof to Chapter 475, Florida Statutes.

S. B. No. 537—A bill to be entitled An Act amending Section 475.01 by adding thereto Subsection (12) and amending Sections 475.30, 475.31, 475.35, and 475.36, Florida Statutes, relating to proceedings before the Florida Real Estate Commission and appellate review of proceedings before the Florida Real Estate Commission.

—and recommends that the same pass.

And the Bills contained in the preceding report were referred to the Committee on General Legislation, under the original joint reference.

Senator Dickinson, Chairman of the Committee on Judiciary

"B," reported that the Committee had carefully considered the following Bill:

S. B. No. 538—A bill to be entitled An Act amending Sections 475.51 and 475.52, Florida Statutes, relating to the publication and dissemination of information relating to real estate located in Florida offered for sale; requiring the filing of such information with the Florida Real Estate Commission; prescribing the powers and duties of the Florida Real Estate Commission in enforcing said Act and providing criminal and civil penalties for the violation thereof.

—and recommends that the same pass.

And the Bill contained in the preceding report was referred to the Committee on General Legislation, under the original joint reference.

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

S. B. No. 203—A bill to be entitled An Act relating to limitations of actions; amending Section 95.11, Florida Statutes; by adding thereto Subsection (9), providing limitation of action in bastardy proceeding; providing an effective date.

S. B. No. 204—A bill to be entitled An Act relating to desertion; amending Section 856.04, Florida Statutes, providing penalty for such desertion; providing an effective date.

S. B. No. 525—A bill to be entitled An Act relating to uniform reciprocal enforcement of support law; amending Chapter 88, Florida Statutes, by adding Sections thereto, providing for registration of foreign support orders; fixing an effective date.

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

S. B. No. 555—A bill to be entitled An Act providing for the transfer of all cases laid in a wrong venue to the proper court in any district or county where the same might have been laid in accordance with the venue Statutes of this State.

S. B. No. 635—A bill to be entitled An Act relating to public lands; amending Section 270.11, Florida Statutes, by authorizing the trustees of the Internal Improvement Fund of Florida and the State Board of Education to convey mineral rights reserved to the State in any parcel of land conveyed to private owners upon application of the owner; providing an effective date.

—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 Dickinson, Chairman of the Committee on Judiciary "B," reported that the Committee had carefully considered the following Bill:

S. B. No. 558—A bill to be entitled An Act providing for the appointment of special masters in chancery, with or without the consent of parties, and fixing their powers and authority.

—and recommends that the same not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Stenstrom, Chairman of the Committee on Corporations, reported that the Committee had carefully considered the following Bill:

S. B. No. 526—A bill to be entitled An Act relating to formation of corporations; amending Paragraph (1) of Subsection (2) of Section 608.03, Florida Statutes, relating to the contents of the articles of incorporation of corporations; and providing an effective date.

—and recommends that the same pass.

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

**ENROLLING REPORTS**

Your Enrolling Clerk, to whom was referred—

|                            |               |
|----------------------------|---------------|
| S. B. No. 13               | S. B. No. 295 |
| S. B. No. 18               | S. B. No. 299 |
| Com. Sub. for S. B. No. 19 | S. B. No. 300 |
| S. B. No. 20               | S. B. No. 301 |
| S. B. No. 23               | S. B. No. 335 |
| S. B. No. 113              | S. B. No. 336 |
| S. B. No. 217              | S. B. No. 337 |
| S. B. No. 218              | S. B. No. 384 |
| S. B. No. 228              | S. B. No. 434 |
| S. B. No. 240              | S. B. No. 435 |
| S. B. No. 293              | S. B. No. 485 |
| S. B. No. 294              | S. B. No. 514 |

—reports same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on May 4, 1959, for his approval.

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. 124 | H. B. NO. 667 |
| H. B. NO. 660 | H. B. NO. 677 |
| H. B. NO. 661 | H. B. NO. 678 |
| H. B. NO. 662 | H. B. NO. 684 |
| H. B. NO. 663 | H. B. NO. 743 |

—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 May 4, 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. 250 |
| H. B. NO. 629 |
| H. B. NO. 638 |

—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 May 4, 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. 251 | H. B. NO. 690 |
| H. B. NO. 624 | H. B. NO. 691 |
| H. B. NO. 679 | H. B. NO. 695 |
| H. B. NO. 680 | H. B. NO. 704 |
| H. B. NO. 681 | H. B. NO. 705 |
| H. B. NO. 682 | H. B. NO. 727 |
| H. B. NO. 683 | H. B. NO. 735 |
| H. B. NO. 687 | H. B. NO. 736 |
| H. B. NO. 689 | H. B. NO. 737 |

—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 May 4, 1959.

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

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

By Senator Brackin—

S. B. No. 696—A bill to be entitled An Act to authorize the Board of County Commissioners of Santa Rosa County to improve county roads upon petition of two-thirds (2/3) of the owners of the abutting lands; providing procedure for making such improvements and for advertising contemplated projects; authorizing assessments against adjoining lands for payment of improvements; authorizing the issuance, by the board, of bonds; 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. 696 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 Brackin moved that the rules be waived and Senate Bill No. 696 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 696 was read the second time by title only.

Senator Brackin moved that the rules be further waived and Senate Bill No. 696 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. 696 was read the third time in full.

Upon the passage of Senate Bill No. 696 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. 696 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Eaton—

S. B. No. 697—A bill to be entitled An Act relating to homestead exemption; amending Section 192.16, Florida Statutes, providing for the filing of homestead exemption claim; providing an effective date.

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

By Senator Eaton—

S. B. No. 698—A bill to be entitled An Act providing for an additional county judge, in addition to those now provided by law, in all counties having a population of 626,000 or more according to the last official census; relating to the appointment, election, term of office, and compensation of such additional county judge and the administration of the office of county judge in said counties; providing effective date.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

By Senator Eaton—

S. B. No. 699—A bill to be entitled An Act relating to legislation; amending Subsection (2) of Section 11.031, Florida Statutes, providing that special county or district census shall be effective for purposes of ascertaining population in connection with interpreting laws relating to additional county judges; providing an effective date.

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

By Senator Eaton—

S. B. No. 700—A bill to be entitled An Act to provide for the creation and appointment of a committee by the Governor to inquire into, examine and advise the Governor on the needs and problems of the aged; providing an effective date.

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

By Senator Johns—

S. B. No. 701—A bill to be entitled An Act relating to obscene literature, amending Subsection (1) of Section 847.01, Florida Statutes; and adding a Subsection to Section 847.01, Florida Statutes, to be known as Subsection (8), relating to destruction of obscene literature.

Which was read the first time by title only.

Senator Johns moved that the rules be waived and Senate Bill No. 701 be placed on the Calendar of Bills on Second Reading, without reference.

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

By Senator Adams—

S. B. No. 702—A bill to be entitled An Act making an appropriation from the General Revenue Fund to the Agricultural Experiment Station to initiate a foundation seed program to make new and improved agricultural and vegetable seed available to the farmers of Florida; providing an effective date.

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

By Senator Beall—(By Request)—

S. B. No. 703—A bill to be entitled An Act to provide for the creation of a water and sanitary sewerage authority within any county in the State of Florida; to provide for its government, powers, operation and maintenance and regulation of the same; to provide for the construction, purchase, extension or acquisition of water or sanitary sewerage systems; to provide methods for financing the cost of construction, purchase, acquisition or extension of such systems; to authorize the levy of rates or charges on users of the facilities provided by such systems to pay the cost of construction, acquisition, extension, operation, maintenance or to pay the debt service on any bonds or certificates issued by such authority for the purposes above stated; to provide for the levy of special assessments against property specially benefited by the construction or acquisition of such improvements; to authorize the issue of bonds payable solely from the proceeds of the same; to provide for the issuance of revenue bonds payable from service charges and from the proceeds of special assessments and from ad valorem taxes levied against the properties; to provide the rights and remedies of the holders of bonds so issued; and when this Act shall take effect.

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

By Senator Beall—(By Request)—

S. B. No. 704—A bill to be entitled An Act amending Subsections (4), (5) and (6) of Section 159.02, Subsections (1) and (2) of Section 159.03, Section 159.04, Subsections (1), (3) and (5) of Section 159.08, Section 159.10, Section 159.13 of Chapter 159, Florida Statutes, and further amending said Chapter 159, Florida Statutes by creating and

adding thereto new Subsections (14), (15), (16), (17) and (18) of Section 159.02, and new Sections 159.15, 159.16, 159.17, 159.18 and 159.19; relating to the issuance of revenue bonds by counties and municipalities, providing for the acquisition, construction and financing of gas systems and sewer systems by municipalities; providing for the additional pledge of excise taxes for debt services on revenue bonds, providing additional terms, covenants and provisions relating to such revenue bonds; and providing for the effective date of this Act.

Which was read the first time by title only and referred to the Committee on County Organizations and the Committee on Cities and Towns.

By Senator Beall—

S. B. No. 705—A bill to be entitled An Act relating to welfare; amending Chapter 409, Florida Statutes, by adding a new section to be numbered 409.44, providing that the State welfare agencies shall report to the proper prosecuting attorney all cases of bigamy, adultery, lewd and lascivious behavior and alcoholic beverage violations discovered during welfare investigations.

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

By Senator Beall—

S. B. No. 706—A bill to be entitled An Act relating to welfare; amending Chapter 409, Florida Statutes, by adding a new section to be numbered 409.44, providing forfeiture of welfare benefits upon conviction of a felony.

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

By Senator Beall—(By Request)—

S. B. No. 707—A bill to be entitled An Act amending Subsections (6) and (7) of Section 184.02, Subsection (1) of Section 184.06, Subsection (2) of Section 184.07, Subsections (1) and (5) of Section 184.08, Subsection (2) of Section 184.10 of Chapter 184, Florida Statutes; repealing Section 184.19, Florida Statutes, and further amending said Chapter 184, Florida Statutes by creating and adding thereto new Subsections (9), (10) and (11) of Section 184.02, Paragraph (e) of Subsection (2) of Section 184.10, Section 184.19 and Section 184.20; relating to the financing of sewer systems by municipalities; providing for the additional pledge of excise taxes for sewer revenue bonds or general obligation bonds and providing additional terms and provisions for such bonds, and providing when this Act shall take effect.

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

By Senator Connor—(By Request)—

S. B. No. 708—A bill to be entitled An Act relating to bonds or revenue certificates issued by the Florida Improvement Commission and Florida Development Commission; providing that said bonds or certificates be security for all public deposits and legal investments for the State and public officers, municipal corporations, political subdivisions and public bodies, all banks, bankers, trust companies, savings banks, building and loan associations, savings and loan associations, investment companies, and all other persons carrying on a banking business, all insurance companies, insurance associations, and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees, and other fiduciaries, providing said bonds or certificates have been approved by the State Board of Administration as to legal and fiscal sufficiency and have been validated; providing an effective date.

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

By Senator Connor—(By Request)—

S. B. No. 709—A bill to be entitled An Act relating to superintendents of public instruction in all counties of the State having a population of not less than sixty-one hundred (6,100) nor more than sixty-three hundred (6,300) inhabitants according to the latest official statewide decennial census; providing that superintendents of public instruction shall each be paid a salary of seventy-two hundred dollars (\$7,200.00) per annum; providing an effective date.

Which was read the first time by title only.

Senator Connor moved that the rules be waived and Senate Bill No. 709 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 709 was read the second time by title only.

Senator Connor moved that the rules be further waived and Senate Bill No. 709 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. 709 was read the third time in full.

Upon the passage of Senate Bill No. 709 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. 709 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Tedder, Johns, Gautier, Sutton, Dickinson, Carraway, Hodges and Davis—

S. B. No. 710—A bill to be entitled An Act relating to mortgage transactions on real property; providing for the qualifications, amount of fee and licensing of mortgage brokers and mortgage solicitors; providing for exemptions; prescribing the procedure for investigation of violations, and for the suspension and revocation of licenses; prescribing requirements, prohibitions, and providing for limited mortgage broker's fees; defining certain terms; providing penalties for violations; making an appropriation for the biennium 1959-61; and fixing an effective date.

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

Senator Tedder asked unanimous consent of the Senate to take up and consider House Bill No. 777, out of its order.

Unanimous consent was granted, and—

H. B. No. 777—A bill to be entitled An Act to abolish the present charter of the City of Deerfield Beach in Broward County, Florida; and to provide a new charter therefor; and to fix, define and establish the corporate limits of said city; and to provide for the payment of certain outstanding bonded indebtedness of said city, and the relation the excluded lands of said city, as excluded by Chapter 12659, Laws of Florida, Special Acts of 1927, shall bear to such bonded indebtedness; and to provide the manner, mode and time of assessing and collecting taxes against such excluded lands for the payment of such indebtedness of the City of Deerfield Beach, as herein established; to empower the said city to avail itself of the provisions of Chapter 421, Florida Statutes, and any and all amendments thereto; to provide for the government, powers and privileges of said city, and the means for exercising the same; and to authorize the imposition of penalties for violation of ordinances; and to ratify and validate certain acts and proceedings of the said city; and to repeal all laws and ordinances in conflict herewith; providing an effective date.

Was taken up.

Senator Tedder moved that the rules be waived and House Bill No. 777 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 777 was read the second time by title only.

Senator Tedder moved that the rules be further waived and House Bill No. 777 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. 777 was read the third time in full.

Upon the passage of House Bill No. 777 the roll was called and the vote was:

Yeas—38.

|               |           |          |           |
|---------------|-----------|----------|-----------|
| Mr. President | Clarke    | Gresham  | Pope      |
| Adams         | Connor    | Hair     | Price     |
| Beall         | Cross     | Hodges   | Rawls     |
| Felser        | 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 House Bill No. 777 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Tedder asked unanimous consent of the Senate to take up and consider House Bill No. 598, out of its order.

Unanimous consent was granted, and—

H. B. No. 598—A bill to be entitled An Act relating to the City of Hollywood, Broward County, Florida, amending Chapter 30836, Laws of Florida, Special Acts of 1955, by changing Section 16 (48) of Chapter 4, providing special powers and authority for the City of Hollywood to provide recreational facilities for the City of Hollywood; providing effective date.

Was taken up.

Senator Tedder moved that the rules be waived and House Bill No. 598 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 598 was read the second time by title only.

Senator Tedder moved that the rules be further waived and House Bill No. 598 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. 598 was read the third time in full.

Upon the passage of House Bill No. 598 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 House Bill No. 598 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 5, 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 Senator Cross—(By Request)—

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.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 119, 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,  
May 5, 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 Senator Cross—(By Request)—

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.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 112, 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,  
May 5, 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 Senator Cross—(By Request)—

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; providing an effective date.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 116, 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,  
May 5, 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 Senator Cross—(By Request)—

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.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 130, 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,  
May 4, 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. Smith of DeSoto, Usina of St. Johns, Arrington of Gadsden and Anderson of Jefferson—

H. B. No. 377—A bill to be entitled An Act relating to mental health; amending Chapter 394, Florida Statutes, by adding a new Section 394.271; prohibiting person adjudicated mentally incompetent in another state or territory from establishing residence in Florida; setting an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 377, contained in the above message, was read the first time by title only.

Senator Cross moved that the rules be waived and House Bill No. 377 be placed on the Calendar of Bills on Second Reading, without reference.

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

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 4, 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. Smith of DeSoto, Usina of St. Johns, Arrington of Gadsden and Anderson of Jefferson—

H. B. No. 374—A bill to be entitled An Act relating to mental health; amending Section 394.27, Florida Statutes; setting forth residence requirements for person to be admitted to State hospital; providing non resident can be admitted pending transfer to home state; granting director of mental health discretion of keeping non resident if no transfer can be made; providing effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 374, contained in the above message, was read the first time by title only.

Senator Cross moved that the rules be waived and House Bill No. 374 be placed on the Calendar of Bills on Second Reading, without reference.

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

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 4, 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 Mr. Horne of Leon—

H. B. No. 505—A bill to be entitled An Act relating to service of process upon nonresidents operating a watercraft in the State; providing that operation of watercraft by a nonresident is appointment of Secretary of State as agent for service of process; providing method of service of process.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 505, contained in the above message, was read the first time by title only.

Senator Rawls moved that the rules be waived and House Bill No. 505 be placed on the Calendar of Bills on Second Reading, without reference.

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

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 4, 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. Smith of DeSoto, Usina of St. Johns, Arrington of Gadsden and Anderson of Jefferson—

H. B. No. 378—A bill to be entitled An Act relating to Mental Health; amending Subsection 12 of Section 394.22, Florida Statutes; providing for certification procedure admitting person to State Hospital or county, city or private hospital for six (6) month period; providing method of discharging said person; setting forth procedure for adjudicating such patient as incompetent with notice and hearing; providing for transfer of hearing to county of State Hospital's locality; excepting certain persons from using this certification procedure; providing for the suspension of the Civil Rights during certification; providing for the appointment and discharge of temporary guardian of the property of said persons; containing severability clause; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 378, contained in the above message, was read the first time by title only.

Senator Adams moved that the rules be waived and House Bill No. 378 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 378 was read the second time by title only.

Senator Adams moved that the rules be further waived and House Bill No. 378 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. 378 was read the third time in full.

Upon the passage of House Bill No. 378 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 House Bill No. 378 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Adams moved that the House of Representatives be requested to return Senate Bill No. 256 to the Senate for further consideration.

Which was agreed to and it was so ordered.

Senator Ripley moved that Senate Bill No. 690 be withdrawn from the Committee on Appropriations.

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

By unanimous consent, Senator Ripley withdrew Senate Bill No. 690 from the further consideration of the Senate.

Senator Ripley moved that Senate Bill No. 691 be withdrawn from the Committee on Motor Vehicles.

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

By unanimous consent, Senator Ripley withdrew Senate Bill No. 691 from the further consideration of the Senate.

Senator Ripley requested unanimous consent of the Senate to be included as a co-introducer of Senate Bills Nos. 676 and 677.

Unanimous consent was granted.

Senator Beall moved that Senate Bill No. 634, previously referred to the Committee on Appropriations, be withdrawn from the Committee on Appropriations and re-referred to the Committee on Judiciary "A."

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

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 4, 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. Shaffer, Russell and Carney of Pinellas—

H. B. No. 120—A bill to be entitled An Act relating to private

employment agencies; amending Subsection (6) of Section 449.02, Florida Statutes; prescribing the requirements for obtaining license to conduct a theatrical agency.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 120, contained in the above message, was read the first time by title only and referred to the Committee on Miscellaneous Legislation.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 4, 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. Chappell of Marion and Mathews of Duval—

H. B. No. 197—A bill to be entitled An Act relative to homestead tax exemptions: amending Chapter 192, Florida Statutes, by adding new section to be numbered 192.121; requiring the filing of the instrument upon which the homestead tax exemption is founded on or before January 1; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 197, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "A."

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 4, 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 Mr. Karl of Volusia—

H. B. No. 590—A bill to be entitled An Act relating to sale or lease of minerals in, on or under certain lands by State Boards; amending Section 253.45, Florida Statutes, by limiting such sale or lease of lands other than those hard-surfaced beaches used for bathing or driving and areas contiguous thereto; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 590, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "A."

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 4, 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. Sweeny and Karl of Volusia—

H. B. No. 1002—A bill to be entitled An Act authorizing the Board of County Commissioners of Volusia County, Florida, to appropriate and expend funds in the general fund of said county for the payment of a sum not to exceed five hundred (\$500.00) dollars annually in each county commissioner's district in said county for the payment of expenses for the care and disposition of stray dogs and cats and other stray animals found within the limits of Volusia County, Florida, outside of the corporate limits of any city or town, and authorizing the payment of said funds to non-profit humane societies in said county for said purpose; providing an effective date.

Proof of publication attached.

Also—

By Messrs. Westberry, Mathews, and Stallings of Duval—

H. B. No. 1004—A bill to be entitled An Act amending Section One (1) of Chapter 22263, Special Acts of 1943, as amended by Chapter 24490, Special Acts of 1947, as amended by Chapter 27528, Special Acts of 1951, as amended by Chapter 57-1274, Special Acts of 1957, being An Act providing civil service for employees of Duval County and creating a Civil Service Board for Duval County so as to provide that the members of the Civil Service Board of the County of Duval shall receive a salary of \$150.00 per month and to repeal all laws in conflict therewith; and providing an effective date.

Proof of publication attached.

Also—

By Mr. Jones of Taylor—

H. B. No. 1012—A bill to be entitled An Act relating to Taylor County; authorizing the Board of County Commissioners of Taylor County to contribute to the Taylor County Development Authority an annual sum of money not to exceed twenty thousand dollars (\$20,000.00); said moneys to be contributed only from race track funds in the possession of the Board of County Commissioners; providing a severability clause; 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. 1002 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. 1002, contained in the above message, was read the first time by title only.

Senator Gautier moved that the rules be waived and House Bill No. 1002 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1002 was read the second time by title only.

Senator Gautier moved that the rules be further waived and House Bill No. 1002 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. 1002 was read the third time in full.

Upon the passage of House Bill No. 1002 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 House Bill No. 1002 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 1004 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. 1004, contained in the above message, was read the first time by title only.

Senator Ripley moved that the rules be waived and House Bill No. 1004 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1004 was read the second time by title only.

Senator Ripley moved that the rules be further waived and House Bill No. 1004 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. 1004 was read the third time in full.

Upon the passage of House Bill No. 1004 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 House Bill No. 1004 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 1012 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. 1012, contained in the above message, was read the first time by title only.

Senator Davis moved that the rules be waived and House Bill No. 1012 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1012 was read the second time by title only.

Senator Davis moved that the rules be further waived and House Bill No. 1012 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. 1012 was read the third time in full.

Upon the passage of House Bill No. 1012 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 House Bill No. 1012 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 4, 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 Mr. Jones of Taylor—

H. B. No. 1013—A bill to be entitled An Act relating to Taylor County; creating the Taylor County Development Authority; providing for its membership; authorizing Taylor County and its incorporated municipalities to contract with said Development Authority; prescribing said authority's powers and duties, including the power to issue and validate revenue anticipation certificates; providing a severability clause; providing an effective date.

Proof of publication attached.

Also—

By Messrs. Liles, Mann and Whitaker of Hillsborough—

H. B. No. 1019—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Hillsborough County to supervise and control the methods and means of providing water and sewer systems in Hillsborough County outside of municipalities, to grant franchises to install, operate and maintain water and sewer systems for a term of years, either exclusive or non-exclusive, and to fix reasonable rates and fees therefor and to establish reasonable rules and regulations to protect the public health and general welfare of the inhabitants of said county; to provide for inspection of such facilities and to correct improper conditions found to exist; providing the method of applying for and receiving such franchises, and providing for public notice and hearing, and providing for the forfeiture of any such franchise; requiring the owner, tenant or occupant of each lot or parcel of land which abuts upon a street or other public way containing a sanitary sewer or water system constructed under the provisions of this act, upon which a building has been constructed for residential, commercial or industrial use, if required by the rules and regulations of said board to connect such building with such sanitary sewer and/or water system and to cease to use any other method for disposal of sewage and/or water supply for such building, such connections to be made in accordance with rules and regulations as said board may adopt, including a reasonable charge therefor; providing for the effective date of any order or regulation, the method of appeals and the cost thereof; requiring a deposit of not less than five hundred (\$500.00) dollars by applicant to defray the cost of investigation, hearings and granting of such franchises, with the excess payable to the general fund of the county; declaring the same to be for a proper county public purpose and for a liberal construction of this act to protect the health and general welfare of the inhabitants of Hillsborough County, 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. 1013 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. 1013, contained in the above message, was read the first time by title only.

Senator Davis moved that the rules be waived and House Bill No. 1013 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1013 was read the second time by title only.

Senator Davis moved that the rules be further waived and House Bill No. 1013 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. 1013 was read the third time in full.

Upon the passage of House Bill No. 1013 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 House Bill No. 1013 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 1019 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. 1019, 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. 1019 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1019 was read the second time by title only.

Senator Gibbons moved that the rules be further waived and House Bill No. 1019 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. 1019 was read the third time in full.

Upon the passage of House Bill No. 1019 the roll was called and the vote was:

Yeas—38.

|               |          |           |         |
|---------------|----------|-----------|---------|
| Mr. President | Brackin  | Clarke    | Eaton   |
| Adams         | Branch   | Connor    | Edwards |
| Beall         | Bronson  | Cross     | Gautier |
| Belser        | Carlton  | Davis     | Getzen  |
| Boyd          | Carraway | Dickinson | Gibbons |

|          |          |        |           |
|----------|----------|--------|-----------|
| Gresham  | Kelly    | Pope   | Stenstrom |
| Hair     | Kicliter | Price  | Stratton  |
| Hodges   | Knight   | Rawls  | Sutton    |
| Houghton | Melton   | Ripley | Tedder    |
| Johns    | Pearce   |        |           |

Nays—None.

So House Bill No. 1019 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 4, 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. Liles, Mann and Whitaker of Hillsborough—

H. B. No. 1020—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Hillsborough County, Florida, to convey gratuitously, without advertisement, sale or consideration, to Dale Mabry Post 139, American Legion, a corporation not for profit, Lots 2 and 3, of Block 3 of Gardenia Subdivision according to plat thereof recorded in Plat Book 16, Page 8, Public Records of Hillsborough County, Florida, for the purpose of a post home and meeting place and other uses of the said Dale Mabry Post 139, American Legion; providing an effective date.

Proof of publication attached.

Also—

By Messrs. Whitaker, Mann and Liles of Hillsborough—

H. B. No. 1021—A bill to be entitled An Act authorizing the Board of County Commissioners of Hillsborough County to issue interest-bearing certificates of indebtedness, payable from the twenty per cent (20%) surplus gasoline taxes accruing to Hillsborough County for the purpose of obtaining funds to acquire rights-of-way for primary roads or to enable Hillsborough County to assist in the construction of primary or secondary roads in Hillsborough County; authorizing the issuance of interest-bearing fuel anticipation certificates by the State Road Department payable from the eighty per cent (80%) surplus gasoline taxes accruing to Hillsborough County and remitted to the State Road Department for the purpose of enabling Hillsborough County to acquire rights-of-way for primary roads or to enable Hillsborough County to assist in the construction of primary or secondary roads in Hillsborough County under the supervision of the State Road Department; and authorizing the State Board of Administration to act as agent for the State Road Department in the issuance of fuel tax anticipation certificates; 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. 1020 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. 1020, 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. 1020 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1020 was read the second time by title only.

Senator Gibbons moved that the rules be further waived and House Bill No. 1020 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. 1020 was read the third time in full.

Upon the passage of House Bill No. 1020 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 House Bill No. 1020 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 1021 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. 1021, 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. 1021 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1021 was read the second time by title only.

Senator Gibbons moved that the rules be further waived and House Bill No. 1021 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. 1021 was read the third time in full.

Upon the passage of House Bill No. 1021 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 House Bill No. 1021 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

**MOTIONS TO RECONSIDER**

The motion made by Senator Sutton on Friday, May 1, 1959, to reconsider the vote by which Senate Bill No. 272, as amended, failed to pass the Senate on Thursday, April 30, 1959, not having been acted upon on Monday, May 4, 1959, was considered abandoned under Senate Rule 47.

The motion made by Senator Connor on Friday, May 1, 1959, that the Senate reconsider the vote by which House Bill No. 184 passed the Senate on Thursday, April 30, 1959, not having

been acted upon on Monday, May 4, 1959, was considered abandoned under Senate Rule 47, and House Bill No. 184 was ordered certified to the House of Representatives.

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

Senator Carlton asked unanimous consent of the Senate to take up and consider House Bill No. 33, out of its order.

Unanimous consent was granted, and—

H. B. No. 33—A bill to be entitled An Act to amend Section 601.50, Florida Statutes 1957, relating to shipment of citrus for certain purposes so as to provide that shipments under subparagraphs (1) and (4) of said Section shall meet minimum grade standards as may be established by the Florida Citrus Commission.

Was taken up.

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

Which was agreed to by a two-thirds vote.

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

Senators Connor, Carlton, Pearce and Getzen offered the following amendment to House Bill No. 33:

In Section 1, line 18, Subsection 4, page 2, strike out the period (.) and insert in lieu thereof the following: ; but provided further that any such grade standards shall not apply to fruit offered for sale at roadside establishments and/or "roadside fruit stands" unless said fruit has been purchased from a licensed packing house.

Senator Connor moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Connor, Carlton, Pearce and Getzen also offered the following amendment to House Bill No. 33:

In title, line 9, following the word "commission" strike out the period (.) and insert in lieu thereof the following: ; and providing an effective date.

Senator Connor moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Carlton moved that the rules be further waived and House Bill No. 33, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 33, as amended, was read the third time in full.

Upon the passage of House Bill No. 33, as amended, the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So House Bill No. 33 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent, Senator Carlton withdrew Senate Bill No. 10, with pending amendment offered by Senator Connor on April 28, 1959, from the further consideration of the Senate.

Senate Bill No. 72 was taken up in its order and the consideration thereof was informally passed, the Bill retaining its place on the Calendar of Bills on Second Reading.

Senator Johns requested unanimous consent of the Senate to be included as a co-introducer of Senate Bill No. 324.

Unanimous consent was granted.

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.

Was taken up in its order.

Senator Hodges moved that the rules be waived and Senate Bill No. 324 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 324 was read the second time by title only.

Senator Brackin offered the following amendment to Senate Bill No. 324:

In Section 1, Subsection (2), line 6, page 1, strike out the words: Who are receiving old age assistance from the State of Florida.

Senator Brackin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hodges moved that the rules be further waived and Senate Bill No. 324, 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. 324, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 324, as amended, 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. 324 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

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.

Was taken up in its order.

Senator Belser moved that the rules be waived and Senate Bill No. 322 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 322 was read the second time by title only.

Senator Belser moved that the rules be further waived and Senate Bill No. 322 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. 322 was read the third time in full.

Upon the passage of Senate Bill No. 322 the roll was called and the vote was:

Yeas—25.

|               |          |        |          |
|---------------|----------|--------|----------|
| Mr. President | Carraway | Getzen | Pearce   |
| Adams         | Clarke   | Hair   | Pope     |
| Beall         | Connor   | Hodges | Rawls    |
| Belser        | Cross    | Johns  | Stratton |
| Brackin       | Davis    | Kelly  |          |
| Branch        | Edwards  | Knight |          |
| Bronson       | Gautier  | Melton |          |

Nays—13.

|           |          |           |        |
|-----------|----------|-----------|--------|
| Boyd      | Gibbons  | Price     | Tedder |
| Carlton   | Gresham  | Ripley    |        |
| Dickinson | Houghton | Stenstrom |        |
| Eaton     | Kicliter | Sutton    |        |

So Senate Bill No. 322 passed, title as stated.

Senator Pope moved that the Senate reconsider the vote by which Senate Bill No. 322 passed the Senate, this day.

Senator Rawls moved as a substitute motion that the rules be waived and the Senate do now take up and consider the motion made by Senator Pope to reconsider the vote by which Senate Bill No. 322 passed the Senate, this day.

The question was put on the adoption of the substitute motion made by Senator Rawls.

A roll call was demanded.

Upon call of the roll on the substitute motion made by Senator Rawls, the vote was:

Yeas—24.

|               |          |        |          |
|---------------|----------|--------|----------|
| Mr. President | Carraway | Getzen | Pearce   |
| Adams         | Clarke   | Hair   | Rawls    |
| Beall         | Connor   | Hodges | Stratton |
| Belser        | Cross    | Johns  |          |
| Brackin       | Davis    | Kelly  |          |
| Branch        | Edwards  | Knight |          |
| Bronson       | Gautier  | Melton |          |

Nays—14.

|           |          |           |        |
|-----------|----------|-----------|--------|
| Boyd      | Gibbons  | Pope      | Sutton |
| Carlton   | Gresham  | Price     | Tedder |
| Dickinson | Houghton | Ripley    |        |
| Eaton     | Kicliter | Stenstrom |        |

So the substitute motion failed of adoption by the required two-thirds vote, and the motion made by Senator Pope went over under the rule.

Senator Carraway moved that a committee be appointed to escort Mr. Perry Moss, Athletic Director and Head Football Coach, Florida State University, to the rostrum.

Which was agreed to.

And the President appointed Senators Carraway, Davis and Edwards as the committee which escorted Mr. Moss to the rostrum where he extended an invitation to all members of the Senate to attend a practice football game on Saturday night, May 9, 1959.

Senator Carraway asked unanimous consent of the Senate to take up and consider House Concurrent Resolution No. 6, out of its order.

Unanimous consent was granted, and—

House Concurrent Resolution No. 6:

**A CONCURRENT RESOLUTION RELATING TO PAYMENT FOR PAINTING PORTRAITS OF SPEAKERS OF THE HOUSE OF REPRESENTATIVES.**

WHEREAS, By House Concurrent Resolution No. 1526 of the 1957 legislature, a committee, of three (3) Representatives, was authorized to have portraits of former Speakers of the House of Representatives painted, and

WHEREAS, This committee has completed its assignment, NOW, THEREFORE,

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

Section 1. That the work of the appointed committee is hereby approved and costs validated and the Speaker of the House of Representatives and the Chairman of the Committee on House Administration are hereby authorized and directed to pay the artists employed and the Legislature authorizes such sum as necessary from the legislative appropriation for payment of five hundred dollars (\$500.00) for each portrait submitted and accepted.

Section 2. That a copy of this resolution be filed with the Comptroller and that payment for the above be expedited by the committee.

Was taken up and read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

Which was agreed to and House Concurrent Resolution No. 6 was adopted and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senate Bill No. 352 was taken up in its order and the consideration thereof was informally passed, the Bill retaining its place on the Calendar of Bills on Second Reading.

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.

Was taken up in its order.

Senator Stenstrom moved that the rules be waived and Senate Bill No. 346 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 346 was read the second time by title only.

Senator Stenstrom moved that the rules be further waived and Senate Bill No. 346 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. 346 was read the third time in full.

Upon the passage of Senate Bill No. 346 the roll was called and the vote was:

Yeas—31.

|               |           |          |           |
|---------------|-----------|----------|-----------|
| Mr. President | Connor    | Gibbons  | Melton    |
| Adams         | Cross     | Gresham  | Pearce    |
| Beall         | Davis     | Hair     | Price     |
| Belser        | Dickinson | Hodges   | Rawls     |
| Boyd          | Eaton     | Johns    | Ripley    |
| Branch        | Edwards   | Kelly    | Stenstrom |
| Bronson       | Gautier   | Kicliter | Stratton  |
| Carlton       | Getzen    | Knight   |           |

Nays—1.

Houghton

So Senate Bill No. 346 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 318—A bill to be entitled An Act relating to the recordation of instruments in this state; amending Section 695.03, Florida Statutes, by providing that instruments executed outside of this state are eligible for recordation upon proof of due acknowledgment in state of execution.

Was taken up in its order.

Senator Houghton moved that the rules be waived and Senate Bill No. 318 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 318 was read the second time by title only.

Senator Houghton moved that the rules be further waived and Senate Bill No. 318 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. 318 was read the third time in full.

Upon the passage of Senate Bill No. 318 the roll was called and the vote was:

Yeas—18.

|         |          |          |        |
|---------|----------|----------|--------|
| Belser  | Carraway | Hair     | Pope   |
| Boyd    | Davis    | Houghton | Price  |
| Branch  | Eaton    | Kelly    | Ripley |
| Bronson | Getzen   | Kicliter |        |
| Carlton | Gibbons  | Pearce   |        |

Nays—17.

|               |           |           |          |
|---------------|-----------|-----------|----------|
| Mr. President | Dickinson | Johns     | Stratton |
| Adams         | Edwards   | Knight    | Sutton   |
| Clarke        | Gautier   | Melton    |          |
| Connor        | Gresham   | Rawls     |          |
| Cross         | Hodges    | Stenstrom |          |

So Senate Bill No. 318 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 224 was taken up in its order and the consideration thereof was informally passed, the Bill retaining its place on the Calendar of Bills on Second Reading.

Senator Adams asked unanimous consent of the Senate to take up and consider House Bill No. 377, out of its order.

Unanimous consent was granted, and—

H. B. No. 377—A bill to be entitled An Act relating to Mental Health; amending Chapter 394, Florida Statutes, by adding a new Section 394.271; prohibiting person adjudicated mentally incompetent in another state or territory from establishing residence in Florida; setting an effective date.

Was taken up.

Senator Adams moved that the rules be waived and House Bill No. 377 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 377 was read the second time by title only.

Senator Adams offered the following amendment to House Bill No. 377:

In Section 1, line 4, page 1, strike out the words: "no person" and insert in lieu thereof the following: no non-resident person

Senator Adams moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Adams moved that the rules be further waived and House Bill No. 377, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 377, as amended, was read the third time in full.

Upon the passage of House Bill No. 377, as amended, the roll was called and the vote was:

Yeas—38.

|               |          |           |          |
|---------------|----------|-----------|----------|
| Mr. President | Bronson  | Dickinson | Hair     |
| Adams         | Carlton  | Eaton     | Hodges   |
| Beall         | Carraway | Edwards   | Houghton |
| Belser        | Clarke   | Gautier   | Johns    |
| Boyd          | Connor   | Getzen    | Kelly    |
| Brackin       | Cross    | Gibbons   | Kicliter |
| Branch        | Davis    | Gresham   | Knight   |

|        |        |           |        |
|--------|--------|-----------|--------|
| Melton | Price  | Stenstrom | Sutton |
| Pearce | Rawls  | Stratton  | Tedder |
| Pope   | Ripley |           |        |

Nays—None.

So House Bill No. 377 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent, Senator Adams withdrew Senate Bill No. 255 from the further consideration of the Senate.

S. B. No. 170—A bill to be entitled An Act providing for registration of common-law marriages; enforcement by parties to marriage.

Was taken up in its order.

Senator Adams moved that the rules be waived and Senate Bill No. 170 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 170 was read the second time by title only.

Senator Adams offered the following amendment to Senate Bill No. 170:

In Section 1, line 2, strike out the word: "court" and insert in lieu thereof the following: matter pertaining to the payment of welfare for dependent children

Senator Adams moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Adams also offered the following amendment to Senate Bill No. 170:

In Section 1, lines 4 and 5, strike out the words: ", prior to trial,"

Senator Adams moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Adams also offered the following amendment to Senate Bill No. 170:

In Section 1, line 18, strike out the period and insert in lieu thereof the following: ; and providing further that the provisions of this Act shall apply only to matters concerning the application for or receipt of aid by any child under the welfare laws of this State or the inclusion of needs of such child in any welfare budget.

Senator Adams moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Adams also offered the following amendment to Senate Bill No. 170:

Strike out all of Section 2 and renumber Section 3 as Section 2.

Senator Adams moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Adams also offered the following amendment to Senate Bill No. 170:

In the Title strike out the words: "Enforcement by parties to marriage" and insert in lieu thereof the following: and providing an effective date.

Senator Adams moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Adams moved that the rules be further waived and Senate Bill No. 170, 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. 170, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 170, as amended, the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So Senate Bill No. 170 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

S. B. No. 283—A bill to be entitled An Act relating to probate law; amending Sections 733.43, 733.44, 733.46, 733.47, 733.49, Florida Statutes, by providing that accounts and vouchers shall not be filed with accountings but shall be retained by the personal representative and shall be available at trial of objections to accountings.

Was taken up in its order.

Senator Stenstrom moved that the rules be waived and Senate Bill No. 283 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 283 was read the second time by title only.

Senator Stenstrom moved that the rules be further waived and Senate Bill No. 283 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. 283 was read the third time in full.

Upon the passage of Senate Bill No. 283 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. 283 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 237—A bill to be entitled An Act relating to education; authorizing the State Board of Education to conduct preliminary investigations through its employees or appointees, on its own initiative or upon charges alleging misconduct of any teacher or person holding a teaching certificate or any other employee of an educational institution or agency supported by public funds under the law of the State of Florida, and file formal charges against such persons, granting the subpoena power and power to administer oaths and authorizing the filing of formal charges against such persons.

Was taken up in its order.

Senator Carraway moved that the rules be waived and Senate Bill No. 237 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 237 was read the second time by title only.

The Committee on Education offered the following amendment to Senate Bill No. 237:

In Section 1, line 6, page 1, strike out the words: "teacher or person holding a teaching certificate or any other employee

of an educational institution or agency supported by public funds under the laws of the State of Florida" and insert in lieu thereof the following: public school teacher or other person holding a teaching certificate and employed in the public schools or any other employee of any public educational institution, board or agency in this state

Senator Carraway moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Carraway offered the following amendment to Senate Bill No. 237:

In page 4 after Section 6, add a new section as below and renumber succeeding paragraphs. "Section 7. The county superintendent of public instruction shall report promptly to the state board of education the dismissal or severance from service of any employee of a county board of public instruction because of an immoral, unnatural, or lascivious act."

Renumber present Sections 7., 8., and 9., to read:

"Section 8.

Section 9.

Section 10."

Senator Carraway moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Carraway also offered the following amendment to Senate Bill No. 237:

In Title, line 14, strike out the period at end of title and add as below:

; providing for reports of action on misconduct to the State Board of Education; providing an effective date.

Senator Carraway moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Carraway moved that the rules be further waived and Senate Bill No. 237, 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. 237, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 237, as amended, 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. 237 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

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.

Was taken up in its order.

Senator Adams moved that the rules be waived and Senate Bill No. 323 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 323 was read the second time by title only.

The Committee on Corporations offered the following amendment to Senate Bill No. 323:

In Section 1, page 1, strike out the paragraph numbered (9) and insert in lieu thereof a new paragraph number (9) as follows:

(9) The highest amount of indebtedness or liability to which the corporation may at any time subject itself, which shall never be greater than two-thirds (2/3) of the total value of property owned by the corporation unless approved by the circuit judge in an amount not to exceed the total value of the property owned by the corporation.

Senator Adams moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Adams moved that the rules be further waived and Senate Bill No. 323, 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. 323, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 323, as amended, 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. 323 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senate Bills Nos. 363, 507 and 508 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.

S. B. No. 254—A bill to be entitled An Act relating to the Sunland training centers; amending Chapter 393, Florida Statutes, by adding a new Section 393.021; providing procedure for making application for admission to Sunland training centers; setting forth what application shall contain; providing effective date.

Was taken up in its order.

Senator Cross moved that the rules be waived and Senate Bill No. 254 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 254 was read the second time by title only.

Senator Cross moved that the rules be further waived and Senate Bill No. 254 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. 254 was read the third time in full.

Upon the passage of Senate Bill No. 254 the roll was called and the vote was:

Yeas—38.

|               |         |          |           |
|---------------|---------|----------|-----------|
| Mr. President | Boyd    | Carlton  | Cross     |
| Adams         | Brackin | Carraway | Davis     |
| Beall         | Branch  | Clarke   | Dickinson |
| Belser        | Bronson | Connor   | Eaton     |

|         |          |        |           |
|---------|----------|--------|-----------|
| Edwards | Hodges   | Melton | Ripley    |
| Gautier | Houghton | Pearce | Stenstrom |
| Getzen  | Johns    | Pope   | Stratton  |
| Gibbons | Kelly    | Price  | Sutton    |
| Gresham | Kicliter | Rawls  | Tedder    |
| Hair    | Knight   |        |           |

Nays—None.

So Senate Bill No. 254 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 259—A bill to be entitled An Act relating to mental health; amending Section 394.27, Florida Statutes; setting forth residence requirements for person to be admitted to State Hospital; providing non resident can be admitted pending transfer to home state; granting Director of Mental Health discretion of keeping non resident if no transfer can be made; providing effective date.

Was taken up in its order.

Senator Cross moved that the rules be waived and Senate Bill No. 259 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 259 was read the second time by title only.

Senator Cross moved that the rules be further waived and Senate Bill No. 259 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. 259 was read the third time in full.

Upon the passage of Senate Bill No. 259 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. 259 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bills Nos. 70, 325, 374, 390 and 212 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.

S. B. No. 529—A bill to be entitled An Act relating to the grounds for divorce; amending Subsection (6) of Section 65.04, Florida Statutes, to provide for habitual use of narcotics as grounds for divorce; fixing an effective date.

Was taken up in its order.

Senator Rawls moved that the rules be waived and Senate Bill No. 529 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 529 was read the second time by title only.

Senator Rawls moved that the rules be further waived and Senate Bill No. 529 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. 529 was read the third time in full.

Upon the passage of Senate Bill No. 529 the roll was called and the vote was:

Yeas—35.

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

Nays—3.

|       |       |        |
|-------|-------|--------|
| Cross | Davis | Tedder |
|-------|-------|--------|

So Senate Bill No. 529 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bills Nos. 530, 227, 426, 197, 368 and 408 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.

S. B. No. 314—A bill to be entitled An Act concerning the taking of depositions in this State to be used in any foreign jurisdiction and to make uniform the law with reference thereto.

Was taken up in its order.

Senator Sutton moved that the rules be waived and Senate Bill No. 314 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 314 was read the second time by title only.

Senator Sutton moved that the rules be further waived and Senate Bill No. 314 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. 314 was read the third time in full.

Upon the passage of Senate Bill No. 314 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. 314 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 316—A bill to be entitled An Act relating to the effect of the addition of the words "trustee" or "as trustee" to the designation of the grantee, transferee, assignee or mortgagee of real property or interests therein and of tangible personal property in connection therewith, providing authority for the recordation of decalrations of trust; and amending Section 689.07, Florida Statutes.

Was taken up in its order.

Senator Sutton moved that the rules be waived and Senate Bill No. 316 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 316 was read the second time by title only.

Senator Sutton moved that the rules be further waived and Senate Bill No. 316 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. 316 was read the third time in full.

Upon the passage of Senate Bill No. 316 the roll was called and the vote was:

Yeas—37.

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

Nays—1.

Houghton

So Senate Bill No. 316 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 437—A bill to be entitled An Act relating to Public Welfare; amending Subsection (2) of Section 409.36, Florida Statutes; defining fraud; prescribing the duties of the Welfare Department and prosecuting attorney; providing an effective date.

Was taken up in its order.

Senator Hair moved that the rules be waived and Senate Bill No. 437 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 437 was read the second time by title only.

Senator Hair moved that the rules be further waived and Senate Bill No. 437 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. 437 was read the third time in full.

Upon the passage of Senate Bill No. 437 the roll was called and the vote was:

Yeas—27.

|               |           |          |           |
|---------------|-----------|----------|-----------|
| Mr. President | Carraway  | Kelly    | Rawls     |
| Adams         | Clarke    | Kicliter | Ripley    |
| Beall         | Dickinson | Knight   | Stenstrom |
| Belser        | Gibbons   | Melton   | Stratton  |
| Boyd          | Gresham   | Pearce   | Sutton    |
| Bronson       | Hair      | Pope     | Tedder    |
| Carlton       | Houghton  | Price    |           |

Nays—11.

|         |       |         |        |
|---------|-------|---------|--------|
| Brackin | Cross | Edwards | Hodges |
| Branch  | Davis | Gautier | Johns  |
| Connor  | Eaton | Getzen  |        |

So Senate Bill No. 437 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 183—A bill to be entitled An Act to amend Sections 401.02 and 401.06, Florida Statutes 1957, by adding licensed doctors of osteopathy to those authorized to certify medically indigent persons for hospital service by the State Board of Health.

Was taken up in its order.

Senator Carraway moved that the rules be waived and Senate Bill No. 183 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 183 was read the second time by title only.

Senator Carraway moved that the rules be further waived

and Senate Bill No. 183 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. 183 was read the third time in full.

Upon the passage of Senate Bill No. 183 the roll was called and the vote was:

Yeas—35.

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

Nays—3.

|       |         |      |
|-------|---------|------|
| Cross | Gautier | Pope |
|-------|---------|------|

So Senate Bill No. 183 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 253—A bill to be entitled An Act relating to mental health; amending paragraph (b) of Subsection (16) of Section 394.22, Florida Statutes; providing for the automatic restoration of persons discharged from a state hospital with a certificate of competency; providing for notice to the states attorney and procedure for restoration if objections to said restoration made by said states attorney; setting effective date.

Was taken up in its order.

Senator Cross moved that the rules be waived and Senate Bill No. 253 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 253 was read the second time by title only.

The following Committee Substitute for Senate Bill No. 253:

By the Committee on Judiciary "A"—

Committee Substitute for S. B. No. 253—A bill to be entitled An Act relating to mental health; amending paragraph (b) of Subsection (16) of Section 394.22, Florida Statutes; providing for the automatic restoration of persons discharged from a state hospital with a certificate of competency; providing for notice to the state attorney and procedure for restoration if objections to said restoration made by said state attorney; setting effective date.

Was read the first time by title only.

Senator Cross moved that the rules be waived and the Committee Substitute for Senate Bill No. 253 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. 253 was read the second time by title only.

Senator Cross moved the adoption of the Committee Substitute for Senate Bill No. 253.

Which was agreed to and the Committee Substitute for Senate Bill No. 253 was adopted.

Senator Cross moved that the rules be further waived and Committee Substitute for Senate Bill No. 253 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. 253 was read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 253 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 Committee Substitute for Senate Bill No. 253 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 407—A bill to be entitled An Act to authorize Board of County Commissioners to pay the necessary expenses incurred by the tax assessors for the purpose of re-appraisal and revising maps of real property; amending Section 193.111, Florida Statutes, by adding thereto Sub-section (4); providing an effective date.

Was taken up in its order.

Senator Edwards moved that the rules be waived and Senate Bill No. 407 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 407 was read the second time by title only.

Senator Edwards moved that the rules be further waived and Senate Bill No. 407 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. 407 was read the third time in full.

Upon the passage of Senate Bill No. 407 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. 407 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bills Nos. 2 and 4 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.

S. B. No. 395—A bill to be entitled An Act making it a misdemeanor for any person to possess or control on the premises of any licensed horse or dog race track or jai alai fronton any electronic transmitting equipment or device capable of transmitting or communicating any information whatsoever to another person, without the written permission of the Florida State Racing Commission, and providing penalties therefor; exempting from the operation of this Act telephone, telegraph and radio facilities installed by such a licensee with the approval of said commission; prescribing a rule of construction and severability; and prescribing the effective date hereof.

Was taken up in its order.

Senator Eaton moved that the rules be waived and Senate Bill No. 395 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 395 was read the second time by title only.

The Committee on Miscellaneous Legislation offered the following amendment to Senate Bill No. 395:

In Section 1, line 10 strike out the words: "This Act shall not apply to the possession or control of any telephone, telegraph or radio facilities installed by any such licensee with the approval of said commission." and insert in lieu thereof the following: This Act shall not apply to the possession or control of any telephone, telegraph, radio or television facilities installed by any such licensee with the approval of said commission.

Senator Eaton moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Miscellaneous Legislation also offered the following amendment to Senate Bill No. 395:

In line 10 of the title, strike out the words: "telegraph and radio" and insert in lieu thereof the following: telegraph, radio or television

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. 395, 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. 395, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 395, as amended, 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. 395 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Davis, Chairman of the Committee on Rules and Calendar, moved that when the Senate adjourns this day, it adjourn to reconvene at 10:00 o'clock A. M., on Wednesday, May 6, 1959.

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

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

Which was agreed to.

And the Senate went into Executive Session at 12:44 o'clock P. M.

The Senate emerged from Executive Session at 12:59 o'clock P. M., and resumed its Session.

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

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

Sutton Tedder

—38.

A quorum present.

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 10:00 o'clock A. M., Wednesday, May 6, 1959, pursuant to the motion made by Senator Davis, Chairman of

the Committee on Rules and Calendar, adopted by the Senate this day.

**EXECUTIVE SESSION ANNOUNCEMENT**

The Senate in Executive Session on Tuesday, May 5, 1959, upon recommendation of the Governor, removed from office:

Harris Lowery, Jr., County Judge of Martin County, Stuart, Florida.