

# JOURNAL OF THE SENATE

570

Wednesday, May 13, 1959

The Senate convened at 10:00 o'clock A. M., pursuant to adjournment on Tuesday, May 12, 1959.

Senator Hodges, President Pro Tempore, in the Chair.

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

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

—35.

A quorum present.

Senators Beall, Hair and Johnson were excused from attendance upon the Session.

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

Dear Father, we pray that Thou wilt help us to live and not merely to exist. We pray that Thou wilt give us true joy in our work and our living. Make our lives a radiant example of mature faith.

Forgive us when our conception of our work is too small and enlarge our spiritual vision.

In the name of Christ we pray. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Friday, May 1, 1959, was further corrected as follows:

Page 327, column 2, line 11, counting from the bottom of the column, strike out "three-fifths" and insert in lieu thereof "three-fourths."

And as further corrected was approved.

The Senate daily Journal of Tuesday, May 12, 1959, was corrected and as corrected was approved.

## REPORTS OF COMMITTEES

Senator Beall, Chairman of the Committee on Transportation and Traffic, reported that the Committee had carefully considered the following Bill:

S. B. No. 106—A bill to be entitled An Act relating to motor vehicles; creating special committee known as "Motor Vehicle Services Committee"; authorizing said committee to study laws and services of certain State agencies; recommending to Legislature a plan for unified and coordinated program of motor vehicle services to be rendered by the State government; defining powers, duties and responsibilities of said committee; providing an appropriation therefor; providing effective date.

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

And the Bill contained in the preceding report, together with the Committee Amendments attached thereto, was referred to the Committee on Appropriations, under the original joint reference.

Senator Getzen, Chairman of the Committee on Miscellaneous Legislation, reported that the Committee had carefully considered the following Bill:

S. B. No. 443—A bill to be entitled An Act validating and restoring certain permits to conduct horse racing in harness, notwithstanding the distance limitation from other tracks

contained in Section 550.05, Florida Statutes, or any other law relating to distances between race tracks; providing that other pertinent provisions of Chapter 550, Florida Statutes, relating to the conduct of horse racing in harness, shall apply to the operation of any race track conducted by means of any permits being ratified and restored by this Act and providing that this Act shall not prevent cancellation, revocation or recall of any such permit as provided by law; providing an effective date.

—and recommends that the same not pass.

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

Senator Getzen, Chairman of the Committee on Miscellaneous Legislation, reported that the Committee had carefully considered the following Bill:

S. B. No. 793—A bill to be entitled An Act providing that where there are two or more dog racing tracks operating under valid permits issued by the State Racing Commission, located within thirty-five (35) miles of each other, one of such permit holders within said area shall be permitted during the period beginning July first and ending the first Monday of September following, both dates inclusive, to conduct not more than fifty (50) days of its aggregate number of operating days allowed by Section 550.08, Florida Statutes; providing that where there are two or more jai alai frontons operating under valid permits issued by the State Racing Commission, located within thirty-five (35) miles of each other, one of such permit holders within said area shall be permitted during the period beginning July first and ending the first Monday of September following, both dates inclusive, to conduct not more than fifty (50) days of its aggregate number of operating days allowed by Section 551.12, Florida Statutes; and providing that where two or more of such permittees of the same class of operation apply for operating dates for such period the Racing Commission shall designate the permittees entitled to operate during said period; and providing this Act shall be cumulative, and shall not authorize additional days for dog racing or jai alai operation.

—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 Getzen, Chairman of the Committee on Miscellaneous Legislation, reported that the Committee had carefully considered the following Bill:

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 the Committee reports same without recommendation.

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

Senator Adams, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. No. 612—A bill to be entitled An Act relating to the duties of tax collectors in connection with the issuance of license plates and certificates of registration, amending Section 320.03, Florida Statutes, to authorize tax collectors in the several counties to deliver to applicants certificates of registration, authorizing tax collectors to pre-write renewal certificates of registration, requiring the State Motor Vehicle Commissioner to provide tax collectors with forms therefor, 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 Adams, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. No. 613—A bill to be entitled An Act relating to the issuance of motor vehicle license tags in any county in the State of Florida having a tag agency except such counties which may be subject to home rule under the Constitution; empowering the tax collector of any such county as agent for the Motor Vehicle Commissioner of the State of Florida to establish and operate temporary or permanent branch offices of the county auto tag agency in any such counties; providing for a service charge payable to the tax collector to defray the expense of operating such branch offices; exempting such charges and the expenses of operating such offices from budgetary control; 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 Adams, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. No. 713—A bill to be entitled An Act relating to the assessment for taxes of lands upon which improvements are in the process of being constructed which said improvements are not substantially completed on the first day of January of the year such assessment is made; amending Section 193.11, Florida Statutes, by providing for assessment of such lands as unimproved real property; 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 Adams, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. No. 521—A bill to be entitled An Act authorizing cities, towns and villages to issue revenue bonds or certificates payable from revenues or income from municipal revenue producing functions or facilities and from cigarette excise or privilege taxes, utility franchise taxes and utility service taxes, for the purpose of paying the cost of municipal improvements or facilities.

—and recommends that the same not pass.

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

Senator Adams, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. No. 618—A bill to be entitled An Act relating to service charges for motor vehicle licenses and title; amending Section 320.04, Florida Statutes, by raising the fee to be retained by tax collectors; fixing an effective date.

—and recommends that the same not pass.

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

Senator Adams, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. No. 644—A bill to be entitled An Act relating to the sale of securities; amending Section 517.07, Florida Statutes, relating to the registration of securities and providing that permit holders who conduct pari-mutuel wagering shall not be permitted to register any securities or offer same for sale to the public until a period of three (3) years of continual operation has expired.

—and recommends that the same not pass.

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

Senator Adams, Chairman of the Committee on Finance

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

S. B. No. 617—A bill to be entitled An Act relating to motor vehicle licenses; amending Subsection (3) of Section 320.72, Florida Statutes, by authorizing tax collectors to retain fees charged for specially selected numbers; fixing 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.

#### ENGROSSING REPORTS

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

S. B. No. 156—A bill to be entitled An Act relating to the Florida Development Commission; amending Section 288.20, Florida Statutes; providing for the disposition of moneys on hand July 1, 1959; adding new Sections 288.201-288.204, Florida Statutes; providing for the disposition of securities; creating a revenue bond revolving fee account; providing for general administrative expenses of the revenue bond department; providing for fees to be charged; and providing an effective date.

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

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

And Senate Bill No. 156, contained in the above report was ordered certified to the House of Representatives.

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

S. B. No. 180—A bill to be entitled An Act to amend Chapter 57-406, Acts of 1957, being Section 458.081, Florida Statutes, 1957, to permit the State Board of Health to award one scholarship each year to a candidate for the degree of Doctor of Osteopathy.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

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

And Senate Bill No. 180, contained in the above report was ordered certified to the House of Representatives.

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

S. B. No. 197—A bill to be entitled An Act relating to transportation of school children; regulating traffic overtaking or passing school buses; amending Section 234.04, Florida Statutes; by making exception where there is a divided highway separated by an intervening space or median strip; providing a penalty; providing an effective date.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

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

And Senate Bill No. 197, contained in the above report was ordered certified to the House of Representatives.

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

S. B. No. 211—A bill to be entitled An Act relating to the school code; amending Section 231.30, Florida Statutes, by requiring a fee of fifteen dollars (\$15.00) for certificates for

administrative and instructional personnel; providing an effective date.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

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

And Senate Bill No. 211, contained in the above report was ordered certified to the House of Representatives.

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

S. B. No. 230—A bill to be entitled An Act for the relief of Frank Lee for the loss and destruction of his 1957 Oldsmobile which was stolen and destroyed by Larry Walls, escaped convict from State Road Camp No. 5 located in Jackson County on the night of September 12, 1957; said escapee was recaptured on September 1, 1958 and pleaded guilty to the above charge in a court of competent jurisdiction in Jackson County and was committed to the proper authorities at Raiford on September 18, 1958 to serve sentence.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

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

And Senate Bill No. 230, contained in the above report was ordered certified to the House of Representatives.

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

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

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

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

And Senate Bill No. 325, contained in the above report was ordered certified to the House of Representatives.

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

S. B. No. 362—A bill to be entitled An Act to amend Section 103.111 (7), Florida Statutes, relating to a quorum at political party executive committee meetings by providing that a majority of the members shall constitute a quorum of the state committee and one-third of the members shall constitute a quorum of the county committee.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

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

And Senate Bill No. 362, contained in the above report was ordered certified to the House of Representatives.

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

S. B. No. 387—A bill to be entitled An Act relating to auctions to make it illegal for employees of an auctioneer or fictitious bidders to bid on articles sold at any auction without giving notice to the bona fide bidders; and providing an exception thereto.

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

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

And Senate Bill No. 387, contained in the above report was ordered certified to the House of Representatives.

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

S. B. No. 394—A bill to be entitled An Act relating to voting, ballots, voting machines and absentee voting procedures; amending Sections 101.61 and 101.62, Florida Statutes, providing for absentee voting on account of religious tenets; providing an effective date.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

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

And Senate Bill No. 394, contained in the above report was ordered certified to the House of Representatives.

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

S. B. No. 409—A bill to be entitled An Act providing for the annual compensation of judges of the criminal courts of record in counties in the state having a population of not less than three hundred thousand (300,000) inhabitants, according to the latest official state-wide decennial census, and wherein there are not more than two (2) judges for said court; providing an effective date.

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

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

And Senate Bill No. 409, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

S. B. No. 418—A bill to be entitled An Act relating to official court reporters and assistants; amending Section 29.10, Florida Statutes, providing for assistant court reporters in the first judicial circuit of Florida; providing an effective date.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

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

And Senate Bill No. 418, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

S. B. No. 509—A bill to be entitled An Act for the relief of Chester Kennison; providing for the reimbursement of money paid to Florida in 1926 and unjustly held plus an amount equal to simple interest thereon; providing an appropriation; providing an effective date.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

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

And Senate Bill No. 509, contained in the above report was ordered certified to the House of Representatives.

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

S. B. No. 531—A bill to be entitled An Act relating to counties having a population of not less than one hundred fourteen thousand nine hundred (114,900) nor more than one hundred twenty thousand (120,000) inhabitants according to the latest official state-wide decennial census; providing for additional club beverage licenses; providing an effective date.

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

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

And Senate Bill No. 531, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

S. B. No. 542—A bill to be entitled An Act relating to the relief of Alfred Acree and making an appropriation to compensate him for loss of a fence, braces, staples and posts destroyed through carelessness on the part of convicts worked by and employees of the State Road Department; providing an effective date.

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

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

And Senate Bill No. 542, contained in the above report was ordered certified to the House of Representatives.

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

S. B. No. 589—A bill to be entitled An Act relating to counties having a population of not less than fifty-five thousand (55,000) nor more than seventy thousand (70,000) according to the latest official state-wide decennial census, providing for issuance of peddlers licenses by the Boards of County Commissioners; providing procedure, requirements and exemption; providing a penalty for violation; providing an effective date.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

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

And Senate Bill No. 589, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

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

By Senator Melton—(By Request)—

S. B. No. 834—A bill to be entitled An Act relating to the Corrections Division; amending Chapter 944, Florida Statutes, by adding Section 944.431, to make prisoner liable for State property willfully destroyed by him; and providing an effective date.

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

By Senator Melton—(By Request)—

S. B. No. 835—A bill to be entitled An Act relating to the Corrections Division; amending Section 945.14, Florida Statutes, to authorize the sale of items made by prisoners in inmate hobby program; and providing an effective date.

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

By Senator Gibbons—

S. B. No. 836—A bill to be entitled An Act to authorize counties and municipalities to establish planning boards; providing the method and conditions relating to appointment of planning board members and their terms of office; providing for employment by planning boards of technical experts and other personnel; providing that such planning boards shall act for the county or municipality in cooperation with federal and/or state programs in aid of local comprehensive planning; and prescribing the powers and duties of such planning boards.

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 Stenstrom—

S. B. No. 837—A bill to be entitled An Act relating to corporations not for profit; amending Chapter 617, Florida Statutes; providing penalty for violation.

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

By Senator Adams—

S. B. No. 838—A bill to be entitled An Act relating to ice cream and frozen desserts; amending Section 503.04, Florida Statutes, by permitting licensing of manufacturers of ice cream or frozen desserts in mobile units which travel along a predetermined, franchised route and which are stored, when not in use, at a fixed, specified location; providing that public washing or restroom facilities aboard such mobile units shall not be required; 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 Public Health.

By Senators Carlton and Kicliter—

Senate Resolution No. 839:

**A RESOLUTION INVITING UNITED STATES SENATORS SMATHERS AND HOLLAND TO ADDRESS THE LEGISLATURE OF THE STATE OF FLORIDA.**

WHEREAS, It is the desire of the Legislators to hear the Honorable George Smathers and Spessard Holland, and

WHEREAS, These honorable gentlemen are members of the United States Legislature, and burdened with innumerable tasks, NOW, THEREFORE,

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

Section 1. That the Honorable George Smathers and Spessard Holland are invited to address the Florida Legislature at their convenience.

**BE IT FURTHER RESOLVED,** That a copy of this resolution be executed and sent to the Honorable George Smathers and Spessard Holland.

Which was read the first time in full.

Senator Brackin offered the following amendment to Senate Resolution No. 839:

In the Preamble, line 2, strike out the words: "and Spessard Holland" and insert in lieu thereof the following: , Spessard Holland and Bob Sikes

Senator Brackin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Brackin also offered the following amendment to Senate Resolution No. 839:

In Section 1, lines 1 and 2, strike out the words: "and Spessard Holland" and insert in lieu thereof the following: , Spessard Holland and Bob Sikes

Senator Brackin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Brackin also offered the following amendment to Senate Resolution No. 839:

In the Resolving Clause, lines 1 and 2, strike out the words: "and Spessard Holland" and insert in lieu thereof the following: , Spessard Holland and Bob Sikes

Senator Brackin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Brackin also offered the following amendment to Senate Resolution No. 839:

In the Title, line 2, after the name "Holland" add the following: and Congressman Sikes

Senator Brackin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The question was put on the adoption of Senate Resolution No. 839, as amended, which reads as follows:

**A RESOLUTION INVITING UNITED STATES SENATORS SMATHERS AND HOLLAND AND CONGRESSMAN SIKES TO ADDRESS THE LEGISLATURE OF THE STATE OF FLORIDA:**

WHEREAS, It is the desire of the Legislators to hear the Honorable George Smathers, Spessard Holland and Bob Sikes, and

WHEREAS, These honorable gentlemen are members of the United States Legislature, and burdened with innumerable tasks, NOW, THEREFORE,

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

Section 1. That the Honorable George Smathers, Spessard Holland and Bob Sikes are invited to address the Florida Legislature at their convenience.

**BE IT FURTHER RESOLVED,** That a copy of this resolution be executed and sent to the Honorable George Smathers, Spessard Holland and Bob Sikes.

Which was agreed to and Senate Resolution No. 839, as amended, was adopted, with Senators Belser and Cross voting "Nay," and referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

By Senators Beall, Kicliter and Getzen—

S. B. No. 840—A bill to be entitled An Act relating to railroads; prescribing that Florida Railroad and Public Utilities Commission shall prescribe standards for certain electrical equipment and devices for trains for illumination purposes, as described; prescribing procedure for administration and enforcement of the Act; and fixing the effective date of the Act.

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

By Senator Eaton—

S. B. No. 841—A bill to be entitled An Act relating to counties of the state having a population of two hundred sixty thousand (260,000) inhabitants or more, relating to county port authorities; providing for limitation of condemnation authority of such authority; amending Subsection (3) of Section 2 of Chapter 22963, Laws of 1945, as amended; providing an effective date.

Which was read the first time by title only.

Senator Eaton moved that the rules be waived and Senate Bill No. 841 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 841 was read the second time by title only.

Senator Eaton moved that the rules be further waived and Senate Bill No. 841 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. 841 was read the third time in full.

Upon the passage of Senate Bill No. 841 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 841 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Eaton—

S. B. No. 842—A bill to be entitled An Act relating to the State and County Retirement System, amending Subsection (1) of Section 122.03, Florida Statutes by deleting the proviso concerning officers and employees of municipalities taken over by any State Board or agency; excepting employees of any municipality taken over by a county from compulsory participation in the State and County Retirement System under certain conditions; granting such municipal employees the right to elect to remain members of a municipal retirement system and making provision therefor, and preserving their retirement benefits; providing for compulsory participation in the State and County Retirement System and prior service credit under certain conditions; and providing an effective date.

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

By Senator Ripley—

S. B. No. 843—A bill to be entitled An Act relating to the office of Probation and Parole Officer for the Criminal Court of Record in all counties having a population in excess of 300,000 inhabitants according to the last preceding state or federal census, and not have home rule under the Constitution; providing for the appointment of the Probation and Parole Officer and his compensation; providing for the appointment of an Assistant Probation and Parole Officer and his compensation; authorizing employment of clerks and stenographers for said officers and repealing all laws in conflict herewith; providing an effective date.

Which was read the first time by title only.

Senator Ripley moved that the rules be waived and Senate Bill No. 843 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 843 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 843 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. 843 was read the third time in full.

Upon the passage of Senate Bill No. 843 the roll was called and the vote was:

Yeas—35.

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

ARTICLE VI

SUFFRAGE AND ELECTIONS

Section 1. **Secret vote; direct vote; choice by plurality; regulation of elections.**—Unless otherwise provided herein, all elections by the people shall be by secret and direct vote and except for primary elections, shall be determined by a plurality of the votes cast. The conduct of elections, requirements for absentee voting, methods of voting, determination of election returns, and procedure in election contests shall be prescribed by law. Recognition, regulation, and nominating procedure of political parties shall be provided by law.

Section 2. **Electors; qualifications.**—Every citizen of the United States who is twenty-one years of age, and who immediately preceding registration has been a permanent resident for one year in the state and for six months in the county in which he applies to register, shall upon registering be a qualified elector of such county at all elections under this constitution.

Section 3. **Registration.**—The legislature shall provide for registration of all electors, and may provide for registration of electors outside the territorial limits of the state, and no person may vote unless registered according to law. A naturalized citizen shall exhibit his certificate of naturalization or a duly certified copy thereof to the registration officer when applying for registration.

Section 4. **Oath of electors.**—Each elector shall take the following oath upon registering: "I do solemnly swear (or affirm) that I will protect and defend the Constitution of the United States and the Constitution of the State of Florida, that I am of legal voting age, that I have been a resident of the State of Florida for one year and of the county for six months, and that I am qualified to vote under the Constitution and laws of the State of Florida."

Section 5. **Disqualifications.**—No person convicted of a felony or judicially determined to be of unsound mind, or under judicial guardianship because of mental disability, shall be qualified to vote or hold public office until his civil rights are restored or his disability removed.

Section 6. **General and special elections.**—A general election shall be held in each county on the first Tuesday after the first Monday in November of each even numbered year to choose a successor to each elective state or county officer whose term will expire before the next general election and, except as provided herein, to fill each vacancy in elective office for the unexpired portion of the term. The month and day of general elections may be changed by law.

Special elections and referenda shall be held at the time and in the manner provided by law.

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

By Senator Dickinson—

Senate Joint Resolution No. 847—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA BY REVISING ARTICLE VIII.

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

Section 1. The following revision of Article VIII, amending the Constitution of the State of Florida, is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1960, or at any special general election held prior to that date:

ARTICLE VIII

LOCAL GOVERNMENT

Section 1. **Counties; municipalities; special districts; powers and functions.**—All powers of local government shall be exercised by counties, municipalities, and special districts. They shall also perform such State functions as the Legislature may provide.

Section 2. **Counties as political subdivisions; county seats;**

Nays—None.

So Senate Bill No. 843 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Knight—

S. B. No. 844—A bill to be entitled An Act relating to disorderly conduct; amending Chapter 870, Florida Statutes, by adding a new section to be numbered 870.07; prohibiting and defining disorderly conduct; fixing crime as a misdemeanor; providing a penalty; providing an effective date.

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

By Senator Ripley—

S. B. No. 845—A bill to be entitled An Act amending Subparagraph (nnn) of Subsection (1) of Section 125.61, Florida Statutes 1957, fixing compensation of county commissioners in Duval County, Florida; providing an effective date.

Which was read the first time by title only.

Senator Ripley moved that the rules be waived and Senate Bill No. 845 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 845 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 845 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. 845 was read the third time in full.

Upon the passage of Senate Bill No. 845 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 845 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Dickinson—

Senate Joint Resolution No. 846—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA BY REVISING ARTICLE VI.

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

Section 1. The following revision of Article VI, amending the Constitution of the State of Florida, is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1960, or at any special general election held prior to that date:

**government.**—The State shall be divided into political subdivisions called counties. The counties and their respective county seats as now established are recognized, and no county seat may be changed except by vote of the electors; provided, in the formation of new counties the county seat may be temporarily established by law.

The counties shall exercise such powers as the Legislature, by general or local law, may delegate, consistent with the limitations imposed herein or by general law, under home rule procedures established by the Legislature.

**Section 3. Establishment of new counties.**—The Legislature shall have power to establish new counties and to change county lines; and to consolidate counties subject to the approval of the electors of counties sought to be consolidated. Every newly established county shall be held liable for its proportion of the then existing liabilities of the county or counties from which it shall be formed, rated upon the basis of the assessed value of the property, both real and personal, subject to taxation within the territory taken from any county or counties; and every county acquiring additional territory from another county shall be held liable for its proportion of the liabilities of such other county existing at the time of such acquisition, to be rated upon the basis of the assessed value of all property subject to taxation within such acquired territory.

**Section 4. Location of county offices; public records.**—The principal offices and permanent records of all county officers shall be at the county seat; provided, branch offices for the conduct of county business and facilities for court proceedings including jury trials in civil cases may be established by law elsewhere in the county. No instrument shall be deemed recorded until filed at the county seat according to law.

**Section 5. County commission; districts; decennial revision.**—Each county shall be divided into five commissioner districts numbered consecutively, and its governing body shall be a board of county commissioners, consisting of five members. One member of the Board of County Commissioners shall be elected by and from among the electors of each county for a term of four years from each commissioner district and shall reside in the district from which elected. Successors to those members of the Board of County Commissioners representing even-numbered districts shall be elected in 1962, and successors to those representing odd-numbered districts shall be elected in 1964.

Based upon official certification of and following each decennial Federal census, the Board of County Commissioners shall forthwith revise the boundaries of the commissioner districts on an equitable basis, giving primary consideration to population.

**Section 6. County officers; selection; term of office.**—The following county officers shall be elected by and from among the electors of each county for a term of four years: Sheriff, Clerk, Tax Assessor, Tax Collector, Supervisor of Registration and except as otherwise provided herein a County School Superintendent.

**Section 7. Municipalities; establishment; abolition; government; protection of creditors.**—Municipalities shall be incorporated or abolished pursuant to general law or by local law. Their charters shall afford them powers of home rule not inconsistent herewith or with limitations imposed by the Legislature. The Legislature may prescribe and alter their jurisdiction and powers at any time by general law or by local law; provided the charter of a municipality may restrict local laws amending it to those approved by the governing body thereof. Whenever a municipality is abolished, provision shall be made for the protection of its creditors. Approval by a referendum of the voters of a municipality shall be necessary for any basic change in the form of municipal government.

**Section 8. Municipal taxes; assessment and collection by county officers.**—Subject to approval by vote of the municipal electors at a special election held separately or with any other election the Legislature may by general or local law provide for assessment and collection of the taxes of any municipality by the tax assessor and tax collector respectively of the county in which it is situated and for payment by the municipality of reasonable compensation to these county officers for performance of these additional duties.

**Section 9. Special districts; government.**—The Legislature may by general or local law provide for the creation of special

districts for special purposes which cannot be served efficiently by existing units of government.

Unless otherwise provided by law, the governing body of special districts lying wholly within a county shall be the Board of County Commissioners of the county. The Legislature may provide for the appointment of the governing board by the governor or by the Board of County Commissioners, or for election thereof by the electors.

For districts including territory lying in more than one county, the Legislature may prescribe the composition, powers and duties of their governing bodies.

**Section 10. Local governmental units; cooperation with other governmental units.**—Any local governmental unit may contract and cooperate with other local governmental units, with the State or with a public utility or with the United States in the exercise of any of its proprietary or other authorized functions for the planning, development, construction, acquisition, or operation of any public improvement or facility or for a common service.

**Section 11. Dade County home rule.**—(1) The electors of Dade County are granted power to adopt, revise, and amend from time to time a home rule charter of government for Dade County, under which the Board of County Commissioners of Dade County shall be the governing body. This charter:

(a) Shall fix the boundaries of each county commission district, provide a method for changing them from time to time, and fix the number, terms and compensation of the commissioners, and their method of election.

(b) May grant full power and authority to the Board of County Commissioners of Dade County to pass ordinances relating to the affairs, property, and government of Dade County and provide suitable penalties for the violation thereof; to levy and collect such taxes as may be authorized by general law and no other taxes, and to do everything necessary to carry on a central metropolitan government in Dade County.

(c) May change the boundaries of, merge, consolidate, and abolish and may provide a method for changing the boundaries of, merging, consolidating and abolishing from time to time all municipal corporations, county or district governments, special taxing districts, authorities, boards, or other governmental units whose jurisdiction lies wholly within Dade County, whether such governmental units are created by the constitution or the legislature or otherwise, except the Dade County Board of County Commissioners as it may be provided for from time to time by this home rule charter and the county school board of Dade County.

(d) May provide a method by which any and all of the functions or powers of any municipal corporation or other governmental unit in Dade County may be transferred to the board of county commissioners of Dade County.

(e) May provide a method for establishing new municipal corporations, special taxing districts, and other governmental units in Dade County from time to time and provide for their government and prescribe their jurisdiction and powers.

(f) May abolish and may provide a method for abolishing from time to time all county offices provided herein or by the legislature except the county school superintendent and may provide for the consolidation and transfer of the functions of such offices, provided, however, that there shall be no power to abolish or impair the jurisdiction of the circuit court or to abolish any other court provided for by this constitution or by general law, or the judges or clerks thereof although such charter may create new courts and judges and clerks thereof with jurisdiction to try all offenses against ordinances passed by the board of county commissioners of Dade County and none of the other courts provided for by this constitution or by general law shall have original jurisdiction to try such offenses, although the charter may confer appellate jurisdiction on such courts, and provided further that if said home rule charter shall abolish any county office or offices as authorized in this section, that said charter shall contain adequate provision for the carrying on of all functions of said office or offices as are now or may hereafter be prescribed by general law.

(g) Shall provide a method by which each municipal corporation in Dade County shall have the power to make, amend or repeal its own charter. Upon adoption of this home rule

charter by the electors this method shall be exclusive and the legislature shall have no power to amend or repeal the charter of any municipal corporation in Dade County.

(h) May change the name of Dade County.

(i) Shall provide a method for the recall of any commissioner and a method for initiative and referendum, including the initiation of and referendum on ordinances and the amendment or revision of the home rule charter, provided, however, that the power of the governor and senate relating to the suspension and removal of officers provided for herein shall not be impaired, but shall extend to all officers provided for in said home rule charter.

(2) Provision shall be made for the protection of the creditors of any governmental unit which is merged, consolidated, or abolished or whose boundaries are changed or functions or powers transferred.

(3) This home rule charter shall be prepared by a Metropolitan Charter Board created by the legislature and shall be presented to the electors of Dade County for ratification or rejection in the manner provided by the legislature. Until a home rule charter is adopted the legislature may from time to time create additional charter boards to prepare charters to be presented to the electors of Dade County for ratification or rejection in the manner provided by the legislature. Such charter, once adopted by the electors, may be amended only by the electors of Dade County and this charter shall provide a method for submitting future charter revisions and amendments to the electors of Dade County.

(4) The county commission shall continue to receive its pro rata share of all revenues payable by the state from whatever source to the several counties and the state shall pay to the commission all revenues which would have been paid to any municipality in Dade County which may be abolished by or in the method provided by this home rule charter; provided, however, the commission shall reimburse the state comptroller for the expense incurred if any, in the keeping of separate records to determine the amounts of money which would have been payable to any such municipality.

(5) Nothing in this section shall limit or restrict the power of the legislature to enact general laws which shall relate to Dade County and any other one or more counties or to any municipality in Dade County and any other one or more municipalities of the state, and the home rule charter provided for herein shall not conflict with any provision hereof or of any applicable general laws now applying to Dade County and any other one or more counties except as expressly authorized in this section, nor shall any ordinance enacted pursuant to said home rule charter conflict with this constitution or any such applicable general law except as expressly authorized in this section, nor shall the charter of any municipality in Dade County conflict with this constitution or any such applicable general law except as expressly authorized in this section, provided however that said charter and said ordinances enacted in pursuance thereof may conflict with, modify or nullify any existing local, special or general law applicable only to Dade County.

(6) Nothing in this section shall be construed to limit or restrict the power of the legislature to enact general laws which shall relate to Dade County and any other one or more counties or to any municipality in Dade County and any other one or more municipalities relating to county or municipal affairs and all such general laws shall apply to Dade County and to all municipalities therein to the same extent as if this section had not been adopted and such general laws shall supersede any part or portion of the home rule charter provided for in this section in conflict therewith and shall supersede any provision of any ordinance enacted pursuant to said charter and in conflict therewith, and shall supersede any provision of any charter of any municipality in Dade County in conflict therewith.

(7) Nothing in this section shall be construed to limit or restrict the power and jurisdiction of the railroad and public utilities commission or of any other state agency, bureau or commission now or hereafter provided for herein or by general law and said state agencies, bureaus and commissions shall have the same powers in Dade County as shall be conferred upon them in regard to other counties.

(8) If any section, subsection, sentence, clause or provision of this section is held invalid as violative of the provisions

hereof relating to amendments the remainder of this section shall not be affected by such invalidity.

(9) It is declared to be the intent of the legislature and of the electors of the state to provide by this section home rule for the people of Dade County in local affairs and this section shall be liberally construed to carry out such purpose, and it is further declared to be the intent of the legislature and of the electors of the state that the provisions hereof and of general laws which shall relate to Dade County and any other one or more counties of the state or to any municipality in Dade County and any other one or more municipalities of the state enacted pursuant thereto by the legislature shall be the supreme law in Dade County, except as expressly provided in this section and this section shall be strictly construed to maintain such supremacy hereof and of the legislature in the enactment of general laws pursuant hereto.

**Section 12. Cities of Jacksonville and Key West.**—Subject to vote of the county electors the legislature may establish or abolish, and without such vote may amend the laws governing, two municipalities, to be named the City of Jacksonville and the City of Key West, extending respectively throughout the present territory of Duval and Monroe Counties, superseding all governmental agencies therein, and succeeding to the ownership of all property thereof and of municipalities therein. Subject to the provisions hereof governing special and local laws other than provisions relating to jurisdiction and duties of any class of officers, summoning and empanelling of grand and petit juries, assessment and collection of taxes for county purposes, and regulation of fees and compensation of county officers, the legislature may prescribe the functions, powers, and jurisdiction of each municipality, may divide it into districts, may determine what portion of it is rural and subject to the limitations on rural homestead realty, and may prescribe the system of taxation and liabilities of the municipality and its districts; provided, upon establishment of each municipality the respective properties taxable for debts then existing shall be solely liable therefor.

Each municipality may exercise all municipal powers herein granted and shall perform all functions and enjoy all powers and privileges of a county, including representation in the legislature. County offices shall not be abolished or consolidated without providing for performance of state functions assigned thereto. The legislature shall not abolish the offices of clerk of the circuit court and sheriff but may prescribe special methods and times of filling them.

**Section 13. Assessment and collection of taxes in certain counties.**—In Broward, Hillsborough, Monroe, Pinellas, Saint Lucie, and Volusia Counties the county tax assessor shall assess all property therein upon which ad valorem taxes are levied by the county or any other taxing authority, and the county tax collector of each of these counties except Monroe shall collect all taxes; provided, no law relating thereto shall become effective in Saint Lucie until approved by vote of the electors and in Broward the county tax assessor and county tax collector shall respectively assess and collect the taxes of only those municipalities that by ordinance so request. The legislature shall prescribe additional compensation corresponding to the additional functions performed.

**Section 14. Escambia County fees.**—All charges collected by the officers of Escambia County shall be paid into its general fund and disbursed as provided by law, and the compensation and expenses of its officers shall be provided for by local law.

**Section 15. Appointments and vacancies; state and county officers.**—Except as provided herein and as may be provided by law for selection of jury commissioners, the governor shall make all appointments to each state or county appointive office. The governor shall fill each vacancy in office except as provided herein or by law. Vacancy occurs upon death, failure to qualify within fifteen days from commencement of the term of office to which elected, or, after qualification, upon removal, conviction on impeachment, resignation, succession to another office, failure to maintain residence within the area from which selected, or unexplained absence for six months. If confirmation of appointment to an office is required and the senate disapproves the appointment, the person proposed shall be ineligible for appointment to that office for four years from refusal of confirmation.

**Section 16. Bonds; public officers.**—Each public officer shall

give bond as provided by law and shall not be surety upon the official bond of another public officer.

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

By Senator Dickinson—

Senate Joint Resolution No. 848—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA BY ADDING ARTICLE XXI TO AUTHORIZE A COMMITTEE CONSISTING OF THE SECRETARY OF STATE, THE ATTORNEY GENERAL AND THE CHIEF JUSTICE OF THE SUPREME COURT TO ASSIGN NEW OR AMENDED SECTIONS OF THE CONSTITUTION TO THE APPROPRIATE ARTICLE AND TO REORGANIZE NUMERICALLY THE VARIOUS ARTICLES THEREOF IN A LOGICAL MANNER EVERY TEN (10) YEARS.

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

Section 1. The addition of the following new Article, numbered XXI, to the constitution of the state of Florida, is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1960, or at any special general election held prior to that date:

#### ARTICLE XXI

##### ORGANIZATION AND TECHNICAL FORM OF CONSTITUTION

Section 1. Any new or amended section of the constitution, within sixty days after having been adopted at any general election, shall be assigned a section number and placed in an appropriate article by a committee composed of the Secretary of State, the Attorney General and the Chief Justice of the Supreme Court. Should two or more identical sections be adopted at any general election only one section shall be published and assigned to an appropriate article and section.

Section 2. The wording of any adopted article shall not be changed in any way except that spelling may be corrected. The article and section designation shall not be considered a substantive part of the subject matter. Upon being given a designated number, no change shall be made thereafter except that the committee designated in section 1 may reorganize the constitution every ten years after 1961.

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

By Senator Dickinson—

Senate Joint Resolution No. 849—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA BY REVISING ARTICLE IV.

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

Section 1. The following revision of Article IV, amending the constitution of the state of Florida, is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1960, or at any special general election held prior to that date:

#### ARTICLE IV

##### EXECUTIVE

Section 1. **Governor; chief executive; commander-in-chief; grants commissions.**—The supreme executive power shall be vested in the governor. He shall take care that the laws are faithfully executed, be commander-in-chief of all state armed forces not in the active service of the United States, transact all executive business with state civil and military officers, and sign all grants. He shall issue each state and county officer a commission in the name of the state, bearing its great

seal attested by the secretary of state, and, unless otherwise provided by law, shall sign it.

**Section 2. Cabinet; membership; lieutenant governor; election; term; qualifications.**—The Governor shall be assisted by a cabinet consisting of the Secretary of State, Attorney General, Comptroller, Treasurer, Superintendent of Education, and Commissioner of Agriculture who shall perform such duties as may be prescribed herein or by law. There shall be a Lieutenant Governor who shall be an executive officer and shall perform the duties prescribed herein. The governor, each cabinet member and the lieutenant governor shall be elected every four years at the same statewide general election and shall begin their terms of four years at noon on the first Tuesday after the first Monday of the following January. The governor, each cabinet member, and the lieutenant governor shall be at least twenty-five years of age when elected, and for the ten immediately preceding years shall have been a citizen and resident of the state. The legislature shall provide a method and requirements by which in primary and general elections candidates for the offices of governor and lieutenant governor shall form a joint candidacy. No person who has become governor or lieutenant governor by election or succession shall be eligible to be elected governor or lieutenant governor until three years from the termination of such service.

**Section 3. Secretary of state; duties.**—The secretary of state shall keep the records of official acts of the legislative and executive departments and when requested by either house of the legislature shall lay them and all related matters before it. He shall attest and affix the great seal of the state to all grants and commissions and be custodian of the great seal of the state.

**Section 4. Attorney general; duties.**—The attorney general shall be an attorney at law and the chief state legal officer and shall provide the state, its officers, and agencies with legal assistance and representation except as provided by law.

**Section 5. Comptroller; duties.**—The comptroller shall examine, preaudit, adjust, and settle all state accounts.

**Section 6. Treasurer; duties.**—The treasurer, in the manner prescribed by law, shall keep all funds and securities and make all disbursements upon order of the comptroller countersigned by the governor. The governor shall countersign as a ministerial duty subject to original mandamus.

**Section 7. Superintendent of education; duties.**—The state superintendent of education, in the manner prescribed by law, shall supervise the public school system.

**Section 8. Commissioner of agriculture; duties.**—The commissioner of agriculture shall perform the duties prescribed by law relating to agriculture.

**Section 9. Board of commissioners of state institutions.**—The governor and the cabinet shall constitute the Board of Commissioners of State Institutions, which shall have supervision of state institutions in the manner prescribed by law.

**Section 10. Succession to office of governor; service as acting governor.**—The lieutenant governor shall become governor upon failure of the governor-elect to qualify or upon death, resignation, or removal of the governor. Further succession to the office of governor shall devolve first upon the president of the senate, next upon the speaker of the house of representatives, and thereafter as prescribed by law. A successor shall serve for the remainder of the elected term.

Upon written direction of the governor filed with the secretary of state, the lieutenant governor shall perform those duties of the governor specified in the directive from the time therein limited.

Upon impeachment of the governor and until completion of trial thereon, or during his physical or mental incapacity, the lieutenant governor shall act as governor. Further succession as acting governor shall devolve first upon the president of the senate, next upon the speaker of the house of representatives and thereafter as prescribed by law. Incapacity to serve as governor shall be determined only by the supreme court upon due notice after docketing of written suggestion thereof by four cabinet members, and restoration of capacity shall be similarly determined after docketing of written suggestion thereof by the governor, the legislature, or four cabinet

members; provided, by certificate filed with the secretary of state the governor may declare his incapacity for physical reasons to serve as governor and, in such event, may declare when his physical incapacity has ceased.

**Section 11. State and county officers not provided for herein.**—The legislature shall provide for election by the people or appointment by the governor of each state or county officer if the method of his selection is not provided for herein, and except as provided herein it shall prescribe his qualifications, method of election, duties, powers, term and compensation, and also the membership of each board or commission.

**Section 12. Appointments and vacancies; state and county offices.**—Except as provided herein, and as may be provided by law for selection of jury commissioners, the governor shall make all appointments to each state or county appointive office. The governor shall fill each vacancy in office except as provided herein and except when provision is made by general law for an election to fill such vacancy. Vacancy occurs upon death, failure to qualify within fifteen days from commencement of the term of office to which elected, or, after qualification, upon removal, conviction on impeachment, resignation, succession to another office, failure to maintain residence within the area from which selected, or unexplained absence for six months. If confirmation of appointment to an office is required and the senate disapproves the appointment, the person proposed shall be ineligible for appointment to that office for four years from refusal of confirmation.

**Section 13. Governor; suspensions; removal.**—By executive order stating the ground and filed with the secretary of state, the governor may suspend from office any public officer elected by the people or appointed by the governor and not subject to impeachment, or any officer of the militia not in the active service of the United States, for malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform his official duties, or commission of a felony, and may fill the office by appointment.

The suspended officer shall be deemed to have acquiesced in the suspension and surrendered all claim to the office unless within thirty days from the filing of the suspension order he shall file with the secretary of state a written demand for a hearing, which shall be accorded promptly before the governor or his designated representative. All evidence supporting the suspension, and such evidence as the officer may desire to offer in his defense, shall be presented and recorded at the hearing, and a transcript thereof and all documentary evidence shall be filed with the secretary of state. The governor shall thereupon file with the secretary of state a further order stating his findings and finally confirming or revoking the suspension. If the order does not revoke the suspension and reinstate the officer, the secretary of state shall transmit to the senate, on the next day it is in regular session, certified copies of the orders and of the record of the hearing; provided, if these copies are not submitted prior to the forty-sixth day of the session the senate may postpone consideration until the next session. The senate may take further evidence and shall sustain or disapprove the suspension. If it sustains the suspension or fails to act or postpone consideration before adjourning, the officer shall be removed from office as of the date of the original order of suspension. If it disapproves before adjourning, the officer shall be reinstated and shall receive compensation from the state to the date of reinstatement or to the date of expiration of his term of office, whichever is earlier. The proceedings hereunder shall not affect his criminal or civil liability.

**Section 14. Appointment of officers of militia.**—The governor shall appoint all commissioned officers of the militia, including an adjutant general. The appointment of all general officers shall be with the consent of the senate. Officers shall take rank according to the dates of their commissions. The personnel of the state militia, when uniformed, shall wear the uniform prescribed by law.

**Section 15. Appointment of department directors; reports.**—The legislature may provide for appointment by the governor of a director of any department under the supervision of a board composed entirely of the governor and cabinet members, and may provide for the appointment and removal of such director to be subject to confirmation by such board.

The governor may require information in writing from

any state or county officer regarding his executive or administrative duties. At the beginning of each regular session of the legislature, and at such other times as the governor may request, each member of the cabinet shall report in writing his official acts and the receipts, expenditures, and requirements of his office to the governor, who shall lay the reports before the legislature at the beginning of the session.

**Section 16. Governor; message to legislature.**—At least once in every regular session the governor shall by message inform the legislature concerning the condition of the state, report upon the need for reorganization or consolidation of executive functions resulting from changing conditions and recommend measures in the public interest.

**Section 17. Special sessions; call by the governor.**—The governor may by proclamation stating the purpose convene the legislature in special session not to exceed twenty consecutive days, during which only such legislative business may be transacted as is within the purview of the proclamation or of a communication from the governor, or is consented to by two thirds of the members present of each house.

**Section 18. Adjournment of legislature by governor.**—If during any session the two houses cannot agree upon a time for adjournment, the governor may adjourn the session sine die or to any date within the period authorized for such session; provided, at least two legislative days before adjourning the session he shall give each house while in session formal written notice of his intention to do so, and agreement reached within that period by both houses on a time for adjournment shall prevail.

**Section 19. Executive approval of legislation; veto; item veto of appropriations; repassage.**—Every bill passed by the legislature shall be presented to the governor for his approval and shall become a law if he approves and signs it, or fails to sign or veto it within seven days after presentation; provided, if during such period the legislature finally adjourns or takes a recess of more than thirty days he shall have twenty days from the day of adjournment or recess to act on the bill. In all cases except general appropriation bills, the veto shall extend to the entire bill. Any section or specific item in the general appropriation bill may be vetoed by the governor except expressions of policy or intent by the legislature in the use or expenditure of a specific item.

When a bill or any section or item of a general appropriation bill has been vetoed by the governor, he shall transmit his signed objections thereto to the house in which the bill originated. If that house is not in session he shall file them with the secretary of state, who shall lay them before that house at its next regular, extra, or special session, and they shall be entered on its journal.

If both houses shall reenact the bill or reinstate a vetoed portion of an appropriation bill by two-thirds vote of the members present, the yeas and nays shall be entered on the respective journals, and the bill shall become law or the portion reinstated.

**Section 20. Governor; suspensions of fines; commutation of death sentence; reprieves.**—The governor may suspend collection of fines and forfeitures, commute a death sentence, and grant reprieves not exceeding sixty days in all cases except treason. In cases of treason the reprieve may extend to the next legislative session, and at the commencement thereof the governor shall report the treason cases to the legislature, which may direct execution of the sentence or grant a pardon or further reprieve. If it adjourns without disposing of the case the governor shall enforce the sentence.

**Section 21. Pardon and parole commission.**—The legislature shall create a Pardon and Parole Commission to be appointed by the governor and the cabinet; shall prescribe terms of office and methods of selection of its members based upon specialized qualifications and examination to determine fitness; shall empower the commission in all cases except treason, to grant full or conditional pardons, restore civil rights, commute punishment, remit fines and forfeitures, supervise persons on probation and grant parole or conditional releases to persons under sentence of crime; and shall prescribe the manner of applying for pardons.

**Section 22. Records.**—A record of each pardon, commutation, remission, reprieve, and suspension granted shall be filed with the secretary of state.

Section 23. **Public utilities commission.**—The legislature shall create a public utilities commission to be appointed by the governor and the cabinet and shall prescribe the terms of office and methods of selection of its members based upon specialized qualifications and examination to determine fitness. The powers and duties of said commission shall be as prescribed by law.

Section 24. **Game and fresh water fish commission; powers, duties, etc.**—

(1) From and after January 1, 1943, the management, restoration, conservation, and regulation, of the birds, game, fur-bearing animals, and fresh-water fish, of the State of Florida, and the acquisition, establishment, control, and management, of hatcheries, sanctuaries, refuges, reservations, and all other property now or hereafter owned or used for such purposes by the State of Florida, shall be vested in a Commission to be known as the Game and Fresh Water Fish Commission. Such Commission shall consist of five members, one from each congressional district, as existing on January 1, 1941, who shall be appointed by the Governor, subject to confirmation by the Senate. The members so appointed shall annually select one of their members as Chairman of the Commission.

(2) The first members of the Commission shall be appointed on January 1, 1943, and shall serve respectively for one, two, three, four, and five years. At the expiration of each of such terms, a successor shall be appointed to serve for a term of five years.

(3) The members of the Commission shall receive no compensation for their services as such, but each Commissioner shall receive his necessary traveling or other expenses incurred while engaged in the discharge of his official duties, but such shall not exceed the sum of six hundred dollars in any one year.

(4) Among the powers granted to the Commission by this section shall be the power to fix bag limits and to fix open and closed seasons, on a state-wide, regional or local basis, as it may find to be appropriate, and to regulate the manner and method of taking, transporting, storing and using birds, game, fur-bearing animals, fresh-water fish, reptiles, and amphibians. The Commission shall also have the power to acquire by purchase, gift, all property necessary, useful, or convenient, for the use of the Commission in the exercise of its powers hereunder.

(5) The Commission shall appoint, fix the salary of, and at pleasure remove, a suitable person, as Director, and such Director shall have such powers and duties as may be prescribed by the Commission in pursuance of its duties under this section. Such Director shall, subject to the approval of the Commission, appoint, fix the salaries of, and at pleasure remove, assistants, and other employees who shall have such powers and duties as may be assigned to them by the Commission or the Director. No Commissioner shall be eligible for any such appointment or employment.

(6) The funds resulting from the operation of the Commission and from the administration of the laws and regulations pertaining to birds, game, fur-bearing animals, fresh-water fish, reptiles, and amphibians, together with any other funds specifically provided for such purpose shall constitute the State Game Fund and shall be used by the Commission as it shall deem fit in carrying out the provisions hereof and for no other purposes. The Commission may not obligate itself beyond the current resources of the State Game Fund unless specifically so authorized by the Legislature.

(7) The Legislature may enact any laws in aid of, but not inconsistent with, the provisions of this amendment, and all existing laws inconsistent herewith shall no longer remain in force and effect. All laws fixing penalties for the violation of the provisions of this amendment and all laws imposing license taxes, shall be enacted by the legislature from time to time.

Section 25. **Advisory opinions of justices.**—The governor may request the written opinion of the justices of the supreme court as to the interpretation of any portion of this constitution upon any question affecting his executive powers and duties. The justices may, subject to their rules of procedure, permit interested persons to be heard on the questions presented.

Which was read the first time in full and referred to the

Committee on Constitutional Amendments and Governmental Reorganization.

By Senator Dickinson—

Senate Joint Resolution No. 850—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA BY REVISING ARTICLE XVII.

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

Section 1. The following revision of Article XVII, amending the constitution of the state of Florida, is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1960, or at any special general election held prior to that date:

#### ARTICLE XVII

#### AMENDMENTS

Section 1. **Amendment pursuant to legislative action.**—The legislature may by joint resolution adopted as provided in this section propose an amendment to this constitution. A resolution proposing an amendment shall confine itself to the subject matters of one article but may include any provisions in other articles relating thereto. The resolution shall be processed in the manner provided herein for enactment of laws, except that:

(1) It shall forthwith be entered in full on the journal of the house in which introduced.

(2) The house in which it is introduced shall forthwith furnish a copy to the attorney general, who shall consider it and within ten days transmit to each house recommendations or suggestions as to its effect upon other provisions of the constitution and as to its form and substance, but his failure to act shall not affect legislative action thereon.

(3) No vote upon the adoption of the joint resolution shall be taken until on or after the eighteenth calendar day after its introduction in the originating house. Final adoption shall require affirmative vote of three fifths of the membership of each house, the yeas and nays to be entered on the journal; and if the resolution is amended it shall be entered on the journals as finally adopted.

Section 2. **Submission to electors.**—A proposed amendment shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after the adoption of the resolution unless by vote of three fourths of the membership of each house the legislature shall provide for its submission at a special election at an earlier date. The secretary of state shall cause the proposed amendment, together with a notice of the date of the election thereon, to be published twice in one newspaper of general circulation in each county where a newspaper is published, the first publication to be not more than ten or less than eight weeks before the election, and the second publication to be at least one week after the first and not less than six weeks before the election.

Section 3. **Amendment; ratification by electors; effective date.**—If a majority of the electors of the state voting upon the question shall vote in favor of the proposed amendment, it shall become a part hereof and shall take effect at noon on the first Tuesday after the first Monday in January next after the election if voted upon in a general election, and on the sixtieth day after the election if voted upon at a special election, or in either case at such other date as the joint resolution shall provide.

A proposed amendment that applies to one or fewer than all the counties of the state shall not become a part hereof unless approved by a majority of the electors of the state voting thereon and also by a majority of the electors of the county designated voting thereon or a majority of the combined electors of the counties designated voting thereon.

Section 4. **Convention; call by legislature.**—Whenever the legislature, by vote of two thirds of the membership of each house with the yeas and nays entered on the journals, determines that revision of the constitution is necessary, it shall provide for a convention, to be convened within six months thereafter.

**Section 5. Convention; call by referendum.**—If during any twenty-year period after 1960 a constitutional convention has not been held, the secretary of state shall place on the ballot for the next general election the question: "Shall there be a Constitutional Convention?". If a majority of the votes cast on the question are in the negative, the question need not be placed on the ballot until the end of the next twenty-year period. If a majority of the votes cast on the question are in the affirmative, delegates to the convention shall be chosen at the next regular statewide election, unless the legislature provides for the election of the delegates at a special election. The secretary of state shall issue the call for the convention.

**Section 6. Revision by convention.**—The convention membership shall be equal to and apportioned among the counties in the same manner as the membership of the senate and house of representatives. Vacancies shall be filled by the governor. The legislature shall provide for election of delegates and notice of election. A legislator or any other public officer may be elected delegate. The convention shall determine its own organization, discipline, and rules of procedure; provided, a majority shall be required for all action other than compelling attendance of absent members.

The revision, if any, proposed by the convention shall be submitted directly to the electors for ratification or rejection at the next general election held more than seventy days after adoption thereof by the convention.

The secretary of state shall cause the proposed revision and a notice of the election date to be published twice in one newspaper in each county where a newspaper of general circulation is published, the first publication to be not more than ten or less than eight weeks before the election, and the second to be at least one week after the first and not less than six weeks before the election.

**Section 7. Revision; ratification by electors; effective date.**—If a majority of the electors of the state voting upon the question shall vote in favor of the revised constitution, it shall take effect at noon on the first Tuesday after the first Monday in January next after the election if voted upon in a general election, and on the sixtieth day after the election if voted upon at a special election, or in either case at such other date as the joint resolution shall provide.

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

By Senator Dickinson—

Senate Joint Resolution No. 851—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA BY REVISING ARTICLE XIV.

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

**Section 1.** The following revision of Article XIV, amending the constitution of the state of Florida, is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1960, or at any special general election held prior to that date:

#### ARTICLE XIV

##### MILITIA

**Section 1. Composition of militia.**—The militia shall be composed of all able-bodied inhabitants of the state that are or have declared their intention to become citizens of the United States; and no person shall because of religious creed or opinion be exempted from military duty except under conditions prescribed by law.

**Section 2. Organization; equipping; housing; discipline; safekeeping of arms.**—The legislature may provide for organizing, equipping, housing, maintaining, and disciplining the militia of the state, and for the safekeeping of public arms.

**Section 3. Appointment of officers of militia.**—The governor shall appoint all commissioned officers of the militia, including an adjutant general. The appointment of all general officers shall be with the consent of the senate. Officers shall take rank according to the dates of their commissions. The personnel of the state militia, when uniformed, shall wear the uniform prescribed by law.

**Section 4. Call by governor.**—The governor shall have power to call out the militia to preserve the public peace, to execute the laws of the state, to suppress insurrection or to repel invasion.

**Section 5. Federally recognized national guard.**—Whenever a federally recognized national guard exists in the state it shall be sui generis and subject to the lawful orders of the governor, who shall be commander-in-chief. It may be supported and maintained by the state pursuant to the provisions of federal statutes and regulations of the United States department of defense pertaining to organizing, arming, governing, and disciplining it. Its officers, including the adjutant general, shall be appointed, and shall be subject to suspension, discharge, removal, or compulsory retirement, solely on the basis of military proficiency, character, and service determined pursuant to United States department of defense regulations and usages sanctioned by law, and the qualifications of its personnel shall be those prescribed in military regulations of the United States department of defense.

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

By Senator Dickinson—

Senate Joint Resolution No. 852—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA BY REVISING ARTICLE XIII.

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

**Section 1.** The following revision of Article XIII, amending the constitution of the state of Florida, is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1960, or at any special general election held prior to that date:

#### ARTICLE XIII

##### WELFARE

**Section 1. Welfare, state.**—The legislature may provide by general law for a uniform system of benefits to residents having claim upon the aid and sympathy of society by reason of age, infirmity, or misfortune. No person shall receive state benefits unless he has been a resident of the state for five years immediately preceding application and, if application is based solely on age, has reached the age of sixty-five; provided, when necessary to secure state participation in federal funds the legislature may adopt the federal requirements then in effect.

**Section 2. Welfare, county.**—Counties shall provide in the manner prescribed by law for residents having claim upon the aid and sympathy of society by reason of age, infirmity, or misfortune.

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

By Senator Dickinson—

Senate Joint Resolution No. 853—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA BY REVISING ARTICLE IX.

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

**Section 1.** The following revision of Article IX, amending the Constitution of the State of Florida, is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1960, or at any special general election held prior to that date:

#### ARTICLE IX

##### TAXATION AND FINANCE

**Section 1. Uniform and equal rate; no state ad valorem**

**tax except on intangibles.**—(1) The legislature shall provide for raising sufficient revenue for each fiscal year to defray the expenses of the state, including state appropriations for state institutions of higher learning and the uniform system of free public schools, but no ad valorem tax shall be levied for any state purpose on any property except intangible personal property. The rate of taxation on all property except intangible personal property shall be uniform and equal.

(2) The legislature may levy on intangible personal property, in lieu of all other state, county, district, and municipal taxes, a tax at special rates not exceeding two mills of the assessed valuation, but any such intangible tax relating to an obligation secured by lien evidenced by writing shall be imposed only once. The instrument shall not be entitled to record until the tax is paid.

(3) The legislature may apportion the proceeds of intangible taxes.

**Section 2. Levy of tax pursuant to law; surrender of taxing power prohibited.**—No tax shall be levied except as provided by law, and the power of taxation shall never be surrendered, suspended, or contracted away.

**Section 3. Drawing money from treasury.**—No money shall be drawn from the treasury except in pursuance of appropriations made by law; provided, expenses of legislative members of interim legislative committees as provided by concurrent resolution, may be drawn as legislative expense unless otherwise provided by law.

**Section 4. Local taxation.**—The legislature shall authorize the assessment of property for taxation and the levying of taxes and of assessments for special benefits by counties, municipalities and by or for districts, for their respective purposes and for no other purpose. The legislature shall prescribe methods that will insure a just valuation of all taxable real and personal property on a uniform basis in all counties of the state, and all assessments shall be subject to review, equalization or adjustment as provided by law. Municipalities shall make their own assessments, equalization and adjustment for municipal purposes upon the property within their limits, except as provided herein. The rate of taxation shall be uniform and equal as to all persons affected by such rate.

**Section 5. Bonds; state, county.**—State bonds shall not be issued for any purpose. No county, municipality, or district shall issue any bonds other than refunding bonds without an election by the qualified freeholders affected in which a majority of those voting in the election shall approve. Such election may be held as a special election on that subject only, or by the use of separate ballots in conjunction with any special or general election.

**Section 6. Illegal tax; prerequisite to relief.**—Each taxpayer shall pay into court the portion of his taxes admitted to be regularly assessed and legally imposed before he can seek judicial relief from payment of the remainder, and before such relief is granted he shall pay any additional amount found to be due.

**Section 7. Motor vehicle license tax.**—Motor vehicles as defined by law for taxation purposes shall be subject to a license tax on an annual basis for their operation in lieu of all ad valorem taxes on them as personal property.

**Section 8. Credit and taxing power; limitations.**—The credit of the state shall not be pledged or loaned, directly or indirectly, to any individual, company, corporation, institution, partnership, or association. The state shall not become a joint owner or stockholder in any company, partnership, association or corporation. No tax shall be levied for the benefit of any chartered company. The legislature shall not authorize any county, municipality, special district, or agency of any of them to become a joint owner or stockholder in any company, partnership, association, or corporation, or to obtain or to appropriate money for, or to pledge or loan its credit to, any individual, company, corporation, institution, partnership or association.

**Section 9. Exemption; head of family; widow; disabled resident.**—No tax shall be levied on one thousand dollars of the assessed valuation of household goods and personal effects of the head of a family residing in this state. No tax shall be levied on five hundred dollars of the assessed valuation of property of a widow residing in this state or of a

resident who has lost a limb or been disabled by war or other misfortune. These exemptions may be claimed concurrently.

**Section 10. Exemption; governmental, religious, charitable and other uses and purposes.**—Property held and used for state, county, or municipal purposes shall be exempt from taxation, and the legislature may exempt from taxation property held and used for nonprofit religious, charitable, educational, literary, or scientific purposes, and property of a corporation authorized to construct a ship or barge canal across the state.

**Section 11. Exemptions prohibited.**—No tax exemption shall be granted unless authorized herein.

**Section 12. Income tax prohibited; limit on inheritance or estate tax.**—No tax shall be levied by the state or under its authority upon the income, inheritances, or estates of citizens or residents of the state; provided, the legislature may provide for the assessment, levy, and collection of a tax upon inheritances or estates of decedents not exceeding in the aggregate the amounts which may by any law of the United States be credited against or deducted from any similar tax on inheritances, or taxes on estates, assessed or levied by the United States on the same subject. The legislature may apportion all taxes collected hereunder to any state, county, or municipal purposes.

**Section 13. Allocation of pari mutuel excise taxes.**—The legislature shall have the power to allocate and distribute to the counties, in equal amounts and at such times as it shall determine, any portion or all of the proceeds of state excise taxes on the operation of pari mutuel pools.

**Section 14. Board of administration; gasoline and like taxes; distribution and use.**—

(1) Until January 1, 1993, the proceeds of two cents per gallon of the total tax levied by state law upon gasoline and other like products of petroleum, now known as the Second Gas Tax, and upon other fuels used to propel motor vehicles, shall as collected be placed monthly in the State Roads Distribution Fund in the state treasury and divided into three equal parts which shall be distributed monthly among the several counties as follows:

One part according to area, one part according to population, and one part according to the counties' contributions to the cost of state road construction in the ratio of distribution as provided in Chapter 15659, Laws of Florida, Acts of 1931, and for the purpose of the apportionment based on the counties' contributions for the cost of state road construction, the amount of the contributions established by the certificates made in 1931 pursuant to said Chapter 15659, shall be taken and deemed conclusive in computing the monthly amounts distributable according to said contributions. Such funds so distributed shall be administered by the State Board of Administration as hereinafter provided.

(2) The governor as chairman, the state treasurer, and the state comptroller shall constitute a body corporate to be known as the State Board of Administration. Said board shall have, in addition to such powers as may be conferred upon it by law, the management, control, and supervision of the proceeds of said two cents of said taxes and all moneys and other assets which on January 1, 1943, are applicable or may become applicable to the bonds of the several counties of this state, or any special road and bridge district, or other special taxing district thereof, issued prior to July 1, 1931, for road and bridge purposes. The word "bonds" as used herein shall include bonds, time warrants, notes, and other forms of indebtedness issued for road and bridge purposes by any county or special road and bridge district or other special taxing district, outstanding on July 1, 1931, or any refunding issues thereof. Said board shall have the statutory powers of boards of county commissioners and bond trustees and of any other authority of special road and bridge districts, and other special taxing districts thereof with regard to said bonds (except that the power to levy ad valorem taxes is expressly withheld from said board) and shall take over all powers, documents, and records concerning the same. Said board shall have the power from time to time to issue refunding bonds to mature prior to January 1, 1993, for any of said outstanding bonds or interest thereon, and to secure them by a pledge of anticipated receipts from such gasoline or other fuel taxes to be distributed to such county as herein provided, but not at a greater rate of interest than said bonds now bear; and to

issue, sell or exchange on behalf of any county or unit for the sole purpose of retiring said bonds issued by such county, or special road and bridge district, or other special taxing district thereof, gasoline or other fuel tax anticipation certificates bearing interest at not more than three per cent per annum in such denominations and maturing at such time prior to January 1, 1993, as the board may determine. In addition to exercising the powers now provided by statute for the investment of sinking funds, said board may use the sinking funds created for said bonds of any county or special road and bridge district, or other unit hereunder, to purchase the matured or maturing bonds participating herein of any other county or any other special road and bridge district, or other special taxing district thereof, provided that as to said matured bonds, the value thereof as an investment shall be the price paid therefor, which shall not exceed the par value plus accrued interest, and that said investment shall bear interest at the rate of three per cent per annum.

(3) The said board shall annually use said funds in each county account, first, to pay current principal and interest maturing, if any, of said bonds and gasoline or other fuel tax anticipation certificates of such county or special road and bridge district, or other special taxing district thereof; second, to establish a sinking fund account to meet future requirements of said bonds and gasoline or other fuel tax anticipation certificates where it appears the anticipated income for any year or years will not equal scheduled payments thereon; and third, any remaining balance out of the proceeds of said two cents of said taxes shall monthly during the year be remitted by said board as follows: Eighty per cent to the State Road Department for the construction or reconstruction of state roads and bridges within the county, or for the lease or purchase of bridges connecting state highways within the county, and twenty per cent to the board of county commissioners of such county for use on roads and bridges therein.

(4) Said board shall have the power to make and enforce all rules and regulations necessary to the full exercise of the powers hereby granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1943. The legislature shall continue the levies of said taxes during the life of this section, and shall not enact any law having the effect of withdrawing the proceeds of said two cents of said taxes from the operation of this section. The board shall pay refunding expenses and other expenses for services rendered specifically for, or which are properly chargeable to, the account of any county from funds distributed to such county; but general expenses of the board for services rendered all the counties alike shall be prorated among them and paid out of said funds on the same basis said tax proceeds are distributed among the several counties; provided, report of said expenses shall be made to each regular session of the legislature, and the legislature may limit the expenses of the board.

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

By Senator Dickinson—

Senate Joint Resolution No. 854—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA BY REVISING ARTICLE XII.

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

Section 1. The following revision of Article XII, amending the constitution of the state of Florida, is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1960, or at any special general election held prior to that date:

## ARTICLE XII

### EDUCATION

Section 1. **Uniform system of free public schools and higher institutions.**—The legislature shall provide for the establishment, maintenance, and operation of a uniform system of free public schools, and for institutions of higher learning.

Section 2. **State board of education; powers; duties.**—The governor and members of the cabinet shall constitute the State Board of Education, which shall be a body corporate and have the management and investment of all state school funds pursuant to applicable law and such supervision of public schools and institutions of higher learning as may be provided by law.

Section 3. **County school boards; membership; duties.**—In each county, the county school board shall operate, control and supervise all public schools within the county, levy the county school tax and perform other duties prescribed by law. One member of the county school board shall be elected by and from among the electors of each county for a term of four years from each county commissioner district, and shall reside in the district from which elected. Additional members not to exceed two in number may be elected by such electors from the county at large as provided by law. Successors to those members of the county school board representing odd-numbered districts shall be elected in 1962, and successors to those representing even-numbered districts shall be elected in 1964; provided, succession to membership may be changed by law.

Section 4. **County superintendents, election, appointment and qualifications.**—(1) County superintendents shall be elected in the same manner other county officers are elected, except when appointed as provided in subsection (2). The educational or other qualifications for the office of county superintendent shall be as prescribed by law.

(2) In any county in this state the county school board shall appoint the county superintendent upon authorization by vote of the county electors at a special election called by the board of county commissioners upon request by the county school board and held within sixty days of receipt thereof. Any county electing to appoint its county superintendent hereunder may after four years revoke such action by referendum.

Section 5. **State school fund; derivation; use.**—The State School Fund shall consist of the proceeds of all lands granted to the state by the United States for public school purposes, twenty-five per cent of the proceeds of sale of other public lands now or hereafter owned by the state, proceeds from escheats and forfeitures, state appropriations, and donations to this fund or to the state without specification of purpose. The principal of this fund shall remain inviolate, and interest derived from investment thereof shall be applied exclusively to the support of free public schools. Such interest and all other state means provided for the support and maintenance of free public schools shall be apportioned and distributed among the counties according to a principle of classification prescribed by general law.

Section 6. **County school fund; sources; apportionment restrictions on use.**—Each county school board shall levy annually for the support of the free public schools of the county a tax of not less than three nor more than twenty mills of the assessed valuation of all taxable property therein. The County School Fund shall consist of the proceeds of these taxes, its share of the interest derived from the state school fund, any state appropriations distributed to it, and revenue derived from any other source for support and maintenance of free public schools. The county school board shall disburse these proceeds solely for the support and maintenance of free public schools as prescribed by general law, but no law shall be enacted authorizing the diversion or lending of such funds or the use of any part for support of any sectarian school.

Section 7. **School bonds for capital outlay; issuance.**—(1) Beginning January 1, 1953, and for thirty years thereafter, the first proceeds of the revenues derived from the licensing of motor vehicles to the extent necessary to comply with the provisions of this section shall, as collected, be placed monthly in the County Capital Outlay and Debt Service School Fund in the state treasury, and used only as provided in this section. Such revenue shall be distributed annually among the several counties in the ratio of the number of instruction units in each county in each year computed as provided herein. The amount of the first revenues derived from the licensing of motor vehicles to be so set aside in each year and distributed as provided herein shall be an amount equal in the aggregate to the product of four hundred dollars multiplied by the total number of instruction units in all the counties

of the state. The number of instruction units in each county in each year for the purposes of this section shall be the greater of (a) the number of instruction units in each county for the school fiscal year 1951-52 computed in the manner heretofore or hereafter provided by general law, or (b) the number of instruction units in such county for the preceding school fiscal year computed in the manner heretofore or hereafter provided by general law and approved by the state board of education (hereinafter called the state board).

Such funds so distributed shall be administered by the state board as now created and constituted by Section 2 of the present Article. For the purposes of this section, the state board, as now constituted, shall continue as a body corporate during the life of this section and shall have all the powers provided in this section in addition to all other constitutional and statutory powers related to the purposes of this section heretofore or hereafter conferred upon the state board.

(2) The state board shall, in addition to its other constitutional and statutory powers, have the management, control, and supervision of the proceeds of the first part of the revenues derived from the licensing of motor vehicles provided for in subsection (1) hereof. The state board shall also have power, for the purpose of obtaining funds for the use of any county school board in acquiring, building constructing, altering, improving, enlarging, furnishing, or equipping capital outlay projects for school purposes, to issue bonds or motor vehicle tax anticipation certificates, and also to issue such bonds or motor vehicle tax anticipation certificates to pay, fund or refund any bonds or motor vehicle tax anticipation certificates theretofore issued by said state board. All such bonds shall bear interest at not exceeding four and one-half per cent per annum and shall mature serially in annual installments commencing not more than three years from the date of issuance thereof and ending not later than January 1, 1983, and each annual installment shall not be less than three per cent of the total amount of the issue. All such motor vehicle tax anticipation certificates shall bear interest at not exceeding four per cent per annum and shall mature prior to January 1, 1983. The state board shall have power to determine all other details of said bonds or motor vehicle tax anticipation certificates and to sell at public sale after public advertisement, or exchange said bonds or motor vehicle tax anticipation certificates, upon such terms and conditions as the state board shall provide.

The state board shall also have power to pledge for the payment of the principal of and interest on such bonds or motor vehicle tax anticipation certificates, including refunding bonds or refunding motor vehicle tax anticipation certificates, all or any part from the anticipated revenues to be derived from the licensing of motor vehicles provided for in this section and to enter into any covenants and other agreements with the holders of such bond or motor vehicle tax anticipation certificates at the time of the issuance thereof concerning the security thereof and the rights of the holders thereof, all of which covenants and agreements shall constitute legally binding and irrevocable contracts with such holders and shall be fully enforceable by such holders in any court of competent jurisdiction.

No such bonds or motor vehicle tax anticipation certificates shall ever be issued by the state board until after the adoption of a resolution requesting the issuance thereof by the county school board of the county on behalf of which such obligations are to be issued. The state board shall limit the amount of such bonds or motor vehicle tax anticipation certificates which can be issued on behalf of any county to seventy-five per cent of the amount which it determines can be serviced by the revenue accruing to the county under the provisions of this section. All such bonds or motor vehicle tax anticipation certificates shall be issued in the name of the state board but shall be issued for and on behalf of the county school board requesting the issuance thereof, and no election or approval of qualified electors or freeholders shall be required for the issuance thereof.

(3) The state board shall in each year use the funds distributable pursuant to this section to the credit of each county only in the following manner and order of priority:

(a) To pay all amounts of principal and interest maturing in such year on any bonds or motor vehicle tax anticipation certificates issued under the authority hereof, including refunding bonds or motor vehicle tax anticipation certificates,

issued on behalf of the county school board of such county; subject, however, to any covenants or agreements made by the state board concerning the rights between holders of different issues of such bonds or motor vehicle tax anticipation certificates, as herein authorized.

(b) To establish and maintain a sinking fund or funds to meet future requirements for debt service, or reserves therefor, on bonds or motor vehicle tax anticipation certificates issued on behalf of the county school board of such county, under the authority hereof, whenever the state board shall deem it necessary or advisable, and in such amounts and under such terms and conditions as the state board shall in its discretion determine.

(c) To distribute annually to the several county school boards for use in payment of debt service on bonds heretofore or hereafter issued by any such board where the proceeds of the bonds were used, or are to be used, in the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects in such county, and which capital outlay projects have been approved by the county school board pursuant to a survey or surveys conducted subsequent to July 1, 1947, in the county, under regulations prescribed by the state board to determine the capital outlay needs of the county.

The state board shall have power at the time of issuance of any bonds by any county school board to covenant and agree with such board as to the rank and priority of payments to be made for different issues of bonds under this paragraph (c), and may further agree that any amounts to be distributed under this paragraph (c) may be pledged for the debt service on bonds issued by any county school board and for the rank and priority of such pledge. Any such covenants or agreements of the state board may be enforced by any holders of such bonds in any court of competent jurisdiction.

(d) To distribute annually to the several county school boards for the payment of the cost of the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects for school purposes in such county as shall be requested by resolution of the county school board of such county.

(e) When all major capital outlay needs of a county have been met as determined by the state board, on the basis of a survey made pursuant to regulations of the state board and approved by the state board, all such funds remaining shall be distributed annually and used for such school purposes in such county as the county school board shall determine, or as may be provided by general law.

(4) Capital outlay projects of a county shall be eligible to participate in the funds accruing under this section and derived from the proceeds of bonds and motor vehicle tax anticipation certificates and from the motor vehicle license taxes, only in the order of priority of needs, as shown by a survey or surveys conducted in the county under regulations prescribed by the state board, to determine the capital outlay needs of the county and approved by the state board; provided, the priority of such projects may be changed from time to time upon the request of the county school board and with the approval of the state board; and provided further, this subsection (4) shall not in any manner affect any covenant, agreement, or pledge made by the state board in the issuance by the state board of any bonds or motor vehicle tax anticipation certificates, or in connection with the issuance of any bonds of any county school board.

(5) The state board may invest any sinking fund or funds created pursuant to this section in direct obligations of the United States or in the bonds or motor vehicle tax anticipation certificates, matured or to mature, issued by the state board on behalf of any county school board.

(6) The state board shall have power to make and enforce all rules and regulations necessary to the full exercise of the powers herein granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1953; provided, the legislature may by general law of state-wide application, but not by any law based on population, repeal or amend rules and regulations promulgated under this section. The legislature shall not reduce the levies of said motor vehicle license taxes during the life of this section to any degree which will fail to provide the full amount necessary to comply with the provisions of this section and pay the necessary expenses of administering the laws relating

to the licensing of motor vehicles, and shall not enact any law having the effect of withdrawing the proceeds of such motor vehicle license taxes from the operation of this section and shall not enact any law impairing or materially altering the rights of the holders of any bonds or motor vehicle tax anticipation certificates issued pursuant to this section or impairing or altering any covenant or agreement of the state board as provided in such bonds or motor vehicle tax anticipation certificates.

The state board shall have power to appoint such persons and fix their compensation for the administration of the provisions of this section as it shall deem necessary, and the expenses of the state board in administering the provisions of this section shall be prorated among the various counties and paid out of the proceeds of the bonds or motor vehicle tax anticipation certificates or from the funds distributable to each county on the same basis as such motor vehicle license taxes are distributable to the various counties under the provisions of this section. Interest or profit on sinking fund investments shall accrue to the counties in proportion to their respective equities in the sinking fund or funds.

**Section 8. County school bonds; issuance; payment; restrictions.**—The legislature may authorize county school boards to issue bonds to raise funds for the exclusive use of the free public schools of the county whenever the issuance of such bonds is approved by a majority of the votes cast in an election in which a majority of the electors who are freeholders participate; provided, no election shall be necessary to issue refunding bonds. A special tax on all taxable property in the county shall be levied at a rate sufficient to meet and shall be applied exclusively to the payment when due of the installments of principal and interest on such bonds. Such bonds shall become payable within thirty years from the date of issuance in annual installments commencing not more than three years after the date of issuance. After the first three years from date of issuing, each annual installment shall be not less than three per cent of the total amount of the issue. The principal of such bonds, together with the principal of the existing indebtedness of the county incurred for public school purposes and unpaid bonds of special tax school districts thereof shall not exceed twenty per cent of the assessed valuation of all taxable property of the county.

**Section 9. White and colored; separate schools.**—White and colored children shall not be taught in the same school, but impartial provision shall be made for both.

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

By Senator Dickinson—

Senate Joint Resolution No. 855—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA BY REVISING ARTICLE XVI.

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

Section 1. The following revision of Article XVI, amending the constitution of the state of Florida, is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1960, or at any special general election held prior to that date:

#### ARTICLE XVI

##### GENERAL PROVISIONS

Section 1. **Definitions and rules of construction.**—Unless qualified in the text the following definitions and rules of construction shall apply to this constitution:

- (1) "Herein" refers to the entire constitution.
- (2) The singular includes the plural.
- (3) The masculine includes the feminine and the neuter.
- (4) The term "felony" as used herein and in the laws of this state shall mean any criminal offense that is punishable under the laws of this state, or that would be punishable if committed in this state, by death or by imprisonment in the state penitentiary.

(5) "Vote of the electors" means the vote of the majority of those voting on the matter in an election, general or special, in which those participating are limited to the qualified electors of the governmental unit referred to in the text.

(6) Vote or other action of a legislative house or other governmental body means the vote or action of a majority or other specified percentage of those members voting on the matter; the vote or other action "of the membership" means the vote or action of all members thereof.

(7) Unless the contrary is clearly indicated the terms "office," "public office," "officer," and "public officer" shall not include municipal office or municipal officer.

(8) Titles and subtitles shall not be used in construction.

(9) Article number and section number shall not be construed as part of any section except for purposes of identification.

**Section 2. State and county officers not provided for herein.**—The legislature shall provide for election by the people or appointment by the governor of each state or county officer if the method of his selection is not provided for herein, and except as provided herein it shall prescribe his qualifications, method of election, duties, powers, term, and compensation, and also the membership of each board or commission.

**Section 3. Residence, public officers.**—Each public officer shall maintain his residence within the area from which selected whenever election or appointment from a designated area is required by law.

**Section 4. Ineligibility to state office.**—No person holding or exercising the functions of any office under a foreign government, the United States, or another state, shall hold any office of honor or profit under the government of this state. No person shall at the same time hold or perform the functions of more than one office under the government of this state; provided, notaries public and military officers may be elected or appointed to fill any single legislative, executive, or judicial office.

**Section 5. Appointments and vacancies; state and county officers.**—Except as provided herein and as may be provided by law for selection of jury commissioners, the governor shall make all appointments to each state or county appointive office. The governor shall fill each vacancy in office except as provided herein and except when provision is made by general law for an election to fill such vacancy. Vacancy occurs upon death, failure to qualify within fifteen days from commencement of the term of office to which elected, or, after qualification, upon removal, conviction or impeachment, resignation, succession to another office, failure to maintain residence within the area from which selected, or unexplained absence for six months. If confirmation of appointment to an office is required and the senate disapproves the appointment, the person proposed shall be ineligible for appointment to that office for four years from refusal of confirmation.

**Section 6. Terms of office; elective and appointive officials.**—Except as provided herein no term of office shall exceed four years and the term of each elective officer shall commence at noon, standard time at the seat of office, on the first Tuesday after the first Monday in January following the election. An officer elected to fill a vacancy shall serve from noon on such Tuesday for the unexpired portion of the term, and one appointed to fill a vacancy in elective office shall serve until his elected successor takes office. An appointive officer whose term is not fixed by law shall serve at the pleasure of appointing authority. Each state, county, or municipal officer shall continue in office until his successor qualifies.

**Section 7. Duties; public officers.**—Each public officer or agency shall perform the duties prescribed herein, and all except the governor shall perform all other duties prescribed by law. Each public officer shall devote personal attention to the duties of his office.

**Section 8. Oath of office, public office.**—Each legislator shall take the following oath of office on the first day of the next session of the legislature following his election but upon election shall be qualified to participate in all interim legislative activities, and each other public officer before taking office shall swear or affirm: "I do solemnly swear [or affirm] that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida;

that I am duly qualified to hold office under the Constitution of the State; and that I will well and faithfully perform the duties of [title of office] on which I am now about to enter. So help me God."

**Section 9. Bonds; public officers.**—Each public officer shall give bond as provided by law and shall not be surety upon the official bond of another public officer.

**Section 10. Payment of compensation, public officers.**—The compensation of each state officer shall be payable monthly on his own requisition.

**Section 11. Seat of government; location of offices.**—The seat of government shall be the City of Tallahassee, in Leon County, where the offices of the Executive officers and of the supreme court shall be maintained; provided, when necessary because of invasion or grave emergency the governor by proclamation may for the period necessary transfer the seat of government to another place. Administrative agencies shall maintain their offices at the places prescribed by law.

**Section 12. Continuity of government.**—The legislature, in order to insure continuity of state and local governmental operations in periods of emergency resulting from disasters caused by enemy attack, shall have the power and the immediate duty (1) to provide for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and (2) to adopt such other measures as may be necessary and proper for insuring the continuity of governmental operations. In the exercise of the powers hereby conferred the legislature shall in all respects conform to the requirements of this Constitution except to the extent that in the judgment of the legislature so to do would be impracticable or would admit of undue delay.

**Section 13. State seal and flag.**—The design of the great seal and flag of the state shall be prescribed by the legislature.

**Section 14. Elections; secret vote; direct vote; choice by plurality; regulation of elections.**—Unless otherwise provided herein, all elections by the people shall be by secret and direct vote and except for primary elections shall be determined by a plurality of the votes cast. The conduct of elections, requirements for absentee voting, methods of voting, determination of election returns, and procedure in election contests shall be prescribed by law. Recognition, regulation, and nominating procedure of political parties shall be provided by law.

**Section 15. Amendments to United States Constitution; prerequisite to state action.**—No state convention or legislature shall take action on any proposed amendment to the constitution of the United States unless a majority of the members thereof shall have been elected after its submission to the states.

**Section 16. Distribution of laws; judicial decisions.**—The legislature shall provide for the speedy publication and distribution of all laws. Laws and judicial decisions shall be free for publication by any person.

**Section 17. Criminal cases; costs and fines.**—In all criminal cases prosecuted in the name of the state against an insolvent or discharged defendant, the county in which the case was prosecuted shall under regulations prescribed by law pay the legal costs.

**Section 18. Miscegenation prohibited.**—Marriage between a white person and a person of negro descent through the fourth generation is prohibited.

**Section 19. Mechanics liens.**—The legislature shall provide for giving to mechanics and other laborers an adequate lien on the subject matter of their labor.

**Section 20. Extra compensation.**—No extra compensation shall be paid to any officer, agent, or employee after the service is rendered, or to any contractor except in accordance with the terms of the contract.

**Section 21. Condemnation of property; compensation.**—Private property shall not be taken without just compensation determined by a jury of twelve. Interim possession may be obtained after the commencement of suit upon guaranteeing payment as provided by law. Benefits resulting from improve-

ments proposed to be made by an individual or a private or public corporation, except as the legislature may provide by governmental agencies for road purposes, shall not be applied in reduction of compensation. The legislature may provide for drainage of private land over or through that of another upon payment of just compensation.

**Section 22. Exemption; governmental, religious, charitable and other uses and purposes.**—Property held and used for state, county, or municipal purposes shall be exempt from taxation, and the legislature may exempt from taxation property held and used for nonprofit religious, charitable, educational, literary, or scientific purposes, and property of a corporation authorized to construct a ship or barge canal across the state.

**Section 23. Military subordinate to civil; quartering.**—The military power is in strict subordination to the civil.

No member of the military shall be quartered on private property in time of peace without the consent of the owner, and in time of war all quartering shall be as prescribed by law.

**Section 24. Location of county offices; public records.**—The principal offices and permanent records of all county officers shall be at the county seat; provided, branch offices for the conduct of county business and facilities for court proceedings including jury trials in civil cases may be established by law elsewhere in the county. No instrument shall be deemed recorded until filed at the county seat according to law.

**Section 25. Civil service systems and boards.**—The legislature may create or abolish civil service systems and boards for state, county, district, or municipal employees, and also for such officers thereof as are not appointed by the governor or elected, and may authorize such boards to prescribe the qualifications, methods of selection, and tenure of such employees and officers.

**Section 26. Conservation of salt water fish, shellfish, and products.**—The legislature shall establish an agency to conserve and supervise the salt water fish, salt water shellfish, and salt water products of the state and shall empower it to make regulations relating thereto, which need not apply uniformly throughout the state and may be repealed or modified by law. Should the game and fresh water fish commission be established as the agency, it shall thereupon be designated Game and Fish Commission.

**Section 27. Court of claims.**—The legislature shall create a court of claims and shall empower it to make determination of tort claims against the state which are not specifically provided for by law in force when the claim accrues. The legislature may make an appropriation for a claim not to exceed the amount determined by the court. No claim shall be paid until approved by the court.

**Section 28. Pardon and parole commission.**—The legislature shall create a Pardon and Parole Commission to be appointed by the governor and the cabinet; shall prescribe terms of office and methods of selection of its members based upon specialized qualifications and examination to determine fitness; shall empower the commission in all cases except treason, to grant full or conditional pardons, restore civil rights, commute punishment, remit fines and forfeitures, supervise persons on probation and grant parole or conditional releases to persons under sentence of crime; and shall prescribe the manner of applying for pardons.

**Section 29. Public utilities commission.**—The legislature shall create a public utilities commission to be appointed by the governor and the cabinet and shall prescribe the terms of office and methods of selection of its members based upon specialized qualifications and examination to determine fitness. The powers and duties of said commission shall be as prescribed by law.

**Section 30. Urban redevelopment.**—The legislature may by law authorize municipalities or housing authorities to carry out projects for slum clearance or blighted area redevelopment, including the acquisition, clearance, and preparation of the areas for efficient use and the disposition thereof to other public agencies or to private persons for the effectuation of the project in accordance with the formulated development plan.

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

By Senator Dickinson—

Senate Joint Resolution No. 856—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA BY REVISING THE PREAMBLE.

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

Section 1. The following revision of the Preamble, amending the constitution of the state of Florida, is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1960, or at any special general election held prior to that date:

#### PREAMBLE

We, the people of the State of Florida, being grateful to Almighty God for freedom, liberty, and other blessings that we enjoy, and desiring to preserve them, do ordain and establish this constitution.

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

By Senator Dickinson—

Senate Joint Resolution No. 857—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA BY REVISING ARTICLE III.

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

Section 1. The following revision of Article III, amending the constitution of the state of Florida, is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1960, or at any special general election held prior to that date:

#### ARTICLE III LEGISLATIVE

Section 1. **Composition.**—The legislative power of the state shall be vested in a Legislature of the State of Florida, consisting of a Senate and a House of Representatives, whose sessions shall be held at the seat of government.

Section 2. **Regular sessions; extensions.**—A regular legislative session shall be convened on the first Tuesday after the first Monday in April of each odd-numbered year for not more than sixty consecutive days; provided, that prior to the expiration of the regular sixty day session by three-fifths vote of the membership of each house it may be extended for not more than thirty additional calendar days, not necessarily consecutive but not extending beyond the following August, during which no new legislation may be introduced without the consent of two-thirds of the members present of the house in which it originates.

Section 3. **Extra sessions; call by legislature.**—When within sixty days from filing of the first certificate one-fifth of the membership of each house of the legislature shall have filed with the secretary of state their certificates that an extra session of the legislature is required for the common good, he shall within seven days thereafter give notice thereof to all legislators by registered mail and poll them on the question: "Shall such session be held?" If three-fifths of the membership of each house shall within fifteen days after such mailing file with him their affirmative votes thereon, he shall call such session to convene on a date fixed by him not less than fourteen or more than twenty-one days after such mailing. Such session shall not exceed thirty consecutive days.

Section 4. **Special sessions; call by governor.**—The governor may by proclamation, stating the purpose, convene the legislature in special session not to exceed twenty consecutive days, during which only such legislative business may be transacted as is within the purview of the proclamation or of a communication from the governor, or is consented to by two thirds of the members present of each house.

Section 5. **Organization; expenses.**—The legislature may provide for its organization, expenses, and other incidental matters.

Section 6. **Terms of legislators; vacancies.**—Each representative shall be elected for a term of two years and each senator for a term of four years by the electors of the area within which he qualifies, at a general election held in the year in which the term of the incumbent expires. He shall take office upon election. Vacancies shall be filled only by special election as provided by law.

Section 7. **Qualifications of legislators.**—Each legislator shall be at least twenty-one years of age. He shall be an elector and resident of the area from which elected. If he fails to maintain such residence during his term of office his seat shall be vacated.

Section 8. **Eligibility for other office.**—Except as provided herein, no legislator shall during the term for which elected be appointed to any appointive state civil office created by the legislature during such term.

Section 9. **Compensation; allowances.**—Each legislator shall receive compensation, payable monthly, and travel and per diem allowances as provided by law.

Section 10. **Members; officers.**—Each house shall be the sole judge of the qualifications, elections, and returns of its members, and upon convening each regular session shall choose its officers, including a permanent presiding officer selected from its membership, who shall be designated in the senate as President of the Senate, and in the house as Speaker of the House of Representatives. The senate shall designate a Secretary, to serve at its pleasure; the house of representatives shall designate a Chief Clerk, to serve at its pleasure; and the legislature may designate an auditor, to serve at its pleasure, to post-audit state accounts and any others prescribed by law.

Section 11. **Procedure; adjournment; open doors; journal; discipline; compelling attendance.**—Except as provided herein, each house shall determine its rules of procedure. Neither house may adjourn for more than three days without the consent of the other. The senate may close its doors to the public while sitting in executive session to consider the confirmation or removal of public officers. Other sessions of each house shall be public. Each house shall keep and publish a journal of its proceedings, in which the yeas and nays of each member on any question shall be entered upon request of five members present. Each house may punish a member for contempt and by vote of two thirds of the membership may expel him. A majority of the members elected to each house shall constitute a quorum, but less than a quorum may adjourn from day to day, compel attendance of absent members, and prescribe penalties for failure to attend.

Section 12. **Attendance of witnesses; production of evidence; contempt and penalties.**—Each house may when in session compel attendance of witnesses and production of public and private documents and other evidence as provided by law upon any matter under investigation before it or any of its committees, and may punish by fine not exceeding one thousand dollars or imprisonment not exceeding ninety days any person not a member who has been guilty of disorderly or contemptuous conduct in its presence or has refused to obey its lawful summons or to answer lawful questions. For making investigations between sessions the legislature may confer such powers upon any committee of legislators by a law limited to the committee designated, to a stated period of operation, and to the matters specifically assigned. The manner of exercising such powers, including the fixing of witness fees and expenses and appropriate right of appeal, shall be prescribed by law.

Section 13. **Ineligibility to state office.**—No person holding or exercising the functions of any office under a foreign government, the United States, or another state, shall hold any office of honor or profit under the government of this state. No person shall at the same time hold or perform the functions of more than one office under the government of this state; provided, notaries public and military officers may be elected or appointed to fill any legislative, executive, or judicial office.

Section 14. **Form of bill; one subject; title; amendment; enacting clause.**—Every bill that is introduced shall embrace but one subject and matter properly connected therewith,

which subject shall be briefly expressed in the title. No law shall be revised or amended by reference to its title only. Every bill to revise or amend shall set out in full the proposed revised act or proposed amended section, or subsection, or paragraph of a subsection. The enacting clause of every law shall read: "Be it enacted by the Legislature of the State of Florida:".

**Section 15. Passage of bills.**—Any bill may originate in either house and after passage in one may be amended in the other. In each house it shall be read on three separate days unless two thirds of the members present waive this rule. Its first reading shall be by title only unless one third of the members present order it read in full. Its second reading shall be in full unless two thirds of the members present order it read by title only. Its third reading shall be in full unless it is a general revision of the entire law, in which instance two thirds of the members present may order it read by title only. In each house passage of a bill shall require a majority vote of the members present. On final passage the vote in each house shall be taken by yeas and nays and entered on its journal. Every bill or joint resolution upon passage shall be signed by the presiding officers of the respective houses and by the secretary of the senate and the chief clerk of the house of representatives.

**Section 16. Effective date of laws.**—Each law shall take effect on the sixtieth day from the date it is filed in the office of the secretary of state unless otherwise provided therein.

The classification by general law of counties, municipalities, and special districts according to population shall, as to those falling within a different class by reason of change in population, become operative thirty days after the adjournment of the regular session of the legislature next convening after certification of the census establishing such change.

**Section 17. Special and local laws prohibited.**—The legislature shall not pass any special or local laws pertaining to:

- (1) Jurisdiction, duties, service charges by county and state officials other than those for special county purposes;
- (2) Assessment or collection of taxes for state or county purposes, including extension of time therefor, relief of tax officers from due performance of their duties, and relief of their sureties from liability;
- (3) Practice in, or rules of evidence, of any court except municipal courts;
- (4) Punishment for crime;
- (5) Grand or petit juries, including compensation of jurors, except establishment of jury commissions;
- (6) Change of civil or criminal venue;
- (7) Conditions precedent to bringing any civil or criminal proceedings, or limitations of time therefor;
- (8) Refund of money legally paid or remission of fines, penalties, or forfeitures;
- (9) Creation, enforcement, extension, or impairment of liens, except liens levied or imposed by municipalities, or fixing of interest rates on private contracts;
- (10) Disposal of state property, including any interest therein;
- (11) Vacation of roads;
- (12) Private incorporation or grant of privilege to a private corporation, except as to a ship or barge canal across the state;
- (13) Effectuation of invalid deeds, wills, or other instruments, or change in the law of descent;
- (14) Change of name of any person;
- (15) Divorce or annulment of marriage;
- (16) Legitimation or adoption of persons;
- (17) Relief of minors from legal disabilities;
- (18) Transfer of any property interest of persons under legal disabilities or of estates of decedents;

(19) Fishing or hunting;

(20) Regulation of professions which have a state regulatory board;

(21) Election, including the opening and conducting thereof and the designation of places of voting, of any officers except municipal officers.

In all cases enumerated above all laws shall be general and of uniform operation throughout the state.

The legislature may by general law prohibit special or local laws on any other subject and repeal or amendment thereof shall be by general law only.

**Section 18. Special and local laws; requisites for enactment.**—Every special law shall be enacted as such and not as a general law of special application. Every law relating to a single county, municipality, or special district shall be enacted as a local law and shall name the county, municipality, or special district affected. No special law or local law shall be passed, and no local or special law establishing or abolishing municipalities or providing for their government, jurisdiction, and powers or altering or amending the same shall be passed, unless notice of intention to seek enactment thereof has been published in the manner provided by law, in each county in the area to be affected thereby, not less than thirty days or more than ninety days prior to introduction in the legislature. The fact that publication has been made shall be recited on the journal of each house and the evidence of publication shall be preserved with the bill in the office of the secretary of state. Such notice shall not be necessary when the law is conditioned to become effective only upon approval by vote of the electors.

**Section 19. Laws based upon population; limitation.**—No law or amendment based upon population shall set forth a classification embracing only one county, municipality or special district according to the census applicable at the time of enactment.

**Section 20. Executive approval; veto; item veto of appropriations; repassage.**—Every bill passed by the legislature shall be presented to the governor for his approval and shall become a law if he approves and signs it, or fails to sign or veto it, within seven days after presentation; provided, if during such period the legislature finally adjourns or takes a recess of more than thirty days he shall have twenty days from the day of adjournment or recess to act on the bill. In all cases except general appropriation bills, the veto shall extend to the entire bill. Any section or specific item in the general appropriation bill may be vetoed by the governor except expressions of policy or intent by the legislature in the use or expenditure of a specific item.

When a bill or any section or item of a general appropriation bill has been vetoed by the governor, he shall transmit his signed objections thereto to the house in which the bill originated. If that house is not in session he shall file them with the secretary of state, who shall lay them before that house at its next regular, extra, or special session, and they shall be entered on its journal.

If both houses shall re-enact the bill or reinstate a vetoed portion of an appropriation bill by two-thirds vote of the members present, the yeas and nays shall be entered on the respective journals, and the bill shall become law or the portion reinstated.

**Section 21. Impeachment; effect; filling office during trial.**—The governor, lieutenant governor, justices of the supreme court, members of the cabinet, judges of district courts of appeal, and judges of the circuit court may be removed from office only by conviction on impeachment. The house of representatives by two-thirds vote of the members present shall have the sole power of impeachment. Impeachments shall be tried by the senate, whose members shall be upon oath or affirmation when sitting for that purpose, and conviction shall require concurrence by two-thirds vote of the members present. The senate may adjourn to a fixed date for the trial, which date shall be not more than six months from the time articles of impeachment are preferred. The house of representatives need not be in session during the trial. The chief justice or an associate justice appointed by him shall preside at the trial unless the chief justice is on trial, in which event the governor shall preside. Judgment

shall extend only to removal from office and disqualification to hold any office of honor, trust, or profit under the state, and shall not affect the criminal or civil liability of the convicted officer.

An impeached officer shall immediately be disqualified from performing any duties until acquitted by the senate, and unless the governor is impeached he may by appointment fill the office until completion of trial.

**Section 22. State and county officers not provided for herein.**—The legislature shall provide for election by the people or appointment by the governor of each state or county officer if the method of his selection is not provided for herein, and except as provided herein it shall prescribe his qualifications, method of election, duties, powers, term and compensation, and also the membership of each board or commission.

**Section 23. Appropriation bills.**—Laws making appropriations for salaries of public officers and other current expenses of the state and capital outlay shall contain provisions on no other subject.

**Section 24. Reports to legislature on request.**—Each state, county, district, or municipal executive officer, agency head, or employee shall furnish information regarding his department, office, or employment upon the request of either house of the legislature.

**Section 25. Suits against state.**—The legislature may provide by general law for suits against the state.

**Section 26. Civil actions; restrictions on statutes of limitation.**—The time for bringing a civil action on any existing cause of action shall not be reduced without providing a reasonable period for bringing it.

**Section 27. Criminal statutes; repeal or modification.**—Repeal or amendment of a criminal statute shall not affect prosecution or punishment for any crime committed prior thereto.

**Section 28. Lotteries prohibited.**—All lotteries are prohibited.

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

By Senator Dickinson—

Senate Joint Resolution No. 858—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA BY REVISING ARTICLE I.

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

Section 1. The following revision of Article I, amending the constitution of the state of Florida, is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1960, or at any special general election held prior to that date:

ARTICLE I  
BOUNDARIES

**State boundaries.**—The state boundaries are: Begin at the mouth of the Perdido River, which for the purposes of this description is defined as the point where latitude 30°16'53" north and longitude 87°31'06" west intersect; thence to the point where latitude 30°17'02" north and longitude 87°31'06" west intersect; thence to the point where latitude 30°18'00" north and longitude 87°27'08" west intersect; thence to the point where the center line of the Intracostal Canal (as the same existed on June 12, 1953) and longitude 87°27'00" west intersect; the same being in the middle of the Perdido River; thence up the middle of the Perdido River to the point where it intersects the south boundary of the State of Alabama, being also the point of intersection of the middle of the Perdido River with latitude 31°00'00" north; thence east, along the south boundary line of the State of Alabama, the same being latitude 31°00'00", north to the middle of the Chattahoochee River; thence down the middle of said river to its confluence with the Flint River; thence in a straight line to the head of the St. Marys River; thence down the middle of said river to the Atlantic Ocean, and extending therein to a point three

(3) geographic miles from the Florida coast line, meaning the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters; thence south-eastwardly following a line three (3) geographic miles distant from the Atlantic coast line of the state and three (3) leagues distant from the Gulf of Mexico coast line of the state to and around the Tortugas Islands; thence northeastwardly, three (3) leagues distant from the coast line, to a point three (3) leagues distant from the coast line of the mainland; thence north and northwestwardly, three (3) leagues distant from the coast line, to a point west of the mouth of the Perdido River, three (3) leagues from the coast line, as measured on a line bearing 0°01'00" west from the point of beginning; thence along said line to the point of beginning.

The legislature may extend the coastal boundaries to such limits as the laws of the United States or international law may permit.

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

By Senator Dickinson—

Senate Joint Resolution No. 859—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA BY REVISING THE DECLARATION OF RIGHTS.

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

Section 1. The following revision of the Declaration of Rights, amending the constitution of the state of Florida, is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1960, or at any special general election held prior to that date:

DECLARATION OF RIGHTS

**Section 1. Equality; inalienable rights; property of persons ineligible for citizenship.**—All persons are equal before the law and have inalienable rights. Among these are the right to enjoy and defend life and liberty, to obtain safety, to pursue happiness, to be rewarded for industry, and to acquire, possess, and protect property; but the legislature may regulate or prohibit the ownership, inheritance, disposition, or possession of real property by persons ineligible for citizenship.

**Section 2. Political power; government.**—All political power is inherent in the people. Government is instituted for their protection, security, and benefit. They have the right to regulate their government and to amend or repeal this constitution. The enumeration herein of certain rights shall not be construed to deny or impair others retained by the people.

**Section 3. Military subordinate to civil; quartering.**—The military power is in strict subordination to the civil.

No member of the military shall be quartered on private property in time of peace without the consent of the owner, and in time of war all quartering shall be as prescribed by law.

**Section 4. Access to courts.**—The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.

**Section 5. Religious freedom.**—The free exercise and enjoyment of religious belief and worship shall never be abridged, but this freedom shall not be construed to justify licentiousness or practices inconsistent with peace and safety. No person shall be incompetent as a witness or ineligible for jury duty or public office because of religious belief. No preference shall be given by law to any religious denomination or mode of worship, and no public funds shall be granted directly or indirectly in aid of any religious denomination or sectarian institution.

**Section 6. Right to work; collective bargaining.**—The right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization. This section shall not be construed to deny or abridge the right of employees by and through a labor

organization or labor union to bargain collectively with their employer.

Section 7. **Habeas corpus.**—The writ of habeas corpus shall be granted as of right, promptly and without cost.

Section 8. **Excessive fines; cruel punishment; attainder; detention of witnesses.**—Excessive fines, cruel or unusual punishment, attainder, indefinite imprisonment, and unreasonable detention of witnesses are forbidden.

Section 9. **Bail.**—Until adjudged guilty, every person is entitled to release on reasonable bail with sufficient surety unless charged with a capital offense and the proof of guilt is evident or the presumption is great.

Section 10. **Indictment; information; plea; sentence.**—No person shall be tried for capital crime without presentment or indictment by a grand jury, or for other felony without such presentment or indictment or an information under oath filed by the prosecuting officer of the court. A person charged with any crime not capital may be arraigned and may plead thereto in term or vacation, and the court may at any time pronounce judgment and sentence on a plea of guilty.

Section 11. **Jury trial; rights of accused.**—The right of trial by jury in criminal and civil proceedings as heretofore established shall be secured to all and remain inviolate.

In all criminal prosecutions the accused shall have the right to demand the nature and cause of the accusation, to be furnished with a copy of the charges, to have compulsory process for attendance of witnesses in his favor, to be confronted in any trial with the witnesses against him, to be heard in person or by counsel or both, and to have a speedy, public, and impartial trial by jury in the county where the crime was committed, if such county is known. If such county is not known, the indictment or information may charge venue in two or more counties conjunctively and proof that the crime was committed in such area shall be sufficient, but the accused may before pleading elect the county in which to be tried. No person shall be compelled to pay costs until convicted on final trial.

No person shall be twice put in jeopardy for the same offense, or be compelled in any criminal case to be a witness against himself, or be deprived of life, liberty, or property without due process of law.

Section 12. **Condemnation.**—Private property shall not be taken without just compensation.

Section 13. **Freedom of speech and press.**—Every person may freely speak, write, and make public his sentiments on any subject, being responsible for the abuse of this right, and no law shall restrain or abridge the freedom of speech or of the press. The truth of the matter published and good motive in publishing it shall constitute a complete defense in any criminal or civil proceeding for defamation.

Section 14. **Searches and seizures.**—The people shall be secure in their persons, houses, papers, and effects against unreasonable searches and seizures; and no warrant to search any place or seize any person or thing shall issue except upon oath or affirmation showing probable cause and reasonably describing the place to be searched and the persons or things to be seized.

Section 15. **Assembly; petition.**—The people may assemble peaceably to consult for the common good, may instruct their representatives, and may petition for redress of grievances.

Section 16. **Involuntary servitude; imprisonment for debt.**—Involuntary servitude is prohibited except as punishment for crime following conviction. No person shall be imprisoned for debt without fraud.

Section 17. **Attainder; ex post facto law; impairment of contract.**—No bill of attainder, ex post facto law, or law impairing the obligation of contracts shall be passed.

Section 18. **Penalties imposed by administrative agencies.**—No administrative agency shall impose a sentence of imprisonment. Any penalty imposed by an administrative agency shall be prescribed by law and its imposition shall be subject to judicial review as the legislature may provide.

Section 19. **Treason.**—Treason against the state consists only

of levying war against it or of adhering to or aiding its enemies; and no person shall be convicted thereof without confession in open court or the testimony of two witnesses to the same overt act.

Section 20. **Right to bear arms.**—Every person may keep and bear arms in defense of his person or home, and pursuant to lawful authority of the state, but the legislature may prescribe the manner of bearing them.

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

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 12, 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 concurred in Senate Amendment to—

By Messrs. Hollahan of Dade and Chappell of Marion—

H. B. No. 184—A bill to be entitled An Act relating to the selection, transcription, preservation and certification of jury lists, by requiring that names included on such lists be at all times accompanied by the addresses of such persons; providing an effective date.

Which amendment reads as follows:

In Section 1, line 8, page 1, strike out the words: current residence and insert in lieu thereof the following: last known

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 12, 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 concurred in Senate Amendments to—

By The Legislative Council and Messrs. Roberts of Palm Beach, Mann of Hillsborough and Turlington of Alachua—

H. B. No. 275—A bill to be entitled An Act relating to State Finance; amending Section 215.18, Florida Statutes, providing a limitation upon the transfer of funds between accounts; and providing an effective date.

Which amendments read as follows:

Amendment No. 1—

In Section 1, line 7, page 2, following the words: "of the governor and approved by the comptroller." add the following unnumbered paragraph:

"Any money deposited in the county school fund, as provided for in Section 236.074(3), or in the county school sales tax fund, as provided for in Section 236.075(1), may also be transferred as provided in the preceding paragraph; provided, however, any money so transferred from these funds shall, notwithstanding the provisions of the preceding paragraph, in every instance be the first money repaid. This paragraph shall expire and be of no force and effect after June 30, 1961."

Amendment No. 2—

In Title, line 4, page 1, following the word "accounts;" and preceding the words "and providing an effective date." insert the following: permitting the transfer of money deposited in the County School Fund and the County School Sales Tax Fund;

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 12, 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 concurred in Senate Amendments to—

By Mr. Livingston of Highlands—

H. B. No. 350—A bill to be entitled An Act relating to rattlesnakes; providing payment of bounty for dead rattlesnakes; providing funds for payment thereof; providing an effective date.

Which amendments read as follows:

Amendment No. 1—

Add Paragraph 6 "This law shall not be applicable to domestically raised rattlesnakes, but solely to wild ferrae naturi snakes.

Renumber Paragraph 7.

Amendment No. 2—

In Title, line 2, strike out the word "rattlesnakes" and insert in lieu thereof the following: wild rattlesnakes, only;

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 12, 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. Conner of Bradford—

H. B. No. 1415—A bill to be entitled An Act to apportion the representation of the House of Representatives of the State of Florida; providing effective date based upon the adoption of the Constitutional Amendment providing a formula for reapportionment of House of Representatives; providing for the filling of vacancies by election at the general election in 1960; amending Section 10.03, Florida Statutes, relating to apportionment of House of Representatives.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 1415, 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. 1415 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1415 was read the second time by title only.

Senator Rawls moved that the rules be further waived and House Bill No. 1415 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. 1415 was read the third time in full.

Upon the passage of House Bill No. 1415 the roll was called and the vote was:

Yeas—32.

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

Nays—2.

Davis                      Houghton

So House Bill No. 1415 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 12, 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, with amendments—

By Senator Ripley—

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

Which amendments read as follows:

Amendment No. 1—

In Section 1, line 6, strike out: three (3) years and insert the following in lieu thereof: eighteen (18) months

Amendment No. 2—

In Title, following the words "Comptroller within" strike out: Three (3) years and insert the following in lieu thereof: Eighteen (18) months

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 82, contained in the above message, was read by title, together with House Amendments thereto.

Senator Ripley moved that the Senate concur in House Amendment No. 1 to Senate Bill No. 82.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 82.

Senator Ripley moved that the Senate concur in House Amendment No. 2 to Senate Bill No. 82.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 82.

And Senate Bill No. 82, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, 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 12, 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. Mitchell and Horne of Leon—

H. B. No. 522—A bill to be entitled An Act relating to Game and Fresh Water Fish Commission; amending Section 372.911, Florida Statutes, providing for rewards for information leading to the conviction of law violators; providing effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 522, contained in the above message, was read the first time by title only and referred to the Committee on Game and Fisheries.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 12, 1959.

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

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Whitaker, Liles and Mann of Hillsborough, Fuqua of Calhoun, Stewart of Okaloosa and Mitchell of Leon—

H. B. No. 396—A bill to be entitled An Act amending Sections 903.29 and 903.31, Florida Statutes, and thereby providing that bondsman or surety may return defendant within thirty days from date of forfeiture and receive refund of forfeiture; that bail bondsman or surety may arrest principal within certain time subsequent to forfeiture; that before forfeiture certain notices of trial to be given and that information or indictment filed within six months; conviction or acquittal of defendant concludes bond undertaking; repealing all laws and parts of laws in conflict herewith, and for effective date of October 1, 1959.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 396, contained in the above message, was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 12, 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. Inman of Gadsden, Conner of Bradford and Kimbrough of Santa Rosa—

H. B. No. 526—A bill to be entitled An Act relating to Public Fairs and Expositions; re-enacting Section 616.01, Florida Statutes; amending Sections 616.12, 616.121, 616.13, 616.14, 616.15, and 616.16, Florida Statutes, by providing for licenses upon certain shows, distribution of fees and exempting certain traveling shows from license tax; providing penalty for making false application; providing licenses upon shows within one mile of public fair, and prescribing number of annual fairs; providing for issuance of tax exemption permit by Department of Agriculture; providing for 1957 amendments and compliance with; addition of one additional section to be numbered 616.17, Florida Statutes, to provide for minimum exhibits at public fairs; 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. 526, contained in the above message, was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 12, 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. Fuqua of Calhoun—

H. B. No. 1382—A bill to be entitled An Act relating to counties having a population of not less than seven thousand nine hundred (7,900) and not more than eight thousand five hundred (8,500) according to the latest official state-wide decennial census; providing for the cancellation of all tax sale certificates held by such counties in the state, which were issued prior to the 5th day of July, 1954; directing the clerk of the circuit court in said counties to cancel said tax sale certificates by notation opposite the record of said tax sale certificates; providing for an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 1382, contained in the above message, was read the first time by title only.

Senator Knight moved that the rules be waived and House Bill No. 1382 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1382 was read the second time by title only.

Senator Knight moved that the rules be further waived and House Bill No. 1382 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. 1382 was read the third time in full.

Upon the passage of House Bill No. 1382 the roll was called and the vote was:

Yeas—35.

Adams	Connor	Gresham	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls

Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom
Bronson	Edwards	Kicliter	Stratton
Carlton	Gautier	Knight	Sutton
Carraway	Getzen	Melton	Tedder
Clarke	Gibbons	Pearce	

of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 12, 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. Pruitt of Brevard—

H. B. No. 1377—A bill to be entitled An Act creating and establishing a Special Road and Bridge District in Brevard County, Florida, to be known and designated as "Canaveral Causeway Special Road and Bridge District"; designating the boundaries of said Canaveral Causeway Special Road and Bridge District; prescribing the powers of said Canaveral Causeway Special Road and Bridge District and providing that said district shall have all the powers provided for Special Road and Bridge Districts in the General Laws of Florida which are not inconsistent with this Act; authorizing the construction of a causeway, together with necessary roads, highways, bridges, interchanges, and toll plazas and other appurtenant facilities, extending from State Road No. 520, approximately five (5) miles west of Cocoa, Florida, to the existing state road at Port Canaveral, Florida; providing that said causeway may be constructed by Canaveral Causeway Special Road and Bridge District or by the State Road Department of Florida, for and on behalf of Canaveral Causeway Special Road and Bridge District or by the Florida Development Commission by and through its statutory agent, the State Road Department of Florida; authorizing the Canaveral Causeway Special Road and Bridge District to issue its bonds to finance the cost of said causeway after approval of the issuance of such bonds at an election to be held in said Canaveral Causeway Special Road and Bridge District in which a majority of the qualified electors who are freeholders residing in said district shall participate and providing that said bonds shall be secured by a pledge of the full faith, credit and taxing power of said district and may be additionally secured by a pledge of all or any part of the revenues derived from the operation of said causeway and by a pledge of the eighty per cent (80%) surplus gasoline tax funds accruing to the State Road Department of Florida for use in Brevard County, Florida; providing for the calling and holding of said election; authorizing the State Road Department of Florida and Canaveral Causeway Special Road and Bridge District to enter into an agreement providing for the lease-purchase of said causeway by the State Road Department of Florida and prescribing the rights, powers and duties of said district and the State Road Department of Florida in relation thereto; authorizing the Florida Development Commission, upon the request of the Canaveral Causeway Special Road and Bridge District, to construct said causeway as hereinbefore authorized and to issue its bonds to finance the cost thereof; providing that said bonds of the Florida Development Commission shall be secured by a pledge of the full faith, credit and taxing power of said Canaveral Causeway Special Road and Bridge District, provided that the pledge thereof shall first be approved at an election to be held in said Canaveral Causeway Special Road and Bridge District in which a majority of the qualified electors who are freeholders residing in said district shall participate, and providing further that said bonds of the Florida Development Commission may be additionally secured by a pledge of all or any part of the revenues derived from the operation of said causeway and by a pledge of the eighty per cent (80%) Surplus Gasoline Tax funds accruing to the State Road Department of Florida for use in Brevard County, Florida; providing for the calling and holding of said election; authorizing the State Road Department of Florida and the Florida Development Commission to enter into an agreement providing for the lease-purchase of said causeway by the State Road Department of Florida and prescribing the rights, powers and duties of the State Road Department of Florida and the Florida Development Commission in relation thereto; conferring upon the Canaveral Causeway Special Road and Bridge District the right of eminent domain and the power to exercise such right; authorizing the Board of County Commissioners of Brevard County, Florida, to pledge or to permit the pledge of the eighty

Nays—None.

So House Bill No. 1382 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 12, 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. Pruitt of Brevard—

H. B. No. 1348—A bill to be entitled An Act to Abolish the present Municipal Government of the City of Cocoa, in the County of Brevard and State of Florida, and to establish, organize and constitute a municipality to be known as "City of Cocoa" in the County of Brevard and State of Florida; to provide a charter for said city; fix its territorial limits and boundaries; provide for its government; prescribe its jurisdiction, powers and privileges; and providing for 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. 1348 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. 1348, contained in the above message, was read the first time by title only.

Senator Stenstrom moved that the rules be waived and House Bill No. 1348 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1348 was read the second time by title only.

Senator Stenstrom moved that the rules be further waived and House Bill No. 1348 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. 1348 was read the third time in full.

Upon the passage of House Bill No. 1348 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No 1348 passed, title as stated, and the action

per cent (80%) Surplus Gasoline Tax funds accruing to the State Road Department of Florida for use in said county to the payment of the principal of and interest on any bonds issued pursuant to this Act; and providing when this Act shall take effect.

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. 1377 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. 1377, contained in the above message, was read the first time by title only.

Senator Stenstrom moved that the rules be waived and House Bill No. 1377 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1377 was read the second time by title only.

Senator Stenstrom moved that the rules be further waived and House Bill No. 1377 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. 1377 was read the third time in full.

Upon the passage of House Bill No. 1377 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1377 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 12, 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. Westberry, Mathews and Stallings of Duval—

H. B. No. 1372—A bill to be entitled An Act authorizing the City of Jacksonville and the County of Duval to pay the cost of electricity for the public lighting of the streets and highways of the Jacksonville Expressway System, and to enter into agreements relative thereto with each other and with the Jacksonville Expressway authority, State and Federal agencies concerned with the public lighting of said expressway system, providing an effective date.

Proof of publication attached.

Also—

By Messrs. Knowles and Boyd of Manatee—

H. B. No. 1375—A bill to be entitled An Act relating to Anna Maria Island fire control district; amending Chapter 27696, Laws of Florida, 1951; by extending the boundaries of said district; by limiting the fees and compensation of the county tax assessor and the county tax collector for assessing and collecting special assessment for said fire control district to a maximum of three per cent (3%); increasing and broadening the authority and borrowing power of the District Board of Commissioners for said special district; by permitting the inclusion of contiguous geographical areas within the said district upon referendum of the area so seeking to be included within the said district, subject to acceptance thereof by proper and appropriate resolution of the said district commissioners; by expanding the duties, obligations and powers of the Board of Commissioners of said district to include the operation, acquisition and use of rescue vehicles, boats, emergency ambulance service and equipment pertaining thereto; by changing the date of annual audit of said district; and by making retroactive provision for the schedule of fees and compensation due the county tax assessor and county tax collector for assessment and collection of special assessments for the said special fire district for prior years; and providing that this Act shall take effect immediately upon becoming a law.

Proof of publication attached.

Also—

By Mr. Pruitt of Brevard—

H. B. No. 1376—A bill to be entitled An Act relating to the government of the City of Melbourne; amending Sections 18, 21, 28, 50, 51 and 70 of Chapter 11615, Laws of Florida, extraordinary session of 1925; providing for recording and publication of ordinances; setting bond for city manager and city clerk; providing for a municipal court and appointment of municipal judge and his qualifications; appointment of city treasurer and collectors; providing for deposits of city funds; providing for recall of commissioners; and providing for 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. 1372 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. 1372, 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. 1372 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1372 was read the second time by title only.

Senator Ripley moved that the rules be further waived and House Bill No. 1372 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. 1372 was read the third time in full.

Upon the passage of House Bill No. 1372 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1372 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. 1375 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. 1375, contained in the above message, was read the first time by title only.

Senator Price moved that the rules be waived and House Bill No. 1375 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1375 was read the second time by title only.

Senator Price moved that the rules be further waived and House Bill No. 1375 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. 1375 was read the third time in full.

Upon the passage of House Bill No. 1375 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1375 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. 1376 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. 1376, contained in the above message, was read the first time by title only.

Senator Stenstrom moved that the rules be waived and House Bill No. 1376 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1376 was read the second time by title only.

Senator Stenstrom moved that the rules be further waived and House Bill No. 1376 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. 1376 was read the third time in full.

Upon the passage of House Bill No. 1376 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1376 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 12, 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. Daniel and Reedy of Lake—

H. B. No. 1354—A bill to be entitled An Act relating to Lake County; amending Section 7 of Chapter 12614, Laws of Florida, Acts of 1927, the same being entitled, "an act to amend Section 1 of Chapter 10430, Laws of Florida, Acts of 1925, the same being "an act to extend the corporate limits of the City of Clermont, and to give the said city jurisdiction over the territory embraced in said extension"; and to amend Sections 4, 25, 50 and 57 of Chapter 8926, Laws of Florida, Acts of 1921, the same being "an act to abolish the present municipality of Clermont, County of Lake, State of Florida, and to create and establish a municipal corporation to be known as the City of Clermont"; and to amend Sections 1, 2, 4, 6 and 8 of Chapter 10432, Laws of Florida, Acts of 1925, the same being "An Act to amend Sections 5, 6, 11, 20, 21, 24, 48, and 60 of Chapter 8926, Laws of Florida, Acts of 1921, entitled "An Act to abolish the present municipality of the City of Clermont, County of Lake and State of Florida, and to create and establish a municipal corporation to be known as the City of Clermont", by striking therefrom the word "treasurer" and to further amend said Section 7, by the addition thereto of another paragraph providing for the annual appointment of a treasurer by the city council.

Proof of publication attached.

Also—

By Messrs. Daniel and Reedy of Lake—

H. B. No. 1355—A bill to be entitled An Act relating to Lake County; to amend Chapter 24435 (No. 821), Senate Bill No. 900, Acts of the Legislature of the State of Florida, 1947, the same being, "An Act to amend An Act, entitled, An Act to abolish the present municipality of the Town of Clermont, County of Lake, State of Florida, and to create and establish a municipal corporation to be known as the City of Clermont, County of Lake, State of Florida; to prescribe the territorial limits thereof; to prescribe the form of government; to provide for its jurisdiction, powers and privileges; to confer certain powers upon said municipality and the officers thereof, and to provide for the carrying into effect of the provisions of this Act; to validate, confirm and legalize certain bonds heretofore authorized by the Town of Clermont," by the addition thereto of another sub-paragraph to be designated as Section 8(C) providing for the appointment of a substitute municipal judge; fixing his compensation by ordinance and vesting said judge with full authority, power and duties of the regular municipal judge; providing 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. 1354 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. 1354, contained in the above message, was read the first time by title only.

Senator Boyd moved that the rules be waived and House Bill No. 1354 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1354 was read the second time by title only.

Senator Boyd moved that the rules be further waived and House Bill No. 1354 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. 1354 was read the third time in full.

Upon the passage of House Bill No. 1354 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1354 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. 1355 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. 1355, contained in the above message, was read the first time by title only.

Senator Boyd moved that the rules be waived and House Bill No. 1355 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1355 was read the second time by title only.

Senator Boyd moved that the rules be further waived and House Bill No. 1355 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. 1355 was read the third time in full.

Upon the passage of House Bill No. 1355 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1355 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 12, 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. Roberts and Blank of Palm Beach and Miner of Hendry—

H. B. No. 1363—A bill to be entitled An Act relating to South Florida conservancy district, a drainage district organized and existing under the Laws of Florida, and embracing land within Hendry and Palm Beach Counties; amending Sections 1 and 8 of Chapter 17258, Laws of 1935 (being the enabling Act amending, revising and/or re-enacting the Act creating the South Florida conservancy district) as amended by Sections 1 and 6 of Chapter 20477, Laws of 1941, as amended by Sections 1 and 2 of Chapter 28648, Laws of 1953, as amended by Section 1, Chapter 30273, Laws of 1955, extending the boundaries of the South Florida conservancy district to include within said boundaries, Section 22, township 44 south, range 36 east; providing for other purposes; providing an effective date.

Proof of publication attached.

Also—

By Mr. Beasley of Walton—

H. B. No. 1366—A bill to be entitled An Act relating to small claims court in Walton County; amending Section 1 of Chapter 28401, Laws of 1953, by providing that said small claims court shall not have jurisdiction to issue any writs other than writ of execution.

Proof of publication attached.

Also—

By Mr. Williams of Hardee—

H. B. No. 1367—A bill to be entitled An Act amending Chapter 5864, Laws of 1907, as amended; providing for a judge of the municipal court; prescribing method of qualifications, appointment, duties, powers, term of office and salary; 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. 1363 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. 1363, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 1366 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. 1366, contained in the above message, was read the first time by title only.

Senator Belser moved that the rules be waived and House Bill No. 1366 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1366 was read the second time by title only.

Senator Belser moved that the rules be further waived and House Bill No. 1366 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. 1366 was read the third time in full.

Upon the passage of House Bill No. 1366 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1366 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. 1367 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. 1367, contained in the above message, was read the first time by title only.

Senator Carlton moved that the rules be waived and House Bill No. 1367 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1367 was read the second time by title only.

Senator Carlton moved that the rules be further waived and House Bill No. 1367 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. 1367 was read the third time in full.

Upon the passage of House Bill No. 1367 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1367 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 12, 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. Mann, Whitaker and Liles of Hillsborough—

H. B. No. 1378—A bill to be entitled An Act supplementing Chapter 23339, Laws of Florida, Acts of 1945, and Chapter 24579, Laws of Florida, Acts of 1947, and Chapter 27599, Laws of Florida, Acts of 1951, relating to the Hillsborough County Aviation authority; prescribing additional rights, powers and duties of the Hillsborough County Aviation authority; authorizing such authority to acquire, construct, improve, maintain, lease and operate airports and other aviation facilities, and

facilities related thereto, and to borrow money and issue revenue bonds therefor; providing for the payment of such revenue bonds and prescribing the rights and remedies of the holders thereof; authorizing the levy, in each year, of a tax not exceeding one and one-half (1½) mills on all the taxable property in the County of Hillsborough to finance the cost of acquiring, establishing, constructing, enlarging, improving, equipping, operating and maintaining airports and other aviation facilities and facilities related thereto, or for any other corporate purpose of the authority; providing for the transfer of residues in annual budget to a "renewal and replacement fund" and the expenditures of such funds; authorizing such authority to lease any of its airports and other aviation facilities, and facilities related thereto, or any part or portion thereof, and to pledge the rentals received pursuant to any such lease and other revenues, rates, fees, income and receipts of the authority to the payment of the principal of and interest on the revenue bonds of the authority; and authorizing such authority to enter into contracts or cooperation agreements with and accept grants from the State of Federal governments, or the County of Hillsborough or any municipality therein; and providing when this Act shall take effect.

Proof of publication attached.

Also—

By Messrs. Knowles and Boyd of Manatee—

H. B. No. 1379—A bill to be entitled An Act relating to Anna Maria Island Fire Control District; amending the first unnumbered paragraph of Section 4 of Chapter 27696, Laws of Florida, 1951, to provide for an increased maximum rate of assessment; providing said act shall not take effect until approved by referendum; providing an effective date.

—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. 1378 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. 1378, 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. 1378 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1378 was read the second time by title only.

Senator Gibbons moved that the rules be further waived and House Bill No. 1378 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. 1378 was read the third time in full.

Upon the passage of House Bill No. 1378 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1378 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 1379, contained in the above message, was read the first time by title only.

Senator Price moved that the rules be waived and House Bill No. 1379 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1379 was read the second time by title only.

Senator Price moved that the rules be further waived and House Bill No. 1379 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. 1379 was read the third time in full.

Upon the passage of House Bill No. 1379 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1379 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

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

Senate Bills Nos. 352, 2, 474, 563, 243, 247 and 261 were taken up in their order and the consideration thereof was informally passed, the Bills retaining their respective places on the Calendar of Bills on Second Reading.

Senator Adams moved that Senate Bill No. 552, previously reported favorably by the Committee on Judiciary "A," be re-referred to the Committee on Finance and Taxation for further consideration.

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

Senator Ripley moved that Senate Bill No. 80 be withdrawn from the Committee on Finance and Taxation and the Committee on Judiciary "C."

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

By unanimous consent, Senator Ripley withdrew Senate Bill No. 80 from the further consideration of the Senate.

Senate Bills Nos. 627 and 195 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. 649—A bill to be entitled An Act designating and naming a certain highway in Walton and Okaloosa Counties; providing an effective date.

Was taken up in its order.

Senator Brackin moved that the rules be waived and Senate Bill No. 649 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 649 was read the second time by title only.

Senator Brackin moved that the rules be further waived and Senate Bill No. 649 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. 649 was read the third time in full.

Upon the passage of Senate Bill No. 649 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 649 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bills Nos. 203 and 321 were taken up in their order and the consideration thereof was informally passed, the Bills retaining their respective places on the Calendar of Bills on Second Reading.

Senator Pearce requested unanimous consent of the Senate to take up and consider House Bill No. 263, out of its order.

Unanimous consent was granted, and—

H. B. No. 263—A bill to be entitled An Act relating to Beverage Law Administration; amending subsection (1) of Section 561.471, Florida Statutes; to require a stamp on crown or can lid of all taxable malt beverages; providing an effective date.

Was taken up.

Senator Pearce moved that the rules be waived and House Bill No. 263 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 263 was read the second time by title only.

Senator Pearce moved that the rules be further waived and House Bill No. 263 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. 263 was read the third time in full.

Upon the passage of House Bill No. 263 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So House Bill No. 263 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent, Senator Pearce withdrew Senate Bill No. 406 from the further consideration of the Senate.

Senate Bills Nos. 652, 651, 598, 581, 667, 396, and 397 were taken up in their order and the consideration thereof was informally passed, the Bills retaining their respective places on the Calendar of Bills on Second Reading.

Senator Brackin requested unanimous consent of the Senate to take up and consider House Bill No. 779, out of its order.

Unanimous consent was granted, and—

H. B. No. 779—A bill to be entitled An Act relating to the Hotel and Restaurant Commission; amending Subsection (2)

of Section 509.221, Florida Statutes; discontinuing the construction or use of privies in public lodging establishments and public food service establishments; providing an effective date.

Was taken up.

Senator Brackin moved that the rules be waived and House Bill No. 779 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 779 was read the second time by title only.

Senator Brackin moved that the rules be further waived and House Bill No. 779 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. 779 was read the third time in full.

Upon the passage of House Bill No. 779 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So House Bill No. 779 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent, Senator Brackin withdrew Senate Bill No. 518 from the further consideration of the Senate.

S. B. No. 620—A bill to be entitled An Act relating to the State Board of Health; amending Chapter 382, Florida Statutes, relating to registration of vital statistics by adding a new section, to be numbered 382.50, providing for the photographing of certain records and the substitution of such photographs for the original thereof; providing for the destruction of certain records and setting an effective date.

Was taken up in its order.

Senator Brackin moved that the rules be waived and Senate Bill No. 620 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 620 was read the second time by title only.

Senator Brackin moved that the rules be further waived and Senate Bill No. 620 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. 620 was read the third time in full.

Upon the passage of Senate Bill No. 620 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 620 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 621—A bill to be entitled An Act relating to nursing homes; amending Sections 400.04(1), 400.09(1), and 400.09(4), Florida Statutes; repealing Section 400.08, Florida Statutes; renumbering Section 400.09, Florida Statutes, as Section 400.08, Florida Statutes; adding a new Section 400.09; increasing the license fee to \$10.00; eliminating requirements for annual renewal of licenses; providing for the reinstatement of revoked or suspended licenses; and fixing an effective date.

Was taken up in its order.

Senator Brackin moved that the rules be waived and Senate Bill No. 621 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 621 was read the second time by title only.

Senator Brackin moved that the rules be further waived and Senate Bill No. 621 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. 621 was read the third time in full.

Upon the passage of Senate Bill No. 621 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 621 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bills Nos. 505, 680, 707, 587, 714; Senate Joint Resolution No. 366; Senate Bills Nos. 447 and 452 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. 453—A bill to be entitled An Act relating to, and providing penalties for, the offense of causing or encouraging a minor under the age of seventeen years to become a delinquent or dependent child; amending Section 828.21, Florida Statutes, by making it apply only when the minor involved is under the age of seventeen years, and by providing increased penalties for the violation thereof; and prescribing the effective date hereof.

Was taken up in its order.

Senator Knight moved that the rules be waived and Senate Bill No. 453 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 453 was read the second time by title only.

Senator Knight moved that the rules be further waived and Senate Bill No. 453 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. 453 was read the third time in full.

Upon the passage of Senate Bill No. 453 the roll was called and the vote was:

Yeas—34.

Adams	Bronson	Cross	Getzen
Belser	Carlton	Davis	Gibbons
Boyd	Carraway	Dickinson	Gresham
Brackin	Clarke	Edwards	Hodges
Branch	Connor	Gautier	Houghton

Johns	Melton	Rawls	Stratton
Kelly	Pearce	Ripley	Sutton
Kickliter	Pope	Stenstrom	Tedder
Knight	Price		

Nays—None.

So Senate Bill No. 453 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bills Nos. 454 and 455 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. 457—A bill to be entitled An Act relating to probation; amending Chapter 948, Florida Statutes, by adding thereto a new Section 948.011 to provide that when the law authorizes the placing of a defendant on probation, and when his offense is punishable by both fine and imprisonment, the trial court may, in its discretion, impose a fine upon him and place him on probation as to imprisonment; and prescribing the effective date hereof.

Was taken up in its order.

Senator Knight moved that the rules be waived and Senate Bill No. 457 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 457 was read the second time by title only.

Senator Knight moved that the rules be further waived and Senate Bill No. 457 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. 457 was read the third time in full.

Upon the passage of Senate Bill No. 457 the roll was called and the vote was:

Yeas—31.

Adams	Clarke	Hodges	Pope
Belser	Cross	Houghton	Price
Boyd	Davis	Johns	Rawls
Brackin	Dickinson	Kelly	Stenstrom
Branch	Edwards	Kickliter	Stratton
Bronson	Gautier	Knight	Sutton
Carlton	Getzen	Melton	Tedder
Carraway	Gibbons	Pearce	

Nays—3.

Connor	Gresham	Ripley
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So Senate Bill No. 457 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 459 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. 460—A bill to be entitled An Act relating to and providing penalties for wilfully and maliciously threatening to blow up, bomb or dynamite any building, or to injure any building or any person therein by means of any explosive substance; and prescribing the effective date hereof.

Was taken up in its order.

Senator Knight moved that the rules be waived and Senate Bill No. 460 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 460 was read the second time by title only.

Senator Knight moved that the rules be further waived and Senate Bill No. 460 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. 460 was read the third time in full.

Upon the passage of Senate Bill No. 460 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 460 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bills Nos. 461, 463 and 465 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. 541—A bill to be entitled An Act to repeal Sections 832.01, 832.02 and 832.03, Florida Statutes, relating to worthless checks, drafts and written orders, and to the making, drawing, uttering and giving the same and providing penalties therefor; and prescribing the effective date of this Act.

Was taken up in its order.

Senator Knight moved that the rules be waived and Senate Bill No. 541 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 541 was read the second time by title only.

Senator Knight moved that the rules be further waived and Senate Bill No. 541 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. 541 was read the third time in full.

Upon the passage of Senate Bill No. 541 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 541 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bills Nos. 458 and 67 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. 647—A bill to be entitled An Act relating to teachers in detention homes and schools for delinquent children in certain counties; repealing Chapter 57-894, Laws of Florida, 1957, which authorized boards of public instruction in all counties of the state having a population of not less than four hundred thousand (400,000) to employ and pay such teachers from units allocated for such purpose by the State Board of Education pursuant to the minimum foundation program; fixing an effective date.

Was taken up in its order.

Senator Carraway moved that the rules be waived and Senate Bill No. 647 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 647 was read the second time by title only.

Senator Carraway moved that the rules be further waived and Senate Bill No. 647 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. 647 was read the third time in full.

Upon the passage of Senate Bill No. 647 the roll was called and the vote was:

Yeas—33.

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

Nays—None.

So Senate Bill No. 647 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 280 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.

Senate Joint Resolution No. 302—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 2 OF THE STATE CONSTITUTION, TO PROVIDE FOR ORIGINAL ABSENTEE REGISTRATION OF ELECTORS.

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

That Article VI, Section 2 of the State Constitution be amended as follows, is hereby agreed to and shall be submitted to the electors of the state for ratification or rejection at the general election of November, 1960:

SECTION 2. Registration of electors.—The legislature, at its first session after the ratification of this constitution, shall provide by law for the registration of all the legally qualified voters in each county, and for the returns of elections; and shall also provide that after the completion, from time to time, of such registration, no person not duly registered according to law shall be allowed to vote.

The legislature may provide for the registration of electors outside the territorial jurisdiction of the State of Florida.

Was taken up in its order and read the second time in full.

Senator Dickinson moved that the rules be waived and Senate Joint Resolution No. 302 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 302 was read the third time in full.

Upon the passage of Senate Joint Resolution No. 302 the roll was called and the vote was:

Yeas—32.

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

Nays—None.

So Senate Joint Resolution No. 302 passed by the required

Constitutional three-fifths vote of all members elected to the Senate for the 1959 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 597 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. 200—A bill to be entitled An Act providing for the registration and regulation of itinerant peddlers, agents and solicitors, in areas outside of incorporated municipalities, and for the prevention of fraud and deceit.

Was taken up in its order.

Senator Boyd moved that the rules be waived and Senate Bill No. 200 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 200 was read the second time by title only.

Senator Boyd moved that the rules be further waived and Senate Bill No. 200 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. 200 was read the third time in full.

Upon the passage of Senate Bill No. 200 the roll was called and the vote was:

Yeas—30.

Adams	Clarke	Hodges	Price
Belser	Davis	Houghton	Rawls
Boyd	Dickinson	Johns	Ripley
Brackin	Edwards	Kelly	Stenstrom
Branch	Gautier	Knight	Stratton
Bronson	Getzen	Melton	Sutton
Carlton	Gibbons	Pearce	
Carraway	Gresham	Pope	

Nays—3.

Connor	Cross	Kicliter
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So Senate Bill No. 200 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Davis moved that a committee be appointed to escort the Honorable R. A. Gray, Secretary of State, to the rostrum.

Which was agreed to.

And the President appointed Senators Davis, Edwards and Carraway as the committee which escorted Mr. Gray to the rostrum.

Senator Dickinson requested unanimous consent of the Senate to take up and consider House Bill No. 337, out of its order.

Unanimous consent was granted, and—

H. B. No. 337—A bill to be entitled An Act relating to Ministers of Religion; providing that communication given in confidence to a Minister of Religion shall be prohibited from being given in evidence in any litigation in courts of this State; providing for punishment for violation thereof; providing an effective date.

Was taken up.

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

Which was agreed to by a two-thirds vote.

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

Senator Dickinson offered the following amendment to House Bill No. 337:

Strike out: entire Section 4, and renumber Section 5 as Section 4, and Section 6 as Section 5.

Senator Dickinson moved the adoption of the admendment.

Which was agreed to and the amendment was adopted.

Senator Dickinson also offered the following amendment to House Bill No. 337:

In Title, lines 7 and 8, page 1, strike out the words: "providing for punishment for violation thereof;"

Senator Dickinson moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Dickinson moved that the rules be further waived and House Bill No. 337, 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. 337, as amended, was read the third time in full.

Upon the passage of House Bill No. 337, as amended, the roll was called and the vote was:

Yeas—33.

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

Nays—None.

So House Bill No. 337 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 522 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. 523—A bill to be entitled An Act relating to false, misleading and deceptive advertising and sales; prohibiting such advertising as herein set forth; providing certain rebuttable presumptions as to violations, certain exemptions and penalties, and authorizing equitable relief against violators, and providing for the repeal of conflicting laws and an effective date.

Was taken up in its order.

Senator Boyd moved that the rules be waived and Senate Bill No. 523 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 523 was read the second time by title only.

The Committee on General Legislation offered the following amendment to Senate Bill No. 523:

Following Section 8, add new Section 9 to read as follows:

Section 9. Nothing in this Act shall be deemed to apply to advertising in connection with sales of insurance which are regulated under the insurance laws of this state.

Renumber Sections 9, 10, and 11 as follows:

Make Section 9, Section 10.

Make Section 10, Section 11.

Senator Boyd moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Boyd moved that the rules be further waived and Senate Bill No. 523, 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. 523, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 523, as amended, the roll was called and the vote was:

Yeas—18.

Belser	Carraway	Houghton	Pope
Boyd	Eaton	Johns	Price
Brackin	Getzen	Kelly	Stenstrom
Bronson	Gibbons	Knight	
Carlton	Hodges	Melton	

Nays—11.

Clarke	Edwards	Pearce	Stratton
Connor	Gresham	Rawls	Sutton
Cross	Kicliter	Ripley	

So Senate Bill No. 523 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

S. B. No. 524—A bill to be entitled An Act regulating the sale of merchandise at sales designated or referred to as fire sales, going-out-of-business sales, liquidation sales, removal sales, or under like or similar designations, and requiring a permit therefor.

Was taken up in its order.

Senator Boyd moved that the rules be waived and Senate Bill No. 524 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 524 was read the second time by title only.

Senator Boyd offered the following amendment to Senate Bill No. 524:

In Section 2, line 23, page 3, strike out the word "fifteen" and insert in lieu thereof the following: thirty.

Senator Boyd moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Boyd moved that the rules be further waived and Senate Bill No. 524, 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. 524, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 524, as amended, the roll was called and the vote was:

Yeas—33.

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

Nays—None.

So Senate Bill No. 524 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senate Bills Nos. 535, 537, 536, 538, 543 and 607 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. 182—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.

Was taken up in its order.

Senator Edwards moved that the rules be waived and

Senate Bill No. 182 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 182 was read the second time by title only.

The Committee on Finance and Taxation offered the following amendment to Senate Bill No. 182:

In Section 1, line 3, page 1, strike out: after the words "is founded" the period (.) and insert in lieu thereof the following: ; or shall produce a duly executed instrument dated prior to January 1 when making application for said homestead exemption evidencing legal or beneficial title in equity to the real property in question.

Senator Edwards moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Edwards moved that the rules be further waived and Senate Bill No. 182, 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. 182, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 182, as amended, the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 182 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senate Bill No. 540 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. 557—A bill to be entitled An Act amending Section 843.01, Florida Statutes, relating to resisting arrest with, or threatening, violence, by adding thereto municipal police officers when enforcing state criminal statutes and laws.

Was taken up in its order.

Senator Gautier moved that the rules be waived and Senate Bill No. 557 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 557 was read the second time by title only.

Senator Gautier moved that the rules be further waived and Senate Bill No. 557 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. 557 was read the third time in full.

Upon the passage of Senate Bill No. 557 the roll was called and the vote was:

Yeas—33.

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

Nays—1.

Davis

So Senate Bill No. 557 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 640 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. 441—A bill to be entitled An Act relating to the Game and Fresh Water Fish Commission; amending Section 372.93, Florida Statutes, by adding Subsection (2) holding the United States free from damages due to operation in hyacinth control; providing effective date.

Was taken up in its order.

Senator Johns moved that the rules be waived and Senate Bill No. 441 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 441 was read the second time by title only.

Senator Johns moved that the rules be further waived and Senate Bill No. 441 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. 441 was read the third time in full.

Upon the passage of Senate Bill No. 441 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 441 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 622 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. 553—A bill to be entitled An Act providing for the labeling and marketing of products manufactured from citrus oil or citrus seed oil within this state.

Was taken up in its order.

Senator Kelly moved that the rules be waived and Senate Bill No. 553 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 553 was read the second time by title only.

Senator Kelly moved that the rules be further waived and Senate Bill No. 553 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. 553 was read the third time in full.

Upon the passage of Senate Bill No. 553 the roll was called and the vote was:

Yeas—34.

Adams	Connor	Gresham	Pope
Belser	Cross	Hodges	Price
Boyd	Davis	Houghton	Rawls
Brackin	Dickinson	Johns	Ripley
Branch	Eaton	Kelly	Stenstrom

Bronson	Edwards	Kicliter	Stratton
Carlton	Gautier	Knight	Sutton
Carraway	Getzen	Melton	
Clarke	Gibbons	Pearce	

Nays—None.

So Senate Bill No. 553 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 631—A bill to be entitled An Act for the relief of H. C. Doan in making an appropriation to redeem a bond of Special Road and Bridge District No. 4 of Indian River County, Florida, for \$1,000.00 held by him.

Was taken up in its order.

Senator Carraway moved that the rules be waived and Senate Bill No. 631 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 631 was read the second time by title only.

The following Committee Substitute for Senate Bill No. 631:

By the Committee on Pensions and Claims—

Committee Substitute for Senate Bill No. 631—A bill to be entitled An Act for the relief of H. C. Doan in making an appropriation to redeem a bond of Special Road and Bridge District No. 4 of Indian River County, Florida, for \$1,000.00 held by him.

Was read the first time by title only.

Senator Carraway moved that the rules be waived and the Committee Substitute for Senate Bill No. 631 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. 631 was read the second time by title only.

Senator Carraway moved the adoption of the Committee Substitute for Senate Bill No. 631.

Which was agreed to and the Committee Substitute for Senate Bill No. 631 was adopted.

Senator Carraway moved that the rules be further waived and Committee Substitute for Senate Bill No. 631 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. 631 was read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 631 the roll was called and the vote was:

Yeas—32.

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

Nays—None.

So Committee Substitute for Senate Bill No. 631 passed, title as stated, by the required Constitutional two-thirds vote of all members elected to the Senate for the 1959 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 663—A bill to be entitled An Act relating to the Florida Food, Drug and Cosmetic Law; amending Sections 500.03, 500.20, 500.21, 500.23, Florida Statutes, by providing for enforcement of Chapter 500 in regard to food by Department of Agriculture and in regard to drugs, devices and cosmetics by Board of Health; providing for promulgation of rules and regulations, inspection and enforcement as held; amending Chapter 500, Florida Statutes, by the addition of

new sections to be numbered 500.34 through 500.45; to provide for registration of labels of packaged foods, devices, drugs and cosmetics, and term of such registration; providing for examination and investigation fee; providing for revocation and suspension of registration; providing causes and procedure for seizure and condemnation of foods, drugs, devices and cosmetics and providing penalty for violation of order relating to such seizure; providing for cooperation between Department of Agriculture and Board of Health; providing an effective date.

Was taken up in its order.

Senator Adams moved that the rules be waived and Senate Bill No. 663 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 663 was read the second time by title only.

Senator Adams offered the following amendment to Senate Bill No. 663:

In the second line of the title insert "500.06" between 500.03 and 500.20.

Senator Adams moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Agriculture and Livestock offered the following amendment to Senate Bill No. 663:

In Section 6, line 9, page 6, strike out the period (.) following the words "with a sample of each product upon request." and insert in lieu thereof the following: ", provided however, that any manufacturer, packager, or proprietor of processed foods in package form that has registered his product with another agency of this state shall not be required to register his product with the department of agriculture nor shall he be required to pay any fee to the said department imposed for such recordation, provided further, that each agency of the state with which a processed food has been recorded by brand or label is hereby required to furnish to the department of agriculture a copy of such recordation."

Senator Adams moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Agriculture and Livestock also offered the following amendment to Senate Bill No. 663:

In Section 7, page 7, strike out the entire Subsection (1) and renumber the remaining Subsections (1) and (2).

Senator Adams moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Agriculture and Livestock also offered the following amendment to Senate Bill No. 663:

In Section 7, Subsection (3), line 22, page 8, strike out the words: "all salaries and expenses of the employees of the department of agriculture whose duty it is to enforce the provisions of this chapter relating to foods shall be paid from such fund in accordance with the general provisions of law."

Senator Adams moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Adams offered the following amendment to Senate Bill No. 663:

In Section 18, page 15, strike out the entire Section 18 and renumber the last section which is the effective date section, Section 19. and insert in lieu thereof the following:

Section 18. Subsection (2) of Section 500.06, Florida Statutes, is amended to read:

500.06 Embargoing, destroying, etc., of adulterated or misbranded articles.—

(2) When an article detained or embargoed under Subsection (1) has been found by such agent to be adulterated, or misbranded, he shall within a reasonable period of time after the affixing of such notice, petition the judge of the municipal

court, county court, criminal court of record, or circuit court in whose jurisdiction the article is detained or embargoed for an order for condemnation of such article. When such agent has found that an article so detained or embargoed is not adulterated or misbranded, he shall remove the tag or other marking.

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. 663, 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. 663, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 663, as amended, the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 663 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Davis presiding.

Senate Bills Nos. 666, 669, 706, 205, 700, 489 and 497 were taken up in their order and the consideration thereof was informally passed, the Bills retaining their respective places on the Calender of Bills on Second Reading.

S. B. No. 498—A bill to be entitled An Act relating to the sale of motor vehicles previously used as for hire; providing a penalty for failure to affix a notice on the windshield of a motor vehicle before offering same for sale or exchange; amending Subsection (3) of Section 319.14, Florida Statutes; providing an effective date.

Was taken up in its order.

Senator Melton moved that the rules be waived and Senate Bill No. 498 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 498 was read the second time by title only.

Senator Melton moved that the rules be further waived and Senate Bill No. 498 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. 498 was read the third time in full.

Upon the passage of Senate Bill No. 498 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 498 passed, title as stated, and the action

of the Senate was ordered certified to the House of Representatives.

S. B. No. 499—A bill to be entitled An Act relating to motor vehicle license plates; amending Section 320.15 and Subsection (1) of Section 320.74, Florida Statutes; by eliminating certain restrictions as to time when credits accruing from surrender of "for hire" license plates may be used in the purchase of new tags; providing an effective date.

Was taken up in its order.

Senator Melton moved that the rules be waived and Senate Bill No. 499 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 499 was read the second time by title only.

Senator Melton moved that the rules be further waived and Senate Bill No. 499 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. 499 was read the third time in full.

Upon the passage of Senate Bill No. 499 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 499 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bills Nos. 500 and 501 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. 502—A bill to be entitled An Act relating to motor vehicle license plates; amending Subsections (1) and (2) of Section 320.031, Florida Statutes; providing for a mail service charge to be made by the motor vehicle commissioner for mailing license plates directly from the motor vehicle department; providing an effective date.

Was taken up in its order.

Senator Melton moved that the rules be waived and Senate Bill No. 502 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 502 was read the second time by title only.

Senator Melton moved that the rules be further waived and Senate Bill No. 502 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. 502 was read the third time in full.

Upon the passage of Senate Bill No. 502 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 502 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 503 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. 545—A bill to be entitled **An Act amending Section 320.08, Florida Statutes, 1957, relating to motor vehicle license tags by redefining "K" series tags relative to the use of school buses and providing an effective date.**

Was taken up in its order.

Senator Ripley moved that the rules be waived and Senate Bill No. 545 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 545 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 545 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. 545 was read the third time in full.

Upon the passage of Senate Bill No. 545 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 545 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bills Nos. 692 and 570 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. 616—A bill to be entitled **An Act authorizing the establishment by two or more counties or municipalities of a Regional Planning Council; providing for appointment of members thereto; authorizing the payment of public funds to such Regional Planning Council; defining the powers and duties of a Regional Planning Council and authorizing the expenditure of moneys in pursuance of authorized planning activities; providing an effective date.**

Was taken up in its order.

Senator Sutton moved that the rules be waived and Senate Bill No. 616 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 616 was read the second time by title only.

Senator Sutton moved that the rules be further waived and Senate Bill No. 616 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. 616 was read the third time in full.

Upon the passage of Senate Bill No. 616 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 616 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 662 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. 365—A bill to be entitled **An Act relating to insurance; providing subrogation rights under an insurance contract; providing for the right to elect a separation of cause of action by the assured, the insurance carrier or any person entitled by law to a cause of action; providing effective date.**

Was taken up in its order.

Senator Dickinson moved that the rules be waived and Senate Bill No. 365 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 365 was read the second time by title only.

Senator Dickinson moved that the rules be further waived and Senate Bill No. 365 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. 365 was read the third time in full.

Upon the passage of Senate Bill No. 365 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 365 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bills Nos. 373, 699, 744 and 168 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. 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.**

Was taken up in its order.

Senator Connor moved that the rules be waived and Senate Bill No. 708 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 708 was read the second time by title only.

The Committee on Banking offered the following amendment to Senate Bill No. 708:

In Section 1, line 2, page 1, strike out the words: Notwithstanding any restrictions and insert in lieu thereof the following: Subject to the restrictions and limitations of Chapters 656-668 inclusive, Florida Statutes, and notwithstanding any other restrictions

Senator Connor moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Banking also offered the following amendment to Senate Bill No. 708:

In Section 2, strike out the entire Section 2 and renumber Sections 3 and 4 as Sections 2 and 3

Senator Connor moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Banking also offered the following amendment to Senate Bill No. 708:

In Title, line 3, page 1, following the words "mission and Florida Development Commission"; insert the following: providing limitations and exclusions;

Senator Connor moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Connor moved that the rules be further waived and Senate Bill No. 708, 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. 708, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 708, as amended, the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 708 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

S. B. No. 730—A bill to be entitled An Act relating to sale of securities; amending Subsections (8), (9), (10) and (15) of Section 517.06, Florida Statutes; providing certain bonds when sold by the issuer thereof shall be an exempt transaction and prohibiting successive filing by said issuer in certain instances; eliminating certain provisions relating to conversion rights in exchanging securities; providing that certain subscriptions for beneficial interests shall be exempt transactions in certain instances; eliminating certain subsections from written notice requirements and requiring certain fees; providing an effective date.

Was taken up in its order.

Senator Connor moved that the rules be waived and Senate Bill No. 730 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 730 was read the second time by title only.

The Committee on Banking offered the following amendment to Senate Bill No. 730:

In Section 1, (Subsection 15), lines 6 and 7, page 2, strike

out the words: accompanied by an examination fee of twenty-five dollars (\$25.00)

Senator Connor moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Connor offered the following amendment to Senate Bill No. 730:

In Section 1, Subsection 15, line 16, page 2, insert after the word "person" and before the word "listed" the following: not

Senator Connor moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Connor moved that the rules be further waived and Senate Bill No. 730, 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. 730, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 730, as amended, the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 730 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senate Bill No. 727 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. 728—A bill to be entitled An Act relating to sale of securities; amending Subsection (7) of Section 517.09, Florida Statutes, providing additional matters to be considered by the Securities Commission in examination of applications to have securities registered by qualification; providing an effective date.

Was taken up in its order.

Senator Connor moved that the rules be waived and Senate Bill No. 728 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 728 was read the second time by title only.

Senator Connor moved that the rules be further waived and Senate Bill No. 728 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. 728 was read the third time in full.

Upon the passage of Senate Bill No. 728 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 728 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 729—A bill to be entitled An Act relating to sale of securities; amending Subsection (4) of Section 517.12, Florida Statutes, providing an additional qualification before registration by commission of dealers and salesmen of securities; providing an effective date.

Was taken up in its order.

Senator Connor moved that the rules be waived and Senate Bill No. 729 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 729 was read the second time by title only.

Senator Connor moved that the rules be further waived and Senate Bill No. 729 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. 729 was read the third time in full.

Upon the passage of Senate Bill No. 729 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 729 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 731—A bill to be entitled An Act relating to sale of securities; amending the sixth unnumbered Paragraph of Section 517.20, Florida Statutes, providing that service of charges in hearings to revoke license of dealer or salesman of securities, may be made in accordance with Chapters 47 and 48, Florida Statutes; providing an effective date.

Was taken up in its order.

Senator Connor moved that the rules be waived and Senate Bill No. 731 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 731 was read the second time by title only.

Senator Connor moved that the rules be further waived and Senate Bill No. 731 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. 731 was read the third time in full.

Upon the passage of Senate Bill No. 731 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 731 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 732—A bill to be entitled An Act relating to sale of securities; amending Subsection (3) of Section 517.091, Florida Statutes, and adding a new Subsection (4) thereto, providing that registered securities which have been revoked or application for securities which have been denied by the commission shall not be registered by announcement; providing that said section shall not apply to securities registered by notification or qualification; providing an effective date.

Was taken up in its order.

Senator Connor moved that the rules be waived and Senate Bill No. 732 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 732 was read the second time by title only.

Senator Connor moved that the rules be further waived and Senate Bill No. 732 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. 732 was read the third time in full.

Upon the passage of Senate Bill No. 732 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 732 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bills Nos. 733 and 91 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. 94—A bill to be entitled An Act relating to bail bonds; amending Section 903.16, Florida Statutes; providing a conclusive presumption of consent to the sale of non-registered bonds deposited as bail under the provisions of Section 903.16, Florida Statutes.

Was taken up in its order.

Senator Ripley moved that the rules be waived and Senate Bill No. 94 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 94 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 94 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. 94 was read the third time in full.

Upon the passage of Senate Bill No. 94 the roll was called and the vote was:

Yeas—34.

Adams	Clarke	Gautier	Kelly
Belser	Connor	Getzen	Kicliter
Boyd	Cross	Gibbons	Knight
Brackin	Davis	Gresham	Melton
Bronson	Dickinson	Hodges	Pearce
Carlton	Eaton	Houghton	Pope
Carraway	Edwards	Johns	Price

Rawls                      Stenstrom                      Sutton                      Tedder  
Ripley                      Stratton

Nays—None.

So Senate Bill No. 94 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bills Nos. 95, 220, 671, 511 and 819 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.

**CONSIDERATION OF MEMORIALS ON SECOND READING**

Senate Memorial No. 202 was taken up in its order and the consideration thereof was informally passed, the Memorial retaining its place on the Calendar of Bills on Second Reading.

**CONSIDERATION OF HOUSE BILLS ON SECOND READING**

House Bills Nos. 381, 382 and 383 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.

H. B. No. 245—A bill to be entitled An Act relating to the Workmen's Compensation Law, amending Sections 440.25 (4) (c) and 440.27 (1), Florida Statutes, to provide for review of compensation order by Supreme Court rather than District Court of Appeal; providing an effective date.

Was taken up in its order.

Senator Stratton moved that the rules be waived and House Bill No. 245 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 245 was read the second time by title only.

Senator Stratton moved that the rules be further waived and House Bill No. 245 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. 245 was read the third time in full.

Upon the passage of House Bill No. 245 the roll was called and the vote was:

Yeas—33.

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

Nays—1.

Stenstrom

So House Bill No. 245 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

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.

Was taken up in its order.

Senator Stratton moved that the rules be waived and House Bill No. 134 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 134 was read the second time by title only.

The Committee on Labor and Industry offered the following amendment to House Bill No. 134:

In Section 1, strike out all of Section 1 of the bill and insert in lieu thereof the following:

Section 1. Subsection (4) of Section 215.19, Florida Statutes, is amended to read:

(4) Nothing in this section shall apply to contracts for the construction, repair or maintenance of public roads or highways, except that all its provisions shall apply to contracts for the construction of bridges on public roads and highways, where the contract price for such construction shall exceed fifty thousand dollars or such bridge shall be located in a large metropolitan area; provided, however, that the provisions of this section shall not be applicable to any construction or contracts for public works with respect to which prevailing wage rates are required to be established pursuant to federal authority. The words "metropolitan area" are defined for the purpose of this section as any county in Florida having a population of one hundred thousand according to the last preceding state or federal census.

Senator Stratton moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Stratton moved that the rules be further waived and House Bill No. 134, 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. 134, as amended, was read the third time in full.

Upon the passage of House Bill No. 134, as amended, the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So House Bill No. 134 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 191 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.

H. B. No. 505—A bill to be entitled An Act relating to service of process upon nonresidents operating a water craft 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.

Was taken up in its order.

Senator Cross moved that the rules be waived and House Bill No. 505 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 505 was read the second time by title only.

Senator Cross moved that the rules be further waived and House Bill No. 505 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. 505 was read the third time in full.

Upon the passage of House Bill No. 505 the roll was called and the vote was:

Yeas—34.

Adams	Carraway	Eaton	Hodges
Belser	Clarke	Edwards	Houghton
Boyd	Connor	Gautier	Johns
Brackin	Cross	Getzen	Kelly
Bronson	Davis	Gibbons	Kieliter
Carlton	Dickinson	Gresham	Knight

Melton	Price	Stenstrom	Sutton
Pearce	Rawls	Stratton	Tedder
Pope	Ripley		

Nays—None.

So House Bill No. 505 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Cross moved that the House of Representatives be requested to return Senate Bill No. 530 to the Senate for further consideration.

Which was agreed to and it was so ordered.

House Bills Nos. 292, 295 and 170 were taken up in their order and the consideration thereof was informally passed, the Bills retaining their respective places on the Calendar of Bills on Second Reading.

Senator Cross moved that the Senate convene at 10:00 o'clock A. M., on Thursday, May 14, 1959.

Which was agreed to and it was so ordered.

Senator Stratton moved that the rules be waived and the Senate revert to the consideration of messages from the House of Representatives.

Which was agreed to by a two-thirds vote.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 13, 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, with amendment—

By Senator Stratton—

S. B. No. 215—A bill to be entitled An Act to amend Sections 443.04 and 443.05, Florida Statutes, relating to unemployment

compensation; providing for computation of weekly benefit amount and duration of benefits; providing for benefit eligibility conditions; and providing an effective date.

Which amendment reads as follows:

In Section 1, Subsection (2), Paragraph (B), strike out: all of Sub-paragraph (b) and insert the following in lieu thereof: The average weekly wages of an individual shall be computed by dividing the total wages paid to him in that calendar quarter of his base period in which such wages for insured employment were highest by the total number of weeks reported for him by his employers in such quarter but such total shall be not more than thirteen; provided, however, that any individual shall be deemed to have been paid wages in the total number of weeks of his base period indicated in the reports submitted to the Commission by his base period employers but not more than thirteen weeks in any calendar quarter.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 215, contained in the above message, was read by title, together with the House Amendment thereto.

Senator Stratton moved that the Senate concur in the House Amendment to Senate Bill No. 215.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 215.

And Senate Bill No. 215, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives.

Senator Hodges moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 12:56 o'clock P. M., until 10:00 o'clock A. M., Thursday, May 14, 1959, pursuant to the motion made by Senator Cross, adopted by the Senate this day.