

JOURNAL OF THE SENATE

Thursday, May 21, 1959

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The Senate convened at 10:00 o'clock A.M., pursuant to adjournment on Wednesday, May 20, 1959.

The President in the Chair.

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

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

—38.

A quorum present.

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

Our Father, help us to know Thee so that we can love Thee more, and thus be more useful to our fellowmen. Let Thy grace come upon us so that we may know Thy will and be able to follow it. Forgive us when we have failed Thee. In Christ name. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Tuesday, May 19, 1959, was further corrected as follows:

Page 717, column 1, strike out lines 4 and 5, counting from the bottom of the column, and insert in lieu thereof the following:

"185.20, 185.22, 185.26, and 185.28, and providing for an effective date."

Also—

Page 736, column 2, line 16, counting from the bottom of the column, strike out the figures "932.111" and insert in lieu thereof the figures "392.111."

Also—

Page 739, column 2, between lines 28 and 29, insert the following:

"Which was agreed to by a two-thirds vote."

Also—

Page 740, column 1, line 26, counting from the bottom of the column, in the second column of the roll call, strike out the name "Davis."

Also—

Page 740, column 1, strike out line 30, counting from the bottom of the column, and insert in lieu thereof the following:

"Yeas—32."

And as further corrected was approved.

The Senate daily Journal of Wednesday, May 20, 1959, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

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

S. B. No. 993—A bill to be entitled An Act relating to the claim of Carolyn B. Bevan for damages sustained in Polk

County; providing an appropriation from the county general fund.

—and recommends that the same pass.

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

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

H. B. No. 558—A bill to be entitled An Act relating to County Commissioners; amending Chapter 125, Florida Statutes, by adding Section 125.55, authorizing the Boards of County Commissioners to accept materials or financial contributions for construction and repair of streets and roads outside municipalities under certain conditions.

H. B. No. 739—A bill to be entitled An Act relating to Florida Highway Code, third part, amending Subsection (1) of Section 336.41, Florida Statutes; authorizing county commissioners to construct boat ramps and channel markers; providing an effective date.

—and recommends that the same pass.

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

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

S. B. No. 737—A bill to be entitled An Act for the relief of the Fletcher Tractor Company; providing an appropriation for damages to their vehicle, providing an effective date.

S. B. No. 791—A bill to be entitled An Act for the relief of R. R. Swilley, a resident of Plant City, Hillsborough County; making an appropriation to compensate him for damage sustained by him by reason of the negligent spraying of poison by the Game and Fresh Water Fish Commission of a nursery consisting of one thousand five hundred (1,500) seedling trees, resulting in the economic loss of all such trees and providing payment for same; providing an effective date.

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

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

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

S. B. No. 909—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, under a certain condition, as a new member; and providing an effective date.

S. B. No. 777—A bill to be entitled An Act for the relief of Lloyd Rix and Elizabeth Rix, his wife, for damages to their homeplace and personal property caused by flood waters from turnpike construction by Florida State Turnpike Authority.

—and recommends that the same pass.

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

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

S. B. No. 982—A bill to be entitled An Act relating to the use of plastic bags and coverings on dry cleaning and merchandise; prohibiting the use of plastic bags of certain size and specifications; prohibiting the possession of certain plastic bags and coverings for use as covering of dry cleaning or for packaging or bagging merchandise for sale; providing penalty for violation; 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 Dickinson, Chairman of the Committee on Judiciary "B," reported that the Committee had carefully considered the following Bill:

H. B. No. 911—A bill to be entitled An Act amending Section 554.02(1), Florida Statutes, 1957, so as to provide for representation under certain circumstances and conditions by Dade County and the City of Miami on the Inter-American Center Authority; providing a severability clause; repealing any inconsistent provisions; 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 Belsler, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bill:

H. B. No. 834—A bill to be entitled An Act relating to alcoholic beverages; amending Section 562.451, Florida Statutes, by making it a misdemeanor to own, possess or control less than one (1) gallon of liquor, as the same is defined in the beverage law, not made or manufactured in accordance with the laws in effect at the time when and place where the same was made or manufactured, by making it a felony to own, possess or control one (1) gallon or more of such liquor, by providing penalties for the violation of this Act, and by providing that proof that the liquor involved is what is commonly known as moonshine whiskey shall be prima facie evidence that the same was not made or manufactured in accordance with the laws in effect at the time when and place where the same was made or manufactured; and providing the 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 Clarke, Chairman of the Committee on Public Utilities, reported that the Committee had carefully considered the following Bill:

S. B. No. 606—A bill to be entitled An Act requiring certificates of public convenience and necessity for the construction or operation of privately owned water systems and sewer systems, authorizing such certificates for the construction or operation of municipally owned water systems and sewer systems outside of corporate limits, regulating all such certificates and prescribing their effect, requiring the filing of schedules of all rates, classifications and charges and of all rules and regulations of privately owned water systems and sewer systems, providing for the regulation of the rates, charges and service of privately owned water systems and sewer systems, prescribing application fees, prescribing an annual gross receipts tax to be paid by privately owned water systems and sewer systems, prescribing penalties for violations, and repealing all general laws, special laws, county ordinances, resolutions and franchises, and municipal charters, ordinances, resolutions and franchises to the extent that they conflict with this Act, providing an effective date.

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

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

Senator Clarke, Chairman of the Committee on Public

Utilities, reported that the Committee had carefully considered the following Bill:

S. B. No. 751—A bill to be entitled An Act providing for the regulation, control and supervision of certain privately owned electric or gas public utilities by the Florida Railroad and Public Utilities Commission; defining such public utilities and prescribing their duties and responsibilities; prescribing the duties and powers of the commission with reference to the rates, service, securities and financing of said utilities; prescribing penalties for violations of this Act or any order, rule, rule or regulation of said commission; providing that the provisions of this Act shall neither apply to utilities owned or operated by cooperatives organized and existing under the Rural Electrification Cooperative Law of the State of Florida nor to utilities owned or operated by municipalities, nor to certain natural gas pipe line transmission companies nor a person supplying liquefied petroleum gas, except where the method of distribution or delivery is by underground distribution system, utilizing utility or other easements or public road rights of way, alleys excluded, unless such person also supplies electricity, manufactured or natural gas; providing that this Act shall not affect certain rate litigation and refund proceedings; repealing all laws or parts of laws in conflict herewith; and providing the effective date of this Act.

—and recommends that the same not pass.

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

Senator Clarke, Chairman of the Committee on Public Utilities, reported that the Committee had carefully considered the following Bill:

S. B. No. 907—A bill to be entitled An Act relating to the fixing of just, reasonable and compensatory rates, charges, tolls, or rentals to be observed and charged for telephone service within the State of Florida by telephone utilities; providing that the Railroad and Public Utilities Commission shall give consideration, among other things, to the efficiency, sufficiency and adequacy of the facilities provided and the service rendered in fixing rates, charges, tolls or rentals; providing that the Railroad and Public Utilities Commission shall hear service complaints during any proceedings involving such rates, tolls or rentals; providing that the Railroad and Public Utilities Commission shall have authority to reduce telephone rates, charges, tolls or rentals commensurate with the quality and value of the service being rendered, or suspend rate increases otherwise justified, conditioned upon reasonable and adequate improvement in such service and facilities; providing that the power and authority herein conferred shall not cancel or amend any existing punitive powers of the commission, 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 Edwards, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bills:

S. B. No. 925—A bill to be entitled An Act to authorize the division of vocational rehabilitation of the State Board for Vocational Education to administer a program of self care rehabilitation services for severely handicapped persons; to authorize the rendering of evaluation services for rehabilitation purposes; to authorize the establishment and the utilization of necessary rehabilitation facilities; to provide for studies and preparation of reports relating to the rehabilitation and care of severely handicapped persons; providing an effective date.

S. B. No. 945—A bill to be entitled An Act relating to scholarships; amending the first paragraph of Section 239.41, Florida Statutes, to provide allocation of scholarships to counties proportionate to enrollment in grades one through twelve; providing minimum number of scholarships for each county; providing reallocation each four years; providing effective date.

S. B. No. 988—A bill to be entitled An Act relating to the minimum foundation program; amending Paragraph (c) of Subsection (3) of Section 236.07, Florida Statutes, by permitting use of administrative and special instructional services units for employment of academic instructors and kin-

deergarten teachers during the summer; fixing an effective date.

—and recommends that the same pass.

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

Senator Edwards, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bill:

H. B. No. 668—A bill to be entitled An Act relating to County Schools; amending Sections 228.041(20) and (21), 229.08(9), 230.33(11)(d), (12)(b) and (h), 231.17, 231.24, 231.36, 232.02, 235.26(20), 236.02(3), 236.05, 236.39, 237.31(3), 239.38, repealing Section 228.041(23) and renumbering subsequent Subsections; amending renumbered Subsections (23), (25), and (26); repealing Sections 229.081, 231.25 and 231.27, all Florida Statutes; providing for nonsubstantive changes; defining school month, school holiday, school year, exceptional children, special services, duties and responsibilities of State Board and County Superintendent; deleting powers of Trustee set out in other Sections; including school property in bond of school employes; strengthening physical fitness, requirements of certificates and extension of certificates; reporting breach of contract to Board of Public Instruction; clarifying "school attendance," raising fire safety requirements; defining requirements for participation in Foundation Program Fund and defining transportation units to include kindergartens; correcting notice of elections; clarifying types of bonds; defining purpose of scholarships.

—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 placed on the Calendar of Bills on Second Reading.

Senator Edwards, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bill:

H. B. No. 821—A bill to be entitled An Act relating to Retirement System for School Teachers; amending Section 238.06, Florida Statutes, by adding a new Subsection to be numbered (10); providing out-of-state credit for service rendered as teachers in the American Overseas Dependent Schools of the Armed Forces; 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 Melton, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following Bill:

S. B. No. 632—A bill to be entitled An Act to amend Section 319.14, Florida Statutes, relating to the sale of motor vehicles used as taxicabs and for-hire vehicles; by adding a new subsection regulating the advertisement for sale of such vehicles, providing penalties for violation, and providing an effective date.

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

And the Bill contained in the preceding report, with the recommended Committee Substitute attached thereto, was referred to the Committee on Transportation and Traffic under the original joint reference.

Senator Melton, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following Bill:

S. B. No. 650—A bill to be entitled An Act relating to drivers' licenses; amending Subsection (1) of Section 322.25 by authorizing courts to revoke drivers' licenses of persons convicted of a felony; authorizing court with authority to suspend license six (6) times length of sentence upon conviction of misdemeanor.

—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 Melton, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following Bill:

S. B. No. 946—A bill to be entitled An Act amending Section 317.81, Florida Statutes, relating to the issuance of permits for oversize or overweight motor vehicles and combinations of vehicles, and providing for an effective date.

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

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

Senator Melton, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following Bill:

H. B. No. 585—A bill to be entitled An Act relating to Sale of Liquid Fuels; amending Section 526.111, Florida Statutes, regulating the method of displaying the retail price of gasoline; prohibiting misleading signs; providing penalty; 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 Melton, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following Bill:

H. B. No. 931—A bill to be entitled An Act relating to the licensing of ancient motor vehicles; amending Section 320.086, Florida Statutes, by providing a permanent license plate to be valid without renewal as long as the vehicle is in existence; 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 Stenstrom, Chairman of the Committee on Corporations, reported that the Committee had carefully considered the following Bill:

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.

—and recommends that the same pass.

And the Bill contained in the preceding report was referred to the Committee on Judiciary "B" under the original joint reference.

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

S. B. No. 900—A bill to be entitled An Act relating to corporations for profit; amending Subsections (1) and (2) of Section 608.14, Florida Statutes 1957, relating to the power of corporations for profit to issue stock, by adding thereto language to make it clear that such corporations have the power to make preferred stock which the corporation is authorized to issue convertible into common stock of such corporation; providing an effective date.

—and recommends that the same not pass.

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

ENGROSSING REPORTS

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

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

safety regulation, control and supervision of the basic design, quality of the materials and workmanship and requirements for the testing and maintenance of gas transmission and distribution facilities by the Florida Railroad and Public Utilities Commission and prescribing the duties and powers of the commission.

—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. 321, 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. 214—A bill to be entitled An Act relating to the preservation and protection of the public health, creating the Sanitarians' Registration Board, defining its powers and duties; providing penalties for violation of this Act and providing 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. 214, 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. 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.

—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. 498, 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. 522—A bill to be entitled An Act to provide for the creation of water and sewer districts within the counties of the state; to incorporate same; to provide for the government, powers, operation, maintenance, regulation and control thereof; to provide for the construction, acquisition or purchase of water and sewer systems or any combination thereof and improvements, additions and extensions thereto and the operation and maintenance thereof by said districts; to provide for optional methods of financing such construction, acquisition and purchase by the issuance of revenue bonds or general obligation bonds or assessment bonds or any combination thereof of said districts, and the levy of ad valorem taxes on all taxable property in such districts to pay such general obligation bonds, and for the cost of operation and maintenance and other corporate purposes of the district, and the fixing and collection of rates and charges on users of such systems to pay such revenue bonds, and the levy and collection of special assessments on property benefited by the construction or acquisition of such improvements to pay such assessment bonds; to provide for the additional pledge of the full faith and credit of such districts or special assessments for revenue bonds, and the additional pledge of water and sewer revenues or special

assessments for general obligation bonds; providing for the rights, remedies and security of the holders of any such bonds, and providing when this act shall take effect.

—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. 522, 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. 597—A bill to be entitled An Act relating to the State Budget Commission, amending Section 216.09, Florida Statutes, to provide for appointment of a budget director by the Governor with approval of the Budget Commission; 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. 597, 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. 636—A bill to be entitled An Act relating to justice of peace courts in counties in the state having a population of not less than twenty-seven thousand (27,000) and not more than twenty-eight thousand (28,000), according to the latest official state-wide decennial census; providing for the payment of the expenses of said courts; 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. 636, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

ENROLLING REPORTS

Your Enrolling Clerk, to whom was referred—

S. B. No. 173 Com. Sub. for S. B. No. 253

S. B. No. 188 S. B. No. 388

—reports same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on May 21, 1959, for his approval.

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

Your Enrolling Clerk, to whom was referred—

S. B. No. 614 S. B. No. 789

S. B. No. 765 S. B. No. 798

—reports same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on May 21, 1959, for his approval.

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

Your Enrolling Clerk, to whom was referred—

H. B. No. 1293	H. B. No. 1339
H. B. No. 1294	H. B. No. 1341
H. B. No. 1296	H. B. No. 1348
H. B. No. 1299	H. B. No. 1354
H. B. No. 1312	H. B. No. 1355
H. B. No. 1313	H. B. No. 1366
H. B. No. 1315	H. B. No. 1367
H. B. No. 1317	H. B. No. 1372
H. B. No. 1318	H. B. No. 1375
H. B. No. 1319	H. B. No. 1376
H. B. No. 1320	H. B. No. 1377
H. B. No. 1321	H. B. No. 1378
H. B. No. 1326	H. B. No. 1379
H. B. No. 1327	H. B. No. 1382
H. B. No. 1338	H. B. No. 1415

—reports same have been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on May 20, 1959.

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

Your Enrolling Clerk, to whom was referred—

H. C. R. No. 1778

—reports same has been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on May 21, 1959.

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

ABANDONMENT OF MOTION TO RECONSIDER

The motion made by Senator Price on May 19, 1959, that the Senate reconsider the vote by which House Bill No. 357, as amended, passed the Senate on May 19, 1959, not having been acted upon on Wednesday, May 20, 1959, was considered abandoned under Senate Rule 47.

And House Bill No. 357 was ordered certified to the House of Representatives.

Senator Knight moved that House Bills Nos. 358, 359, 360, 362, 364, 365, 366, 707 and 708, previously referred to the Committee on Temperance, be also referred to the Committee on Judiciary "C."

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

Senator Gresham requested unanimous consent of the Senate to take up and consider House Bill No. 1432, out of its order.

Unanimous consent was granted, and—

H. B. No. 1432—A bill to be entitled An Act relating to the City of Fort Myers; amending Chapter 57-1326, Special Acts of 1957, said Chapter being the charter of said city, by adding Section 2A, providing that certain areas shall be excluded from the description of the territorial limits of the City of Fort Myers; providing an effective date.

Was taken up.

Senator Gresham moved that the rules be waived and House Bill No. 1432 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1432 was read the second time by title only.

Senator Gresham moved that the rules be further waived and House Bill No. 1432 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. 1432 was read the third time in full.

Upon the passage of House Bill No. 1432 the roll was called and the vote was:

Yeas—38.

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

Nays—None.

So House Bill No. 1432 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Gresham requested unanimous consent of the Senate to take up and consider House Bill No. 1433, out of its order.

Unanimous consent was granted, and—

H. B. No. 1433—A bill to be entitled An Act relating to Lee County; authorizing the Board of County Commissioners to employ secretaries for the circuit judges residing in Lee County; establishing the fund to which said salaries shall be charged; providing an effective date.

Was taken up.

Senator Gresham moved that the rules be waived and House Bill No. 1433 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1433 was read the second time by title only.

Senator Gresham moved that the rules be further waived and House Bill No. 1433 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. 1433 was read the third time in full.

Upon the passage of House Bill No. 1433 the roll was called and the vote was:

Yeas—38.

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

Nays—None.

So House Bill No. 1433 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Gresham requested unanimous consent of the Senate to take up and consider House Bill No. 1434, out of its order.

Unanimous consent was granted, and—

H. B. No. 1434—A bill to be entitled An Act relating to Lee County; authorizing the Board of County Commissioners to establish a uniform system of House numbering; providing that funds to defray the cost of same be levied in the general fund; providing an effective date.

Was taken up.

Senator Gresham moved that the rules be waived and House Bill No. 1434 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1434 was read the second time by title only.

Senator Gresham moved that the rules be further waived and House Bill No. 1434 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. 1434 was read the third time in full.

Upon the passage of House Bill No. 1434 the roll was called and the vote was:

Yeas—38.

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

Nays—None.

So House Bill No. 1434 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Gresham requested unanimous consent of the Senate to take up and consider House Bill No. 1435, out of its order.

Unanimous consent was granted, and—

H. B. No. 1435—A bill to be entitled An Act relating to Lee County; authorizing the Board of County Commissioners to regulate the location of junk yards; providing an effective date.

Was taken up.

Senator Gresham moved that the rules be waived and House Bill No. 1435 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1435 was read the second time by title only.

Senator Gresham moved that the rules be further waived and House Bill No. 1435 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. 1435 was read the third time in full.

Upon the passage of House Bill No. 1435 the roll was called and the vote was:

Yeas—38.

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

Nays—None.

So House Bill No. 1435 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Gresham requested unanimous consent of the Senate to take up and consider House Bill No. 1436, out of its order.

Unanimous consent was granted, and—

H. B. No. 1436—A bill to be entitled An Act relating to Lee County; declaring the inoculation of dogs to be necessary to the Public Health and Welfare and the inhabitants thereof; establishing the manner of control of dogs; providing for licenses; establishing funds for the cost of control of dogs; authorizing the delegation of control of dogs; providing an effective date.

Was taken up.

Senator Gresham moved that the rules be waived and House Bill No. 1436 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1436 was read the second time by title only.

Senator Gresham moved that the rules be further waived and House Bill No. 1436 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. 1436 was read the third time in full.

Upon the passage of House Bill No. 1436 the roll was called and the vote was:

Yeas—38.

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

Nays—None.

So House Bill No. 1436 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Gresham requested unanimous consent of the Senate to take up and consider House Bill No. 1437, out of its order.

Unanimous consent was granted, and—

H. B. No. 1437—A bill to be entitled An Act relating to Lee County; authorizing the manner in which special elections shall be conducted by the Board of County Commissioners; providing an effective date.

Was taken up.

Senator Gresham moved that the rules be waived and House Bill No. 1437 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1437 was read the second time by title only.

Senator Gresham moved that the rules be further waived and House Bill No. 1437 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. 1437 was read the third time in full.

Upon the passage of House Bill No. 1437 the roll was called and the vote was:

Yeas—38.

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

Nays—None.

So House Bill No. 1437 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Clarke requested unanimous consent of the Senate to take up and consider House Bill No. 1429, out of its order.

Unanimous consent was granted, and—

H. B. No. 1429—A bill to be entitled An Act relating to the Board of County Commissioners in each county in the State having a population of not less than ten thousand two hundred (10,200) nor more than ten thousand four hundred and fifteen (10,415) inhabitants, according to the latest official state-wide decennial census; authorizing said board to appropriate and pay a sum certain to any city in said county, such sum to be used by said city to furnish fire protection for unincorporated areas outside said city limits; validating prior appropriations so made by said board; providing an effective date.

Was taken up.

Senator Clarke moved that the rules be waived and House Bill No. 1429 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1429 was read the second time by title only.

Senator Clarke moved that the rules be further waived and House Bill No. 1429 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. 1429 was read the third time in full.

Upon the passage of House Bill No. 1429 the roll was called and the vote was:

Yeas—38.

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

Nays—None.

So House Bill No. 1429 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Stenstrom moved that Senate Bill No. 983, previously referred to the Committee on Judiciary "B" and the Committee on Appropriations, be referred only to the Committee on Judiciary "B."

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

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Houghton—

S. B. No. 1000—A bill to be entitled An Act to amend Sec-

tion 11, entitled "elections", of Chapter 29257, Laws of Florida, Special Acts of 1953, which is the Charter of the City of Madeira Beach, by changing the method of electing members of the Board of Commissioners and the Mayor-Commissioner of said city, and providing the method of electing the Mayor-Commissioner and District Commissioners of said city; to provide for a referendum election to be held to determine whether or not this Act shall take effect.

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

By Senator Houghton—

S. B. No. 1001—A bill to be entitled An Act to authorize the City of Madeira Beach to construct, establish and erect bulkheads, seawalls, groins, jetties or other structures necessary to control and prevent erosion and to establish bulkhead lines over, upon or adjacent to the shore line of Boca Ciega Bay within said city, and to make the provisions of Section 43 of Chapter 29257, Laws of Florida, Special Acts of 1953, and Chapter 30953, Laws of Florida, Special Acts of 1955, applicable to the waters of Boca Ciega Bay within said city, and to provide the effective date hereof.

Which 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 Senate Bill No. 1001 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.

By Senator Houghton—

S. B. No. 1002—A bill to be entitled An Act granting to the City of Madeira Beach the right and power to issue revenue bonds and excise tax bonds and providing the method of issuing such bonds; repealing all laws or parts of laws in conflict with this Act to the extent of such conflict; and providing an effective date.

Which 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 Senate Bill No. 1002 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

By Senator Houghton—

S. B. No. 1003—A bill to be entitled An Act amending Section 2 of Chapter 29257, Laws of Florida, 1953, and Section 1 of Chapter 31476, Laws of Florida, Extraordinary Session, 1956, by redefining the boundaries and corporate limits of the City of Madeira Beach; repealing all laws or parts of laws in conflict with this Act to the extent of such conflict; and providing an effective date.

Which 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 Senate Bill No. 1003 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.

By Senator Houghton—

S. B. No. 1004—A bill to be entitled An Act to amend Section 18(b), Chapter 29257, Laws of Florida, Special Acts of 1953, relating to the powers and duties of the City Manager of the City of Madeira Beach, Florida, by striking from said subsection all of said subsection after the word "city"; repealing all laws or parts of laws in conflict with this act to the extent of such conflict; and providing an effective date.

Which 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 Senate Bill No. 1004 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

By Senator Houghton—

S. B. No. 1005—A bill to be entitled An Act to amend Section 4 of the charter of the City of Madeira Beach which is Chapter 29257, Special Acts of 1953, by redefining the right and power of eminent domain therein granted to the city; repealing all laws or parts of laws in conflict with this act to the extent of such conflict; and providing an effective date.

Which 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 Senate Bill No. 1005 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.

By Senator Houghton—

S. B. No. 1006—A bill to be entitled An Act amending Section 19, Chapter 27,875, Acts of 1951, as amended by Chapter 31,241, Acts of 1955, relating to the pension fund for the fire department of the City of St. Petersburg, Florida; providing the qualifications for appointment as members of said fire department.

Which 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 Senate Bill No. 1006 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.

By Senator Houghton—

S. B. No. 1007—A bill to be entitled An Act affecting the government of the City of Madeira Beach; authorizing any member of the police force of said city to pursue across the city limits line and arrest where apprehended in Pinellas County any person suspected of having committed an offense against the ordinances of the City of Madeira Beach provided such is continuous after having originated within the limits of said city; defining fresh pursuit; and authorizing any member of the police force of said city to continue a fresh pursuit beyond the limits of said city; repealing all laws or parts of laws in conflict with this act to the extent of such conflict; and providing an effective date.

Which 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 Senate Bill No. 1007 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.

By Senator Houghton—

S. B. No. 1008—A bill to be entitled An Act to create and establish the Urban Renewal Commission of the City of St. Petersburg; to provide for the membership of said commission and their appointment; to provide for the financing of said commission; and to provide for the powers, duties and authority of said commission; and providing an effective date for said Act.

Which 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 Senate Bill No. 1008 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.

By Senator Houghton—

S. B. No. 1009—A bill to be entitled An Act to grant additional benefits to certain members of the Municipal Employees Retirement System of the City of St. Petersburg; to provide an effective date for said Act.

Which 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 Senate Bill

No. 1009 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.

By Senator Houghton—

S. B. No. 1010—A bill to be entitled An Act to authorize the City of St. Petersburg to convey to Florida Presbyterian College, a non-profit educational institution, certain lands in the City of St. Petersburg to be used as a site for a college; and providing an effective date for said Act.

Which 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 Senate Bill No. 1010 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.

By Senator Houghton—

S. B. No. 1011—A bill to be entitled An Act to authorize the City of St. Petersburg to supply gas for use within and without the corporate limits of said city; to authorize contracts between said city and private and public bodies concerning the construction and operation of such facilities; to authorize the city by ordinance to delegate to the St. Petersburg Port Authority, or to such other department, board, commission or authority as may be created or established by the City Council of said City, such powers of administration for the construction and operation of the gas plant and system of said city as shall be prescribed by said ordinance; to authorize the city by said ordinance to provide for the civil service and retirement rights of the employees of said department, board, commission or authority; and providing an effective date.

Which 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 Senate Bill No. 1011 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.

By Senator Houghton—

S. B. No. 1012—A bill to be entitled An Act amending Section 19, Chapter 27,876, Acts of 1951, as amended by Chapter 31,240, Acts of 1955, relating to the pension fund for the Police Department of the City of St. Petersburg, Florida; providing the qualifications for appointment as members of said police department.

Which 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 Senate Bill No. 1012 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

By Senator Houghton—

S. B. No. 1013—A bill to be entitled An Act to amend Chapter 27,875, Laws of Florida, 1951, as amended by Chapter 29,506, Laws of Florida, 1953, relating to the Fire Pension Fund of the City of St. Petersburg; providing that all retired members of the Fire Department of the City shall receive a pension based upon the rank held at time of retirement; defining members of the fire department and providing an effective date.

Which 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 Senate Bill No. 1013 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

By Senator Houghton—

S. B. No. 1014—A bill to be entitled An Act to authorize the City of St. Petersburg to enter into a service contract extend-

ing over a period of years for the disposal of refuse (garbage and trash); to repeal all laws or parts of laws in conflict herewith; to provide an effective date.

Which 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 Senate Bill No. 1014 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.

By Senator Houghton—

S. B. No. 1015—A bill to be entitled An Act authorizing the City of St. Petersburg, Florida, to define the occupation of electrician and electrical contracting and to prescribe their qualifications; to create a Board of Examiners to determine their qualifications and to issue licenses and to suspend and revoke such licenses upon prescribed grounds; and providing an effective date.

Which 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 Senate Bill No. 1015 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.

By Senator Houghton—

S. B. No. 1016—A bill to be entitled An Act providing that any condition or impairment of health of any and all police officers or firemen employed by the City of St. Petersburg caused by tuberculosis, hypertension, heart disease or hardening of the arteries, resulting in total or partial disability, shall be presumed to have been suffered in line of duty; and repealing all laws in conflict herewith; and providing an effective date for said Act.

Which 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 Senate Bill No. 1016 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.

By Senator Kicliter—

S. B. No. 1017—A bill to be entitled An Act relating to agriculture; providing that it is unlawful to ship or transport tomatoes out of the production area when a federal marketing order is in effect in regard to tomatoes prior to inspection by Commissioner of Agriculture; providing a penalty; providing an effective date.

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

By Senators Ripley and Melton—

S. B. No. 1018—A bill to be entitled An Act for the relief of Truby O'Neal and providing for an appropriation to compensate him for personal injuries and damages by reason of negligent arrest by a district supervisor of the State Beverage Department upon finding of a court of law; providing an effective date.

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

By the Committee on Banking—

S. B. No. 1019—A bill to be entitled An Act relating to public money and the funds of county officers, boards of county commissioners, and boards of public instruction of the several counties and depositories thereof; amending Subsection (1) of Section 136.02, Florida Statutes, as amended by Section 2 of Chapter 59-23, Laws of Florida, Acts of 1959; providing for the creation and establishment of county depositories in and for the several counties of the State of Florida; providing for the qualification of such depositories; and providing an effective date.

Which was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

By the Committee on Motor Vehicles—

S. B. No. 1020—A bill to be entitled An Act relating to maximum weights of motor vehicles; amending Subsection (3) of Section 317.77, Florida Statutes.

Which was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

By Senator Cross—

S. B. No. 1021—A bill to be entitled An Act relating to Alachua County; authorizing the county commissioners of Alachua County to employ a county medical examiner; to fix his qualifications, the term of his employment and his compensation; to prescribe the powers and duties of such county medical examiner; to provide for assistant examiners; to provide for autopsies; and requiring such medical examiner to appear and testify at coroner's inquests when required; requiring examination of all dead bodies intended for cremation by such medical examiner or assistant and requiring authorization to such disposition and providing for a penalty for violation of such provisions; providing severability clause; setting effective date.

Which 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 Senate Bill No. 1021 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

By Senator Melton—

S. B. No. 1022—A bill to be entitled An Act amending Sections 8, 10 and 15 of Chapter 8993, Special Acts of the Legislature of Florida of 1921, entitled: "An Act to abolish the present municipal government of the City of Lake City, in the county of Columbia, in the State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Lake City, and to define its territorial boundaries, and to provide for its government, jurisdiction, powers, franchises and privileges", by providing in Section 8 that the city may borrow for not longer than five years, the sum of \$50,000.00 to be used for municipal purposes; by providing in said Section 10 for the creation of a city commission consisting of four commissioners and a mayor-commissioner; and providing for the payment of salaries for the mayor-commissioner and other commissioners; by providing in said Section 15 for the filling of any vacancy in the office of mayor-commissioner, or other commissioners; and providing when this Act shall take effect.

Which 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 Senate Bill No. 1022 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.

By Senator Melton—

S. B. No. 1023—A bill to be entitled An Act amending Chapter 8993, Special Acts of the Legislature of Florida of 1921, entitled: "An Act to abolish the present municipal government of the City of Lake City, in the county of Columbia, in the State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Lake City, and to define its territorial boundaries, and to provide for its government, jurisdiction, powers, franchises and privileges", by the addition thereto of Section 147, providing for and authorizing the issuance of revenue bonds of said city payable solely from revenues of any municipally owned utility or other revenue producing undertaking or combination thereof, to finance all or part of the cost of such utilities or undertakings; authorizing the issuance of excise tax bonds payable from any revenue or taxes, except funds derived from ad valorem taxes; providing for the manner of the issuance and sale of such revenue bonds and excise tax bonds, providing that no freeholder election be required to authorize such revenue bonds or excise tax bonds unless the same be additionally secured by the full faith and credit of the city, and providing when this Act shall take effect.

Which 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 Senate Bill No. 1023 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.

By Senator Johnson—

S. B. No. 1024—A bill to be entitled An Act amending Section 40.34, Florida Statutes, by requiring duplicate payroll instead of triplicate; changing the number of copies to be transmitted to the comptroller from two to one; providing an effective date.

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

By Senator Johnson—

S. B. No. 1025—A bill to be entitled An Act relating to all State retirement systems; creating a special retirement study committee to study all State retirement systems; making an appropriation and providing an effective date.

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

By Senator Belser—(By Request)—

S. B. No. 1026—A bill to be entitled An Act relating to beauty culture; amending Sections 477.01, 477.05(2), 477.08(5), 477.12(2), 477.17(1), 477.18, 477.19, 477.20(1), (2) and (3); repealing Section 477.06(1) (d) and (e) and adding new Section 477.011, all Florida Statutes; providing for change of name; providing for licensing of cosmetologists; providing for operation and inspection of cosmetology shops and schools of cosmetology; providing for increase in fees; providing for increase in membership of board and in number of districts; providing an effective date.

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

MESSAGES FROM THE GOVERNOR

The following communications from the Governor were received:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

May 20, 1959

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

Sir:

I have the honor to inform you that I have today filed in the office of the Secretary of State the following Resolutions, which originated in your Honorable Body, Regular Session, 1959:

- S. C. R. NO. 468 RELATING TO BUSINESS CLIMATE OF FLORIDA
- S. C. R. NO. 571 RELATING TO FLORIDA BAPTIST INSTITUTE AND SEMINARY

Respectfully,

LeRoy Collins
Governor

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

May 21, 1959

*Honorable Dewey M. Johnson
Senate President
State Capitol
Tallahassee, Florida*

Sir:

I have the honor to inform you that I have today filed in the office of the Secretary of State the following Acts, which originated in your Honorable Body, Regular Session, 1959, same having remained in my office for the full Constitutional period of five days, and will become law without my approval:

- S. B. NO. 409 RELATING TO DUVAL AND DADE COUNTIES—CRIMINAL COURT OF RECORD
- S. B. NO. 565 RELATING TO SUMTER COUNTY—PUBLIC LAW LIBRARY
- S. B. NO. 566 RELATING TO SUMTER COUNTY—ACQUISITION AND CONVEYANCE OF CERTAIN LAND
- S. B. NO. 589 RELATING TO ALACHUA COUNTY—PEDDLER'S LICENSES, ISSUANCE
- S. B. NO. 600 RELATING TO DUVAL COUNTY—COMPENSATION OF TAX ASSESSOR
- S. B. NO. 601 RELATING TO DUVAL COUNTY—COMPENSATION OF SHERIFF
- S. B. NO. 609 RELATING TO DUVAL COUNTY—COMPENSATION OF CLERK OF CIRCUIT COURT
- S. B. NO. 610 RELATING TO DUVAL COUNTY—COMPENSATION OF TAX COLLECTOR
- S. B. NO. 683 RELATING TO CITY OF STARKE — SEARCH WARRANTS, ISSUANCE BY CLERK
- S. B. NO. 684 RELATING TO BRADFORD COUNTY—ELECTION INSPECTORS AND CLERKS, COMPENSATION
- S. B. NO. 685 RELATING TO CITY OF STARKE—CREATING PERMANENT REGISTRATION SYSTEM
- S. B. NO. 686 RELATING TO BRADFORD COUNTY—PROSECUTING ATTORNEYS—SUBPOENA POWER

Respectfully,

LeRoy Collins
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 21, 1959.

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

Sir:

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

By Senator Eaton—

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

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 395, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 21, 1959.

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

Sir:

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

By Senator Knight—(By Request)—

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.

Also—

By Senator Connor—(By Request)—

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.

Also—

By Senator Connor—(By Request)—

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.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bills Nos. 457, 728 and 730, contained in the above message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 21, 1959.

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

Sir:

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

By Senator Connor—(By Request)—

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.

Also—

By Senator Connor—(By Request)—

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.

Also—

By Senator Connor—(By Request)—

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.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bills Nos. 729, 731 and 732, contained in the above message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 20, 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 requests the return of—

By Mr. Beck of Putnam—

H. B. No. 795—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.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Senator Pearce moved that the request of the House of Representatives, as contained in the foregoing message, be granted.

Which was agreed to and House Bill No. 795 was ordered returned to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 20, 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 granted the request of the Senate and returns herewith—

By Senator Edwards—

S. B. No. 549—A bill to be entitled An Act relating to the flood control trust account; providing for the distribution of such funds annually; fixing an effective date.

Also—

By Senator Beall—(By Request)—

S. B. No. 426—A bill to be entitled An Act relating to pilot commissioners and pilots; amending Section 310.11, Florida Statutes, relating to rates of pilotage, providing minimum rates for pilotage, and for maximum rates based upon draft and tonnage; repealing all laws in conflict, and providing an effective date.

Also—

By Senator Melton—

S. B. No. 496—A bill to be entitled An Act relating to motor vehicle certificates of title; amending Subsections (2) and (6) of Section 319.24, Florida Statutes; providing for satisfaction of first lien to be endorsed on face of certificate.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Senator Edwards moved that the rules be waived and the Senate immediately reconsider the vote by which Senate Bill No. 549 passed the Senate on May 12, 1959.

The President put the question: "Will the Senate reconsider the vote by which Senate Bill No. 549 passed the Senate on May 12, 1959?"

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which Senate Bill No. 549 passed the Senate on May 12, 1959.

By unanimous consent, Senator Edwards withdrew Senate Bill No. 549 from the further consideration of the Senate.

Senator Beall moved that the rules be waived and the Senate immediately reconsider the vote by which Senate Bill No. 426, as amended, passed the Senate on May 6, 1959.

The President put the question: "Will the Senate reconsider the vote by which Senate Bill No. 426, as amended, passed the Senate on May 6, 1959?"

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which Senate Bill No. 426, as amended, passed the Senate on May 6, 1959.

By unanimous consent, Senator Beall withdrew Senate Bill No. 426 from the further consideration of the Senate.

Senator Melton moved that the rules be waived and the Senate immediately reconsider the vote by which Senate Bill No. 496 passed the Senate on May 12, 1959.

The President put the question: "Will the Senate reconsider the vote by which Senate Bill No. 496 passed the Senate on May 12, 1959?"

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which Senate Bill No. 496 passed the Senate on May 12, 1959.

By unanimous consent, Senator Melton withdrew Senate Bill No. 496 from the further consideration of the Senate.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 20, 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 granted the request of the Senate and returns herewith—

By Senators Hodges and Belser—

S. B. No. 718—A bill to be entitled An Act relating to corporations; authorizing the incorporation and operation of private schools in the State of Florida; providing for the issuance of charters of incorporation for such schools; providing their officers, directors, powers, duties, limitations and the method

of the operation of such schools; repealing all laws or parts of laws in conflict with this Act and providing an effective date.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Senator Belser moved that the rules be waived and the Senate immediately reconsider the vote by which Senate Bill No. 718 passed the Senate on May 14, 1959.

The President put the question: "Will the Senate reconsider the vote by which Senate Bill No. 718 passed the Senate on May 14, 1959?"

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which Senate Bill No. 718 passed the Senate on May 14, 1959.

By unanimous consent, Senator Belser withdrew Senate Bill No. 718 from the further consideration of the Senate.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 20, 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 granted the request of the Senate and returns herewith—

By Senator Melton—

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.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Senator Melton moved that the rules be waived and the Senate immediately reconsider the vote by which Senate Bill No. 502 passed the Senate on May 13, 1959.

The President put the question: "Will the Senate reconsider the vote by which Senate Bill No. 502 passed the Senate on May 13, 1959?"

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which Senate Bill No. 502 passed the Senate on May 13, 1959.

By unanimous consent, Senator Melton withdrew Senate Bill No. 502 from the further consideration of the Senate.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 21, 1959.

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

Sir:

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

By Senator Edwards—

S. B. No. 242—A bill to be entitled An Act relating to textbooks; amending Section 233.01, Subsection (5) of Section 233.03, Section 233.04, 233.05, 233.06, 233.07, 233.08, 233.09, 233.10, 233.11, 233.14, Subsection (1) of Section 233.16, 233.17, 233.25, 233.34, 233.39, Subsection (1) of Section 233.43, Florida Statutes; amending Section 233.43, Florida Statutes, by adding thereto a new Subsection (14); repealing Subsection (6) of

Section 233.03, and Section 233.26, Florida Statutes, by including three (3) lay citizens on the courses of study committee; altering date for submission and transmission of and action on report of courses of study committee; removing requirement that courses of study committee recommend library books; changing name of textbook rating committee and putting two (2) lay citizens thereon; changing certain procedures of textbook committee; providing for selection of up to three (3) textbooks for each grade and subject field, except that five (5) may be chosen in field of reading in elementary school; changing dates for advertising for and receiving bids on textbooks; extending minimum contractual period from three (3) to five (5) years; prohibiting use of textbook funds for library books; providing procedures for repair and renovation and removing the limitation of one-third ($\frac{1}{3}$) of replacement cost; requiring County Superintendent to evaluate textbooks.

Which amendments read as follows:

Amendment No. 1—

In Section 9, Subsection 5, Paragraph b, following the words "desirable textbooks" strike out: period (.) and insert semicolon and the following: "It being hereby declared that it be the legislative intent that material in textbooks used in elementary and secondary schools of this state shall not editorialize or propagandize communistic philosophy or other principles inimical to our form of constitutional government, and persons charged with the selection of textbooks should use their best efforts to carry out such legislative intent to effectuate the use of materials which provide all students with the traditional ideals and basic concepts of American democracy."

Amendment No. 2—

In Section 18, strike out: the period and insert the following in lieu thereof: "; provided, however, that nothing herein contained shall be construed to prohibit the inmates of the State Prison from repairing and renovating any public school textbooks."

Amendment No. 3—

In Section 10, Paragraph 1, following the words "is amended to read" strike out: the entire paragraph and insert the following in lieu thereof: "233.10 Meetings and findings of committee public.—The meetings and findings of the committee, including the grading and rating of textbooks, shall be in sessions open to the public. The date and place of such sessions shall be released to the press for publication not less than ten days prior to such sessions."

Amendment No. 4—

In Title, at end thereof, following the words "textbooks" strike out: Period and insert: Semicolon and add the following: declaring legislative intent.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 242, contained in the above message, was read by title, together with House Amendments thereto.

Senator Hodges offered the following Senate Amendment to House Amendment No. 1 to Senate Bill No. 242, as contained in the foregoing message:

At the end of House Amendment No. 1, add the following:

"No textbook or related instructional aid thereto shall be included in the list of suitable, usable and desirable textbooks which presents, either directly or indirectly, Communism, Socialism, Fascism, One-World Government, World Citizenship, or any other similar ideology as preferable to the system of constitutional government and the free-enterprise economic system of the United States of America."

Senator Hodges moved the adoption of the Senate Amendment to House Amendment No. 1 to Senate Bill No. 242.

Which was agreed to and the Senate Amendment to House Amendment No. 1 to Senate Bill No. 242 was adopted.

Senator Edwards moved that the Senate concur in House Amendment No. 1, as amended, to Senate Bill No. 242.

Which was agreed to and the Senate concurred in House Amendment No. 1, as amended, to Senate Bill No. 242.

Senator Edwards moved that the Senate concur in House Amendment No. 2 to Senate Bill No. 242.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 242.

Senator Edwards moved that the Senate do not concur in House Amendment No. 3 to Senate Bill No. 242.

Which was agreed to and the Senate refused to concur in House Amendment No. 3 to Senate Bill No. 242.

Senator Edwards moved that the House of Representatives be requested to recede from House Amendment No. 3 to Senate Bill No. 242.

Which was agreed to.

Senator Edwards moved that the Senate concur in House Amendment No. 4 to Senate Bill No. 242.

Which was agreed to and the Senate concurred in House Amendment No. 4 to Senate Bill No. 242, and the action of the Senate was ordered certified to the House of Representatives.

Senator Beall moved that the House of Representatives be requested to return Senate Bill No. 949 to the Senate for further consideration.

Which was agreed to and it was so ordered.

Senator Ripley moved that Senate Bill No. 774 be withdrawn from the Committee on Motor Vehicles.

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

By unanimous consent, Senator Ripley withdrew Senate Bill No. 774 from the further consideration of the Senate.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 21, 1959.

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

Sir:

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

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

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

Which Amendments read as follows:

Amendment No. 1—

In Section 4, line 4, following the words "for necessary legislation." strike out: the remainder of the section. and insert the following in lieu thereof: The expenses of this committee, including necessary and regular expenses shall be paid

from legislative expense, such total expenses not to exceed sixty-seven thousand five hundred dollars (\$67,500.00), which shall be expended under the direction of the committee.

Amendment No. 2—

In the title, line 12, following the words "by the committee," strike out: making an appropriation for, and insert the following in lieu thereof: providing for

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 64, contained in the above message, was read by title, together with House Amendments thereto.

Senator Johns moved that the Senate concur in House Amendment No. 1 to Senate Bill No. 64.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 64.

Senator Johns moved that the Senate concur in House Amendment No. 2 to Senate Bill No. 64.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 64.

And Senate Bill No. 64, 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 21, 1959.

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

Sir:

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

By Mr. Fuqua of Calhoun—

HOUSE CONCURRENT RESOLUTION NO. 1778:

A CONCURRENT RESOLUTION RELATING TO CANCELLATION OF ALL SALE TAX CERTIFICATES HELD BY CERTAIN COUNTIES OF THE STATE; HOUSE BILL 1382 PASSED BY BOTH THE HOUSE OF REPRESENTATIVES AND THE SENATE REQUESTING THE GOVERNOR TO RETURN SAID BILL TO THE HOUSE OF REPRESENTATIVES AND THE SENATE FOR AMENDMENTS.

WHEREAS, Since the passage of House Bill No. 1382 by the house of representatives and the senate, it has been found advisable to make certain additional amendments thereto, and

WHEREAS, Such bill is now in the governor's office awaiting his signature, and

WHEREAS, It is the desire of both the house of representatives and the senate to have this bill returned for additional amendments which have been requested, NOW, THEREFORE,

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

Section 1. The governor is respectfully requested to return House Bill No. 1382 to the house of representatives and the senate in order that the duly elected representatives of the people may add an additional amendment thereto in compliance with popular demand.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Concurrent Resolution No. 1778, contained in the above message, was read the first time in full.

Senator Knight moved that the rules be waived and House Concurrent Resolution No. 1778 be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 1778 was read the second time in full.

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

Which was agreed to and House Concurrent Resolution No. 1778 was adopted and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 20, 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 The Committee on Insurance—

H. B. No. 1626—A bill to be entitled An Act relating to insurance and to the insurance business; providing a comprehensive revision, consolidation and classification of the insurance laws of the State of Florida; providing for the imposition of licenses, fees, and taxes and for the disposition thereof; providing for the supervision and regulation of the insurance business within or relative to this state; making appropriations; providing penalties for the violation of this Act; providing the effective dates of this Act; repealing Sections 205.43, 205.431, 205.432, 205.433, 205.44, 205.45, 324.231, 625.01-625.46, 626.01-626.31, 627.09-627.0109, 628.01-628.15, 629.01-629.24, 630.01-630.12, 631.01-631.17, 632.01-632.18, 634.01-634.27, 635.02-635.33, 636.22-636.44, 637.01-637.66, 638.01-638.16, 639.01-639.05, 642.01-642.10, 643.01-643.13, 644.01-644.17, 645.01-645.16, 646.01-646.08, and 648.01-648.20, Florida Statutes.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1626, 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 20, 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. Herrell, Hollahan and Eldredge of Dade—

H. B. No. 1388—A bill to be entitled An Act to confer additional powers upon counties, port districts, port authorities and municipalities in the State of Florida with relation to harbor and port facilities; to authorize and empower such counties, districts, authorities and municipalities to acquire, construct, lease, operate, maintain, mortgage, sell or exchange port facilities; to provide for the financing thereof by issuance of bonds, sale or lease of property or otherwise; to authorize such counties, districts, authorities and municipalities to cooperate with the United States of America or any agency thereof in the dredging or deepening of any harbor, channel or turning basin, and to authorize such counties, districts, authorities and muni-

icipalities to do all acts and things and to enter into all contracts and agreements necessary or convenient to carry out such purposes, providing effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1388, contained in the above message, was read the first time by title only.

Senator Eaton moved that the rules be waived and House Bill No. 1388 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1388 was read the second time by title only.

Senators Gibbons and Ripley offered the following amendment to House Bill No. 1388:

In Section 2, lines 4 and 5, page 2, strike out the word: municipality and insert in lieu thereof the following: municipalities, except Duval and Hillsborough counties and any port district, port authority or municipality existing and being solely within said counties.

Senator Gibbons moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gibbons offered the following amendment to House Bill No. 1388:

In Section 6, lines 18, 19 and 20, page 10, strike out the words: (3) ad valorem taxes, if the unit is authorized by law to levy ad valorem taxes; and (4) and insert in lieu thereof the following: and (3)

Senator Gibbons moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gibbons also offered the following amendment to House Bill No. 1388:

In line 19 of the title, page 1, following the word "purposes," insert the following: providing certain exclusions,

Senator Gibbons moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Eaton moved that the rules be further waived and House Bill No. 1388, 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. 1388, as amended, was read the third time in full.

Upon the passage of House Bill No. 1388, as amended, the roll was called and the vote was:

Yeas—31.

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

Nays—None.

So House Bill No. 1388 passed, as amended.

Senator Eaton moved that the rules be waived and the Senate immediately reconsider the vote by which House Bill No. 1388, as amended, passed the Senate this day.

H. B. No. 1388—A bill to be entitled An Act to confer additional powers upon counties, port districts, port authorities and municipalities in the State of Florida with relation to harbor and port facilities; to authorize and empower such counties,

districts, authorities and municipalities to acquire, construct, lease, operate, maintain, mortgage, sell or exchange port facilities; to provide for the financing thereof by issuance of bonds, sale or lease of property or otherwise; to authorize such counties, districts, authorities and municipalities to cooperate with the United States of America or any agency thereof in the dredging or deepening of any harbor, channel or turning basin, and to authorize such counties, districts, authorities and municipalities to do all acts and things and to enter into all contracts and agreements necessary or convenient to carry out such purposes, providing effective date.

The President put the question: "Will the Senate reconsider the vote by which House Bill No. 1388, as amended, passed the Senate this day?"

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which House Bill No. 1388, as amended, passed the Senate this day.

The question recurred on the passage of House Bill No. 1388, as amended.

Pending roll call on the passage of House Bill No. 1388, as amended, Senator Eaton moved that the further consideration thereof be informally passed.

Which was agreed to and House Bill No. 1388 was placed on the Calendar, pending roll call.

Senator Beall moved that Senate Bill No. 748 be re-referred to the Committee on Transportation and Traffic.

Which was agreed to and Senate Bill No. 748 was re-referred to the Committee on Transportation and Traffic.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 21, 1959.

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

Sir:

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

By Mr. Herrell of Dade—(By Request)—

H. B. No. 1099—A bill to be entitled An Act relating to Frontons; amending Section 551.12, Florida Statutes; providing for the location and operation of Fronton exhibitions for Jai Alai or Pelota; providing for an election in any county as a prerequisite for securing a license to construct or operate a Fronton; providing for the relocation of a Fronton in the event of a taking of all or a portion of a Fronton by eminent domain; 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. 1099, contained in the above message, was read the first time by title only and referred to the Committee on Miscellaneous Legislation.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 20, 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 the Committee on Insurance—

H. B. No. 1311—A bill to be entitled An Act relating to bail, bonds; bondsmen; runner, Chapter 903, Florida Statutes;

amending Subsection (6) of Section 903.39, relating to licenses; general; amending Section 903.41 relating to license tax and fee; adding Section 903.411 relating to effective date and initial period of license; amending Section 903.42 relating to bail bond rates; amending Subsection (2) (d) and (3) of Section 903.43; relating to bail bondsmen; qualifications; amending Subsection (2) of Section 903.45, relating to runners; qualifications; amending Subsections (1), (4), (6) and (7) of Section 903.46, relating to examinations; time; place; fee; scope; amending Subsection (1) of Section 903.47, relating to notice of appointment of limited surety agents; termination; amending Subsection (1) of Section 903.48; relating to notice of appointment of professional bondsmen; termination; amending Subsection (1) of Section 903.49, relating to notice of appointment of runners; termination; amending Section 903.55, relating to review of denial, suspension, revocation or refusal to renew license; amending Section 903.57, relating to exemption; and providing the effective dates.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1311, 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 20, 1959.

The Honorable Deway 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 the Committee on Pensions and Retirement—

H. B. No. 1244—A bill to be entitled An Act relating to the highway patrol; amending Subsections (1) and (2) of Section 321.20, Florida Statutes, providing for retirement pay of members; and 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. 1244, contained in the above message, was read the first time by title only and referred to the Committee on General Legislation.

Senator Edwards, Chairman of the Committee on Education, moved that the Committee on Education be allowed an additional ten days to report on all bills previously referred to the Committee.

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

Senator Johns, Chairman of the Committee on Insurance, moved that the Committee on Insurance be allowed an additional ten days to report on all bills previously referred to the Committee.

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

Senator Houghton, Chairman of the Committee on Pensions and Claims, moved that the Committee on Pensions and Claims be allowed an additional ten days to report on all bills previously referred to the Committee.

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

Senator Knight, Chairman of the Committee on Judiciary "C," moved that the Committee on Judiciary "C" be allowed

an additional ten days to report on all bills previously referred to the Committee.

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

By unanimous consent, Senator Hair withdrew Senate Memorial No. 202 from the further consideration of the Senate.

Senator Stratton, Chairman of the Committee on Labor and Industry, moved that Senate Bill No. 511 be re-referred to the Committee on Labor and Industry.

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

Senator Getzen moved that House Bill No. 977, previously referred to the Committee on Miscellaneous Legislation and the Committee on Finance and Taxation, be referred only to the Committee on Miscellaneous Legislation.

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

Senator Knight moved that the House of Representatives be requested to return House Bill No. 1382 to the Senate for further consideration.

Which was agreed to and it was so ordered.

SPECIAL AND CONTINUING ORDER

Pursuant to the motion made by Senator Carraway on May 18, 1959, and the hour having arrived, the Senate took up for consideration Senate Bill No. 971 as a Special and Continuing Order of Business.

By the Committee on Appropriations—

S. B. No. 971—A bill to be entitled An Act making appropriations for the salaries of the officers and employees of the State and for the current operating expenses of the departments and branches of the State government and for the capital outlay and repairs as provided for herein for the annual periods beginning July 1, 1959 and July 1, 1960.

Was taken up.

Senator Carraway moved that the rules be waived and Senate Bill No. 971 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 971 was read the second time by title only.

Senators Stratton and Knight offered the following amendment to Senate Bill No. 971:

In Section 1, Item 15 (a), line 29, page 10, strike out the words:

"1. Salaries—including salary of \$13,000 per annum for the Director and salaries of 132 employees	\$ 567,161	\$ 567,161
	a, b, c	a, b
2. Expenses	1,905,441	1,867,464
3. Operating Capital Outlay	25,970	12,035
Subtotal (a)	\$2,498,572	\$2,446,660"

and insert in lieu thereof the following:

"1. Salaries—including salary of \$13,000 per annum for the Director and salaries of 66 employees	\$ 283,580	\$ 283,580
	a, b, c	
2. Expenses	952,721	933,732
3. Operating Capital Outlay	12,985	6,018
Subtotal (a)	\$1,249,286	\$1,223,330"

Senator Stratton moved the adoption of the amendment.

Which was not agreed to so the amendment failed of adoption.

Senator Sutton offered the following amendment to Senate Bill No. 971:

In Section 1, Item No. 16(b) (2), page 12, add the following, provided however, the funds appropriated herein shall be paid to the County of Polk for use and occupancy of the quarters, furniture or fixtures used or occupied by the Second 2nd District Court of Appeals.

Senator Sutton moved the adoption of the amendment.

Which was not agreed to so the amendment failed of adoption.

Senators Cross, Hodges, Knight, Connor and Price offered the following amendment to Senate Bill No. 971:

In Section 1, Item 17(h) (1), line 30, page 15, strike out the words: "no funds shall be paid from this appropriation during this biennium on the basis of units for kindergartens" and insert in lieu thereof the following: "instructional units for kindergartens in counties having a population in excess of 25,000 shall be valued at sixty (60) per cent of the regular rate"

Senator Cross moved the adoption of the amendment.

Which was not agreed to so the amendment failed of adoption.

Senators Stenstrom, Eaton, Kicliter and Tedder offered the following amendment to Senate Bill No. 971:

In Section I, Item H, page 15, after Section 2 of Item H insert: proposed Junior Colleges \$831,443.00

Senator Stenstrom moved the adoption of the amendment.

Which was not agreed to so the amendment failed of adoption.

Senator Ripley offered the following amendment to Senate Bill No. 971:

In Section 1, Item 30, page 21, strike out: all of Item 30 and renumber following items accordingly.

Senator Ripley moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hodges offered the following amendment to Senate Bill No. 971:

In Section 2, page 39, strike out item number 5 and renumber the following items accordingly.

Senator Hodges moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hodges, President Pro Tempore, presiding.

Senator Davis offered the following amendment to Senate Bill No. 971:

In Section 2, Item 6(a), line 12, page 39, strike out the figure "\$3,250,000" and insert in lieu thereof the following: "\$5,540,971"

Senator Davis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The President presiding.

Senator Carraway offered the following amendment to Senate Bill No. 971:

In Section 1, Item 6, line 17, page 39, strike out " Total of Item No. 6\$15,250,000 \$12,000,000"

and insert in lieu thereof the following:

"TOTAL OF ITEM NO. 6\$17,540,971 \$12,000,000"

Senator Carraway moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Carraway also offered the following amendment to Senate Bill No. 971:

In Section 2, page 42, strike out

"TOTAL OF SECTION 2\$ 44,115,166 \$ 12,000,000
TOTAL APPROPRIATED FROM
GENERAL REVENUE FUND\$353,346,925 \$333,969,371"

and insert in lieu thereof the following:

"TOTAL OF SECTION 2\$ 46,380,137 \$ 12,000,000
TOTAL APPROPRIATED FROM
GENERAL REVENUE FUND\$355,596,896 \$333,954,371"

Senator Carraway moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Carraway also offered the following amendment to Senate Bill No. 971:

In Section 1, page 34, strike out

"TOTAL OF SECTION 1\$309,231,759 \$321,969,371"

and insert in lieu thereof the following:

"TOTAL OF SECTION 1\$309,216,759 \$321,954,371"

Senator Carraway moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Carraway moved that the rules be further waived and Senate Bill No. 971, 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. 971, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 971, as amended, the roll was called and the vote was:

Yeas—38.

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

Nays—None.

So Senate Bill No. 971 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

EXPLANATION OF VOTE

The following Explanation of Vote was filed with the Secretary of the Senate on Senate Bill No. 971:

Although I am supporting the Appropriations Bill as presented by the Committee, I have not receded from the position previously taken in regard to the allocations for supervisory personnel and school building construction.

The Bill decreases funds for supervisory personnel and as a result alters the ratio between supervisory units and instructional units from the present formula of one supervisory unit to eight instructional units to the new figures of one supervisory unit to nine instructional units.

In addition, the freeze in construction of school buildings further eliminates the sum of \$7 million which would have gone into normal building growth for our school system.

I have opposed this in the past and my vote in support of the Bill should not be construed as an abandonment of that view. I believe that we have a responsibility to make fiscal plans only within our anticipated income. It is my desire that funds be made available to remove the restrictions placed upon our school system and I am hopeful that the Legislature will join with the expressed desire of the Senate Appropriations Committee, should funds be available, to enact reasonable

measures which will result in the removal of these impediments to the proper growth and development of our schools.

JOE EATON,
of the 13th

VERLE A. POPE,
of the 31st

Pursuant to the motion made by Senator Johns on May 18, 1959, and the hour having arrived for consideration of Senate Bill No. 944 as a Special and Continuing Order of Business, Senator Johns requested unanimous consent of the Senate to take up and consider House Bill No. 1626, a Companion Bill to Senate Bill No. 944, out of its order.

Unanimous consent was granted, and—

H. B. No. 1626—A bill to be entitled An Act relating to insurance and to the insurance business; providing a comprehensive revision, consolidation and classification of the insurance laws of the State of Florida; providing for the imposition of licenses, fees, and taxes and for the disposition thereof; providing for the supervision and regulation of the insurance business within or relative to this state; making appropriations; providing penalties for the violation of this act; providing the effective dates of this act; repealing Sections 205.43, 205.431, 205.432, 205.433, 205.44, 205.45, 324.231, 625.01-625.46, 626.01-626.31, 627.09-627.0109, 628.01-628.15, 629.01-629.24, 630.01-630.12, 631.01-631.17, 632.01-632.18, 634.01-634.27, 635.02-635.33, 636.22-636.44, 637.01-637.66, 638.01-638.16, 639.01-639.05, 642.01-642.10, 643.01-643.13, 644.01-644.17, 645.01-645.16, 646.01-646.08, and 648.01-648.20, Florida Statutes.

Was taken up.

Senator Johns moved that the rules be waived and House Bill No. 1626 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1626 was read the second time by title only.

Senator Johns moved that the rules be further waived and House Bill No. 1626 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. 1626 was read the third time in full.

Upon the passage of House Bill No. 1626 the roll was called and the vote was:

Yeas—37.

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

Nays—None.

So House Bill No. 1626 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

EXPLANATION OF VOTE

The following Explanation of Vote was filed with the Secretary of the Senate on House Bill No. 1626:

This legislation contains many provisions beneficial to the general public. I voted for the Bill for that reason notwithstanding my opposition to a provision in it which would make it mandatory that an insurance agent receive a set commission for writing a policy under the so-called "Assignment Risk Plan."

It is my conviction that commissions ought to be established by contract not dictated and fixed by statute.

It would have been very costly to the State to have amended this voluminous document. In lieu of my offering an amendment, I have been assured that curative legislation which would rescind that provision will be immediately offered and expedited by members of the Insurance Committee of this Legislature.

Joe Eaton of the 13th

By unanimous consent, Senator Johns, as Chairman of the Committee on Insurance, withdrew Senate Bill No. 944 from the further consideration of the Senate.

Senator Davis, Chairman of the Committee on Rules and Calendar, moved that the Senate convene at 10:00 o'clock A.M., on Friday, May 22, 1959.

Which was agreed to and it was so ordered.

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

Which was agreed to.

And the Senate went into Executive Session at 12:43 o'clock P. M.

The Senate emerged from Executive Session at 12:55 o'clock P. M., and resumed its Session.

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

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

—38.

A quorum present.

Senator Davis 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., Friday, May 22, 1959, pursuant to the motion made by Senator Davis, Chairman of the Committee on Rules and Calendar, adopted by the Senate this day.

EXECUTIVE SESSION ANNOUNCEMENT

The Senate in Executive Session on Thursday, May 21, 1959, upon recommendation of the Governor, removed from office:

Al Cahill as Sheriff of Duval County, Florida.