

# JOURNAL OF THE SENATE

Tuesday, April 26, 1949

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The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, April 25, 1949.

The President in the Chair.

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

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

—38.

A quorum present.

Prayer was offered by the Senate Chaplain, Reverend W. F. Dunkle.

The reading of the Journal was dispensed with.

The Senate daily Journal of Monday, April 25, 1949, was corrected and as corrected was approved.

## REPORTS OF COMMITTEES

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

S. B. No. 50—A bill to be entitled An Act for the relief of Paniel Griffin and Fynetty Griffin, the father and mother of Sam D. Griffin, a minor of the age of fifteen years, for damages suffered through the murder of their minor son aforesaid by officers of the Game and Fresh Water Fish Commission.

S. B. No. 171—A bill to be entitled An Act for the relief of Chris Anderson and making an appropriation to compensate him for damage caused by escaped convicts.

—and recommends that they do 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 Tucker, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following Bill:

S. B. No. 189—A bill to be entitled An Act for the relief of Ernest Roberson and making an appropriation to compensate him for damage caused by escaped convicts.

—and recommends that it do pass.

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

Senator Sturgis, Chairman of the Committee on Governmental Reorganization, reported that the Committee had carefully considered the following Bill:

S. B. No. 84—A bill to be entitled An Act creating a State Purchasing Department under the control and administration of an Executive Board composed of the Governor, the Secretary of State, the Attorney General, the Comptroller, the Treasurer, the Superintendent of Public Instruction, and the Commissioner of Agriculture; prescribing its powers and duties.

—and the Committee recommends that the Committee Substitute therefor, as returned herewith, do 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.

## ENGROSSING REPORTS

April 26, 1949.

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

S. B. No. 170—A bill to be entitled An Act prescribing the duties of the Board of Commissioners of State Institutions of Florida relating to the providing of suitable space in some state building in the City of Tallahassee, Florida, for the functioning of the Florida Historical Society.

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

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

And Senate Bill No. 170, contained in the above report, was ordered certified to the House of Representatives.

April 26, 1949.

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

Senate Joint Resolution No. 46:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 5, ARTICLE VII OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATIVE TO THE STATE CENSUS, MAKING A STATE ENUMERATION UNNECESSARY AND ADOPTING THE PRECEDING DECENNIAL FEDERAL CENSUS AS THE STATE CENSUS.

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

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

And Senate Joint Resolution No. 46, contained in the above report, was ordered certified to the House of Representatives.

The President ordered House Bill No. 150 referred to the Committee on Appropriations.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Moore—

S. B. No. 324—A bill to be entitled An Act to amend Sections 9 and 14 of Chapter 14371, Laws of Florida, 1929, as amended, relating to the municipal government of the City of Sebring, Florida.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 324 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

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

Which was agreed to by a two-thirds vote.

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

Senator Moore moved that the rules be further waived and

Senate Bill No. 324 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 324 was read the third time in full.

Upon the passage of Senate Bill No. 324 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carrroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 324 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Moore—

S. B. No. 325—A bill to be entitled An Act requiring the State Board of Administration, when issuing any refunding bonds or fuel tax anticipation certificates in behalf of any County of the State or unit thereof, as provided under the provisions of Section 16 of Article 9 of the Constitution of the State of Florida, to employ only an attorney or attorneys designated by the Board of County Commissioners of the County affected, to validate such refunding bonds or fuel tax anticipation certificates for such County or unit thereof; and providing for the payment of such attorneys' fees; and repealing all laws in conflict therewith.

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

By Senator Moore—

S. B. No. 326—A bill to be entitled An Act designating and establishing a certain State Road in Highlands County.

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

By Senator Moore—

S. B. No. 327—A bill to be entitled An Act for the relief of George Collier, a resident of De Sota City, Highlands County, Florida, for his necessary and actual expenses incurred because of damages sustained to his Chevrolet pick-up truck as a result of an accident without any fault of his.

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

By Senators Alford and Shivers—

S. B. No. 328—A bill to be entitled An Act to establish a merit system of personnel administration for the Civil Service of the State.

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

By Senator Shands—

S. B. No. 329—A bill to be entitled An Act to create and establish the School of Medicine and Nursing at the University of Florida at Gainesville.

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

By Senator Tucker—

S. B. No. 330—A bill to be entitled An Act amending Chapter 470, Florida Statutes, 1941, and relating to the profession of funeral directing, by adding a section to be known as 470.30, providing for the licensing of certain persons having a

Florida residence of over seven years and possessing certain other qualifications and omitting examinations for such persons; the provisions hereof to be effective for sixty days after application and payment of fees.

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

By Senator Tucker—

S. B. No. 331—A bill to be entitled An Act creating a department to be hereafter known as the Department of Labor and Industry; prescribing the bureaus within said department, the appointment of the director by the Governor of the State of Florida; and further prescribing the duties and responsibilities of the department and the bureaus therein; and providing an appropriation therefor.

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

By Senator Mathews—

S. B. No. 332—A bill to be entitled An Act to create and establish a College of Medicine and Dentistry as a part of the University of Florida, to be constructed, erected, equipped, managed and operated by the State Board of Control under the supervision of the State Board of Education; empowering said institution to acquire, use and dispose of cadavers for educational and scientific purposes; authorizing acceptance of gifts of property of any nature whatsoever, and providing for its use; making appropriations for the construction, erection and equipment of such college, and other matters in connection therewith.

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

By Senator Brackin—

S. B. No. 333—A bill to be entitled An Act to amend Sections 381.04 and 381.09, Florida Statutes, 1941, relating to the appointment of the State Health Officer and providing further for the qualifications of such State Health Officer and relating to members of the Board of Health and compensation thereof.

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

By Senator Moore—

S. B. No. 334—A bill to be entitled An Act relating to maturity standards of citrus fruit.

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

By Senator Franklin—

S. B. No. 335—A bill to be entitled An Act relating to pleadings in civil actions in any of the courts of record and providing when judicial proceedings in respect thereto shall be harmless error.

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

By Senator Getzen—

S. B. No. 336—A bill to be entitled An Act amending Section 2 of Chapter 14677, Acts of 1931, as amended, the same being Section 610.08, Florida Statutes, 1941, and having reference to the capital stock tax on corporations.

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

By Senator Brackin—

S. B. No. 337—A bill to be entitled An Act granting Confederate pension to Eliza F. McKinney, widow of James S. McKinney of Crestview, Florida; and fixing the effective date of this Act.

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

By Senators Carroll, Ray and Shands—

S. B. No. 338—A bill to be entitled An Act requiring all books, booklets, pamphlets and publications issued, printed or mimeographed by any officer, agency, department or board of the State of Florida to bear an insertion disclosing the number of copies of such issue printed or mimeographed, the name and address of the printer or mimeographer and the cost of such issue.

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

By Senators Beacham and Beall—

S. B. No. 339—A bill to be entitled An Act to amend Chapter 23802, Laws of Florida, Acts of 1947, relating to civil liability of radio or television broadcasting stations, by requiring compliance with Federal laws and regulations.

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

By Senator Moore—

S. B. No. 340—A bill to be entitled An Act creating a new section to Chapter 64, Florida Statutes, 1941, relating to temporary injunctions and restraining orders; providing for the posting of bond by the party obtaining the injunction or restraining order; and providing for the awarding of damages and costs after motion and notice upon failure of the injunction or restraining order to be in substance embodied in the final decree, and fixing a time limit for such award.

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

By Senator Gautier—

S. B. No. 341—A bill to be entitled An Act empowering the Board of County Commissioners of Dade County, Florida, to regulate and classify persons, firms or corporations engaging in the painting, waterproofing and wall papering trade or industry in Dade County, Florida; providing for the appointment of a Board of Painting Examiners; providing for and empowering the Board of Painting Examiners to promulgate, establish and create rules and regulations for persons, firms or corporations engaging in the painting, water proofing and wall paper industry or trade; establishing the type, method and time of examination; fixing and appropriating examination fees; providing for a method of issuing, suspending and cancelling of certificates of competency; requiring registration with examining board and securing a certificate of competency and requiring annual renewal thereof; providing for the promulgation of orders, regulations and rules pursuant to this Act; defining certain words as used in this Act; providing that this Act and all orders, rules or regulations promulgated in pursuance of this Act shall take precedence and prevail over any and all ordinances, parts of ordinances, laws or regulations now in effect or which may hereafter be put into effect in any community, village, town, city or political subdivision which may be located in Dade County, Florida; providing that in the event any section, sub-section, sentence, clause or phrase in this Act shall be declared or adjudged invalid or unconstitutional, such adjudication or invalidity shall in no manner affect the other sections, sub-sections, sentences, clauses or phrases of this Act; providing for the attorney for the Board of County Commissioners of Dade County, Florida, to enjoin any person, firm or corporation from engaging in the painting, water proofing and wall papering industry or trade, as defined in this Act, who does not have a permit or certificate of competency as defined in this Act.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 341 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Gautier moved that the rules be waived and Senate Bill No. 341 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 341 was read the second time by title only.

Senator Gautier moved that the rules be further waived and Senate Bill No. 341 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. 341 was read the third time in full.

Upon the passage of Senate Bill No. 341 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 341 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Beall, Beacham and Sturgis—

S. B. No. 342—A bill to be entitled An Act amending Sections 462.01, 462.20, Florida Statutes, 1941, relating to Naturopathy, defining Naturopathy and providing for licensed naturopathic physicians to register with the State Board of Health.

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

By Senator Beall—

S. B. No. 343—A bill to be entitled An Act to amend Chapter 550.04, Florida Statutes, 1941, as amended by Section 1, Chapter 22599, Laws of Florida, 1945, as amended by Section 1 of Chapter 23862, Laws of Florida, 1947, as amended by Section 1 of Chapter 24360, Laws of Florida, 1947, relating to the periods during which dog and horse race track meets may be conducted by specifying its racing periods for winter and summer by providing that dog race track meetings may be held between June 1st and September 30th in the counties wholly east of the St. Johns River and south of the Matanzas Inlet, and providing that permits may be issued for dog racing between June 1st and September 30th, regardless of the distance from any existing winter operated dog track and by providing further that dog race track meetings may be held at any times in the calendar year at any dog racing track located west of the St. Johns River and north of Matanzas Inlet and repealing all laws in conflict herewith.

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

By Senator Walker—

S. B. No. 344—A bill to be entitled An Act amending Chapter 23,726, Laws of Florida, Acts of 1947, relating to scholarships; disbursement of scholarship fund for preparation of teachers.

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

By Senator Sheldon—

S. B. No. 345—A bill to be entitled An Act granting the license or privilege of practicing law in the State of Florida to certain persons under certain conditions who have been deans of approved Florida law schools.

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

By Senator Moore—

S. B. No. 346—A bill to be entitled An Act relating to the marketing, processing, and packing of citrus fruit grown in the State of Florida, and providing for the regulation of processors, packers and producers; providing for hearings on and the issuance, administration and enforcement of mar-

keting agreements and marketing orders in connection with the regulation aforesaid; prescribing the powers, duties and jurisdiction of the Commissioner of Agriculture of the State of Florida in relation thereto and prescribing remedies, rights, duties and penalties with respect to violations of this Act or any marketing order promulgated thereunder, and providing for assessments to be levied and collected by the Commissioner of Agriculture of the State of Florida to pay the expenses incurred in the formulation, issuance, administration and enforcement of such marketing orders.

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

By Senator Sheldon—

S. B. No. 347—A bill to be entitled An Act to create and establish the University of Florida School of Medicine and Dentistry, to be located in Hillsborough County, Florida; empowering the City of Tampa to make available municipal hospitals for use of such school; providing for the acquisition of property and for the establishment, maintenance and operation thereof; setting forth the respective powers and duties of the State Board of Education, State Board of Control, State Comptroller and State Treasurer, relative to the establishment, operation and maintenance of the school; empowering the school to acquire, use and dispose of cadavers for educational and scientific purposes; and making appropriations for the acquisition, construction, equipment, maintenance and operation of such school.

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

#### CONSIDERATION OF OTHER RESOLUTIONS

House Concurrent Resolution No. 409—

H. C. R. No. 409—A Concurrent Resolution proposing a welcome from the 1949 Florida Legislature to the Veterans of Foreign Wars holding their convention in Miami, Florida, on August 21, through August 26, 1949.

WHEREAS, the Veterans of Foreign Wars was organized, established, and chartered on September 23, 1899, at Columbus, Ohio; and

WHEREAS, the national organization of Veterans of Foreign Wars has chosen to commemorate its Golden Jubilee, Fiftieth Anniversary, in Florida, the land of eternal sunshine and the world's playground; and

WHEREAS, a convention of the Veterans of Foreign Wars is an event of world-wide interest, and the choice of Miami, Florida, for a convention site highly honors this State; and

WHEREAS, this convention will call to the attention of many high governmental officials the beauty and value of this golden state of ours, and will bring into the hospitable boundaries thousands of visitors who will delight in its scenic wonders and glorious climate; and

WHEREAS, the eyes of the nation will be focused on Miami, Florida, from August 21, 1949, through August 26, 1949; Now, therefore.

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

Section 1. That the 1949 Legislature of the State of Florida extends a most hearty welcome to the visitors to the National Convention at Miami, Florida, and does extend to the Veterans of Foreign Wars its most sincere congratulations and best wishes on its Golden Jubilee, and hope that their visit will be a pleasant one.

Section 2. The 1949 Legislature extends to the Veterans of Foreign Wars its most sincere congratulations and best wishes on its Golden Jubilee, and feels singularly honored that Florida was chosen as the site for its celebration.

Section 3. That a copy of this resolution be sent to the President of the United States, to the Governor of Florida, the Commander in Chief of the Veterans of Foreign Wars, and other officials of the States and the nation.

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

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

Which was agreed to and House Concurrent Resolution No. 409 was adopted and the action of the Senate was ordered certified to the House of Representatives.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 26, 1949

Hon. Newman C. Brackin,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendment to—

By Messrs. Clement, McClure and Schuh of Pinellas—

H. B. No. 128—A bill to be entitled An Act amending Section 735.04, Florida Statutes, 1941, as set out in Section 2 of Chapter 23716, Laws of Florida, Acts of 1947, relating to the Florida Probate Law, when administration unnecessary.

Which amendment reads as follows:

In Section (2), line three, (typewritten bill) strike out the words: three thousand dollars and insert in lieu thereof the following: five thousand dollars.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 26, 1949

Hon. Newman C. Brackin,  
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 Shands—

S. B. No. 54—A bill to be entitled An Act to amend Section 467.16, Florida Statutes, 1941, by providing the time when the report of receipts and expenditures of the State Board of Architecture shall be made to the Governor; repealing all laws and parts of laws in conflict herewith; and providing when this Act shall take effect.

Also—

By Senator Baynard—

S. B. No. 61—A bill to be entitled An Act to authorize and empower Florida State Improvement Commission to acquire, own, maintain, and operate ferries and toll ferries wherever the same are connected with or form a part or are auxiliary to the State system of public roads.

Respectfully,  
LAMAR BLEDSOE  
Chief Clerk, House of Representatives.

And Senate Bills Nos. 54 and 61, 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,  
April 26, 1949.

Hon. Newman C. Brackin,  
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. Carlton of Duval—

H. B. No. 24—A bill to be entitled An Act to amend Section

1 of Chapter 20360 of the Laws of Florida, 1941, the same being otherwise described as Section 460.27 of Florida Statutes, 1941, said Chapter 20360 being:

An Act to require all persons licensed to practice chiropractic in the State of Florida to renew annually their licenses with the State Board of Chiropractic Examiners; to provide for the conditions upon which renewal of licenses shall be issued and requirements prerequisite to the granting of such renewal of licenses; to provide for notice to be given licensees under said Board of the provisions and requirements of this Act; to provide for the forfeiture of licenses to practice chiropractic in the State of Florida for failure to comply with the provisions of this Act, and to prescribe requirements for the restoration of such forfeited licenses.

Also—

By Mr. Carlton of Duval—

H. B. No. 91—A bill to be entitled An Act declaring the organization of any chain letter club, pyramid club or other group organized or brought together under any plan or device whereby fees, dues or anything of material value to be paid or given by members are to be paid or given to any other member, to be a lottery: Providing that participation in any such lottery shall be a felony, prescribing penalties and punishments for participating in any such lottery: Repealing laws in conflict herewith, and providing for the effective date of this Act.

Also—

By Mr. Nesmith of Wakulla—

H. B. No. 315—A bill to be entitled An Act relating to the taking of speckled trout, providing that it shall be lawful to take speckled trout from the salt waters of the State of Florida; repealing all conflicting laws.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 24, contained in the above Message, was read the first time by title only and referred to the Committee on Public Health.

And House Bill No. 91, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "C".

And House Bill No. 315, contained in the above Message, was read the first time by title only and referred to the Committee on Game and Fisheries.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
April 26, 1949.

Hon. Newman C. Brackin,  
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. Haley and Collins of Sarasota, Slaughter of Suwannee, Lancaster of Gilchrist, Williams of Hardee, Parker of DeSoto, Shepperd and Usina of St. Johns, Scarborough and Johnson of Gadsden, MacWilliam of Indian River, Simpson of Jefferson, Carraway and Henderson of Leon, Beasley of Walton, Wotitzky of Charlotte, Luckie and Morgan of Duval, Andrews of Orange, Cobb of Volusia, Patton of Franklin, Bedenbaugh of Columbia, Smith of Polk, Bryant and Frank of Marion, Rood and Fuqua of Manatee, Yeomans of Citrus, Elliott of Palm Beach, Clement of Pinellas, Lantaff of Dade, Merritt of Escambia, Hudson of Washington, Papy of Monroe, Saunders of St. Lucie, Bronson of Osceola, Peeples of Glades, Hendry of Okeechobee, Burwell of Broward, Black of Alachua, McAlpin of Hamilton and Lancaster of Lafayette—

H. B. No. 271—A bill to be entitled An Act restoring full civil rights to George W. Smith.

Also—

By Messrs. Haley and Collins of Sarasota, Slaughter of Su-

wannee, Lancaster of Gilchrist, Williams of Hardee, Parker of DeSoto, Shepperd and Usina of St. Johns, Scarborough and Johnson of Gadsden, MacWilliam of Indian River, Simpson of Jefferson, Carraway and Henderson of Leon, Beasley of Walton, Wotitzky of Charlotte, Luckie and Morgan of Duval, Andrews of Orange, Cobb of Volusia, Patton of Franklin, Bedenbaugh of Columbia, Smith of Polk, Bryant and Frank of Marion, Rood and Fuqua of Manatee, Yeomans of Citrus, Elliott of Palm Beach, Clement of Pinellas, Lantaff of Dade, Merritt of Escambia, Hudson of Washington, Papy of Monroe, Saunders of St. Lucie, Bronson of Osceola, Peeples of Glades, Hendry of Okeechobee, Burwell of Broward, Black of Alachua, McAlpin of Hamilton and Lancaster of Lafayette.

H. B. No. 270—A bill to be entitled An Act restoring full and civil rights to Leonard S. Aylesworth.

Also—

By Mr. Carlton of Duval—

H. B. No. 26—A bill to be entitled An Act to amend Sections 1, 8 and 14 of Chapter 9330, Laws of Florida, Acts of 1923, the same being Sections 460.01, 460.07 and 460.13 Florida Statutes 1941, said Chapter 9330 being:

"An Act to regulate the practice of chiropractic; to create and provide for the appointment of the Board of Chiropractic Examiners; to define the powers and duties of said Board and to provide a penalty for the violation of this Act."

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bills Nos. 271 and 270, contained in the above Message, were read the first time by titles only and referred to the Committee on Judiciary "C".

And House Bill No. 26, contained in the above Message, was read the first time by title only and referred to the Committee on Public Health.

#### SENATE BILLS ON SECOND READING

Senate Bills Nos. 23 and 47 were taken up in their order and the consideration thereof was informally passed.

S. B. No. 69—A bill to be entitled An Act to amend Chapter 323, Florida Statutes, 1941 relating to the supervision and regulation of auto transportation companies by amending Section 323.01 of said chapter relating to definitions of the terms, language and phrases used therein; by amending Section 323.05 for the purpose of prescribing the type of carriage for compensation which may be authorized by permit as "for hire" carriage; and by amending Section 323.14 so as to provide that "charter" carriage of groups of six or more passengers shall be deemed to be authorized by all Certificates of Public Convenience and Necessity issued to common carriers of passengers.

Was taken up in its order.

Senator Beacham moved that the rules be waived and Senate Bill No. 69 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 69 was read the second time by title only.

The Committee on Motor Vehicles offered the following amendment to Senate Bill No. 69:

After Section 3, (typewritten bill) strike out Sections 4 and 5 and insert in lieu thereof the following:

Section 4. This Act shall not affect the validity of any permit specifically authorizing "for hire or charter carriage" approved for issuance or issued by the Commission prior to May 15, 1949, but any such permit so issued may not hereafter be extended or expanded beyond its original terms and limitations except in accordance with the provisions of this Act.

Section 5. All laws and parts of laws in conflict herewith are hereby repealed.

Section 6. This Act shall take effect immediately upon its becoming a law.

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Mathews offered the following amendment to Senate Bill No. 69:

In Section 2, (typewritten bill) strike out all of the paragraph on page 7, reading as follows:

"No such permit shall be required in respect to the operation of 'for hire' motor vehicles wholly within the limits of any incorporated city or town and occasionally within the suburban territory immediately adjacent thereto, when such 'for hire' carriage is regulated by the legislative body of such city or town, and no such permit shall be required in respect to the private carriage or distribution of his own goods, wares or merchandise over public highways by any person using his own motor vehicles in such carriage."

—and insert in lieu thereof the following:

No such permit shall be required in respect to the operation of "for hire" motor vehicles wholly within the limits of any incorporated city or town and the suburban territory immediately adjacent thereto, when such "for hire" carriage is regulated by the legislative body of such city or town. The ordinances, rules or regulations adopted by the legislative body of such city or town shall be applicable to "for hire" motor vehicles within the suburban territory immediately adjacent thereto and such cities and towns shall have police power to enforce such ordinances, rules or regulations in such suburban territory immediately adjacent thereto, over the roads and highways in such territory to the same extent as if the territory was within the corporate limits of such towns or cities. No such permit shall be required in respect to the private carriage or distribution of his own goods, wares or merchandise over public highways by any person using his own motor vehicles in such carriage.

Senator Mathews moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beacham moved that the rules be further waived and Senate Bill No. 69, 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. 69, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 69, as amended, the roll was called and the vote was:

Yeas—34

Mr. President	Collins	McArthur	Shivers
Alford	Crary	Moore	Smith
Ayers	Gautier	Pearce	Sturgis
Baker	Getzen	Pope	Tucker
Baynard	Johnston	Ray	Walker
Beacham	King	Rodgers	Wilson
Boyle	Leaird	Sanchez	Wright
Carroll	Lindler	Shands	
Clarke	Mathews	Sheldon	

Nays—4

Beall	Davis	Franklin	Johns
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So Senate Bill No. 69 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Ray, President Pro Tempore of the Senate, now presiding.

By Senators King and Mathews—

Senate Joint Resolution No. 25:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE V OF THE CONSTITUTION OF THE STATE OF FLORIDA, BY ADDING THERETO AN ADDITIONAL SECTION TO PROVIDE THAT THE LEGISLATURE SHALL HAVE POWER TO CREATE, ESTABLISH, AND DEFINE THE JURISDICTION AND POWERS OF JUVENILE COURTS AND OF THE OFFICERS THEREOF, TO VEST IN SUCH COURTS EXCLUSIVE ORIGINAL JURISDICTION OF ALL

OR ANY CRIMINAL CASES WHERE MINORS UNDER ANY AGE SPECIFIED BY THE LEGISLATURE ARE ACCUSED, INCLUDING THE RIGHT TO DEFINE OFFENSES AS ACTS OF DELINQUENCY INSTEAD OF CRIMES; TO PROVIDE FOR THE QUALIFICATION, ELECTION OR SELECTION AND APPOINTMENT, COMPENSATION, AND TERM OF OFFICE OF JUDGES, PROBATION OFFICERS AND OTHER OFFICERS AND EMPLOYEES OF SUCH COURTS; WITHOUT BEING LIMITED THEREIN BY CERTAIN EXISTING PROVISIONS OF SAID CONSTITUTION.

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

That the following Amendment to Article V of the Constitution of the State of Florida, by adding thereto an additional section to be known as Section 48, be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the general election to be held on the first Tuesday after the first Monday in November, 1950, as follows:

Section 48. The legislature shall have power to create and establish Juvenile Courts in such county or counties or districts within the State as it may deem proper, and to define the jurisdiction and powers of such courts and the officers thereof, and to vest in such Courts exclusive original jurisdiction of all or any criminal cases where minors under any age specified by the legislature from time to time are accused, including the right to define any or all offenses committed by any such persons as acts of delinquency instead of crimes: to provide for the qualification, election or selection and appointment of judges, probation officers, and such other officers or employees of such courts as the legislature may determine, and to fix their compensation and term of office; all in such manner, for such time, and according to such methods as the legislature may prescribe and determine, without being limited therein by the provisions in this Constitution as to trial by jury in Sections 3 and 11 of the Declaration of Rights, as to use of the terms "prosecuting attorney" and "information" in Section 10 of the Declaration of Rights, as to election or appointment of officers in Section 27 of Article 3, as to jurisdiction of criminal cases in Sections 11, 17, 22 and 25 of Article 5, as to original jurisdiction of the interests of minors in Section 11 of Article 5 and as to style of process and prosecuting in the name of the State in Section 37 of Article 5, or other existing conflicting provisions of this Constitution.

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

Senator King moved that the rules be waived and Senate Joint Resolution No. 25 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 25 was read the third time in full.

Upon the passage of Senate Joint Resolution No. 25 the roll was called and the vote was:

Yeas—36

Mr. President	Collins	Lindler	Shands
Alford	Crary	Mathews	Sheldon
Ayers	Davis	McArthur	Shivers
Baker	Franklin	Moore	Smith
Baynard	Getzen	Pearce	Sturgis
Beacham	Johns	Pope	Tucker
Beall	Johnston	Ray	Walker
Carroll	King	Rodgers	Wilson
Clarke	Leaird	Sanchez	Wright

Nays—None

So Senate Joint Resolution No. 25 passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1949 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

The President in the Chair.

Senate Joint Resolution No. 45:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VIII OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATIVE TO ASSESSMENT OF PROPERTY FOR TAXES AND THE COLLECTION OF

TAXES, BY ADDING THERETO ADDITIONAL SECTIONS TO PROVIDE THAT IN ALL COUNTIES IN THE STATE OF FLORIDA NOT ALREADY HAVING THE CONSTITUTIONAL AUTHORITY CONFERRED BY THIS AMENDMENT. THE COUNTY TAX ASSESSOR SHALL ASSESS THE TAXABLE PROPERTY OF THE COUNTY FOR THE PURPOSES OF LEVYING ALL TAXES LEVIED BY THE COUNTY, COUNTY SCHOOL BOARD, SCHOOL DISTRICTS, SPECIAL TAX SCHOOL DISTRICTS, PORT DISTRICTS, DRAINAGE DISTRICTS, AND ANY OTHER TAXING DISTRICTS, AND MUNICIPALITIES OF THE COUNTY WHICH BY ORDINANCE REQUEST THEIR TAXES TO BE SO ASSESSED AND LEVIED, AND THAT THE COUNTY TAX COLLECTOR SHALL COLLECT AND DISTRIBUTE THE SAID TAXES.

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

That the following amendment to Article VIII of the Constitution of the State of Florida relative to the assessment and collection of all taxes in all counties in the State of Florida not already having the constitutional authority conferred by this amendment, by adding thereto additional sections to be numbered by the Secretary of State, be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the general election to be held on the first Tuesday after the first Monday in November, 1952, as follows:

Section —. From and after January 1, 1952, the county tax assessor, in all Counties in the State of Florida not already having the constitutional authority conferred by this amendment, shall assess all taxable property for all taxes to be levied in the county by the county, county school board, school district, special tax school districts, port districts, drainage districts, and any other taxing districts, and municipalities which by ordinance request their taxes to be so assessed.

The Legislature shall at the Legislative Session in 1951 and from time to time thereafter, enact laws specifying the powers, functions, duties and compensation of the county tax assessor designated in the first paragraph of this Section, and shall likewise provide by law for the extension on the assessment roll of the county tax assessor of all taxes levied by the county, county school board, school districts, special tax school districts, port districts, drainage districts, and any other taxing districts, and municipalities whose taxes may be assessed by the county tax assessor pursuant to the first paragraph of this section.

Section —. From and after January 1, 1952, the county tax collector, in all counties in the State of Florida not having the constitutional authority conferred by this Amendment, shall collect all taxes levied in the county by the county, county school board, school districts, special tax school districts, port districts, drainage districts, and any other taxing districts, and municipalities whose taxes may be assessed pursuant to the first paragraph of the preceding Section hereof.

The Legislature shall at the Legislative Session of 1951, and from time to time thereafter enact laws specifying the powers, functions, duties and compensation of county tax collector designated in the first paragraph of this Section, and shall likewise provide for the collection, care custody, reporting and disbursement of all taxes collected by the county tax collector.

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

Senator Ray offered the following amendment to Senate Joint Resolution No. 45:

In the first paragraph following the Resolving clause, strike out the figures: "1952" and insert in lieu thereof the following: "1950".

Senator Ray moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Collins offered the following amendment to Senate Joint Resolution No. 45:

On page 2, line 13, after the word "not" insert the word "theretofore".

Senator Collins moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Ray moved that the rules be waived and Senate

Joint Resolution No. 45, 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 Joint Resolution No. 45, as amended, which reads as follows, was read the third time in full:

A JOINT RESOLUTION Proposing an Amendment to Article VIII of the Constitution of the State of Florida Relative to Assessment of Property for Taxes and the Collection of Taxes, by Adding Thereto Additional Sections to Provide that in all Counties in the State of Florida not Already Having the Constitutional Authority Conferred by this Amendment, the County Tax Assessor Shall Assess the Taxable Property of the County for the Purposes of Levying all Taxes Levied by the County, County School Board, School Districts, Special Tax School Districts, Port Districts, Drainage Districts, and Any Other Taxing Districts, and Municipalities of the County Which by Ordinance Request Their Taxes to be so Assessed and Levied, and that the County Tax Collector Shall Collect and Distribute the Said Taxes.

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

That the following amendment to Article VIII of the Constitution of the State of Florida Relative to the assessment and collection of all taxes in all counties in the State of Florida not already having the constitutional authority conferred by this amendment, by adding thereto additional sections to be numbered by the Secretary of State, be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the general election to be held on the first Tuesday after the first Monday in November, 1950, as follows:

SECTION . From and after January 1, 1952, the county tax assessor, in all Counties in the State of Florida not already having the constitutional authority conferred by this amendment, shall assess all taxable property for all taxes to be levied in the county by the county, county school board, school district, special tax school districts, port districts, drainage districts, and any other taxing districts, and municipalities which by ordinance request their taxes to be so assessed.

The Legislature shall at the Legislative Session in 1951 and from time to time thereafter, enact laws specifying the powers, functions, duties and compensation of the county tax assessor designated in the first paragraph of this Section, and shall likewise provide by law for the extension on the assessment roll of the county tax assessor of all taxes levied by the county, county school board, school districts, special tax school districts, port districts, drainage districts, and any other taxing districts, and municipalities whose taxes may be assessed by the county tax assessor pursuant to the first paragraph of this section.

SECTION . From and after January 1, 1952, the county tax collector, in all counties in the State of Florida not theretofore having the constitutional authority conferred by this Amendment, shall collect all taxes levied in the county by the county, county school board, school districts, special tax school districts, port districts, drainage districts, and any other taxing districts, and municipalities whose taxes may be assessed pursuant to the first paragraph of the preceding Section hereof.

The Legislature shall at the Legislative Session of 1951, and from time to time thereafter enact laws specifying the powers, functions, duties and compensation of county tax collector designated in the first paragraph of this Section, and shall likewise provide for the collection, care custody, reporting and disbursement of all taxes collected by the county tax collector.

Upon the passage of Senate Joint Resolution No. 45, as amended, the roll was called and the vote was:

Yeas—35

Mr. President	Clarke	King	Sanchez
Alford	Collins	Leaird	Shands
Ayers	Crary	Mathews	Sheldon
Baker	Davis	McArthur	Shivers
Baynard	Franklin	Moore	Sturgis
Beacham	Gautier	Pearce	Tucker
Beall	Getzen	Pope	Wilson
Boyle	Johns	Ray	Wright
Carroll	Johnston	Rodgers	

Nays—None

So Senate Joint Resolution No. 45 passed, as amended, by the required Constitutional three-fifths vote of all members elected to the Senate for the 1949 session of the Florida Legislature, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Leaird moved that the rules be waived and Senate Joint Resolution No. 86, reported favorably by the Committee on Constitutional Amendments on April 20, 1949, be re-referred to the Committee on Education.

A roll call was demanded.

Upon the adoption of the motion made by Senator Leaird the roll was called and the vote was:

Yeas—25

Ayers	Davis	Lindler	Sturgis
Baker	Franklin	McArthur	Tucker
Beacham	Gautier	Moore	Wilson
Boyle	Johns	Pope	Wright
Carroll	Johnston	Rodgers	
Collins	King	Sanchez	
Crary	Leaird	Shands	

Nays—11

Mr. President	Clarke	Pearce	Shivers
Alford	Getzen	Ray	Smith
Beall	Mathews	Sheldon	

Which was agreed to by a two-thirds vote, and Senate Joint Resolution No. 86 was ordered re-referred to the Committee on Education.

S. B. No. 181—A bill to be entitled An Act authorizing the State Board of Education, the Trustees of the Internal Improvement Fund, the Board of Commissioners of State Institutions and any agency or department of the State of Florida owning or holding title to any interest in or arising out of real property, including oil, gas and mineral rights, lying outside of the boundaries of the State of Florida; to sell, lease, rent or otherwise dispose of said land or interest therein; ratifying and confirming any and all sales or leases, including oil, gas and mineral leases heretofore made; and providing when this Act shall take effect.

Was taken up in its order.

Senator Franklin moved that the rules be waived and Senate Bill No. 181 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 181 was read the second time by title only.

Senator Franklin moved that the rules be further waived and Senate Bill No. 181 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. 181 was read the third time in full.

Upon the passage of Senate Bill No. 181 the roll was called and the vote was:

Yeas—33

Mr. President	Crary	Lindler	Smith
Alford	Davis	McArthur	Sturgis
Baynard	Franklin	Moore	Tucker
Beacham	Gautier	Pearce	Walker
Beall	Getzen	Ray	Wilson
Boyle	Johns	Rodgers	Wright
Carroll	Johnston	Sanchez	
Clarke	King	Shands	
Collins	Leaird	Sheldon	

Nays—1

Shivers

So Senate Bill No. 181 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Sanchez moved that Senate Bill No. 275 be recalled

from the Committee on Governmental Reorganization and re-referred to the Committee on Public Health.

Which was agreed to and it was so ordered.

Senator Gautier moved that Senate Bill No. 242 be re-committed to the Committee on Privileges and Elections.

Which was agreed to and it was so ordered.

S. B. No. 152—A bill to be entitled An Act to amend Chapter 22838 (No. 324), Laws of Florida, Acts of 1945 (322.21 Florida Statutes 1941 FSA) relating to fees to be charged for drivers' licenses, and machinery for handling and collecting the same, and providing the effective date thereof.

Was taken up in its order.

Senator Boyle moved that the rules be waived and Senate Bill No. 152 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 152 was read the second time by title only.

Senator Walker offered the following amendment to Senate Bill No. 152:

In Section 1, line 8 (typewritten bill), strike out the words: "two dollars" and insert in lieu thereof the following: "one dollar and fifty cents".

Senator Walker moved the adoption of the amendment.

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

Senator King offered the following amendment to Senate Bill No. 152:

In Section 1, paragraph (4), line 5 (typewritten bill), strike out the word "twenty" and insert in lieu thereof the following: "ten".

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Boyle moved that the rules be further waived and Senate Bill No. 152, 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. 152, as amended, was read the third time in full.

Pending roll call on Senate Bill No. 152, as amended, Senator Pearce moved that the rules be waived and the time of adjournment be extended until after the final roll call on Senate Bill No. 152, as amended.

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

Upon the passage of Senate Bill No. 152, as amended, the roll was called and the vote was:

Yeas—20

Mr. President	Crary	Mathews	Sheldon
Beacham	Franklin	Moore	Shivers
Boyle	Getzen	Pearce	Smith
Clarke	Johnston	Ray	Tucker
Collins	Leaird	Rodgers	Wright

Nays—15

Alford	Carroll	Lindler	Shands
Ayers	Davis	McArthur	Sturgis
Baker	Gautier	Pope	Wilson
Baynard	Johns	Sanchez	

So Senate Bill No. 152 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:09 o'clock P. M., until 11:00 o'clock A. M., Wednesday, April 27, 1949.