

JOURNAL OF THE SENATE

Tuesday, May 17, 1949

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The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, May 16, 1949.

The President in the Chair.

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

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

—37.

A quorum present.

Senator Lindler was excused from attendance upon the Session today.

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, May 16, 1949, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

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

S. B. No. 399—A bill to be entitled An Act amending Section 323.30, Florida Statutes, 1941, relating to the punishment for violation or for procuring, aiding or abetting in the violation of any provision of Chapter 323, Florida Statutes, 1941, or for failure to obey, observe or comply with any order, decision, rule or regulation, direction, demand or requirement, or any part or provision thereof, of the Florida Railroad and Public Utilities Commission, or for procuring, aiding or abetting any person in his failure to obey, observe or comply with any such order, decision, rule, direction, demand or regulation, or any part or provision thereof.

S. B. No. 400—A bill to be entitled An Act providing for periodic inspection of motor vehicles.

S. B. No. 572—A bill to be entitled An Act to protect the blind and incapacitated pedestrians on public streets and highways; requiring vehicles to come to a full stop in certain cases; restricting the use of certain colored canes by other pedestrians; and imposing penalties.

—and recommends that they do pass.

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

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

H. B. No. 514—A bill to be entitled An Act relating to lands of the State School fund of this State; authorizing the State Board of Education to make land exchanges under conditions prescribed in this act; validating exchanges heretofore made; and in reference to taxes on land of said fund.

—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 Sanchez, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bill:

S. B. No. 644—A bill to be entitled An Act repealing Chapter 476, Florida Statutes, 1941, relating to Barbers and the Barbers' Sanitary Commission.

—and recommends that it do 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 amendment, for engrossing—

S. B. No. 592—A bill to be entitled An Act to establish the Public Policy of Florida as to Fair Trade and to Protect Good Will Represented by Trade-marks, names or brands, against injury by authorizing contracts establishing resale prices on commodities bearing them and defining as unfair competition and making actionable knowingly and wilfully to advertise and sell such commodities at less than the prices established in the contracts authorized by this act, whether the person so advertising and selling is or is not a party to such contract, and by providing for actions by the Attorney General to restrain the enforcement of contracts in which the commodities to which said contracts pertain are not in free and open competition with commodities of the same general class.

—begs leave to report that the Senate 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. 592, contained in the above report was ordered certified to the House of Representatives.

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

Senate Concurrent Resolution No. 633:

A CONCURRENT RESOLUTION PROVIDING FOR THE APPOINTMENT BY THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF A COMMITTEE TO CONSIST OF THREE MEMBERS FROM EACH BODY TO MAKE A STUDY OF THE INSURANCE LAWS OF THE STATE OF FLORIDA AND OF OTHER STATES AND TO STUDY THE NEEDS OF THE VARIOUS COMPONENT PARTS OF THE INSURANCE INDUSTRY AND THE PUBLIC FOR THE PURPOSE OF RECOMMENDING SUCH REVISION AND CODIFICATION OF THE INSURANCE LAWS OF THE STATE OF FLORIDA AS THEIR STUDY MAY REVEAL TO BE IN THE PUBLIC'S INTEREST AND TO AUTHORIZE THE COMMITTEE TO SPEND FOR NECESSARY PER DIEM AND TRAVELING EXPENSES A SUM NOT TO EXCEED \$5,000.00 WHICH IS HEREBY APPROPRIATED AS LEGISLATIVE EXPENSE.

—begs leave to report that the House 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 Concurrent Resolution No. 633, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

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

S. B. No. 702—A bill to be entitled An Act to authorize and empower the Board of County Commissioners of all counties of the State of Florida, having a population of not less than 135,000 and not more than 273,000 inhabitants, according to the last preceding State Census, within their discretion, to purchase and operate automobiles as the property of such respective county, for the use of the members of such respective Boards of County Commissioners in the actual performance of their official duties, and to provide in the budgets of such respective counties for the purchase, replacement and operation of such automobiles.

—begs leave to report that the Senate amendments have 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. 702, contained in the above report was ordered certified to the House of Representatives.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Carroll—

S. B. No. 722—A bill to be entitled An Act amending Section 9 of Chapter 13,353, Acts of 1927 as amended by Section 38, Chapter 14,377, Acts of 1929, relating to the Tax Equalizing Board in the City of St. Cloud, Florida, by providing that the Tax Assessor shall complete the tax assessment roll on or before August 1, of each year and providing for the meeting of the City Commission as an equalization Board thereafter.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 722 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 Carroll moved that the rules be waived and Senate Bill No. 722 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 722 was read the second time by title only.

Senator Carroll moved that the rules be further waived and Senate Bill No. 722 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. 722 was read the third time in full.

Upon the passage of Senate Bill No. 722 the roll was called and the vote was:

Yeas—37

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

Nays—None

So Senate Bill No. 722 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Carroll—

S. B. No. 723—A bill to be entitled An Act amending Section 58, Chapter 14,377, Acts of 1929, Legislature of the State of Florida, relating to bond trustees by providing that the surety bond of the Treasurer of the Bond Trustees shall be one thousand dollars.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 723 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 Carroll moved that the rules be waived and Senate Bill No. 723 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 723 was read the second time by title only.

Senator Carroll moved that the rules be further waived and Senate Bill No. 723 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. 723 was read the third time in full.

Upon the passage of Senate Bill No. 723 the roll was called and the vote was:

Yeas—37

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

Nays—None

So Senate Bill No. 723 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Carroll—

S. B. No. 724—A bill to be entitled An Act amending Section 16, Chapter 14,377, Acts of 1929 Legislature of the State of Florida, relating to the powers and duties of the City Commission of the City of St. Cloud, Florida, by providing that the salary of the Mayor beginning July 1, 1949, shall be one hundred dollars per month.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 724 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 Carroll moved that the rules be waived and Senate Bill No. 724 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 724 was read the second time by title only.

Senator Carroll moved that the rules be further waived and Senate Bill No. 724 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. 724 was read the third time in full.

Upon the passage of Senate Bill No. 724 the roll was called and the vote was:

Yeas—37

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

Nays—None

So Senate Bill No. 724 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Franklin—

S. B. No. 725—A bill to be entitled An Act to abolish the charter of the Town of Naples, in Collier County, Florida, and to grant a new charter for the "City of Naples" created under this Act; to define its boundaries, jurisdiction, powers, privileges and immunities; to confirm the title to all city property including all riparian and foreshore rights, the title to all the tide water and other lands and river bottoms heretofore granted by the State of Florida, or otherwise acquired, to validate all taxes and other assessments and levies heretofore made; to preserve the validity and binding force of all debts, obligations and liabilities of the former Town of Naples, and to continue the same as the debts and liabilities of the City of Naples created by this Act; and to preserve the validity and binding force of all credits and assets of the former Town of Naples and to continue the same as the credits and assets of the City of Naples created by this Act, fixing the date when this Act shall take effect; and to provide for the election and fixing of salaries of the city officials created by this Act; creating a municipal court and defining its powers and jurisdictions; creating a municipal corporation in the State of Florida to be known as the City of Naples, and granting unto it specific and general power and authority incident and necessary to the running and operation of a municipal corporation.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 725 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 Franklin moved that the rules be waived and Senate Bill No. 725 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 725 was read the second time by title only.

Senator Franklin moved that the rules be further waived and Senate Bill No. 725 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. 725 was read the third time in full.

Upon the passage of Senate Bill No. 725 the roll was called and the vote was:

Yeas—37

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

Nays—None

So Senate Bill No. 725 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Franklin—

S. B. No. 726—A bill to be entitled An Act prohibiting the use of nets and seines for the catching of and fishing for salt water fish in the waters of the Gulf of Mexico adjacent to the Naples town pier in the Gulf of Mexico at Naples, Collier County, Florida; providing penalties for the violation of this Act; repealing all laws in conflict therewith and specifying the time this Act shall take effect.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill

No. 726 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 Franklin moved that the rules be waived and Senate Bill No. 726 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 726 was read the second time by title only.

Senator Franklin moved that the rules be further waived and Senate Bill No. 726 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. 726 was read the third time in full.

Upon the passage of Senate Bill No. 726 the roll was called and the vote was:

Yeas—37

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

Nays—None

So Senate Bill No. 726 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Brackin—

S. B. No. 727—A bill to be entitled An Act relating to the Game and Fresh Water Fish Commission providing for the issuance of a permit to hunt on land owned, managed, or leased by the State of Florida for the use and benefit of the Game and Fresh Water Fish Commission and/or by the Game and Fresh Water Fish Commission; fixing a fee for such permit; relating to constitutionality hereof and fixing effective date.

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

By Senator Beall—

S. B. No. 728—A bill to be entitled An Act to authorize and empower the City of Pensacola and the County of Escambia, by contract, through the proper officers of said city and county with approval of United States engineers, to dredge, open up and clear the mouth and channel of Bayou Texar from Pensacola Bay into said bayou; to provide for the advertisement for contract and payment for same; and to limit the expenditure for same.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 728 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 Beall moved that the rules be waived and Senate Bill No. 728 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 728 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 728 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 728 was read the third time in full.

Upon the passage of Senate Bill No. 728 the roll was called and the vote was:

Yeas—37

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

Nays—None

So Senate Bill No. 728 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sturgis—

S. B. No. 729—A bill to be entitled An Act relating to elections in Marion County, Florida, prescribing the time when primary registration books of said county shall be kept open; providing that all persons registered in said county for primary elections shall, unless otherwise disqualified, be entitled without further registration to vote in all general and special elections; providing that in said county an alphabetically arranged index of voters may be used as a legal voting list; providing that the signatures of the elector and the supervisor of registration or his deputy shall not be required on more than one of the registration books for the voting district where the elector is registered; and repealing all laws and parts of laws in conflict herewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 729 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 Sturgis moved that the rules be waived and Senate Bill No. 729 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 729 was read the second time by title only.

Senator Sturgis moved that the rules be further waived and Senate Bill No. 729 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 729 was read the third time in full.

Upon the passage of Senate Bill No. 729 the roll was called and the vote was:

Yeas—37

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

Nays—None

So Senate Bill No. 729 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sturgis—

S. B. No. 730—A bill to be entitled An Act authorizing the use of voting machines in Marion County, vesting the Board of County Commissioners of said county with the power to designate the polling places where such machines shall be

used, and authorizing said county to rent or purchase the same.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 730 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 Sturgis moved that the rules be waived and Senate Bill No. 730 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 730 was read the second time by title only.

Senator Sturgis moved that the rules be further waived and Senate Bill No. 730 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 730 was read the third time in full.

Upon the passage of Senate Bill No. 730 the roll was called and the vote was:

Yeas—37

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

Nays—None

So Senate Bill No. 730 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johns—

S. B. No. 731—A bill to be entitled An Act amending Sections 947.01, 947.02 and 947.03, Florida Statutes, 1941, relating to the creation of a Parole Commission; providing for the Attorney General and the Superintendent of the State Prison to be Ex Officio members thereof and repealing all laws in conflict herewith.

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

By Senator Leaird—

S. B. No. 732—A bill to be entitled An Act amending Section 4, Chapter 11861, Laws of Florida, Acts of 1927, as amended by Section 1, Chapter 22105, Laws of Florida, Acts of 1943, as amended by Section 1, Chapter 24325, Laws of Florida, Acts of 1947.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 732 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 Leaird moved that the rules be waived and Senate Bill No. 732 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 732 was read the second time by title only.

Senator Leaird moved that the rules be further waived and Senate Bill No. 732 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 732 was read the third time in full.

Upon the passage of Senate Bill No. 732 the roll was called and the vote was:

Yeas—37

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

Nays—None

So Senate Bill No. 732 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier—

S. B. No. 733—A bill to be entitled An Act prohibiting the creation of municipalities in Dade County except by special act of the Legislature and repealing all laws in conflict herewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 733 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. 733 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 733 was read the second time by title only.

Senator Gautier moved that the rules be further waived and Senate Bill No. 733 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. 733 was read the third time in full.

Upon the passage of Senate Bill No. 733 the roll was called and the vote was:

Yeas—37

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

Nays—None

So Senate Bill No. 733 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Wilson—

S. B. No. 734—A bill to be entitled An Act to prohibit lotteries, the possession of slot machines, or similar devices: providing for the enforcement thereof by all law enforcement officers including Municipal Police and providing a penalty for the violation thereof.

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

By Senator Baker—

Senate Bill No. 735—A bill to be entitled An Act ratifying,

confirming, validating and legalizing all assessments, assessment rolls, valuations of properties, levies of taxes and delinquent tax certificates heretofore made by and as entered upon the rolls and records of the City of Eustis, Florida, for the years 1947 and 1948, together with all acts and proceedings had, done and performed by the duly constituted governing authorities and officials of said city in connection therewith, making same valid, legal and binding liens upon the lands and properties upon which same are made, assessed and levied, and authorizing the collection of said taxes, assessments and delinquent tax certificates, providing for the effective date of such law and for the repeal of all laws or parts of laws in conflict therewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 735 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 Baker moved that the rules be waived and Senate Bill No. 735 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 735 was read the second time by title only.

Senator Baker moved that the rules be further waived and Senate Bill No. 735 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. 735 was read the third time in full.

Upon the passage of Senate Bill No. 735 the roll was called and the vote was:

Yeas—37

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

Nays—None

So Senate Bill No. 735 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baker—

S. B. No. 736—A bill to be entitled An Act ratifying, confirming, validating and legalizing all assessments, assessment rolls, valuations of properties, levies of taxes and delinquent tax certificates heretofore made by and as entered upon the rolls and records of the town of Umatilla, Florida, for the years 1947 and 1948, together with all acts and proceedings had, done and performed by the duly constituted governing authorities and officials of said town in connection therewith, making same valid, legal and binding liens upon the lands and properties upon which same are made, assessed and levied, and authorizing the collection of said taxes, assessments and delinquent tax certificates, providing for the effective date of such law and for the repeal of all laws or parts of laws in conflict therewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 736 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 Baker moved that the rules be waived and Senate Bill No. 736 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 736 was read the second time by title only.

Senator Baker moved that the rules be further waived and Senate Bill No. 736 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. 736 was read the third time in full.

Upon the passage of Senate Bill No. 736 the roll was called and the vote was:

Yeas—37

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

Nays—None

So Senate Bill No. 736 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Pope—

S. B. No. 737—A bill to be entitled An Act, Ratifying, Confirming, Validating, and Legalizing, all the Assessments, Valuations of Properties and Levies of Taxes made by the Town of Hastings, a Municipality, in the County of St. Johns and State of Florida, for the Taxable Years 1947 to 1948, both inclusive, and authorizing the Collection of said Taxes in the Manner Provided by law.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 737 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Pope moved that the rules be waived and Senate Bill No. 737 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 737 was read the second time by title only.

Senator Pope moved that the rules be further waived and Senate Bill No. 737 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. 737 was read the third time in full.

Upon the passage of Senate Bill No. 737 the roll was called and the vote was:

Yeas—37

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

Nays—None

So Senate Bill No. 737 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator McArthur—

S. B. No. 738—A bill to be entitled An Act fixing the salary

and/or compensation of the Superintendent of Public Instruction of Nassau County, Florida, and designating the times and installments in which and the fund from which the same shall be paid.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 738 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 McArthur moved that the rules be waived and Senate Bill No. 738 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 738 was read the second time by title only.

Senator McArthur moved that the rules be further waived and Senate Bill No. 738 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. 738 was read the third time in full.

Upon the passage of Senate Bill No. 738 the roll was called and the vote was:

Yeas—37

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

Nays—None

So Senate Bill No. 738 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator McArthur—

S. B. No. 739—A bill to be entitled An Act to amend Section 124 of Chapter 8949, Laws of Florida, Acts of 1921, being entitled, "An Act to abolish the present Municipal Government of the City of Fernandina, in the County of Nassau, in the State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Fernandina, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges."

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 739 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 McArthur moved that the rules be waived and Senate Bill No. 739 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 739 was read the second time by title only.

Senator McArthur moved that the rules be further waived and Senate Bill No. 739 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. 739 was read the third time in full.

Upon the passage of Senate Bill No. 739 the roll was called and the vote was:

Yeas—37

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

Nays—None

So Senate Bill No. 739 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator McArthur—

S. B. No. 740—A bill to be entitled An Act to amend Section 70 of Chapter 8949, Laws of Florida, Acts of 1921, being entitled, "An Act to abolish the present municipal government of the City of Fernandina, in the County of Nassau, in the State of Florida, and to create, establish, and organize a municipality to be known and designated as the City of Fernandina, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges," as amended by Chapter 10550, Laws of Florida, Acts of 1925.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 740 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 McArthur moved that the rules be waived and Senate Bill No. 740 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 740 was read the second time by title only.

Senator McArthur moved that the rules be further waived and Senate Bill No. 740 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. 740 was read the third time in full.

Upon the passage of Senate Bill No. 740 the roll was called and the vote was:

Yeas—37

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

Nays—None

So Senate Bill No. 740 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator McArthur—

S. B. No. 741—A bill to be entitled An Act to amend Section 21 of Chapter 8949, Laws of Florida, Acts of 1921, being entitled, "An Act to abolish the present municipal government of the City of Fernandina, in the County of Nassau, in the State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Fernandina, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges."

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 741 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 McArthur moved that the rules be waived and Senate Bill No. 741 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 741 was read the second time by title only.

Senator McArthur moved that the rules be further waived and Senate Bill No. 741 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. 741 was read the third time in full.

Upon the passage of Senate Bill No. 741 the roll was called and the vote was:

Yeas—37

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

Nays—None

So Senate Bill No. 741 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator McArthur—

S. B. No. 742—A bill to be entitled An Act to amend Sections 1 and 3 of Chapter 24512, Laws of Florida, Acts of 1947, being entitled, "An Act limiting the number of licenses which may be granted by the City of Fernandina, Florida, for the sale of intoxicating and alcoholic beverages within its corporate limits by vendors operating places of business where such intoxicating and alcoholic beverages are sold, validating all ordinances heretofore adopted by the said city; regulating the number of such licenses which may be granted for said sale.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 742 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 McArthur moved that the rules be waived and Senate Bill No. 742 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 742 was read the second time by title only.

Senator McArthur moved that the rules be further waived and Senate Bill No. 742 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. 742 was read the third time in full.

Upon the passage of Senate Bill No. 742 the roll was called and the vote was:

Yeas—37

Mr. President	Beacham	Collins	Getzen
Alford	Beall	Crary	Johns
Ayers	Boyle	Davis	Johnston
Baker	Carroll	Franklin	King
Baynard	Clarke	Gautier	Leaird

Mathews
McArthur
Moore
Pearce
Pope

Ray
Rodgers
Sanchez
Shands
Sheldon

Shivers
Smith
Sturgis
Tucker
Walker

Wilson
Wright

Sturgis
Tucker

Walker
Wilson

Wright

Nays—None

So Senate Bill No. 742 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Beacham—

S. B. No. 743—A bill to be entitled An Act creating and establishing a Sanitary District in Palm Beach County, Florida, known as the "Palm Beaches Sanitary District", comprising all of the territory within the corporate limits of the town of Palm Beach and the City of West Palm Beach; creating the Palm Beaches Sanitary Board as the governing body of said Sanitary District; conferring powers upon said Sanitary District and said Board in relation to the collection, treatment and disposal of sewage, and prescribing the powers and duties of said board; authorizing the levy of a special tax upon all taxable property within the Sanitary District to provide funds for preliminary expenses; authorizing the issuance of bonds of the Sanitary District, subject to a favorable vote of the freeholders at an election as required by the Constitution, to pay the cost of a sewage disposal system or systems; providing for the imposition and collection by the Sanitary Board of sewage disposal service charges for the services and facilities furnished by such sewage disposal system or systems sufficient to pay the cost of maintaining, repairing and operating such system or systems and to create reserves for such purposes; providing that each of said municipalities shall pay to the Sanitary District in each year one-half of the amount required for paying the principal of and the interest on such bonds as the same become due and payable and to create reserves therefor; providing that each of said municipalities shall provide funds for making such payments by the imposition and collection of additional sewage disposal service charges within such municipality and by the levy of taxes annually upon all taxable property within such municipality sufficient to make up any deficiency in the collection of such sewage disposal service charges; granting to said Sanitary District power to acquire necessary real and personal property and to exercise the right of eminent domain; giving consent of the State of Florida to the use of all State lands lying under water which are necessary for the accomplishment of the purposes of this act; exempting from taxation all property of the Sanitary District; prescribing the powers and duties of said Sanitary District and of each municipality in the Sanitary District in connection with the foregoing and the rights and remedies of the holders of any bonds issued under the provisions of this act; and providing for a referendum election on this act.

Which was read the first time by title only.

Senator Beacham moved that the rules be waived and Senate Bill No. 743 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 743 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 743 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. 743 was read the third time in full.

Upon the passage of Senate Bill No. 743 the roll was called and the vote was:

Yeas—37

Mr. President
Alford
Ayers
Baker
Baynard
Beacham
Beall
Boyle

Carroll
Clarke
Collins
Crary
Davis
Franklin
Gautier
Getzen

Johns
Johnston
King
Leaird
Mathews
McArthur
Moore
Pearce

Pope
Ray
Rodgers
Sanchez
Shands
Sheldon
Shivers
Smith

Nays—None

So Senate Bill No. 743 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Brackin—

S. B. No. 744—A bill to be entitled An Act to amend Chapter 24529, Laws of Florida, Acts of 1947, which act abolished the previous municipal corporation of the town of Fort Walton and created, established and organized a municipality to be named the Town of Fort Walton in Okaloosa County, Florida, and to fix its boundaries and to provide for its government, jurisdiction, powers, authorities and privileges; and to authorize the levy, assessment and collection of taxes including excise taxes, license taxes and privilege taxes, to establish the form of government of the said town and to designate and appoint municipal officers and to define their duties and powers. This amendment to exclude from the boundaries of the said Town of Fort Walton the property described in subparagraph b of Section 2 of said Chapter 24529, Laws of Florida, Acts of 1947:

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 744 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 McArthur moved that the rules be waived and Senate Bill No. 744 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 744 was read the second time by title only.

Senator McArthur moved that the rules be further waived and Senate Bill No. 744 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. 744 was read the third time in full.

Upon the passage of Senate Bill No. 744 the roll was called and the vote was:

Yeas—37

Mr. President
Alford
Ayers
Baker
Baynard
Beacham
Beall
Boyle
Carroll
Clarke

Collins
Crary
Davis
Franklin
Gautier
Getzen
Johns
Johnston
King
Leaird

Mathews
McArthur
Moore
Pearce
Pope
Ray
Rodgers
Sanchez
Shands
Sheldon

Shivers
Smith
Sturgis
Tucker
Walker
Wilson
Wright

Nays—None

So Senate Bill No. 744 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Davis and Shands—

S. B. No. 745—A bill to be entitled An Act providing for a joint committee to be appointed by the President of the Senate and the Speaker of the House of Representatives for the study and investigation of the needs, expenses, expenditures, personnel, and functions of state commissions, boards, departments, and agencies.

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

By Senators Walker, Pearce and Pope—

S. B. No. 746—A bill to be entitled An Act providing for supplementary salaries for each of the circuit judges of the Seventh Judicial Circuit of Florida embracing Volusia, Flagler, Putnam and St. Johns County and providing that a part of

the salary of each judge be paid from the general revenue fund of such counties in the proportion that the population of each county bears to the total population of such circuit as determined by the last preceding state or federal census, whichever shall be the later; making the same a county purpose; making an annual appropriation therefor; providing the effective date hereof and repealing all laws in conflict herewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 746 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 Walker moved that the rules be waived and Senate Bill No. 746 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 746 was read the second time by title only.

Senator Walker moved that the rules be further waived and Senate Bill No. 746 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. 746 was read the third time in full.

Upon the passage of Senate Bill No. 746 the roll was called and the vote was:

Yeas—37

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

Nays—None

So Senate Bill No. 746 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Mathews—

S. B. No. 747—A bill to be entitled An Act amending Section 745.15, Florida Statutes, 1941, as amended by Section 2, Chapter 22750, Laws of Florida, Acts of 1945, as amended by Section 1, Chapter 23715, Laws of Florida, Acts of 1947, relating to conveyance of various property rights; inchoate dower, joinder on behalf of incompetent husband or wife; estates by entirety, determination of values.

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

By Senator Crary—

S. B. No. 748—A bill to be entitled An Act granting the right of eminent domain in the State Road Department of the State of Florida, and prescribing an additional procedure for same, authorizing the taking of possession and title in advance of the final judgment of lands, easements, or right of way for certain public uses: providing for the filing of a declaration of taking, procedure and process thereon, for the deposit of funds, for an irrevocable commitment to the payment of the ultimate award, and for a reasonable attorney fee for defendants, and repealing conflicting laws to extent necessary to permit the procedure hereunder.

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

By Senator Collins—

S. B. No. 749—A bill to be entitled An Act to amend Section 733.13, Florida Statutes, 1941, as amended, relating to the appointment of commissioners by the County Judge in dower

allotment proceedings by providing that the County Judge shall have the authority to dispense with the appointment of commissioners in certain cases.

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

By Senator King—

Senate Joint Resolution No. 750:

A JOINT RESOLUTION PROPOSING THE AMENDMENT OF ARTICLE XII OF THE STATE CONSTITUTION, BY ADDING THERETO AN ADDITIONAL SECTION RELATING TO PUBLIC FREE SCHOOLS AND HIGHER EDUCATION IN THIS STATE AND PROVIDING FOR REVENUES FOR THE SUPPORT AND MAINTENANCE THEREOF AND OTHER MATTERS.

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

That the amendment of Article XII of the State Constitution by adding thereto an additional section to be numbered by the Secretary of State, is hereby agreed to and shall be submitted to the electors of the State for ratification or rejection at the general election for state representatives to be held in the year 1950, as follows:

Section Education; board of control; excise taxes; state education fund; etc.—

(1) There is created a board of control, which shall be a body corporate, consisting of five citizens and residents of this state, who shall be not less than forty years of age and citizens and residents of this state for not less than ten years next prior to their appointment, who shall be appointed by the governor, with the advice and consent of the state senate, for terms of six years each and until their successors are duly appointed and qualified; except the first board hereunder two members of whom shall be appointed until July 1, 1953, two members until July 1, 1955 and one member until July 1, 1957. During each regular session of the legislature the governor shall appoint and report to the senate the members whose terms begin in the following July, and upon failure of the governor to so appoint and report such members to the senate by the end of the sixth week of the session the senate may select and appoint such members by resolution.

(2) Each member appointed as aforesaid shall take the usual oath of office and post a good and sufficient surety bond in the penal sum of two hundred fifty thousand dollars, conditioned upon the faithful performance of his duties of office. The said bond shall be approved by the state treasurer and filed with the secretary of state.

(3) The members of said board shall be paid such compensation as shall be fixed by statute.

(4) The said board of control shall have jurisdiction and complete management and control over the public free schools, the institutions of higher learning, schools for defectives, and other public educational institutions of the state, counties and municipalities receiving state funds, under such rules and regulations as may be prescribed by the legislature by statute.

(5) A fund to be known as the "state education fund" is created and established in the state treasury, from which all state expenses in connection with education in this state shall be paid. The said state education fund shall be derived from such appropriations as may be made thereto by the legislature, public and private donations for school purposes, and the proceeds of a sales and purchase transactions tax hereinafter provided.

(6) The said board of control shall have the direction of the disbursement of the said funds including the granting of moneys therefrom for construction of school facilities and purchase of equipment.

(7) There shall be levied and collected in this state an excise tax upon sales at retail, and a purchase transactions tax of purchases of intangible and tangible personal property in this state when not sales at retail, not to exceed two per cent of the regular sales price or of the purchase transaction; provided, however, this shall not include sales and transactions subject to some other state excise tax in excess of two

per cent. The legislature shall provide by statute for the collection of said taxes; however, until otherwise provided by statute such taxes shall be collected by the state comptroller.

(8) The exact amount of said taxes to be levied and collected shall be fixed by the legislature upon recommendations of the said board of control. The said board of control, taking the taxes collected during the previous year as a basis, shall fix and determine the rate of taxes deemed necessary to raise sufficient funds to operate the educational system of the state for the next biennium and report the same to the legislature. The legislature using this report as a basis shall fix the rate of taxation; provided, however, should the legislature fail to so fix the said rate the rate suggested by the said board of control shall be the rate for the biennium. Until otherwise fixed by the legislature or the board of control the rate shall be two per cent.

(9) The legislature may provide for the levying and collection of an additional sales and purchase transactions tax not to exceed the rate of one per cent; provided, however, that the taxes herein provided shall never be reduced in amount because of such additional tax.

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

By Senator Collins—

Senate Joint Resolution No. 751:

JOINT RESOLUTION PROPOSING THE AMENDMENT OF ARTICLE IX OF THE STATE CONSTITUTION, BY ADDING THERETO AN ADDITIONAL SECTION PROVIDING FOR A STATE BUILDING AND CONSTRUCTION FUND AND PROVIDING FOR THE DISPOSITION OF MOTOR VEHICLE LICENSE TAXES.

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

That the amendment of Article IX of the State Constitution by adding an additional section, to be numbered by the Secretary of State, is hereby agreed to and shall be submitted to the electors of the state for ratification or rejection at the general election for state representatives to be held in the year 1950, as follows:

Section State building and construction fund; motor vehicle license taxes; etc.—

(1) There is hereby created in the state treasury a fund to be known and designated as the "State Building and Construction Fund," the purpose of which shall be to acquire real property for state and allied purposes, and for the construction, repair and renovation of buildings, works and improvements for state and allied purposes, as may be directed by the legislature. The administration of this fund shall be under the control and supervision of the board of commissioners of state institutions or such other agency as the legislature may provide.

(2) The legislature, at each general session, shall direct the expenditure of the funds that may have accumulated in such fund at the beginning of such session. There shall be no authority to provide for the expenditure of any moneys not in the said fund at the beginning of such session of the legislature and there shall be no authority to provide for the issuance of any bonds, certificates of indebtedness or other obligation encumbering such fund.

(3) There is hereby annually appropriated to the said building and construction fund until December 1, 1960 all moneys received by the state as motor vehicle license taxes and fees. The legislature may also appropriate other funds to the said building and construction fund.

(4) The legislature shall provide for the investment of any funds in the said state building and construction fund until needed for the purposes aforesaid.

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

By Senator Smith—

Senate Joint Resolution No. 752:

---A JOINT RESOLUTION PROPOSING AN AMENDMENT

TO ARTICLE IX OF THE CONSTITUTION OF THE STATE OF FLORIDA BY ADDING THERETO AN ADDITIONAL SECTION TO PROVIDE FOR THE LEVY AND ASSESSMENT BY COUNTY TAX ASSESSORS OF A TAX ON THE PROPERTY OF CERTAIN INDUSTRIES HERETOFORE EXEMPT FROM TAXATION BY SECTION 12 OF ARTICLE IX OF THE CONSTITUTION; PROVIDING FOR THE ALLOCATION OF SAID TAX AMONG THE CITIES AND TOWNS OF THIS STATE; PROVIDING FOR THE EQUALIZATION AND COLLECTION OF SAID TAX; AND AUTHORIZING THE STATE COMPTROLLER TO MAKE AND ENFORCE RULES AND REGULATIONS HEREUNDER.

WHEREAS, certain industrial plants within this State have heretofore been exempted from taxation by virtue of the provisions of Section 12 of Article IX of the Constitution of the State of Florida, which exemption expired in 1948, as provided in said Section 12; and

WHEREAS, the cities and towns of this State are in dire financial straits and in need of assistance from outside sources to enable them to perform their useful and necessary municipal functions for the benefit of the people of this State; and

WHEREAS, it appears that the most logical source of revenue for aid to said cities and towns lies in the taxation of those industries heretofore exempt from taxation, as aforesaid, and without which tax revenues the several counties of this State have heretofore, for the period of said exemption, been able to carry out their county functions and administer their county government; and

WHEREAS, for these and other facts and things generally known to the members of this body there exists an emergency requiring an early decision by the electors of the State of Florida with respect to the constitutional amendment herein-after mentioned and set forth; now, therefore,

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

That the following amendment to Article IX of the Constitution of the State of Florida, by adding thereto an additional section to be known as Section 17, 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 a special election to be held on the first Monday in September, 1949, as follows:

Section 17.—(a) From and after January 1st, 1950, each county of this State wherein the property hereinafter described is located, shall levy and assess an annual tax against the property of the following industrial plants located within this State, to wit: all industrial plants engaged primarily in the manufacture of steel vessels, automobile tires, fabrics and textiles, wood pulp, paper, paper bags, fiber board, automobiles, automobile parts, aircraft, aircraft parts, glass and crockery manufacturers, and the refining of sugar and oils, and including by-products or derivatives incident to the manufacture of any of the above products, which tax shall be levied and assessed by the County Tax Assessor at the same millage rate as is applicable to other similar property in the respective counties; provided, that the State Comptroller, the Attorney General, and the State Treasurer are hereby authorized, empowered, and directed to review and to make such adjustments and revisions of said assessments as may be necessary to equalize the same and make them fair and just.

(b) The tax herein provided for shall be collected in the same manner as are other county taxes and shall, when collected, be paid over to the State Comptroller, who shall deposit same in the State Treasury, to be there credited to the account of the cities and towns of this State. The funds derived from the said tax shall be allocated and apportioned by the State Comptroller among the cities and towns of this State in accordance with the population thereof, and shall be paid over to same annually.

(c) The State Comptroller shall have the power to make and enforce all rules and regulations necessary to the full exercise of the powers hereby granted, and no legislation shall be required to render this amendment of full force and operating effect from and after January 1st, 1950.

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

Senator Johns asked unanimous consent of the Senate to

take up and consider Senate Memorial No. 717, out of its order, at this time.

Which was agreed to.

Senate Memorial No. 717:

A RESOLUTION TO MEMORIALIZE CONGRESS TO AMEND THE SOCIAL SECURITY ACT TO LIBERALIZE THE RESTRICTIONS ON OTHER INCOME AND RESOURCES IN DETERMINING NEED IN GRANTS TO THE NEEDY AGED, NEEDY BLIND AND DEPENDENT CHILDREN.

WHEREAS, the present Social Security Act required all state plans for aid to the needy aged, needy blind and dependent children to take into consideration other income and resources in determining need for assistance, and

WHEREAS, the present grants to states for old age assistance, aid to the blind and aid to dependent children are wholly inadequate to maintain the recipient in a decent and self-respecting manner, and outside income or resources, however meager, must be considered, thereby reducing grants below minimum standards necessary to maintain such recipients on a minimum basis compatible with our American Standards of living,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the members of the Senate and the House of Representatives of the State of Florida do respectfully memorialize and petition the Congress of the United States to immediately amend the Social Security Act providing for grants to the States for old age assistance, aid to the blind and aid to dependent children so that in determining need as a basis for assistance that the recipients therein shall be permitted to retain not in excess of fifty (\$50.00) dollars per month of their income earned through their personal efforts, and that such income or earnings shall not be taken into consideration in determining their grant, upon a need basis.

AND BE IT FURTHER RESOLVED:

That copies of this memorial be immediately transmitted by the Secretary of State to the Senate and House of Representatives of the United States of America and to each senator and representative in Congress from the State of Florida.

Was taken up and read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to.

And Senate Memorial No. 717 was adopted and the action of the Senate was ordered certified to the House of Representatives.

MESSAGES FROM THE GOVERNOR

The following Messages from the Governor were received:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE
May 16, 1949

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

I have the honor to inform you that I have today approved the following Act, which originated in your Honorable Body, and have caused the same to be filed in the office of the Secretary of State:

S. B. No. 180, relating to medical technology
also

S. J. R. No. 46, relating to the Constitution
and

S. M. No. 282, relating to Constitution

Respectfully,
FULLER WARREN,
Governor.

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE
May 16, 1949

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

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

S. B. No. 258, relating to Duval County

S. B. No. 300, relating to West Palm Beach

Respectfully,
FULLER WARREN,
Governor.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 17, 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 respectfully requests the return of—

By Senator Brackin—

S. B. No. 489—A bill to be entitled An Act to abolish the present municipal corporation of the City of Crestview, Florida, and to create, establish and constitute a municipal corporation to be known as the City of Crestview, Florida, which city is in the County of Okaloosa, to provide the territorial limits thereof; to prescribe the form of government and to confer certain powers upon the municipality and officers thereof; to legalize and validate the ordinances of said City of Crestview, Okaloosa County, State of Florida; to provide for the number, the jurisdiction and powers of its officers and to provide for the carrying into effect of the provisions of this Act.

—for the purpose of further consideration.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Senator Franklin moved that Senate Bill No. 489 be recalled from the Secretary of the Senate as Ex Officio Enrolling Clerk, and returned to the House of Representatives, as requested in the preceding Message from the House of Representatives.

Which was agreed to and it was so ordered.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 16, 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 the Committee on Public Health—

Committee Substitute for House Bill No. 367—A bill to be entitled An Act to amend Section 3 of Chapter 23675, Acts of 1947, Laws of Florida, the same being with reference to the employment of medical personnel exclusively at State Institutions.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Committee Substitute for House Bill No. 367, contained in the above Message, was read the first time by title only and referred to the Committee on State Institutions.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 16, 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 the Committee on Public Health—

Committee Substitute for House Bill No. 351—A bill to be entitled An Act authorizing the State Board of Health to license and regulate persons engaging commercially in structural pest control and extermination of common household pests by use of thermal-aerosol fogging machines; providing for the issuance of certificates by the State Board of Health to qualified persons; providing that materials or formulas used shall be approved by the State Board of Health; providing for persons approved to show financial responsibility for damage or injury to persons or property; providing penalty for violation of this Act; authorizing the State Board of Health to formulate rules and regulations to carry out the purpose of this Act; and repealing conflicting laws, and providing for effective date of this Act.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Committee Substitute for House Bill No. 351, contained in the above Message, was read the first time by title only.

Senator Collins moved that the rules be waived and Committee Substitute for House Bill No. 351 be placed on the Calendar of Bills on Second Reading, without reference.

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

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 17, 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. Andrews of Orange, and Stockdale of Dade—

H. B. No. 626—A bill to be entitled An Act relating to primary elections; amending Section 102.62, Florida Statutes, 1941; abolishing limitation on campaign expenditures.

Also—

By Mr. Andrews of Orange—

H. B. No. 624—A bill to be entitled An Act relating to primary elections; adding Section 102.011 to Florida Statutes, 1941; providing procedure for nominating candidates for Presidential elector.

Also—

By Mr. Andrews of Orange—

H. B. No. 622—A bill to be entitled An Act relating to

holding elections and ascertaining the results; amending Sections 99.15, 99.18, 99.19 and 99.20, Florida Statutes, 1941; adding Sections 99.171, 99.191 and 99.201 to Florida Statutes, 1941; providing for order of titles and names on ballots; Secretary of State to prescribe form of ballot; specifications for the ballot; form of ballot; arrangement of machines for balloting in voting machine counties; ballot regulations; and prohibiting use of rubber stamps or stickers in casting ballots.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 626, contained in the above Message, was read the first time by title only.

Senator Davis moved that the rules be waived and House Bill No. 626 be placed on the Calendar of Bills on Second Reading, without reference.

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

And House Bill No. 624, contained in the above Message, was read the first time by title only.

Senator Davis moved that the rules be waived and House Bill No. 624 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 624 was read the second time by title only.

Senator Davis moved that the rules be further waived and House Bill No. 624 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. 624 was read the third time in full.

Upon the passage of House Bill No. 624 the roll was called and the vote was:

Yeas—33

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

Nays—1

Johnston

So House Bill No. 624 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 622, contained in the above Message, was read the first time by title only.

Senator Davis moved that the rules be waived and House Bill No. 622 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 622 was read the second time by title only.

Senator Davis moved that the rules be further waived and House Bill No. 622 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. 622 was read the third time in full.

Upon the passage of House Bill No. 622 the roll was called and the vote was:

Yeas—34

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

Nays—1

Smith

So House Bill No. 622 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 17, 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 adopted—

By Messrs. Okell, Stockdale and Lantaff of Dade—

House Concurrent Resolution No. 1074:

A CONCURRENT RESOLUTION RECOGNIZING THE NAMING OF JUDGE WALTER H. BECKHAM OF DADE COUNTY BY THE NATIONAL COUNCIL OF JUVENILE COURT JUDGES OF THE UNITED STATES AS ITS OFFICIAL REPRESENTATIVE TO ATTEND A EUROPEAN CONFERENCE.

WHEREAS the State of Florida has recently been honored by having Judge Walter H. Beckham, Judge of the Juvenile and Domestic Relations Court, in and for Dade County, Florida, named President of the National Council of Juvenile Court Judges of the United States, and

WHEREAS at the last annual Convention of the said National Council of Juvenile Court Judges held in Miami, Florida, the said State of Florida was again honored by the said Judge Walter H. Beckham being named and appointed as an international representative from the Juvenile Court Judges of the United States to attend an international conference of Juvenile Court Judges to be held in Belgium, or some other European country, at an early date, and

WHEREAS it is necessary and proper that the United States Government, through its State Department and other necessary and appropriate agencies and officials, cooperate in arranging for such official attendance in order for such official visit to be made from this country to Belgium or such other European country, in which such international conference may be held.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that we request the United States Government, through its State Department and such other proper and appropriate agencies and officials, to fully cooperate in recognizing and expediting such official representation from the Juvenile Court Judges of the United States to the said International Conference of Juvenile Court Judges, by designating Judge Walter H. Beckham, Judge of the Juvenile and Domestic Relations Court, in and for Dade County, Florida, with such official status and providing such other official and diplomatic arrangements as may be fit and proper to carry out the plan and purpose of such representation;

BE IT FURTHER RESOLVED that we likewise request those members in Congress from the State of Florida to take note of this Resolution and encourage and cooperate with the United States Government and its proper agencies and officials for the purposes herein suggested;

BE IT FURTHER RESOLVED that an official copy of this Resolution be forwarded by the Secretary of State to the

Secretary of the United States and to the Florida members of Congress.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Concurrent Resolution No. 1074, contained in the above Message, was read the first time in full.

Senator Gautier moved that the rules be waived and House Concurrent Resolution No. 1074 be read the second time in full.

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 1074 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. 1074 was adopted 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 17, 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. Burnsed of Baker, Roberts of Bradford, McAlpin of Hamilton, Wise of Okaloosa, Pearce of Highlands, Black and Whitlock of Alachua and Saunders of Clay—

H. B. No. 618—A bill to be entitled An Act to amend Section 954.06 Florida Statutes 1941, relating to gain time of prisoners for good conduct.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 618, contained in the above Message, was read the first time by title only.

Senator Johns moved that the rules be waived and House Bill No. 618 be placed on the Calendar of Bills on Second Reading, without reference.

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

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 17, 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 as amended—

By Senator Alford—

S. B. No. 183—A bill to be entitled An Act to amend Chapter 576, Florida Statutes, 1941, relating to the manufacture and sale of commercial fertilizer and repealing certain provisions of law.

Which amendments read as follows:

Amendment No. 1—

In Section 576.08, line 9, page 17, following the words "a penalty of," strike out 25% and insert in lieu thereof 100%.
Concurred.

Amendment No. 2—

In Section 576.08, at the end of line 15, on page 17, strike out the word "one-half" and insert in lieu thereof one-eighth.

Amendment No. 3—

In Section 576.03, on page 8, line 23, after the word "certificate", strike out the word "or" and insert in lieu thereof the word "of".

Amendment No. 4—

In Section 576.11, on page 21, in the first line, strike out the word "regusing" and insert in lieu thereof the word "refusing".

—and respectfully, requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 183, contained in the above Message, was read by title, together with the House Amendments thereto.

Senator Alford moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 183.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 183.

Senator Alford moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 183.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 183.

Senator Alford moved that the Senate do concur in House Amendment No. 3 to Senate Bill No. 183.

Which was agreed to and the Senate concurred in House Amendment No. 3 to Senate Bill No. 183.

Senator Alford moved that the Senate do concur in House Amendment No. 4 to Senate Bill No. 183.

Which was agreed to and the Senate concurred in House Amendment No. 4 to Senate Bill No. 183.

And Senate Bill No. 183, 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.

SPECIAL AND CONTINUING ORDER OF BUSINESS

Senate Bill No. 198 was reached in its order as a Special and Continuing Order of Business, and the consideration thereof was informally passed.

VETO MESSAGES

H. B. No. 1363 (1947 Session)—A bill to be entitled An Act to ratify, confirm and validate those certain refunding bonds bearing date the 1st day of April, A. D. 1938, issued by or on behalf of Highlands Special Road and Bridge District in Pasco County, Florida, and all interest coupons issued and delivered in connection with said refunding bonds, and all acts and proceedings in connection with the execution and delivery of said bonds and interest coupons.

Was taken up in its order and read by title, together with the following objections thereto of the Honorable Millard F. Caldwell, former Governor of Florida:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE
June 10, 1947

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

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I herewith transmit to you, with my objections, House Bill 1363, enacted by the Legislature of 1947 and entitled:

"An Act to ratify, confirm and validate those certain refunding bonds bearing date the 1st day of April, A. D. 1938, issued by or on behalf of Highlands Special Road and Bridge District in Pasco County, Florida, and all interest coupons issued and delivered in connection with said refunding bonds, and all acts and proceedings in connection with the execution and delivery of said bonds and interest coupons."

The above act, entitled as aforesaid, seeks to ratify, confirm and validate in all respects refunding bonds dated April 1, 1938, issued by and on behalf of Highlands Special Road and Bridge District in Pasco County, Florida, and both sets of interest coupons issued in connection therewith.

The interest coupons sought to be ratified, confirmed and validated are the subject matter of a suit now pending in the Circuit Court of Pasco County, Florida, in which the State Board of Administration is complainant, and Pasco County, Florida, et al. are defendants. The question to be decided by the court is whether or not said interest coupons are valid and should be paid from Pasco County's allocable share of the gasoline taxes accruing under Section 16, Article IX, of the Constitution. This suit has been in progress for quite a long while, and I am of the opinion that the best interests of the State of Florida, as well as of the County of Pasco and the citizens and taxpayers living therein, require that this issue be determined by the court, rather than by legislative act.

For the reasons stated above, I therefore, withhold my approval of House Bill 1363, 1947 legislative session, and do hereby veto the same.

Sincerely,
MILLARD F. CALDWELL,
Governor.

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

Upon the passage of House Bill No. 1363 (1947 Session) the roll was called and the vote was:

Yeas—33

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

Nays—None

So House Bill No. 1363 (1947 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

H. B. No. 1364 (1947 Session)—An Act to ratify, confirm and validate those certain refunding bonds bearing date the 1st day of April, A. D. 1938, issued by or on behalf of Special Road and Bridge District No. 1 in Pasco County, Florida, and all interest coupons issued and delivered in connection with said refunding bonds, and all acts and proceedings in connection with the execution and delivery of said bonds and interest coupons.

Was taken up in its order and read by title, together with the following objections thereto of the Honorable Millard F. Caldwell, former Governor of Florida:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE
June 10, 1947

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

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I herewith transmit to you, with my objections, House Bill 1364, enacted by the Legislature of 1947 and entitled:

"An Act to ratify, confirm and validate those certain refunding bonds bearing date the 1st day of April, A. D. 1938, issued by or on behalf of Special Road and Bridge District No. 1 in Pasco County, Florida, and all interest coupons issued and delivered in connection with said refunding bonds, and all acts and proceedings in connection with the execution and delivery of said bonds and interest coupons."

The above act, entitled as aforesaid, seeks to ratify, confirm and validate in all respects refunding bonds dated April 1, 1938, issued by and on behalf of Special Road and Bridge District No. 1 in Pasco County, Florida, and both sets of interest coupons issued in connection therewith.

The interest coupons sought to be ratified, confirmed and validated are the subject matter of a suit now pending in the Circuit Court of Pasco County, Florida, in which the State Board of Administration is complainant, and Pasco County, Florida, et al. are defendants. The question to be decided by the court is whether or not said interest coupons are valid and should be paid from Pasco County's allocable share of the gasoline taxes accruing under Section 16, Article IX, of the Constitution. This suit has been in progress for quite a long while, and I am of the opinion that the best interests of the State of Florida, as well as of the County of Pasco and the citizens and taxpayers living therein, require that this issue be determined by the court, rather than by legislative act.

For the reasons stated above, I, therefore, withhold my approval of House Bill 1364, 1947 legislative session, and do hereby veto the same.

Sincerely,
MILLARD F. CALDWELL,
Governor.

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

Upon the passage of House Bill No. 1364 (1947 Session) the roll was called and the vote was:

Yeas—33

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

Nays—None

So House Bill No. 1364 (1947 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

H. B. No. 1365 (1947 Session)—An Act to ratify, confirm and validate those certain refunding bonds bearing date the 1st day of April, A. D. 1938, issued by or on behalf of Gulf Special Road and Bridge District in Pasco County, Florida, and all interest coupons issued and delivered in connection with said refunding bonds, and all acts and proceedings in connection with the execution and delivery of said bonds and interest coupons.

Was taken up in its order and read by title, together with the following objections thereto of the Honorable Millard F. Caldwell, former Governor of Florida:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE
June 10, 1947

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

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I herewith transmit to you, with my objections, House Bill 1365, enacted by the Legislature of 1947 and entitled:

"An Act to ratify, confirm and validate those certain refunding bonds bearing date the 1st day of April, A. D. 1938, issued by or on behalf of Gulf Special Road and Bridge District in Pasco County, Florida, and all interest coupons issued and delivered in connection with said refunding bonds, and all acts and proceedings in connection with the execution and delivery of said bonds and interest coupons."

The above act, entitled as aforesaid, seeks to ratify, confirm and validate in all respects refunding bonds dated April 1, 1938, issued by or on behalf of Gulf Special Road and Bridge District in Pasco County, Florida, and both sets of interest coupons issued in connection therewith.

The interest coupons sought to be ratified, confirmed and validated are the subject matter of a suit now pending in the Circuit Court of Pasco County, Florida, in which the State Board of Administration is complainant, and Pasco County, Florida, et al. are defendants. The question to be decided by the Court is whether or not said interest coupons are valid and should be paid from Pasco County's allocable share of the gasoline taxes accruing under Section 16, Article IX, of the Constitution. This suit has been in progress for quite a long while, and I am of the opinion that the best interests of the State of Florida, as well as of the County of Pasco and the citizens and taxpayers living therein, require that this issue be determined by the Court, rather than by legislative act.

For the reasons stated above, I, therefore, withhold my approval of House Bill 1365, 1947 legislative session, and do hereby veto the same.

Sincerely,
MILLARD F. CALDWELL
Governor

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

Upon the passage of House Bill No. 1365 (1947 Session) the roll was called and the vote was:

Yeas—33

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

Nays—None

So House Bill No. 1365 (1947 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

H. B. No. 1366 (1947 Session)—An Act to ratify, confirm and validate those certain refunding bonds, bearing date the 1st day of April, A. D. 1938, issued by or on behalf of Pasco County, Florida, and all interest coupons issued and delivered in connection with said refunding bonds, and all acts and proceedings in connection with the execution and delivery of said bonds and interest coupons.

Was taken up in its order and read by title, together with the following objections thereto of the Honorable Millard F. Caldwell, former Governor of Florida:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

June 10, 1947

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

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III. of the Constitution of this State, I herewith transmit to you, with my objections, House Bill 1366, enacted by the Legislature of 1947, and entitled:

"An Act to ratify, confirm and validate those certain refunding bonds, bearing date the 1st day of April, A. D. 1938, issued by or on behalf of Pasco County, Florida, and all interest coupons issued and delivered in connection with said refunding bonds, and all acts and proceedings in connection with the execution and delivery of said bonds and interest coupons."

The above act, entitled as aforesaid, seeks to ratify, confirm and validate in all respects refunding bonds dated April 1, 1938, issued by or on behalf of Pasco County, Florida, and both sets of interest coupons issued in connection therewith.

The interest coupons sought to be ratified, confirmed and validated are the subject matter of a suit now pending in the Circuit Court of Pasco County, Florida, in which the State Board of Administration is complainant, and Pasco County, Florida, et al. are defendants. The question to be decided by the court is whether or not said interest coupons are valid and should be paid from Pasco County's allocable share of the gasoline taxes accruing under Section 16, Article IX, of the Constitution. This suit has been in progress for quite a long while, and I am of the opinion that the best interests of the State of Florida, as well as of the County of Pasco and the citizens and taxpayers living therein, require that this issue be determined by the court, rather than by legislative act.

For the reasons stated above, I, therefore, withhold my approval of House Bill 1366, 1947 legislative session, and do hereby veto the same.

Sincerely,
MILLARD F. CALDWELL
Governor

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

Upon the passage of House Bill No. 1366 (1947 Session) the roll was called and the vote was:

Yeas—33

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

Nays—None

So House Bill No. 1366 (1947 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

SENATE BILLS ON SECOND READING

Senate Bill No. 102 was taken up in its order and the consideration thereof was informally passed.

S. B. No. 250—A bill to be entitled An Act relating to conduct of trial; amending Section 918.10, Florida Statutes, 1941, removing requirement that presiding judge charge the jury as to penalty for offense for which accused is on trial.

Was taken up in its order.

Senator Sturgis moved that the rules be waived and Senate Bill No. 250 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 250 was read the second time by title only.

Senator Sturgis moved that the rules be further waived and Senate Bill No. 250 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. 250 was read the third time in full.

Upon the passage of Senate Bill No. 250 the roll was called and the vote was:

Yeas—30

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

Nays—3

Davis Johnston Wilson

So Senate Bill No. 250 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

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.

Was taken up in its order.

Senator Beall moved that the rules be waived and Senate Bill No. 50 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 50 was read the second time by title only.

The Committee on Pensions and Claims offered the following amendment to Senate Bill No. 50:

In Section 1, line 4 (typewritten bill), strike out the figures: "\$7,500.00" and insert in lieu thereof the following: "\$2,500.00".

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beall moved that the rules be waived and Senate Bill No. 50, 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. 50, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 50, as amended, the roll was called and the vote was:

Yeas—35

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

Nays—None

So Senate Bill No. 50 passed, as amended, by the required Constitutional two-thirds 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 Ray, President Pro Tempore, now presiding.

Senate Bills Nos. 171 and 189 were taken up in their order and the consideration thereof was informally passed.

S. B. No. 267—A bill to be entitled An Act prohibiting any person, firm or corporation making rebates to those persons who examine the human eye or write prescriptions for lenses; making it unlawful for any person, firm or corporation engaging in the manufacture, processing, grinding, regrinding or dispensing of lenses or glasses for correction, relief or protection of the human eyes to make any rebate or payment of money to any person diagnosing or examining the human eyes and on whose prescription such glasses or lenses were processed and fitted; and prohibiting any person, firm or corporation from receiving such rebate; and providing penalties for the violation of this Act and declaring the policy of the State of Florida with regard to such practice.

Was taken up in its order.

Senator Pope moved that the rules be waived and Senate Bill No. 267 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 267 was read the second time by title only.

Senator Pope moved that the rules be further waived and Senate Bill No. 267 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. 267 was read the third time in full.

Upon the passage of Senate Bill No. 267 the roll was called and the vote was:

Yeas—25

Alford	Clarke	King	Shivers
Baker	Collins	Moore	Smith
Baynard	Franklin	Pearce	Wilson
Beacham	Gautier	Pope	Wright
Beall	Getzen	Ray	
Boyle	Johns	Rodgers	
Carroll	Johnston	Sanchez	

Nays—1

Davis

So Senate Bill No. 267 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator McArthur moved that the rules be waived and the Senate convene Wednesday night, May 18, 1949, at 8:00 o'clock P. M., for the purpose of considering Pet Bills, instead of Tuesday night, May 17, 1949.

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

Senate Bill No. 217 was taken up in its order and the consideration thereof was informally passed.

Senator King asked unanimous consent of the Senate to take up and consider House Bill No. 506, out of its order, at this time.

Which was agreed to.

H. B. No. 506—A bill to be entitled An Act to amend Sections 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13 and 15 of Chapter 23658 Laws of Florida 1947, relating to Certificates of Title on Motor Vehicles; providing for issuance by Motor Vehicle Commissioner; requiring the delivery and assignment of Certificates of Title on sale of motor vehicles, and acquisition of certificates by purchases of motor vehicles; providing for recognition of titles to motor vehicles only in cases where evidenced by duly issued Certificate of Title; designating method and manner of issuance of certificates of title; providing that all enforceable liens and encumbrances appear on face of certificate and that certificate be held by first lien holder until satisfaction of lien; providing method of noting and satisfying liens on certificates; authorizing and empowering Motor Vehicle Commissioner to adopt rules and regulations and prescribe and furnish forms for administration of this Act, authorizing cancellation of certificates under certain circumstances; author-

izing Motor Vehicle Commissioner to prepare and furnish information concerning titles for certain fees; providing that Sections 28.22 and 319.15 Florida Statutes, 1941, shall not apply after effective date of this Act, except in cases of liens existing on effective date of this Act, providing priority of liens and method of transfer of ownership in certain cases, and proof required for issuance of new certificate in such cases; providing for memorandum certificates; designating fees to be charged by Motor Vehicle Commissioner for services under this Act; providing penalties for violation of this Act; repealing Sections 319.01; 319.02; 319.03; 319.04; 319.05; 319.06; 319.07; 319.09; 319.10; 319.11; 319.12; 319.13 Florida Statutes, 1941, and all other laws in conflict and designating effective date of this Act.

Was taken up.

Senator King moved that the rules be waived and House Bill No. 506 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 506 was read the second time by title only.

Senator King moved that the rules be further waived and House Bill No. 506 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. 506 was read the third time in full .

Upon the passage of House Bill No. 506 the roll was called and the vote was:

Yeas—32

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

Nays—None

So House Bill No. 506 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator King withdrew Senate Bill No. 309.

Senator King asked unanimous consent of the Senate to take up and consider House Bill No. 505, out of its order, at this time.

Which was agreed to.

H. B. No. 505—A bill to be entitled An Act to amend Section 1 of Chapter 24192 Laws of Florida 1947, being Section 320.28, Florida Statutes 1941, as amended, relative to non-resident dealers in secondhand motor vehicles and other persons other than dealers qualified under Chapter 23660 who bring secondhand vehicles into Florida for sale, by providing that such dealers and other persons who bring in such vehicles shall make application for certificate of title to such vehicles at least ten days prior to the sale thereof, or the offering of said vehicles for sale, or advertising said vehicles for sale, and defining who is a dealer in used or second-hand motor vehicles.

Was taken up.

Senator King moved that the rules be waived and House Bill No. 505 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 505 was read the second time by title only.

Senator King moved that the rules be further waived and House Bill No. 505 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 505 was read the third time in full.

Upon the passage of House Bill No. 505 the roll was called and the vote was:

Yeas—32

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

Nays—1

Davis

So House Bill No. 505 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator King withdrew Senate Bill No. 310.

Senator King asked unanimous consent of the Senate to take up and consider House Bill No. 507, out of its order, at this time.

Which was agreed to.

H. B. No. 507—A bill to be entitled An Act to amend Section 320.14 Florida Statutes 1941, relating to fractional registration of motor vehicles.

Was taken up.

Senator King moved that the rules be waived and House Bill No. 507 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 507 was read the second time by title only.

Senator King moved that the rules be further waived and House Bill No. 507 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. 507 was read the third time in full.

Upon the passage of House Bill No. 507 the roll was called and the vote was:

Yeas—34

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

Nays—None

So House Bill No. 507 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator King withdrew Senate Bill No. 311.

Senator McArthur moved that the rules be waived and House Bill No. 520 be recalled from the Committee on Judiciary "C" and placed on the Calendar of Bills on Second Reading.

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

Senator McArthur asked unanimous consent of the Senate to take up and consider House Bill No. 520, out of its order, at this time.

Which was agreed to.

H. B. No. 520—A bill to be entitled An Act prohibiting state officers and employees from engaging in certain political activities, and providing a penalty for the violation hereof.

Was taken up.

Senator McArthur moved that the rules be waived and House Bill No. 520 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 520 was read the second time by title only.

Senator McArthur moved that the rules be further waived and House Bill No. 520 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. 520 was read the third time in full.

Upon the passage of House Bill No. 520 the roll was called and the vote was:

Yeas—31

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

Nays—None

So House Bill No. 520 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator McArthur withdrew Senate Bill No. 268.

Senator Shands asked unanimous consent of the Senate to take up and consider House Bill No. 475, out of its order, at this time.

Which was agreed to.

H. B. No. 475—A bill to be entitled An Act authorizing the Board of Control to secure insurance for public liability and property damage coverage on motor vehicles owned, operated or used by said Board, providing for limited waiver of governmental immunity, and repealing all laws in conflict therewith.

Was taken up.

Senator Shands moved that the rules be waived and House Bill No. 475 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 475 was read the second time by title only.

Senator Shands moved that the rules be further waived and House Bill No. 475 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. 475 was read the third time in full.

Upon the passage of House Bill No. 475 the roll was called and the vote was:

Yeas—29

Mr. President	Clarke	McArthur	Shivers
Alford	Collins	Moore	Sturgis
Ayers	Crary	Pearce	Tucker
Baker	Franklin	Pope	Walker
Baynard	Gautier	Ray	Wright
Beacham	Getzen	Rodgers	
Boyle	Johns	Sanchez	
Carroll	Mathews	Shands	

Nays—2

Johnston Sheldon

So House Bill No. 475 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 on the passage of House Bill No. 475 was filed with the Secretary:

It is my firm opinion that this bill will cost the people of the State of Florida untold sums of tax money in the form of insurance premiums.

JOSEPH E. JOHNSTON, 9th Dist.

By unanimous consent Senator Shands withdrew Senate Bill No. 224.

Senator McArthur moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 12:59 o'clock P. M. until 11:00 o'clock A. M., Wednesday, May 18, 1949.