

JOURNAL OF THE SENATE

540

Monday, May 23, 1949

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Friday, May 20, 1949.

The President in the Chair.

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

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

—38.

A quorum present.

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

The reading of the Journal was dispensed with.

The Senate daily Journal of Thursday, May 19, 1949, was further corrected as follows:

Page 2, column 2, strike out lines 19 to 59, both inclusive, and insert in lieu thereof the following:

S. B. No. 371—A bill to be entitled An Act amending Sections 561.01, 561.07, 561.14, 561.16, 561.17, 561.20, 561.22, 561.23, 561.26, 561.27, 561.32, 561.33, 561.39, 561.44, 561.53, 561.57, 561.58, 562.11, 562.13, 562.17, 562.22, 562.38, 562.40, 562.43, Florida Statutes, 1941, and Section 2, Chapter 22026, Laws of Florida, Acts of 1943, also designated as Section 561.63, 1943 Cumulative Supplement, Florida Statutes, 1941, all relating to the administration, regulation, transportation, manufacturing, distribution and sales under the beverage laws of the State of Florida and enforcement thereof; providing for definitions of certain terms used in the Beverage Laws; providing for powers and duties of supervisors and the classification of beverage licensees; designating persons not entitled to a license; providing for license applications and contents thereof and procedure upon disapproval by County Commissioners or director of license application; limiting the number of licenses to be issued according to population and exceptions therefrom; prohibiting the licensing of manufacturers and distributors as vendors; providing for issuance of licenses in triplicate and the display on premises; designating the terms of license; and abolishing licenses issued for periods of six months from date of issuance; providing for the renewal of licenses without approval; providing for the transfer of licenses and the movement of licensees to new locations; providing that the license tax be collected by the County Tax Collector; providing for zoning by municipalities and counties; authorizing director to compromise violations of the beverage laws; providing for deliveries by licensees away from places of business; providing for issuance of licenses to locations where prior license revoked; prohibiting sale of mixed drinks by certain licensees; prohibiting the selling, giving, or serving of alcoholic beverages to minors; providing for the collection of unpaid beverage taxes; providing for certain cash deposits on beer sales; reporting of seizures to director by sheriffs; providing for forfeiture procedure of property valued in excess of one thousand dollars; providing for compromise and disposal of proceeds arising from forfeitures; and providing for penalties for the violation of the beverage laws, Chapters 561 and 562, Florida Statutes, 1941, as amended, including amendments made by this law; and repealing Section 561.28, Florida Statutes, 1941.

And as further corrected was approved.

The Senate daily Journal of Friday, May 20, 1949, was corrected as follows:

Page 25, column 2, line 17, strike out the figures "125" and insert in lieu thereof the figures "1025".

Also—

Page 54, column 2, line 23, counting from the bottom of the column, strike out the figures "646" and insert in lieu thereof the figures "648".

Also—

Page 54, column 2, line 24, counting from the bottom of the column, strike out the figures "646" and insert in lieu thereof the figures "648".

Also—

Page 55, column 2, line 33, strike out the word "therefor" and insert in lieu thereof the word "therefore".

And as corrected was approved.

REPORTS OF COMMITTEES

Senator Sheldon, Chairman of the Committee on Judiciary "A", reported that the committee had carefully considered the following Bills:

S. B. No. 393—A bill to be entitled An Act to amend Section 440.39, Florida Statutes, 1941, as amended by Section 1, Chapter 23822, Acts of 1947, Laws of Florida, relating to the payment of workmen's compensation and benefits where the employee is injured or killed by the negligence or wrongful act of another other than the employer and remedies and suits against such third parties.

S. B. No. 772—A bill to be entitled An Act to render uniform the number of names to be placed in the jury box in counties having a jury commission and those not having such.

H. B. No. 457—A bill to be entitled An Act declaring that rent control is no longer necessary in the State of Florida and providing notice to the Federal housing expediter of such fact.

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

H. B. No. 93—A bill to be entitled An Act to provide for creation of sanitary districts within the State of Florida, to incorporate same, and to provide for the government thereof: to provide for the construction, maintenance, operation, purchase or condemnation of water supply, sewerage, and refuse disposal systems: to provide for various methods of financing of such construction, maintenance, operation and control: and the operation, maintenance, regulation and control of said systems; and for other purposes.

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

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

ENGROSSING REPORTS

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

S. B. No. 205—A bill to be entitled An Act abolishing Gulf Beach Service District in Pinellas County, Florida, created pursuant to the provisions of Chapter 24824, Laws of Florida, 1947, and creating and establishing a Special Service District in certain Beach areas of Pinellas County, Florida, to be

known and designated as "Gulf Beach Service District;" defining the territory included therein and dividing such territory into seven (7) Commissioner Precincts; providing that said Gulf Beach Service District shall be and is a body politic and corporate for the purpose of exercising powers relating to public health and public safety; providing for the government and administration of said district and for the election of a Board of Commissioners; prescribing the general powers, duties, privileges and liabilities of said district and of its Board of Commissioners; conferring upon said district the power to lease, purchase, own and convey property, not necessary for its use, and to exercise the power of eminent domain; authorizing the establishment of rules, regulations and ordinances by the governing authority of said district and providing for the enforcement thereof; authorizing said district to determine, set, impose and collect service charges or assessments for special benefits, or both; authorizing said district to borrow money and to issue negotiable bonds, revenue certificates, notes, debentures, certificates of indebtedness and other obligations; authorizing said district to construct, install, erect and maintain a sewer system or systems, police department or departments, fire department or departments in all or any part of said district as may be designated by resolution by the Board of Commissioners and to levy service charges against the owners and occupants of the property benefited by said improvement to pay for the cost thereof; authorizing the said district to borrow money and issue its bonds to procure money to pay for the cost of said services and to levy service charges against the owners and occupants of the property benefited to pay for said bonds and the interest thereon; authorizing said district to levy special assessments upon real property benefited by any service authorized by this Act; authorizing said district to receive and accept grants, contributions or loans and to enter into contracts with any governmental entity, agency, politic subdivision, public or private corporation or individual when the commissioners deem it necessary or advisable to provide the services herein authorized; requiring a referendum vote as a condition precedent to this Act becoming effective; and repealing all laws in conflict herewith.

—begs leave to report that the House 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. 205, 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 House amendment, for engrossing—

S. B. No. 476—A bill to be entitled An Act amending Chapter 15824, Acts of 1931; prescribing requirements for authorization of municipal improvements at large; and manner and method of payment of special assessments therefor.

—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 Bill No. 476, 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 House amendments, for engrossing—

S. B. No. 433—A bill to be entitled An Act to amend Section 374.13, Florida Statutes, 1941, relating to the taking of shrimp or prawn by cast net only from the inside waters of the State; providing that sport fishing shall be exempt from such requirement where such shrimp are to be used solely for live bait, in counties having a population not less than 140,000, nor more than 270,000, according to the last State census; exempt shrimp not to be exported, sold, or shipped outside exempting counties.

—begs leave to report that the House 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. 433, 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 House amendment, for engrossing—

S. B. No. 421—A bill to be entitled An Act requiring the Board of County Commissioners and the Board of Public Instruction in and for Washington County, Florida, on and after October 1, 1949, to publish minutes of their respective sessions in a newspaper of general circulation printed and published in said county, or in lieu thereof, under stated circumstances, to publish such minutes by posting copies thereof on the bulletin board at the county court house in said county; requiring the appropriation by each of said boards of a sum of \$300.00 annually to pay for such publication; and providing for removal of members of said respective boards, their clerks or secretaries, refusing to comply with the provisions of this Act.

—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 Bill No. 421, 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 House amendment, for engrossing—

S. B. No. 648—A bill to be entitled An Act recreating, confirming and continuing Miami Shores Village, a municipal corporation in Dade County, Florida; ratifying all taxes levied and acts done by its officers; consolidating, superseding and amending prior acts affecting said village, including Chapters 15689, 15690, 16568, 17610, 18698, 21402, 21403, 22404, 24715, 24716, Laws of Florida (Acts of 1931, 1933, 1935, 1937, 1941, 1943, 1947), and repealing all laws so far as inconsistent with this act; saving all rights, remedies and defenses of said village; declaring a rule of construction; and relating generally to said village.

—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 Bill No. 648, 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. 830—A bill to be entitled An Act affecting the government of the City of Jacksonville; abolishing the recreation board and providing for a Recreation Department for said city under the control and direction of the City Commission; prescribing the powers and duties of the City Commission with reference thereto; reenacting the tax for recreation purposes, and providing for the use and disposition of same and the revenues of the Recreation Department; authorizing the issuance of revenue certificates to finance the cost of providing recreation facilities; repealing Chapter 24618, Laws of Florida, Acts of 1947, Chapter 9788, Laws of Florida, Acts of 1923, as amended by Chapter 18620, Laws of Florida, Acts of 1937, and all laws and parts of laws in conflict here-

with; and providing that this act shall take effect the third Tuesday in June, 1951.

—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. 830, contained in the above report was ordered certified to the House of Representatives.

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

S. B. No. 646—A bill to be entitled An Act recreating, confirming and continuing the town of Surfside, a municipal corporation in Dade County, Florida, to be known henceforth and in perpetuity under the name of the Town of Surfside, a municipal corporation in Dade County, Florida, ratifying, approving and confirming its boundaries; prescribing its powers; prescribing qualifications of its electors; ratifying all taxes levied and acts done by its officers; repealing all laws inconsistent with this act; saving all rights, remedies and defenses of said municipality; declaring a rule of construction; enumerating the powers of its officers; enumerating its officers; prescribing procedures for election, appointment and removal of its officers and all matters relating generally to the powers and implied powers of this municipality.

—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 Bill No. 646, 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 House amendments, for engrossing—

S. B. No. 487—A bill to be entitled An Act to amend Section (21) Twenty-one Chapter 9767 (649) Laws of Florida 1923 by adding subsection "A" providing that the City Council may issue certificates of indebtedness in the amount of \$25,000.00 and providing for the repayment thereof.

—begs leave to report that the House 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. 487, 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 House amendments, for engrossing—

S. B. No. 434—A bill to be entitled An Act to amend Chapter 24268, Laws of Florida, 1947, relating to salt water fisheries; regulating the taking of shrimp from the salt waters of Florida; defining salt waters; prohibiting the taking of shrimp less than a minimum size; providing that sport fishing in counties having less than 270,000, and more than 140,000 population at last State Census, shall be exempt from such requirement where such is to be used solely for live bait; providing a penalty for the violation thereof; exempt shrimp not to be exported beyond exempted counties.

—begs leave to report that the House 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. 434, 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 House amendment, for engrossing—

S. B. No. 645—A bill to be entitled An Act relating to the City of Jacksonville, Florida, authorizing the City of Jacksonville, Florida, to accept as a gift from Mrs. Dorcas B. Foster, a tug boat known as "Three Friends", and also permitting the said City of Jacksonville, Florida to appropriate from the General funds of said city, a sum not exceeding fifty thousand dollars (\$50,000) for the purpose of placing the said tug boat in a permanent location and thereafter to maintain said tug boat as a historical exhibit and to charge admission to certain persons who desire to see the said exhibition as a historical relic and as a museum.

—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 Bill No. 645, contained in the above report was referred to the Secretary of the Senate as Ex-Officio Enrolling Clerk, for enrolling.

Senator Boyle asked unanimous consent of the Senate to take up and consider House Bill No. 1066, out of its order, at this time.

Which was agreed to.

H. B. No. 1066—A bill to be entitled An Act to establish a municipal corporation to be known as the Town of Whispering Hills Golf Estates in Brevard County, Florida; to fix its territorial limits; to provide for its jurisdiction, powers and privileges of said town and its officers.

Was taken up.

Senator Boyle moved that the rules be waived and House Bill No. 1066 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1066 was read the second time by title only.

Senator Boyle moved that the rules be further waived and House Bill No. 1066 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. 1066 was read the third time in full.

Upon the passage of House Bill No. 1066 the roll was called and the vote was:

Yeas—38

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

Nays—None

So House Bill No. 1066 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Boyle asked unanimous consent of the Senate to take up and consider House Bill No. 924, out of its order, at this time.

Which was agreed to.

H. B. No. 924—A bill to be entitled An Act to fix the annual

compensation and the basis of computing the amount thereof, of the County Superintendent of Public Instruction of Brevard County, Florida.

Was taken up.

Senator Boyle moved that the rules be waived and House Bill No. 924 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 924 was read the second time by title only.

Senator Boyle moved that the rules be further waived and House Bill No. 924 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. 924 was read the third time in full.

Upon the passage of House Bill No. 924 the roll was called and the vote was:

Yeas—38

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

Nays—None

So House Bill No. 924 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Boyle asked unanimous consent of the Senate to take up and consider House Bill No. 980, out of its order, at this time.

Which was agreed to.

H. B. No. 980—A bill to be entitled An Act, authorizing the City of Titusville, Florida, to sell certain lands owned by said city and formerly dedicated by said city for park purposes.

Was taken up.

Senator Boyle moved that the rules be waived and House Bill No. 980 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 980 was read the second time by title only.

Senator Boyle moved that the rules be further waived and House Bill No. 980 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. 980 was read the third time in full.

Upon the passage of House Bill No. 980 the roll was called and the vote was:

Yeas—38

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

Nays—None

So House Bill No. 980 passed, title as stated, and the action

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

Senator Sheldon moved that the rules be waived and the Senate then reconsider the vote by which Senate Bill No. 811 passed the Senate on May 19, 1949.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which Senate Bill No. 811 passed the Senate on May 19, 1949.

The question recurred on the passage of Senate Bill No. 811.

Pending roll call on the passage of Senate Bill No. 811, Senator Sheldon moved that the further consideration thereof be informally passed.

Which was agreed to and Senate Bill No. 811 was placed on the Calendar of Local Bills, pending roll call.

Senator Getzen moved that the rules be waived and the Senate then reconsider the vote by which House Bill No. 988 passed the Senate on May 20, 1949.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which House Bill No. 988 passed the Senate on May 20, 1949.

The question recurred on the passage of House Bill No. 988.

Pending roll call on the passage of House Bill No. 988, Senator Getzen moved that the further consideration thereof be informally passed.

Which was agreed to and House Bill No. 988 was placed on the Calendar of Local Bills, pending roll call.

Senator Carroll moved that the rules be waived and the Senate then reconsider the vote by which House Bill No. 932 passed the Senate on May 20, 1949.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which House Bill No. 932 passed the Senate on May 20, 1949.

The question recurred on the passage of House Bill No. 932.

Pending roll call on the passage of House Bill No. 932, Senator Carroll moved that House Bill No. 932 be referred to the Committee on Public Roads and Highways.

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

Senator Shivers moved that the rules be waived and the Senate then reconsider the vote by which House Bill No. 1107 passed the Senate on May 20, 1949.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which House Bill No. 1107 passed the Senate on May 20, 1949.

The question recurred on the passage of House Bill No. 1107.

Pending roll call on the passage of House Bill No. 1107, Senator Shivers moved that House Bill No. 1107 be referred to an appropriate Committee for study.

Which was agreed to and House Bill No. 1107 was referred to the Committee on Public Roads and Highways.

Senator Shivers moved that the rules be waived and the Senate then reconsider the vote by which House Bill No. 1111 passed the Senate on May 20, 1949.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which House Bill No. 1111 passed the Senate on May 20, 1949.

The question recurred on the passage of House Bill No. 1111.

Pending roll call on the passage of House Bill No. 1111, Senator Shivers moved that House Bill No. 1111 be referred to an appropriate Committee for further study.

Which was agreed to, and House Bill No. 1111 was referred to the Committee on Public Roads and Highways.

Senator Sheldon moved that Senate Bill No. 101, reported unfavorably by the Committee on Finance and Taxation on April 13, 1949, be removed from the table and recommitted

to the Committee on Finance and Taxation for further consideration.

Which was agreed to and it was so ordered.

**REPORT OF CONFERENCE COMMITTEE ON
SENATE BILL NO. 34**

S. B. No. 34—A bill to be entitled An Act relating to livestock, providing for the fencing thereof, liability of the owner of livestock running at large or straying, impounding and sale of such livestock, duty of county commissioners and sheriffs hereunder, punishment for violation of the provisions hereof, holding elections to reject the provisions hereof and repealing all laws and parts of laws in conflict herewith.

Was taken up.

The following Conference Committee Report was received and read:

*Hon. Newman C. Brackin,
President of the Senate.
Honorable Perry E. Murray,
Speaker, House of Representatives,
Sirs:*

Your Committee heretofore appointed to adjust the differences between the Senate and the House of Representatives arising out of House amendments to Senate Bill No. 34, beg leave to report that they have considered the same and that a majority of your Committee recommend as follows:

"Strike out everything after the enacting clause to Senate Bill No. 34 and insert in lieu thereof the following amendment:

Amendment No. 1—

Section 1. Legislative findings.—There is hereby found and declared a necessity for a statewide livestock law embracing all public roads of the State of Florida and necessity that its application be uniform throughout the state, except as hereinafter provided.

Section 2. Definitions.—In construing this chapter the following words, phrases or terms shall be held to mean:

(1) "Livestock" shall include all animals of the equine, bovine or swine class, including goats, sheep, mules, horses, hogs, cattle and other grazing animals.

(2) "Owner" shall include any person, association, firm or corporation, natural or artificial, owning or having custody of or in charge of livestock.

(3) "Running at large" or "straying" shall mean any livestock found or being on any public roads of this state and not under manual control of a person.

(4) "Public Roads" as used herein shall mean those highways within the state which are, or may be, maintained by the state road department, including the full width of the right of way.

Section 3. Duty of owner.—No owner shall permit livestock to run at large on or stray upon the public roads of this state.

Section 4. Liability of owner.—Every owner of livestock who intentionally, wilfully, carelessly or negligently suffers or permits such livestock to run at large upon or stray upon the public roads of this state shall be liable in damages for all injury and property damage sustained by any person by reason thereof.

Section 5. Authority to impound livestock running at large or strays.—It shall be the duty of the sheriff or his deputies or any other law enforcement officer of the county or state highway patrolmen, where livestock is found to be running at large or straying, to take up, confine, hold and impound any such livestock, to be disposed of as hereinafter provided.

Section 6. Disposition of impounded livestock.—Upon the impounding of any livestock by the sheriff or his deputies or any other law enforcement officers of the county or state highway patrolmen, the sheriff shall forthwith serve written notice upon the owner, advising such owner of the location or place where the livestock is being held and impounded,

the amount due by reason of such impounding, and that unless such livestock be redeemed within three days from date thereof that the same shall be offered for sale.

In the event the owner of such livestock is unknown or cannot be found, service upon the owner shall be obtained by once publishing a notice in a newspaper of general circulation where the livestock is impounded (Sundays and holidays excluded). If there be no such newspaper then by posting of the notice at the court house door and at two other conspicuous places within said county.

Such notice shall be in substantially the following form:

"To Whom It May Concern:

You are hereby notified that the following described livestock (giving full and accurate description of same, including marks and brands) is now impounded at (giving location where livestock is impounded) and the amount due by reason of such impounding is dollars. The above described livestock will, unless redeemed within three days from date hereof, be offered for sale at public auction to the highest and best bidder for cash

Date Sheriff of County, Florida

Unless the impounded livestock is redeemed within three days from date of notice, the sheriff shall forthwith give notice of sale thereof which shall be held not less than five days nor more than ten days (excluding Sundays and holidays) from the first publication of the notice of sale. Said notice of sale shall be published in a newspaper of general circulation in the said county (excluding Sundays and holidays) and by posting a copy of such notice at the court house door. If there be no such newspaper then by posting such copy at the court house door and at two other conspicuous places in said county.

Such notice of sale shall be in substantially the following form:

"(Name of owner, if known, otherwise "To Whom It May Concern") you are hereby notified that I will offer for sale and sell at public sale to the highest and best bidder for cash the following described livestock (giving full and accurate description of each head of livestock) at o'clock, M. (the hour of sale to be between 11 o'clock A. M. and 2 o'clock P. M. Eastern Standard Time) on the day of at the following place (which place shall be where the livestock is impounded or at the place provided by the county commissioners for the taking up and keeping of such livestock) to satisfy a claim in the sum of for fees, expenses for feeding and care and costs hereof.

Date Sheriff of County, Florida

Section 7. Fees.—The fees allowed for impounding, serving notice, care and feeding, advertising, and disposing of impounded animals, shall be as follows:

(1) For impounding each animal, the sum of \$2.50 and mileage as provided by law for the arrest and commitment of prisoners.

(2) For serving any notice and making return thereon, the sum of \$1.50 and mileage provided by law for executing writs in actions at law and making return upon the same.

(3) For feed and care of impounded animals the sum of \$0.50 per day per animal.

(4) For advertising or posting notices of sale of impounded animals, the same as provided by law for advertising property for sale under process.

(5) For sale or other dispositions of impounded animals, the sum of \$1.00.

(6) For report of sale of impounded animals the sum of \$0.50.

Section 8. Failure to secure purchaser or insufficient funds to defray certain costs.—If there be no bidder for such livestock at the sale aforesaid, the sheriff shall kill or cause the same to be killed and shall dispose of the carcass thereof and if there be any money received by him on account of the

said disposal, the same shall be disbursed in the manner hereinafter provided, and if there be no ready sale for said carcass the sheriff shall forthwith deliver the carcass to a public institution of the County, State or municipality within said county, or to any private charitable institution, in the order herein set forth, according to their needs.

Section 9. Report of sale and disposition of proceeds.—

(1) The sheriff, upon making a sale or other disposal as herein provided, shall forthwith make a written return thereof to the clerk of the circuit court of such county, with a full and accurate description of the livestock sold or disposed of by him, to whom, and the sale price thereof, which report shall be filed by said clerk.

(2) At the time of making his return the sheriff shall pay over to the clerk of the circuit court the entire proceeds of the sale.

(3) The clerk of the circuit court shall pay all costs and fees as allowed in section seven of this act if there be any balance remaining, such balance shall be paid to the owner of such livestock, provided the owner shall make satisfactory proof of ownership to the board of county commissioners within ninety days from the date the sheriff reports the sale. If proof of ownership, as aforesaid, be not made within the time mentioned, the clerk shall pay such proceeds into the fine and forfeiture fund of said county. The clerk shall keep a permanent record of all sales, disbursements, and distributions made under this act.

(4) If the amount realized from the sale or other disposition of the animal is insufficient to pay all fees, costs and expenses as provided herein, the deficit shall be paid by the county from its fine and forfeiture fund.

Section 10. Duty of commissioners to provide places for impounding of livestock and transportation of same.—The county commissioners of the several counties of Florida shall establish and maintain pounds or suitable places for the keeping of any livestock taken up and impounded hereunder until the same shall be sold, redeemed or otherwise disposed of. In any case such county commissioners shall provide truck transportation for the impounded animals.

Section 11. Duty of impounder.—The sheriff shall provide feed for the impounded animals and see that such livestock shall have feed and water not less than twice a day and that all milk cows and milk goats are milked twice a day. The sheriff shall employ poundmasters, guards or other persons as may be necessary to protect, feed, care for and have custody of the impounded animals and the sheriff shall be entitled to the fees herein allowed for such feed and care.

Section 12. Right of owner.—The owner of any impounded livestock shall have the right at any time before sale thereof to redeem the same by paying to the sheriff all impounding expenses, including fees, keeping charges, advertising or other costs incurred therewith which sum shall be deposited by the sheriff with the clerk of the circuit court who shall pay all fees and costs as allowed in section 7. In the event there is a dispute as to the amount of such costs and expenses, the owner may give bond with sufficient sureties to be approved by the sheriff, in an amount to be determined by the sheriff, but not exceeding the fair cash value of such livestock, conditioned to pay such costs and damages; thereafter, within ten (10) days, the owner shall institute suit in equity to have the damage adjudicated by a court of equity or referred to a jury if requested by either party to such suit.

Section 13. Penalty.—Any owner of livestock who unlawfully, intentionally, knowingly or negligently permits the same to run at large or stray upon the public roads of this state or any person who shall release livestock, after being impounded, without authority of the impounder, shall be guilty of a misdemeanor and shall be punished by imprisonment in the county jail not exceeding six months, or by fine not exceeding five hundred dollars (\$500.00), or by both such fine and imprisonment.

Section 14. Application; limitation.—The provisions of this act shall not apply to counties having special laws or general laws of local application requiring the confinement and restraint of livestock; provided, however, where the provisions of such special laws or general laws of local application do not prohibit livestock from running upon or straying upon the public highways, or the provisions of such special laws

or general laws of local application do not provide for liability of owners of livestock for damages and injuries caused by such livestock, or provide less severe penalties than imposed by this act, the provisions of this act shall apply in each such case as if the provisions hereof were inserted in full in any such special law or general law of local application. Provided, further, that if any such special law or general law of local application is found unconstitutional or in any way inoperative, then this act shall be in full force and effect in the county, or counties, affected.

Section 15. It is the intent of the legislature that the provisions of this act are separable and if any provisions shall be held unconstitutional, such decision shall not affect the remainder of this act.

Section 16. All laws or parts of laws in conflict herewith are hereby repealed.

Section 17. This act shall take effect July 1, 1950."

And also the following:

"Strike out the title to Senate Bill No. 34 and insert in lieu thereof the following amendment:

Amendment No. 2—'A bill to be entitled An Act relating to livestock running at large or straying upon public roads; providing for liability of the owner of such livestock; providing for impounding, redemption and sale of such livestock; providing a penalty; providing certain exceptions; repealing all laws and parts of laws in conflict herewith.'

Respectfully submitted,
 HENRY S. BAYNARD,
 A. L. WILSON,
 W. A. SHANDS,
 Managers on the part
 of the Senate.
 THOS. D. BEASLEY,
 IRLO BRONSON,
 GUS J. DEKLE,
 Managers on the part of the
 House of Representatives.

Senator Baynard moved the adoption of the Conference Committee Report.

Which was agreed to and the Conference Committee Report was adopted.

Senator Baynard moved the adoption of Conference Committee Amendment No. 1 to Senate Bill No. 34, as contained in the preceding Conference Committee Report.

Which was agreed to, and Conference Committee Amendment No. 1 to Senate Bill No. 34 was adopted.

Senator Baynard moved the adoption of Conference Committee Amendment No. 2 to Senate Bill No. 34, as contained in the preceding Conference Committee Report.

Which was agreed to, and Conference Committee Amendment No. 2 to Senate Bill No. 34 was adopted.

The question recurred upon the passage of Senate Bill No. 34, as amended by the Conference Committee amendments.

Upon the passage of Senate Bill No. 34, as amended by the Conference Committee amendments, the roll was called and the vote was:

Yeas—28

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

Nays—6

Alford	Johns	Shivers
Davis	Lindler	Wright

So Senate Bill No. 34 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator McArthur—

S. B. No. 850—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. 850 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. 850 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 850 was read the second time by title only.

Senator McArthur moved that the rules be further waived and Senate Bill No. 850 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. 850 was read the third time in full.

Upon the passage of Senate Bill No. 850 the roll was called and the vote was:

Yeas—38

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

Nays—None

So Senate Bill No. 850 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baker—

S. B. No. 851—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Lake County, Florida, to properly police and safeguard the highways in said county, prescribing the mode and method of marking said highways and of erecting lights, signs, or signals, to better safeguard said highways; authorizing said Board of County Commissioners of Lake County, Florida, to prescribe rules and regulations for safeguarding the traffic upon said highways, making a violation of the rules, regulations and orders of the Board of County Commissioners of Lake County, with reference to said highways, a misdemeanor and prescribing punishment therefor; providing the method of enforcing the provisions of this Act.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 851 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. 851 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 851 was read the second time by title only.

Senator Baker offered the following amendment to Senate Bill No. 851:

In Section 1, line ___ (typewritten bill), at the end of Section 1, add the following:

"Provided, however, that no sign, traffic signal, or any rule or regulation upon or affecting any road forming a part of the state highway system, may be lawfully erected, maintained or promulgated unless and until same shall have been approved by the Division of Research and Records of the State Road Department prior to its erection, maintenance or promulgation."

Senator Baker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baker moved that the rules be further waived and Senate Bill No. 851, 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. 851, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 851, as amended, the roll was called and the vote was:

Yeas—38

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

Nays—None

So Senate Bill No. 851 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

By Senator Boyle—

S. B. No. 852—A bill to be entitled An Act to amend subsection (16) of Section 320.01, Florida Statutes, 1941, relating to the definitions of "for hire" vehicles.

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

By Senator Boyle—

S. B. No. 853—A bill to be entitled An Act providing for classification of license for motor vehicles, trailers and semi-trailers, leased without drivers under service contracts, with respect to their registration, license taxes, and license fees.

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

By Senators Beall and Beacham—

S. B. No. 854—A bill to be entitled An Act relating to the procurement of insurance policies by the State Road Department of the State of Florida, for all counties having a population of between 90,000 and 112,400 according to the 1945 Florida State census, with respect to any bridge leased, purchased, constructed or maintained by the use of surplus gasoline tax funds remitted to the State Road Department, as provided by Section 16 (c) Article IX, of the Constitution of Florida, or when such funds or any part thereof are pledged to the payment of bonds, certificates of indebtedness and other obligations; providing for the procurement of such policies from insurance agents doing business in the counties concerned, and providing for the duties of the State Road Department of the State of Florida, and the several Boards of County Commissioners.

Which was read the first time by title only.

Senator Beall moved that the rules be waived and Senate Bill No. 854 be read the second time by title only.

Pending consideration of the motion made by Senator Beall,

Senator Shivers moved as a substitute motion that Senate Bill No. 854 be referred to an appropriate committee for study.

A roll call was demanded.

Upon the adoption of the substitute motion made by Senator Shivers, the roll was called and the vote was:

Yeas—15

Ayers	Clarke	Mathews	Ray
Baker	Gautier	McArthur	Shivers
Boyle	Getzen	Pearce	Wright
Carroll	Lindler	Pope	

Nays—15

Mr. President	Collins	Johnston	Shands
Alford	Davis	King	Smith
Beacham	Franklin	Leaird	Walker
Beall	Johns	Rodgers	

So the substitute motion failed of adoption.

The question recurred on the adoption of the motion made by Senator Beall.

Which was agreed to by a two-thirds vote, and Senate Bill No. 854 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 854 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. 854 was read the third time in full.

Upon the passage of Senate Bill No. 854 the roll was called and the vote was:

Yeas—38

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

Nays—None

So Senate Bill No. 854 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Franklin—

S. B. No. 855—A bill to be entitled An Act for the relief of Louis Baucom for damages caused by the death of a registered bull caused by negligence of State Livestock Sanitary Board in Lee County, Florida, while attempting to dip said bull pursuant to quarantine regulations.

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

By Senator Johns—

S. B. No. 856—A bill to be entitled An Act to empower the County Board of Public Instruction of Bradford County, Florida, to construct, operate, improve and maintain a stadium and athletic field in Starke, Bradford County, Florida and to declare expenditures made therefor to be for a county purpose and to authorize the issuance of revenue bonds under Chapter 181, Florida Statutes, 1941, for the construction, extension and development thereof and to authorize the expenditure of school funds to pay said revenue bonds.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 856 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 Johns moved that the rules be waived and Senate Bill No. 856 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 856 was read the second time by title only.

Senator Johns moved that the rules be further waived and Senate Bill No. 856 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. 856 was read the third time in full.

Upon the passage of Senate Bill No. 856 the roll was called and the vote was:

Yeas—38

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

Nays—None

So Senate Bill No. 856 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johns—

S. B. No. 857—A bill to be entitled An Act ratifying, approving, validating and confirming any and all expenditures and disbursements of money, whether in payment of fees, salaries, wages, purchases, or for any other purpose, made since June 16, 1947, by Boards of County Commissioners in all counties of the State of Florida having a population of not less than 6,000, and not more than 6,075, according to the state census of 1945; and repealing all laws in conflict herewith.

Which was read the first time by title only.

Senator Johns moved that the rules be waived and Senate Bill No. 857 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 857 was read the second time by title only.

Senator Johns moved that the rules be further waived and Senate Bill No. 857 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. 857 was read the third time in full.

Upon the passage of Senate Bill No. 857 the roll was called and the vote was:

Yeas—38

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

Nays—None

So Senate Bill No. 857 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Beacham—

S. B. No. 858—A bill to be entitled An Act granting pension to Annie F. Bond.

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

By Senator Franklin—

S. B. No. 859—A bill to be entitled An Act empowering the Board of County Commissioners of Lee County, Florida, to establish zoning regulations with respect to real property in Lee County, Florida, not within the corporate limits of any municipality, restricting the use of such real property; and to thereafter amend or abolish such zoning regulations; and providing penalties for the violation of any regulations promulgated by said Board of County Commissioners pursuant to the provisions hereof.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 859 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. 859 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 859 was read the second time by title only.

Senator Franklin moved that the rules be further waived and Senate Bill No. 859 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. 859 was read the third time in full.

Upon the passage of Senate Bill No. 859 the roll was called and the vote was:

Yeas—38

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

Nays—None

So Senate Bill No. 859 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Collins—

S. B. No. 860—A bill to be entitled An Act relating to the Game and Fresh Water Fish Commission of Florida, permitting the sale of parcels of land which are no longer needed for conservation purposes, repealing conflicting laws and fixing effective date.

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

By Senator Baker—

S. B. No. 861—A bill to be entitled An Act authorizing the City of Eustis to construct or acquire, and improve or extend, water systems, sewer systems, electric systems, tunnels, bridges, or any other undertakings or facilities from which said city derives or will derive fees, charges or revenues; to establish, fix and collect fees, rentals or other charges for the facilities and services of said undertakings; to issue bonds of said city to finance the cost of the construction, acquisition or improvement of such undertakings, said bonds to be payable from general ad valorem taxes and additionally secured by a pledge of the fees, rentals or other charges received from such undertakings, or to be payable from the fees, rentals or other charges received from such undertakings; to levy and collect taxes on each and every purchase of electricity, metered or bottled gas (natural, liquefied petroleum gas or manufactured), water service, telephone service and telegraph

service within the corporate limits of said city, and to pledge such utilities services taxes for either the general obligation or revenue bonds authorized by this act; providing for the terms and conditions of bonds issued pursuant to this act and the rights and remedies of the holders thereof; to issue refunding bonds and providing for the terms and conditions thereof; authorizing the discontinuance of the services and facilities of any of such undertakings for the non-payment of fees, rentals or other charges therefor; providing for a receiver of such undertakings on default of the city in the payment of bonds issued to finance such undertakings or of covenants with bondholders in connection therewith; providing for covenants of the State of Florida with respect to the rights of holders of bonds issued pursuant to this act; and providing for the additional pledge for bonds issued pursuant to this act of surplus revenues from undertakings other than the undertakings to be financed by the issuance of such bonds; providing for the lease of said undertakings or any part thereof by the city, and the terms and conditions thereof; providing for the sale of bonds issued pursuant to this act and the manner thereof and providing when 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. 861 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. 861 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 861 was read the second time by title only.

Senator Baker moved that the rules be further waived and Senate Bill No. 861 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. 861 was read the third time in full.

Upon the passage of Senate Bill No. 861 the roll was called and the vote was:

Yeas—38

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

Nays—None

So Senate Bill No. 861 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Collins—

S. B. No. 862—A bill to be entitled An Act to change the name of the State Agency presently designated as "Florida Board of Forestry and Parks" to the name "Florida Board of Forestry"; defining its powers and responsibilities; investing it with corporate powers; imposing certain duties, and confirming its ownership of certain property.

Which was read the first time by title only.

Senator Collins moved that the rules be waived and Senate Bill No. 862 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 862 was read the second time by title only.

Senator Collins moved that the rules be further waived and Senate Bill No. 862 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. 862 was read the third time in full.

Upon the passage of Senate Bill No. 862 the roll was called and the vote was:

Yeas—33

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

Nays—None

So Senate Bill No. 862 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator King—

S. B. No. 863—A bill to be entitled An Act to amend Chapter 8943, Special Acts adopted by the Legislature of Florida at its Regular Session of 1921, providing for the time on which elections shall be held in the town of Eagle Lake, Florida, and the time at which the officers of said town shall enter upon their duties, by changing the date on which elections shall be held in said town to the second Tuesday in November, and the date upon which the officers of said town shall enter upon their duties to the first Tuesday after the first Monday in January.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 863 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 King moved that the rules be waived and Senate Bill No. 863 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 863 was read the second time by title only.

Senator King moved that the rules be further waived and Senate Bill No. 863 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. 863 was read the third time in full.

Upon the passage of Senate Bill No. 863 the roll was called and the vote was:

Yeas—38

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

Nays—None

So Senate Bill No. 863 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Collins, Shands and Johns—

Senate Concurrent Resolution No. 864:

WHEREAS, under present State policy, employment schedules provide for a six-day work week, with a total of thirty-

nine hours made up of five seven-hour days and a half day of four hours on Saturday, and

WHEREAS, the Legislature finds that in most instances greater efficiency and economy may be achieved by extending the work week to forty hours but restricting the same to five days, and further that under such a plan substantial advantages will accrue to the State and to the individual employees, NOW THEREFORE

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

Section 1. The Legislature finds and declares that as a general practice and principle the work week of State employees should cover five eight-hour days, and when practicable, all State Departments, agencies, and offices are requested to arrange their employment schedules accordingly.

Which was read the first time in full.

Senator Collins moved that the rules be waived and Senate Concurrent Resolution No. 864 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 864 was read the second time in full.

Pending consideration of Senate Concurrent Resolution No. 864, Senator Alford moved that the rules be waived and Senate Concurrent Resolution No. 864 be referred to the Committee on Governmental Reorganization.

Pending consideration of the motion made by Senator Alford, Senator Sturgis moved as a substitute motion that Senate Concurrent Resolution No. 864 be referred to an appropriate committee for further study.

The question was put on the substitute motion made by Senator Sturgis.

Which was agreed to, and Senate Concurrent Resolution No. 864 was referred to the Committee on Governmental Reorganization.

Senator Sanchez moved that a committee be appointed to escort Colonel Malcolm Claire, Radio Commentator of the Chicago Daily News, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Sanchez, Johnston and Beacham as the committee.

By Senator Tucker—

S. B. No. 865—A bill to be entitled An Act to require the Board of County Commissioners of Wakulla County, Florida to publish the minutes of said board; providing the maximum sum which said board may expend for such publication and providing a penalty for failure to publish the same.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 865 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 Tucker moved that the rules be waived and Senate Bill No. 865 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 865 was read the second time by title only.

Senator Tucker moved that the rules be further waived and Senate Bill No. 865 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. 865 was read the third time in full.

Upon the passage of Senate Bill No. 865 the roll was called and the vote was:

Yeas—38

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

Nays—None

So Senate Bill No. 865 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Tucker—

S. B. No. 866—A bill to be entitled An Act to amend Section 551.12, Florida Statutes, 1941, relating to permits for the licensing and operation of frontons of Jai Alai or Pelota and providing that in no event shall more than one fronton, operating a pari-mutual pool, be licensed to operate within any one county.

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

By Senator Gautier—

S. B. No. 867—A bill to be entitled An Act amending Sections 7 and 8 of Chapter 17833, Laws of Florida 1937, entitled "An Act to empower the Board of County Commissioners in any county having a population of not less than 180,000 according to the last preceding State census to regulate and restrict within territory in said counties, not included in any municipality, the height, number of stories and size of buildings and other structures on land and water, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, the use of land for junk yards and automobile trailer camps and the location and use of buildings, structures and land for trade, industry residence or other specific use of the premises; providing for the division of such counties into districts and within such districts to regulate and restrict the erection and construction, alteration, repair or use of buildings; providing for method of procedure; providing for the appointment of a zoning commission and a Board of Adjustment; providing for remedies and penalties for violation of this Act or of any order or resolution made under authority conferred hereby and conferring upon the County Commissioners of such county so far as may be lawfully conferred the power to prescribe and enforce regulations to effectuate the purposes of this Act" as said Act may have been amended by Chapter 20759, Laws of Florida 1941, Chapter 22808, Laws of Florida 1945 and Chapters 24266 and 24267, Laws of Florida 1947, or by any other laws; and adding an additional section to said Chapter 17833 between Sections 7 and 8 as herein amended, to be known as Section 7A; providing for the appointment of a Board of Adjustment and its powers and duties, and of administrative officials and their powers and duties; providing for certain appeals to such Board of Adjustment from orders, requirements, decisions, determinations or actions of administrative officials; providing for review by the Board of County Commissioners of decisions and actions taken by the Board of Adjustment; limiting the time for taking such appeals or applying for such reviews; providing for application to the Circuit Court of the County for relief in certain cases and limiting the time in which such applications may be made; and repealing all laws and parts of laws in conflict herewith.

Which was read the first time by title only.

Senator Gautier moved that the rules be waived and Senate Bill No. 867 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 867 was read the second time by title only.

Senator Gautier moved that the rules be further waived and Senate Bill No. 867 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. 867 was read the third time in full.

Upon the passage of Senate Bill No. 867 the roll was called and the vote was:

Yeas—38

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

Nays—None

So Senate Bill No. 867 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier—

S. B. No. 868—A bill to be entitled An Act conferring additional powers upon counties having a population in excess of 300,000 according to the last or any future official Federal or State census; authorizing and empowering any such county to acquire, construct, improve, extend, enlarge, reconstruct, maintain, equip, repair and operate certain projects; authorizing and empowering any such county to lease certain of such projects or portions thereof without advertising or public bidding; providing for paying the whole or part of the cost of a project or projects and of extensions and additions thereto and reconstruction thereof and equipment therefor, by issuance of either (1) general obligation bonds of such county payable from ad valorem taxes or from ad valorem taxes and revenues, or (2) revenue bonds of such county payable solely from revenues; providing that any revenue bonds may be made a lien on any such projects; providing for the levy of a sufficient ad valorem tax for the payment of general obligation bonds; providing for the imposition and collection of rates, fees, rentals and other charges for the use of the services and facilities of any such project or projects, and for the application of such revenues; granting to any such county power to acquire necessary real and personal property and to exercise the right of eminent domain; authorizing issuance of revenue refunding bonds; authorizing and empowering the county to adopt and enforce rules and regulations pertaining to internal operation and management of any project and to grant and revoke permits for the use of the same or of any facilities in connection therewith; prescribing the powers and duties of counties in connection with the foregoing and the rights and remedies of the holders of any bonds issued pursuant to the provisions of this act; and declaring all powers granted by this act to be proper county purposes.

Which was read the first time by title only.

Senator Gautier moved that the rules be waived and Senate Bill No. 868 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 868 was read the second time by title only.

Senator Gautier moved that the rules be further waived and Senate Bill No. 868 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. 868 was read the third time in full.

Upon the passage of Senate Bill No. 868 the roll was called and the vote was:

Yeas—38

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

Lindler	Pope	Sheldon	Walker
Mathews	Ray	Shivers	Wilson
McArthur	Rodgers	Smith	Wright
Moore	Sanchez	Sturgis	
Pearce	Shands	Tucker	

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 23, 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 the Committee on Public Roads and Highways—

Senate Memorial No. 427:

A MEMORIAL to the Congress of the United States relative to a transcontinental highway.

WHEREAS it is proposed that the present highway from the Atlantic Coast at Jacksonville, Florida, to the Pacific Coast at Los Angeles, California be widened to four lanes and modernized as a transcontinental super highway, and

WHEREAS many congested areas of the present highway are now four lane or have four lane grades or bridges, and

WHEREAS a modern high speed transcontinental highway is necessary to meet current traffic needs and to afford an all year route, virtually free of snow and ice, to meet transcontinental highway transportation requirements when northern routes are blocked by snow or are hazardous as result of low temperatures, and

WHEREAS the proposed route from the Atlantic to the Pacific skirting the Gulf of Mexico and the Mexican border will afford an all year all weather route where winter temperatures rarely go below the freezing point, and

WHEREAS the proposed route was heavily used for military convoys and other military needs during World War II and is necessary to assure adequate transcontinental all weather highway facilities as a national defense measure, and

WHEREAS the federal taxes on gasoline and motor oil collected by the federal government for the fiscal year 1949 will amount to approximately \$560,000,000 which will be approximately \$100,000,000 in excess of the amount allocated by the federal government for road construction, and

WHEREAS the construction of the proposed highway at this time will materially relieve the growing unemployment problem, therefore

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

1. That the Congress of the United States is respectively petitioned and urged to pass appropriate legislation:

(a). Authorizing and requiring the Federal Bureau of Roads to cooperate with the respective States in the prompt completion of a four lane modern highway from Jacksonville, Florida, on the Atlantic Coast to Los Angeles, California on the Pacific Coast; and that said highway for its entire length from the Atlantic Coast to the Pacific Coast be designated by an appropriate U. S. Highway number.

(b). That the sum of \$250,000,000 be appropriated, to be apportioned on a mileage basis and expended in cooperation with the respective states traversed by said highway, for the prompt construction of the proposed transcontinental super highway.

2. That the Secretary of State is hereby directed to certify a copy of this Memorial to the President of the United States; the presiding officers of the two houses of Congress of the United States, and to the United States Senators and Representatives from Florida.

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

And Senate Memorial No. 427, contained in the above Message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Nays—None

So Senate Bill No. 868 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Tucker—

S. B. No. 869—A bill to be entitled An Act to provide for the disposition of all funds that are now or may hereafter be due Wakulla County, Florida, from race track funds under the provisions of Chapter 14832, Laws of Florida, Acts of 1931, and any acts amendatory thereof or supplemental thereto, or any other race track acts.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 869 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 Tucker moved that the rules be waived and Senate Bill No. 869 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 869 was read the second time by title only.

Senator Tucker moved that the rules be further waived and Senate Bill No. 869 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. 869 was read the third time in full.

Upon the passage of Senate Bill No. 869 the roll was called and the vote was:

Yeas—38

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

Nays—None

So Senate Bill No. 869 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was received:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE
May 20, 1949

Hon. Newman C. Brackin,
President of the Senate.
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. 733, Relating to Dade County.

Respectfully,
FULLER WARREN,
Governor.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 23, 1949.

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

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

By Senator Beacham—

S. B. No. 202—A bill to be entitled An Act relating to the assessment and collection of drainage and sub-drainage district taxes; providing payment to the tax assessors and tax collectors for their services and defining the character of such services and making disposition of various payments; providing certain exceptions for the application of this Act.

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

And Senate Bill No. 202, contained in the above Message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 23, 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. Surlles and Smith of Polk—

H. B. No. 376—A bill to be entitled An Act to amend Section 32.07, Florida Statutes, 1941, as amended by Chapters 23689, 23710, and 24107, Laws of Florida, 1947, being An Act fixing the salaries of the Judges of the Criminal Court of Record of the State of Florida, by providing an additional classification therein.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 376, contained in the above Message, was read the first time by title only.

Senator King moved that the rules be waived and House Bill No. 376 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 376 was read the second time by title only.

Senator King moved that the rules be further waived and House Bill No. 376 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. 376 was read the third time in full.

Upon the passage of House Bill No. 376 the roll was called and the vote was:

Yeas—38

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

Nays—None

So House Bill No. 376 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 20, 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 Johnston—

S. B. No. 265—A bill to be entitled An Act providing that nominees for the office of County Commissioner of Hernando County shall be nominated in primary elections from the County at large, provided that candidates for nomination shall be citizens and residents of the respective County Commissioner's Districts and qualified electors in said District; providing for a referendum election to determine whether this Act shall become effective.

Which Amendments read as follows:

Amendment No. 1—

In Section 2, of the bill, strike all of Section 2 and insert the following in lieu thereof: This Act shall not become effective until the same be ratified by a majority of the qualified electors of Hernando County, Florida. An election shall be called and held for the purpose of ratification or rejection hereof. Said election shall be called and held at the time of the general election to be held in the year 1950, provided however that not less than 30 days notice of said election shall be published immediately prior to the holding of such election by the Clerk of the Circuit Court of said county.

Amendment No. 2—

In Section 3, of the bill, strike out all of Section 3, and re-number Section 4 as Section 3.

—and respectfully requests the concurrence of the Senate therein.

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

And Senate Bill No. 265, contained in the above Message, was read by title, together with the House Amendments thereto.

Senator Johnston moved that the Senate do not concur in House Amendment No. 1 to Senate Bill No. 265.

Which was agreed to and the Senate refused to concur in House Amendment No. 1 to Senate Bill No. 265.

Senator Johnston moved that the Senate do not concur in House Amendment No. 2 to Senate Bill No. 265.

Which was agreed to and the Senate refused to concur in House Amendment No. 2 to Senate Bill No. 265.

Senator Johnston moved that the House of Representatives be requested to recede from House Amendments Nos. 1 and 2 to Senate Bill No. 265.

Which was agreed to 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 23, 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 with amendment—

By Senators Baker, Getzen, Crary, Rodgers, Boyle, Johnston, Brackin, Sheldon, Mathews, and Sturgis—

S. B. No. 123—A bill to be entitled An Act to provide for the regulation and the control of the Citrus Industry of the State of Florida; to amend Section 1 of Chapter 22535, Laws of Florida 1945, being Section 595.01 Florida Statutes 1941 as amended, relating to the creation and establishment of the Florida Citrus Commission and prescribing the qualifications and terms of office of members thereof; to amend Section 1 of Chapter 23680, Laws of Florida 1947, being Section 595.07, Florida Statutes 1941, as amended, relating to the general powers of the commission, by increasing their powers and among other things giving them power to regulate the canning and concentrating of citrus products and increasing the overhead expense of the commission; to establish and define certain grades and standards for citrus fruits produced in the State of Florida and the canned and concentrated products thereof; to establish and define maturity standards for citrus fruits produced in the State of Florida; to provide for the inspection and certification of citrus fruits produced in the State of Florida and canned and concentrated products thereof and to define the duties of the Commissioner of Agriculture in relation thereto; to provide for the licensing and registration, and the revocation of such, of citrus fruit packing houses and canning and concentrating plants of citrus fruits; to prohibit shipment or use of citrus fruits produced in the State of Florida and canned or concentrated products thereof not meeting standards set up by this Act or regulations of the Florida Citrus Commission; to define and provide for the licensing and bonding of citrus fruit dealers and for the revocation of such licenses; to provide for the assessment, levy, collection, and disbursement of certain advertising taxes, inspection taxes, and excise taxes on citrus fruits produced in the State of Florida; to define the duties of the Commissioner of Agriculture in relation to the administration and enforcement of laws dealing with citrus fruits produced in the State of Florida; to provide for the regulation of the manufacture and use of coloring matter to be used in the coloring of citrus fruits produced in the State of Florida; to prohibit the use of arsenic in certain particulars; to provide penalties for the violation of this Act and any rules and regulations of the Florida Citrus Commission or the Commissioner of Agriculture of the State of Florida promulgated hereunder; and to repeal Chapters 594, 595 (except Sections 595.01 and 595.07), 596, 597, 598, 599 and 600, Florida Statutes, 1941, and any and all laws in conflict herewith.

Which amendment reads as follows:

On page 84 between Section 109 and Section 110, add the following section:

SECTION 109½. Any citrus producer may transport his own citrus fruit or any citrus fruit may be sold or purchased and transported in interstate or intrastate commerce in truck-load lots direct from a producer and any such fruit so sold, purchased or transported need not be processed, handled by any packing house, washed, polished, graded, stamped, labeled, branded, placed in containers or otherwise prepared for market as may be provided herein. Such fruit shall be certified at the time of inspection as tree run grade of fruit but shall, otherwise, remain subject to the maturity standards and all other conditions, restrictions, embargoes and other requirements of this Act and shall be inspected for such compliance as all other fruit is inspected at such convenient locations as may be determined by the Commissioner. Any such fruit violating any of the provisions of this Act, or any rule or regulation of the Commission made pursuant to this Act, but not inconsistent with this section, may be seized, condemned and destroyed as provided herein. At the time of such inspection all fees, assessments and excise taxes provided in this Act shall be paid and collected at the same rate as paid by all other fresh fruit growers or shippers.

—and respectfully requests the concurrence of the Senate therein.

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

And Senate Bill No. 123, contained in the above Message, was read by title, together with the House Amendment thereto.

Senator Baker moved that the Senate do concur in the House Amendment to Senate Bill No. 123.

Pending consideration of the motion made by Senator Baker, Senator King moved as a substitute motion that the Senate refuse to concur in the House Amendment to Senate Bill No. 123.

The question was put on the substitute motion made by Senator King.

Which was not agreed to.

The question recurred upon the adoption of the motion made by Senator Baker.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 123.

And Senate Bill No. 123, 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

Pursuant to the motion made by Senator Shands on May 19, 1949, and the hour having arrived, the Senate took up for consideration Senate Bill No. 329 as a Special and Continuing Order.

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

Was taken up.

Senator Shands moved that the rules be waived and Senate Bill No. 329 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 329 was read the second time by title only.

Senators Mathews, Sheldon and Gautier offered the following amendment to Senate Bill No. 329:

Strike all of the bill following the enacting clause and insert in lieu thereof the following:

Section 1. There is hereby created a co-educational school of medicine, dentistry, and nursing which is to be a component part of the University of Florida, and to be located, operated and conducted at a place and in the manner hereinafter set forth.

Section 2. The location of said school of medicine, dentistry, and nursing shall be selected by the Board of Commissioners of State Institutions and designated by said Board within a municipality or county which shall, within twelve months from the effective date of this Act, offer and agree to provide the following:

a. The land to be used as the site for said school.

b. One million dollars to be used for the sole purpose of constructing an administration and academic building providing medical science classrooms.

c. A general hospital and facilities with a minimum rated bed-capacity of four hundred beds owned or operated by said city or county, with the understanding that said hospital facilities will be made available to said school.

d. A resolution or ordinance by the municipality or county owning or operating said hospital facilities committing said municipality or county to continue to operate and maintain said hospital facilities and provide the necessary funds therefor.

Section 3. That following the selection of a site in the manner herein prescribed, the Board of Control shall forthwith, under and subject to the control and supervision of the State Board of Education of Florida, establish, maintain and operate said school; and, it is hereby authorized and directed to do and perform all things necessary for the establishment, maintenance and operation of said school, including the right to acquire, use and dispose of cadavers necessary for its educational and scientific purposes, other provisions of the law to the contrary notwithstanding.

Section 4. Any city or county of the State of Florida may raise any moneys necessary for the purpose of carrying out or putting into effect the provisions of this Act, by a levy of general taxes or by issuance of general revenue bonds, or both, of said city or county; and said project is hereby declared to be a municipal and a county purpose.

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

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

Senator Gautier moved the adoption of the amendment.

Pending consideration of the amendment offered by Senators Mathews, Sheldon and Gautier to Senate Bill No. 329, the hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 1:06 o'clock P. M., until 11:00 o'clock A. M., Tuesday, May 24, 1949.