

JOURNAL OF THE SENATE

Monday, April 16, 1951

75

The Senate convened at 3:00 o'clock P. M., pursuant to adjournment on Friday, April 13, 1951.

The President in the Chair:

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

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

—38.

A quorum present.

The following prayer was offered by the Senate Chaplain, Reverend Walter R. Faust:

"Our God and help in ages past, we thank Thee that in every hour of peril Thou hast taken the helm of our Ship of State and piloted us safely through the storm. As Thou has not failed us in yesteryears, the tomorrows with all their sinister shadows can be safely committed to Thee. Bestow upon the Legislators of this Chamber both the will and the mind to discharge their duties to our State with efficiency.

"At this sad hour, when the mortal remains of the brutally murdered Sheriff of Marion County, Ed. Porter, are committed to the earth whence they came, grant Thy peace, and the comfort which Thou alone canst bestow, upon the bereaved widow, the little daughter and his parents. May the memory of his unselfish devotion to duty spur us on to greater achievement for God, our State and nation.

"In Jesus name, Amen."

The reading of the Journal was dispensed with.

The Senate daily Journal of Thursday, April 12, 1951, was further corrected as follows:

Page 3, column 2, strike out line 6 and insert in lieu thereof the following:

"By Senator Johnston—"

Also—

Page 4, column 2, strike out lines 10, 11, 12, 13, 14 and 15, counting from the bottom of the column, and insert in lieu thereof the following:

"By Senators Shivers and Franklin—"

S. B. No. 200—A bill to be entitled An Act relating to the establishment of a two per cent limited sales and use tax; providing for certain exemptions; providing a comprehensive plan of administration and enforcement; providing for the distribution of the proceeds collected; making an appropriation; and repealing Chapter 26,319, Laws of Florida, Acts of 1949."

Also—

Page 5, column 1, strike out line 16 and insert in lieu thereof the following:

"By Senators Branch and Wright—"

And as further corrected was approved.

The Senate daily Journal of Friday, April 13, 1951, was corrected as follows:

Page 7, column 1, at the end of line 21, strike out the letters "etc." and insert in lieu thereof the following:

"—and providing for certain exceptions," and being Section 167.361, Florida Statutes, 1949, shall in all respects apply in municipalities accepting the provisions thereof, and requiring each municipality to which said Chapter 23795 does not now apply to conduct a referendum of the electors for acceptance or rejection of said Chapter 23795 at the next general municipal election, after filing of certain petition."

And as corrected was approved.

REPORTS OF COMMITTEES

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

S. B. No. 63—A bill to be entitled An Act amending Section 90.07, Florida Statutes, relating to witnesses and providing that a full pardon shall restore the right of convicted perjurers to testify in the courts of this State.

S. B. No. 66—A bill to be entitled An Act amending Subsection (2) of Section 40.01 and Subsection (1) of Section 40.07, Florida Statutes, relating to disqualifications of jurors resulting from certain criminal convictions.

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

S. B. No. 135—A bill to be entitled An Act relating to injunction and allowing Circuit Judges to assess damages upon injunction bonds upon dissolution of injunction, with certain limitations.

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

S. B. No. 175—A bill to be entitled An Act to amend Section 26.02, Florida Statutes, relating to Circuit Court of First Judicial Circuit of Florida, by increasing number of Judges thereof; and requiring that not more than one Judge of said Court can come from each county; and providing for the appointment of a third judge.

—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 Ayers, Chairman of the Committee on Oil and Natural Resources, reported that the Committee had carefully considered the following Bill:

S. B. No. 62—A bill to be entitled An Act to amend Section 270.11, Florida Statutes, relating to contracts for the sale of public lands and requiring the reservation of certain mineral rights in the State.

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

S. B. No. 70—A bill to be entitled An Act to permit the Court in a tort action to instruct the jury when awarding damages to itemize the various sums allowed for each element of damage; and repealing all laws or parts of laws in conflict therewith.

—and recommends that it do not pass.

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

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

S. B. No. 127—A bill to be entitled An Act relating to liability insurance coverage of and suits against the State of Florida, Counties of the State and other political subdivisions and entities of the State, for personal injury and property damage resulting from the negligence or wrongful act of its officers, agents and employees.

—and recommends that it do pass with the committee amendment as attached thereto.

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

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

S. B. No. 93—A bill to be entitled An Act to amend Section 733.37, Florida Statutes of 1949, relating to the Florida Probate Law, by amending the provisions thereof with respect to partnerships.

—and recommends that it do pass with committee amendments as attached thereto.

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

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

S. B. No. 92—A bill to be entitled An Act to amend Section 731.34, Florida Statutes of 1949, relating to the Florida Probate Law, by amending the provisions thereof with respect to liability of widow's dower for proportionate share of estate and inheritance taxes.

—and recommends that it do pass with the committee amendment as attached thereto.

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

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

S. B. No. 128—A bill to be entitled An Act to amend Section 440.39, Florida Statutes 1949, relating to the payment of workmen's compensation benefits where the employee is injured or killed by the negligence or wrongful act of a third party tort-feasor and actions at law and other remedies against such third parties.

—and recommends that it do pass with the committee amendment as attached thereto.

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

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

S. B. No. 140—A bill to be entitled An Act to amend Section 839.09, Florida Statutes, relating to prohibitions against certain purchases by State, County and Municipal Boards or Councils.

—and recommends that it do pass with the committee amendment as attached thereto.

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

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

S. B. No. 28—A bill to be entitled An Act relating to Motor Vehicles; amending Section 320.07, Florida Statutes.

—and recommends that it do pass with the committee amendment as attached thereto.

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

Senator Ripley, Chairman of the Committee on Judiciary "C", reported that the Committee had carefully considered the following Bills:

S. B. No. 11—A bill to be entitled An Act to amend Section 849.09, Florida Statutes, 1949, relating to lotteries; and to provide the effective date hereof.

S. B. No. 12—A bill to be entitled An Act relating to gambling, gambling contracts and gambling losses; declaring void gambling contracts not expressly authorized by law; providing for the recovery of money and things of value, or the value thereof, lost in such transactions and paid or delivered and also, for the use and benefit of the State of Florida, of an amount equal to the amount of money lost and paid and the value of the thing of value lost and delivered; providing for the recovery of reasonable attorneys' fees; prescribing the persons who may maintain such suits and the persons against whom such suits may be brought; prescribing that attachment, garnishment and replevin shall be available to the plaintiffs in such suits; providing immunity from prosecution for the losers of money or property involved in such suits who testify or produce evidence therein; prescribing the duties of the State Attorney with respect to such suits; prescribing procedure in such suits; and prescribing the effective date hereof.

—and recommends that they do pass with committee amendments as attached thereto.

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

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

S. B. No. 152—A bill to be entitled An Act amending Section 372.61, Florida Statutes, 1941, relating to reports and remittances of County Judges.

—and recommends that it do pass.

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

ENGROSSING REPORT

April 13, 1951

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

S. B. No. 32—A bill to be entitled An Act to amend Section 322.18, Florida Statutes.

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

ENROLLING REPORT

April 16, 1951

Your Enrolling Clerk, to whom was referred—

H. B. No. 63

—begs leave to report same has been properly enrolled, signed in open session by the President and Secretary of the Senate, and the Speaker and Chief Clerk of the House of Representatives, and this day presented to the Governor for his approval.

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

The President announced that at the request of Senator Ripley he had accepted the resignation of Senator Ripley from membership on the Committee on Public Health; and that at the request of Senator McArthur he had accepted the resignation of Senator McArthur from membership on the Committee on Forestry and Parks.

The President announced further that he had appointed Senator Ripley as a member of the Committee on Forestry and Parks, succeeding Senator McArthur; and that he had appointed Senator McArthur as a member of the Committee on Public Health, succeeding Senator Ripley.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senators Beall, Ripley, Baynard and Morrow—

S. B. No. 237—A bill to be entitled An Act relating to the establishment of a civil defense agency and other organizations for civil defense within this State; granting certain executive powers with respect thereto and for related purposes; making an appropriation therefor; providing penalties for the violation thereof and repealing Chapter 249, Florida Statutes.

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

By Senators Beall and Shands—(By Request)—

S. B. No. 238—A bill to be entitled An Act allowing ministers of the gospel to visit and hold services in county jails and providing penalty for denial or interference with right.

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

By Senator Moore—

S. B. No. 239—A bill to be entitled An Act to amend Section 90.14, Florida Statutes, relating to per diem and travel allowance of witnesses in all cases in all courts.

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

By Senator Moore—

S. B. No. 240—A bill to be entitled An Act to amend Section 79.01, Florida Statutes, relating to application of writ of habeas corpus by person not in actual custody by reason of being released on bond.

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

By Senator Moore—

S. B. No. 241—A bill to be entitled An Act requiring the Board of County Commissioners to have placed on all County moving equipment, the name of the County and the number of the District to which it is assigned, if there be such district and assignment; providing specifications for lettering.

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

By Senator Smith—

S. B. No. 242—A bill to be entitled An Act relating to

the compensation of the Clerk of the Circuit Court for services performed in divorce suits or proceedings before the Circuit Court in all counties in the State of Florida having a population of more than 14,300 and less than 14,500 according to the Federal census of 1950.

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

By Senator Baynard—

S. B. No. 243—A bill to be entitled An Act to authorize, enlarge and extend the authority and powers of the City of St. Petersburg, Florida, by authorizing and empowering the said city by ordinance to regulate outdoor advertising signs of motels, tourist courts and like establishments; and permitting such ordinance to require such establishments, when room rates are posted on outside signs, to post both the minimum and maximum room rates on said signs; and further requiring such establishments to have available accommodations to meet the posted rates; and prescribing a penalty for violation of any such ordinance.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 243 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 Baynard moved that the rules be waived and Senate Bill No. 243 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 243 was read the second time by title only.

Senator Baynard moved that the rules be further waived and Senate Bill No. 243 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. 243 was read the third time in full.

Upon the passage of Senate Bill No. 243 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 243 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Ripley—

S. B. No. 244—A bill to be entitled An Act requiring the Clerks of the Circuit Court to keep records of the process in all cases; providing for annual reports of cases pending; and providing that the Circuit Judge shall dismiss those pending cases in which no action has been taken for twelve months.

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

By Senator Shands—

S. B. No. 245—A bill to be entitled An Act to declare, designate and establish certain State roads in Alachua county.

Which was read the first time by title only.

Senator Shands moved that the rules be waived and Senate Bill No. 245 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 245 was read the second time by title only.

Senator Shands moved that the rules be further waived and Senate Bill No. 245 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 245 was read the third time in full.

Upon the passage of Senate Bill No. 245 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 245 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Shands—

S. B. No. 246—A bill to be entitled An Act to declare, designate and establish a certain State road.

Which was read the first time by title only.

Senator Shands moved that the rules be waived and Senate Bill No. 246 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 246 was read the second time by title only.

Senator Shands moved that the rules be further waived and Senate Bill No. 246 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. 246 was read the third time in full.

Upon the passage of Senate Bill No. 246 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 246 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Shands, Baynard and Gautier (13th)—

Senate Joint Resolution No. 247:

A JOINT RESOLUTION PROPOSING AN AMENDMENT OF SECTION ELEVEN (11) OF THE DECLARATION OF RIGHTS OF THE CONSTITUTION OF FLORIDA, RELATING TO THE RIGHTS OF AN ACCUSED IN CRIMINAL PROSECUTIONS SO AS TO PROVIDE THAT THE LEGISLATURE MAY ENACT STATUTES REGULATING AND

PROVIDING FOR THE PLACE OF TRIAL IN CERTAIN SPECIFIED INSTANCES.

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

That Section Eleven (11) of the Declaration of Rights of the Florida Constitution, relating to the rights of an accused in criminal prosecutions, be amended so as to read as follows, and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the general election to be held on the first Tuesday after the first Monday in November, 1952, to-wit:

Section 11. Rights of accused; speedy trial; etc.—In all criminal prosecutions, the accused shall have the right to a speedy and public trial, by an impartial jury, in the county where the crime was committed, and shall be heard by himself, or counsel, or both, to demand the nature and cause of the accusation against him, to meet the witnesses against him face to face, and have compulsory process for the attendance of witnesses in his favor, and shall be furnished with a copy of the indictment against him; provided, however, that the Legislature may enact statutes regulating and providing for the place of trial for crimes committed in this State when the evidence leaves it uncertain in which county they were committed.

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

By Senator Baynard—

S. B. No. 248—A bill to be entitled An Act relating to testamentary trustees and requiring the establishment of their qualifications, providing for the giving of bonds and the filing of accounts in supervisory proceedings in the Circuit Court, prescribing the parties to such proceeding and the practice and procedure applicable thereto and the declaratory relief obtainable therein.

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

By Senator Baynard—

S. B. No. 249—A bill to be entitled An Act amending Section 69.16, Florida Statutes providing for disposition of unclaimed funds in the hands of fiduciaries.

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

By Senator Baynard—

S. B. No. 250—A bill to be entitled An Act to amend Paragraph D of Section Seven of Chapter 15,505, Special Laws of Florida, 1931, which is "An Act to abolish the present municipality of the City of St. Petersburg, in Pinellas County, Florida; to create and establish a new municipality to be known as the City of St. Petersburg, in Pinellas County, Florida, and to fix the boundaries and provide for the government, powers and privileges of said City and means for exercising the same; and to authorize the imposition of penalties for the violation of ordinances; and to ratify certain acts and proceedings of the commission and of the officers of said City; and to repeal all laws and ordinances in conflict herewith", as amended by Chapter 21,555, Laws of Florida 1941; by increasing the time within which candidates for nomination in primary elections in the City of St. Petersburg must qualify from not less than ten days to not less than thirty days before the date of the primary election; providing for a referendum election for the ratification or rejection of this act; and repealing all laws or parts of laws in conflict herewith.

Which was read the first time by title only.

Senator Baynard 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 Baynard 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—38

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

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

By Senator Baynard—

S. B. No. 251—A bill to be entitled An Act to amend Paragraph F of Section 17 of Chapter 15,505, Special Laws of Florida, 1931, which is "An Act to abolish the present Municipality of the City of St. Petersburg, in Pinellas County, Florida; to create and establish a new Municipality to be known as the City of St. Petersburg, in Pinellas County, Florida, and to fix the boundaries and provide for the government, powers and privileges of said City and means for exercising the same; and to authorize the imposition of penalties for the violation of ordinances; and to ratify certain acts and proceedings of the Commission and of the officers of said City; and to repeal all laws and ordinances in conflict herewith"; by increasing the total amount of progressive payments that may be made by the City of St. Petersburg on contracts for public work or improvements from seventy-five per centum to ninety per centum of the value of the labor done and materials used at the time; providing for a referendum election for the ratification or rejection of this Act; and repealing all laws or parts of laws in conflict herewith.

Which was read the first time by title only.

Senator Baynard moved that the rules be waived and Senate Bill No. 251 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 251 was read the second time by title only.

Senator Baynard moved that the rules be further waived and Senate Bill No. 251 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. 251 was read the third time in full.

Upon the passage of Senate Bill No. 251 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 251 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Baker, King and Crary—

S. B. No. 252—A bill to be entitled An Act with respect to the State Officers and Employees Retirement System, and providing that seasonal State employees who work for the State of Florida, or any of its departments for a period of more than six months of the fiscal year and work for, or available for work the rest of the year doing the same or similar work for another State or department thereof, may receive credit for the full year in computation of benefits accruing, or which may hereafter accrue, to said State employee under said retirement system and prescribing the conditions under which such credit may be given.

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

By Senator Dayton—

S. B. No. 253—A bill to be entitled An Act creating a small claims court in Justice of the Peace District Numbers One, Two and Three in all counties of the State of Florida having a population of not less than 20,000 nor more than 22,000 according to the last official census; providing for the Justice of Peace to be the judge of said court; prescribing for the pleading, practice and service of notice of proceedings therein; providing for a clerk and prescribing his duties.

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

By Senator Moore—

S. B. No. 254—A bill to be entitled An Act authorizing and directing the establishment, construction, equipping and operation of a hospital for the care and treatment of chronic alcoholics, in Highlands County, Florida; designating same as Florida State Hospital for Alcoholism; providing for the management, control and operation thereof; providing for the procedure for commitment of chronic alcoholics to such hospital authorizing acceptance of donations and gifts for said hospital; providing for the assessment of costs of commitment proceedings and maintenance of patients in said hospital; providing for co-operation with the Federal Government and its agencies; and providing for an appropriation out of the additional alcoholic beverage tax imposed by Chapter 25340, Laws of Florida, Acts of 1949; repealing Sections 394.29 to 394.36, both inclusive, Florida Statutes, 1949; and repealing all laws in conflict herewith.

Which was read the first time by title only and referred to the Committee on Alcoholic Beverages and the Committee on Finance and Taxation, in the order named.

By Senators Brackin and Ripley—(By Request)—

S. B. No. 255—A bill to be entitled An Act to amend Section 476.18, Florida Statutes, relating to the compensation of the Secretary and members of the State Barbers Sanitary Commission.

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

By Senator Collins—

S. B. No. 256—A bill to be entitled An Act relating to State Library Board as recipients of Federal Aid.

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

By Senators Collins, Brackin, Beall and Clarke—

S. B. No. 257—A bill to be entitled An Act allowing certain persons to be examined by the State Board of Law Examiners for admission to the practice of law; and providing for certain prerequisites for such examination and admission to practice.

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

By Senators Shands, Gautier (13th) and Baynard—

S. B. No. 258—A bill to be entitled An Act providing for the monitoring, interception, recording and use in evidence of telegraphic and telephonic communications upon application of certain public officers; prescribing powers and duties

of Florida Railroad and Public Utilities Commission with reference thereto and authorizing ex parte orders therefor; requiring files to be sealed and information therein to be kept secret and confidential for reasonable period; prescribing duties of telephone and telegraph companies in connection therewith; repealing all laws in conflict herewith and providing for effective date of this Act.

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

By Senator Moore—

Senate Joint Resolution No. 259:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE XVI OF THE CONSTITUTION OF THE STATE OF FLORIDA BY ADDING THERETO AN ADDITIONAL SECTION TO PROVIDE FOR THE RECALL OF ELECTIVE OFFICERS.

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

That the following amendment to Article XVI of the Constitution of the State of Florida, by adding thereto an additional section to be known as Section 34, be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the general election to be held on the first Tuesday after the first Monday in November, 1952, as follows:

Section 34—The Legislature shall provide for the qualified electors of the State or of any County or of any Congressional, Judicial or Legislative District to petition for the recall of any elective County or State officer, after the first year of the term for which any said officer was elected, and for the recall of any member of any legislative body, including members of the House of Representatives and Senate of the State of Florida, and members of the Senate and the House of Representatives of the United States, at any time after five days from the beginning of the first session of such legislative body held after the election thereto of the officer sought to be recalled.

Which was read the first time in full and referred to the Committee on Judiciary "C" and the Committee on Constitutional Amendments, in the order named.

By Senator Moore—

S. B. No. 260—A bill to be entitled An Act providing for recall of any elective officer in the State of Florida, specifying officers subject to recall; providing for making and filing of affidavit of intention to file petition; providing for time of filing, method, procedure and requirements and form and contents of recall petition and qualifications of signers of the petition; prescribing penalties for false or fraudulent signing of petition; providing for filing, examination and certification of recall petition and presumption of qualification of signers of petition; and hearing thereon and review by court; providing for filing of supplemental petitions; providing for procedure upon resignation of officer pending recall proceedings; providing for time, method, procedure, conduct and payment of expenses and canvass of recall election and prescribing form and contents of ballot; providing for election of successor upon recall; and providing for tolling of time limits by court proceedings.

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

By Senator Moore—

Senate Joint Resolution No. 261:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA BY ADDING THERETO AN ADDITIONAL ARTICLE PROVIDING FOR THE INITIATIVE AND REFERENDUM IN THIS STATE.

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

The following amendment to the Constitution of the State of Florida by the addition of an article thereto to be known as Article XXI, is agreed to and shall be submitted to the

electors of this State for ratification or rejection at the general election to be held in November A. D. 1949.

SECTION 1. Laws to be submitted to people for approval or disapproval on petition of ten percent of voters.—Whenever ten per centum or more of the voters of this State, as shown by the number of votes cast at the last preceding general election, shall express their wish that any law or resolution made by the Legislature be submitted to a vote of the people, the officers charged with the duty of announcing and proclaiming elections, and of certifying nominations, or questions to be voted on, shall submit the question of the approval or disapproval of said law or resolution to be voted on at the next ensuing election, wherein a state or congressional officer is to be voted for, or wherein any question may be voted on by the electors of the entire state.

SECTION 2. Majority vote to approve or disapprove.—When a majority of the electors voting at a state election shall by their votes signify approval of a law or resolution such law or resolution shall stand as the law of the State and shall not be overruled, annulled, set aside, suspended, or in any way made inoperative except by the direct vote of the people. When such majority shall so signify disapproval the law or resolution so disapproved shall be void and of no effect.

SECTION 3. Initiative; percentage of electors required; enacting clause; referendum; percentage of electors required.—The people reserve to themselves the power to propose laws and the power to propose amendments to the Constitution and to enact or reject the same at the polls, independent of the Legislature, and also reserve the power at their option to approve or reject at the polls, in the manner herein provided, any act, item, section or part of any act or measure passed by the Legislature. The first power reserved by the people is the initiative, and not more than ten per cent (10%) of the qualified electors shall be required to propose any measure by initiative petition, and every such petition shall include the full text of the measure so proposed. Initiative petitions, for all but municipal legislation, shall be filed with the Secretary of State not less than thirty (30) days before any regular session of the Legislature; the Secretary of State shall transmit the same to the Legislature as soon as it convenes and organizes. Such initiative measure shall take precedence over all measures of the Legislature except appropriation bills, and shall be enacted or rejected by the Legislature, without change or amendment, within forty (40) days. If any such initiative measure so proposed by petition as aforesaid, shall be enacted by the Legislature and approved by the Governor in the same manner as other laws are enacted, same shall become a law, but shall be subject to referendum petition as provided in sections one and two of this article. If said initiative measure be rejected by the Legislature, or if no action be taken thereon within said forty (40) days, the Secretary of State shall submit same to the qualified electors for approval or rejection at the next ensuing general election; and if a majority of the qualified electors voting thereon shall approve of such measure it shall become a law and take effect from the date of the official declaration of the vote; an initiative measure so approved by the qualified electors shall not be annulled, set aside, or repealed by the Legislature within three (3) years from the date said act takes effect. In case the Legislature shall reject such initiative measure, said body may, with the approval of the Governor, propose a different measure on the same subject, in which event both measures shall be submitted by the Secretary of State to the qualified electors for approval or rejection at the next ensuing general election. The enacting clause of all bills proposed by the initiative shall be: "Be it enacted by the people of the State of Florida". The whole number of votes cast for Governor at the general election for Governor last preceding the filing of any initiative petition shall be the basis on which the number of qualified electors required to sign such petition shall be counted. The second power reserved by the people is the referendum, which shall be exercised in the manner provided in sections one and two of this article. The initiative and referendum powers of this article provided for are further reserved to the qualified electors of each county and municipality as to all local, special, and municipal legislation of every character in or for said respective counties or municipalities. The Legislature may provide by law for

the manner of exercising the initiative and referendum powers as to county and municipal legislation, but shall not require a petition of more than 10 per cent (10%) of the qualified electors to order the referendum, nor more than 15 per cent (15%) to propose any municipal measure by initiative. If the conflicting measures submitted to the people at the next ensuing general election shall both be approved by a majority of the votes severally cast for and against each of said measures, the measure receiving the highest number of affirmative votes shall thereupon become a law as to all conflicting provisions. The provisions of this section shall be self-executing, but legislation may be especially enacted to facilitate its operation.

Which was read the first time in full and referred to the Committee on Judiciary "C" and the Committee on Constitutional Amendments, in the order named.

By Senator Moore—

S. B. No. 262—A bill to be entitled An Act to repeal Section 569.07, Florida Statutes, 1949, relating to the prohibition of the sale of intoxicating liquors to Indians and the penalty therefor.

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

By Senator Ripley—

S. B. No. 263—A bill to be entitled An Act to amend Section 860.01, Florida Statutes, relating to and providing penalties for the operation of motor vehicles while intoxicated or under the influence of intoxicating liquors, so that said statute shall apply to and provide penalties for the operation of motor vehicles while under the influence of narcotic drugs; and providing the effective date hereof.

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

By Senators Moore and King—

S. B. No. 264—A bill to be entitled An Act relating to the Tenth Judicial Circuit of Florida, providing an additional Circuit Judge for said Circuit, fixing his powers, duties and compensation, and further providing for the distribution, residence and method of election of the Circuit Judges in said Circuit.

Which was read the first time by title only.

Senator Moore moved that the rules be waived and Senate Bill No. 264 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 264 was read the second time by title only.

Senator Moore moved that the rules be further waived and Senate Bill No. 264 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. 264 was read the third time in full.

Upon the passage of Senate Bill No. 264 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 264 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Rodgers—(By Request)—

S. B. No. 265—A bill to be entitled An Act relating to State governmental reorganization; providing for the consolidation of certain departments, boards, commissions and setting forth the powers, duties, and functions of such consolidated departments, boards and commissions; providing for the establishment of certain departments, boards, and commissions and setting out their powers, duties and organization; providing for the abolition of certain departments, boards, bureaus and commissions; providing certain limitations on the effect of co-ordination, transfer and consolidation; providing for the terms of office of all appointive department directors; repealing, modifying, amending and rescinding inconsistent laws, rules and regulations; providing effective date.

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

By Senator Rodgers—(By Request)—

S. B. No. 266—A bill to be entitled An Act relating to State governmental reorganization; creating a temporary commission on State governmental reorganization; providing for membership, powers, duties, compensation, and providing certain additional duties for Governor; providing appropriation and making this Act effective contingent upon other related legislation becoming law.

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

By Senator Beall—

S. B. No. 267—A bill to be entitled An Act to amend Section 310.11, Florida Statutes 1949, relating to pilotage and to maximum rates of pilotage.

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

By Senator Gautier (13th)—

S. B. No. 268—A bill to be entitled An Act for the relief of Jerome Meyer of Miami Beach, Florida, and making an appropriation to compensate him for losses sustained as a result of damage done to his boat "Penguin" by an employee of the State Road Department.

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

By Senator Gautier (13th)—

S. B. No. 269—A bill to be entitled An Act for the relief of Jack Ott of Miami, Florida, and making an appropriation to compensate him for losses sustained as a result of damage done to his boat "Resolute" by an employee of the State Road Department.

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

By Senator Ripley—(By Request)—

S. B. No. 270—A bill to be entitled An Act creating the offices of chief traffic officer and deputy traffic officers in counties having a population of more than two hundred thousand (200,000) by the last official census; requiring them to be deputy sheriffs, limiting their number and prescribing the duties and functions of such chief traffic officer and deputy traffic officers and their qualifications, terms of office and methods of appointment, their compensation and allowances for expenses and designating the fund out of which the same shall be paid; authorizing the appointment of sergeant traffic officers from among the deputy traffic officers and prescribing their duties, functions, compensation and allowances.

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

By Senator Rodgers—(By Request)—

S. B. No. 271—A bill to be entitled An Act to provide for and adopt a qualified Civil Service System for certain State employees and for the administration thereof; providing for a department of civil service, a director, and commission;

providing the powers and duties of the director and commission; providing for the promulgation of rules and regulations; providing the machinery for a system of personnel administration governing the appointment, promotion, transfer, lay-off, removal, discipline and other incidents of certain State employees; making certain acts unlawful; providing penalties for violations; and providing an effective date.

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

By Senator Rodgers—(By Request)—

S. B. No. 272—A bill to be entitled An Act relating to State governmental reorganization; fixing salary, expenses, allowances of Governor; providing for housing and automobile for Governor; providing for Governor's staff and their salaries.

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

By Senator Boyle—

S. B. No. 273—A bill to be entitled An Act to amend Sections 129.01, 129.02, 129.03, 129.05, 129.06, and 129.07, Florida Statutes, 1949; to provide for the establishment of a budget system for Boards of County Commissioners; prescribing the methods of preparing and adopting budgets, levying taxes, making expenditures and accounting for County and other funds under the control of Boards of County Commissioners; prescribing penalties for the violation of this act; and providing for the repeal of all laws in conflict with this act.

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

By Senators Branch and Ripley—

S. B. No. 274—A bill to be entitled An Act relating to Grand Juries in Counties having a population of 225,000 or more according to the last State or Federal census.

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

By Senator Branch—

Senate Joint Resolution No. 275:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE DECLARATION OF RIGHTS OF THE CONSTITUTION OF THE STATE OF FLORIDA BY ADDING A SECTION THERETO. TO BE DESIGNATED SECTION 25, RELATING TO THE FORFEITURE OF OFFICE OR EMPLOYMENT OF STATE, COUNTY AND MUNICIPAL OFFICERS AND EMPLOYEES REFUSING TO TESTIFY OR PRODUCE EVIDENCE AS TO MATTERS RELATING TO THEIR OFFICIAL DUTIES, EMPLOYMENT AND FUNCTIONS OF OFFICE, AND REFUSING TO WAIVE IMMUNITY TO PROSECUTION AS TO SUCH MATTERS.

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

An amendment to the Declaration of Rights of the Constitution of the State of Florida, by adding an additional section to be designated Section 25, is hereby agreed to, and shall be submitted to the electors of the State of Florida for ratification or rejection at the next general election to be held in the year 1952, as follows:

"Section 25. Any State, county or municipal officer or employee, who, as a witness on behalf of the State of Florida, shall refuse to testify or produce documentary, or other evidence, relating to his official duties, employment, or the functions of his office, at any investigation by the grand jury, state attorney, or county solicitor, or any court trial or hearing, on the grounds that such testimony or evidence may incriminate him, or subject him to penalty or forfeiture, or who shall refuse to sign a waiver of immunity to prosecution for any criminal offense, penalty or forfeiture arising out of the testimony given or evidence produced by him relating to his official duties, employment, or the functions of his office, shall by operation of law forfeit his office and his employment, and the foreman of the grand jury or alternate foreman, the state attorney, or county

solicitor, as the case may be, shall immediately report and certify the same to the Governor of the State of Florida; provided that the certified report to the Governor shall contain specifications as to the matter about which the officer or employee refused to testify or produce documentary or other evidence, and the officer or employee shall have the right to controvert the truth of the charges so specified and whether the same relates to his official duties, employment or functions of office. The Governor shall promptly hold a hearing upon the charges specified in the certified report, and if he finds such charges to be true and related to the official duties, employment or functions of office of the person charged, the office shall immediately become vacant and employment immediately terminated, and the vacancy thereby created in said office or employment shall be filled as provided by law. Any officer and any employee whose office or employment is forfeited, pursuant to the provisions of this act, shall thereafter be disqualified and ineligible for a period of ten years from the date of such forfeiture to hold any state, county or municipal office or employment in the State of Florida. This amendment, upon ratification, shall take effect without the necessity of legislation."

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

By Senator Branch—

S. B. No. 276—A bill to be entitled An Act to fix and provide the number of grand jurors to constitute a grand jury, to constitute a quorum of the grand jury and to find and return an indictment or presentment, in counties having a population of 225,000 or more according to the last State or Federal census.

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

By Senator Branch —

S. B. No. 277—A bill to be entitled An Act to provide a court reporter for the grand jury in all counties in this State having a population of 225,000 or more according to the last State or Federal census, and relating to the recordings, transcribing and filing of the recorded proceedings of the grand jury in said counties and the purpose for which same can be used.

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

By Senator Branch—

S. B. No. 278—A bill to be entitled An Act to amend Section 905.27 of Florida Statutes 1949, prohibiting the disclosing of testimony, or other evidence, received before the grand jury, and repealing all laws in conflict therewith.

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

By Senator Branch—

S. B. No. 279—A bill to be entitled An Act authorizing qualified surety companies to become surety to the extent of two hundred (\$200.00) dollars with respect to guaranteed arrest bond certificates of automobile clubs and associations, as defined, and requiring the acceptance of such guaranteed arrest bond certificates in lieu of cash bail in the event of certain violations of the motor vehicle laws of this State; to effect such purpose, amending Florida Statutes, 1949, by adding thereto new sections numbered 648.19 and 903.36; and fixing the effective date of this Act.

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

By Senator Branch—

S. B. No. 280—A bill to be entitled An Act to amend Sections 3 and 4 of Chapter 24947, Laws of Florida, Special Acts of 1947, relating to the Tampa Municipal Hospital, removing the limitation upon the amount of hospital revenue bonds which may be issued by the City of Tampa, and providing for pledging to the payment of such bonds a part of the proceeds of the Cigarette Tax levied by the City of Tampa.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 280 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 Branch moved that the rules be waived and Senate Bill No. 280 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 280 was read the second time by title only.

Senator Branch moved that the rules be further waived and Senate Bill No. 280 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. 280 was read the third time in full.

Upon the passage of Senate Bill No. 280 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 280 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Brackin—

S. B. No. 281—A bill to be entitled An Act to repeal Section 320.58, Florida Statutes, relating to license inspectors, appointment, powers and duties; amends Subsection (1) of Section 321.05, Florida Statutes, relating to the Highway Patrol, their duties, functions and powers of patrol officers; providing duty of inspecting licenses by patrol officers; providing effective date.

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

By Senators Johnson, Baker and Brackin—

S. B. No. 282—A bill to be entitled An Act repealing Section 534.20, Florida Statutes, relating to exemptions of certain counties from the marks and brands of livestock law.

Which was read the first time by title only.

Senator Brackin moved that the rules be waived and Senate Bill No. 282 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 282 was read the second time by title only.

Senator Brackin moved that the rules be further waived and Senate Bill No. 282 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. 282 was read the third time in full.

Upon the passage of Senate Bill No. 282 the roll was called and the vote was:

Yeas—36.

Mr. President	Boyle	Collins	Gautier (28th)
Ayers	Brackin	Crary	Gautier (13th)
Baker	Branch	Davis	Johns
Baynard	Carroll	Dayton	Johnson
Beall	Clarke	Franklin	Johnston

King	Moore	Ripley	Shands
Leaird	Morrow	Rodgers	Shivers
Lewis	Pearce	Rogells	Smith
Lindler	Pope	Sanchez	Tucker

Nays—None.

So Senate Bill No. 282 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Morrow—

S. B. No. 283—A bill to be entitled An Act relating to the Lake Worth Drainage District, a corporation under the general drainage laws of the State of Florida and existing and operating in Palm Beach County, Florida; changing the east boundary line of said district so as to exclude some land from the district; changing the method of assessing and collecting the drainage taxes and irrigation taxes of said district; providing that all land in said district shall be assessed for maintenance on an equal and uniform basis at so much per acre as determined by the Board of Supervisors of said district with a minimum tax of twenty-five cents; requiring the said district to certify to the assessor of taxes each year the acreage tax levied and assessed and requiring the assessor of taxes to enter and extend said acreage tax on the tax roll with and in the same form and manner as the County and other taxes are entered and extended on said roll; requiring the tax collector to collect said acreage tax at the same time as he collects the County and other taxes and to remit to said district its proportionate part of the tax collected by him; providing for the sale of land for delinquent taxes of the Lake Worth Drainage District in the same form and manner and at the same time as delinquent County taxes and providing for the subsequent collection of such delinquent drainage taxes by the clerk of the Circuit Court; providing for the filing of the present delinquent taxes of the Lake Worth Drainage District with the clerk of the Circuit Court and the subsequent collection of such delinquent taxes by said clerk; providing for the participation by said district in County land sales in accordance with provisions of the present law; limiting any increase in the maintenance tax assessment in any one year; making a change in the date of the annual meeting of landowners of said district; requiring candidates for members of the Board of Supervisors of said district to give thirty days notice of their intention to become a candidate and prescribing the manner of notice; providing that the taxes of said district shall become a lien on January first of the year in which assessed; authorizing the Board of Supervisors of said district to adjust, compromise or cancel its taxes; permitting the said district to engage in irrigation and to keep, maintain and control the water levels and to build flood gates and other works deemed necessary for that purpose; providing for said district to levy and assess an irrigation tax on the lands benefited; and requiring that part of the irrigation tax which is not paid by a certain time to be certified to the assessor of taxes; requiring the assessor of taxes to enter and extend such irrigation tax as is certified to him on the tax roll to the same extent and in the same form and manner as he is in said Act required to enter and extend the acreage tax; and requiring the tax collector to collect such irrigation tax entered and extended upon the tax roll at the same time and in the same form and manner as the said acreage tax is levied and collected.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 283 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 Morrow moved that the rules be waived and Senate Bill No. 283 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 283 was read the second time by title only.

Senator Morrow moved that the rules be further waived and Senate Bill No. 283 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. 283 was read the third time in full.

Upon the passage of Senate Bill No. 283 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 283 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Leaird—

S. B. No. 284—A bill to be entitled An Act cancelling and annulling all reverter or forfeiting provisions or clauses in deeds conveying real estate or any interest therein in the State of Florida which have been in force and effect for more than twenty-one years; fixing a limitation on the duration of such reverter or forfeiture provisions and reversionary clauses in existing conveyances and future conveyances of real estate or any interest therein in the State of Florida; providing that any holder of a possible right of reverter shall have one year within which to enforce such right; providing for the continuance of said restrictions and providing a remedy for enforcement thereof; and exempting from the operation of this Act any conveyance to a governmental, educational, literary, scientific, religious, charitable, or non-profit corporation or association.

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

By Senator Gautier (28th)—

S. B. No. 285—A bill to be entitled An Act relating to counties having a population of not less than seventy thousand (70,000) nor more than eighty thousand (80,000) according to the latest official census; providing that constables in such counties shall not appoint or employ deputy constables.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 16, 1951

*Hon. Wallace E. Sturgis,
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. Shepperd and Usina of St. Johns—

H. B. No. 162—A bill to be entitled An Act relating to harness racing and ratifying any permit, heretofore issued by Florida State Racing Commission subsequent to June 1, 1946, for harness racing in any county of the State where no running horse tracks or dog tracks are located and established; validating any such racing permits issued for such purposes in effected counties and extending the time in which the holders of any ratified permits may construct a race track; fixing the season and time for conducting such racing and the commission payable to any licensee from a pari-mutuel pool on horse races in harness with sulky and providing that in all respects Chapter 550, Laws of Florida 1949, as amended, be applicable thereto except the provisions thereof inconsistent with the provisions of this Act.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 162, contained in the above Message, was read the first time by title only.

Senator Pope moved that the rules be waived and House Bill No. 162 be read the second time in full.

Which was agreed to by a two-thirds vote.

And House Bill No. 162 was read the second time in full and placed on the Calendar of Bills on Third Reading.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 16, 1951

*Hon. Wallace E. Sturgis,
President of the Senate,
Sir:*

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

By Mr. Simpson of Jefferson—

H. B. No. 81—A bill to be entitled An Act requiring ultimate purchasers of agricultural or vegetable seed to give to the person from whom such seed were purchased notice of the failure of such seed to be as represented by the information shown on the label or tag borne on or attached to the container of such seed.

Also—

By Messrs. Phillips of Hernando and Fascell of Dade—

H. B. No. 116—A bill to be entitled An Act providing for the approval of requests and budgets of the agencies of the State government by the State Budget Commission in the obtaining of Federal Aid; and providing an effective date hereof.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 81, contained in the above Message, was read the first time by title only and referred to the Committee on Agriculture and Livestock.

And House Bill No. 116, contained in the above Message, was read the first time by title only and referred to the Committee on Appropriations.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 16, 1951

*Hon. Wallace E. Sturgis,
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 Mr. Simpson of Jefferson—

H. B. No. 8—A bill to be entitled An Act providing for the practice of physical therapy; defining and regulating the practice thereof; prescribing the duties of the State Board of Medical Examiners under this act; prescribing penalties for violation of this Act; and repealing all laws in conflict herewith.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 8, contained in the above Message,

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

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 16, 1951

Hon. Wallace E. Sturgis,
President of the Senate.
Sir:

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

By Mr. Simpson of Jefferson—

House Concurrent Resolution No. 5—

WHEREAS, the Honorable R. A. Gray, a student of government for the past forty (40) odd years, author of **FLORIDA'S GOVERNMENT**, an officially adopted textbook in Florida, has taken great interest in the civic and governmental life of our great State, and

WHEREAS, Mr. Gray taught school for six (6) years, edited a newspaper, was a member of the Florida Legislature in 1911, was Assistant State Auditor, State Auditor, private secretary to Governor, private secretary to United States Senator, served in the office of State Comptroller ten (10) years, being promoted through several positions to Assistant State Comptroller, and

WHEREAS, Honorable R. A. Gray was appointed Secretary of State April 12, 1930, elected to the unexpired term, and has served continuously as Secretary of State to date, and

WHEREAS, as Secretary of State, Mr. R. A. Gray is the constitutional custodian of the Capitol and Grounds, and it is fitting and proper that such long and faithful public service should be recognized, NOW THEREFORE,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 1951 LEGISLATURE OF THE STATE OF FLORIDA, THE SENATE CONCURRING:

That the lands between the State Capitol Building and the Caldwell Building in the City of Tallahassee be designated a State Park and so maintained by the State and that such park be named and henceforth be so recognized as the "R. A. Gray Park."

—and respectfully requests the concurrence of the Senate therein.

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

And House Concurrent Resolution No. 5, contained in the above Message, was read the first time in full.

Senator Collins moved that the rules be waived and House Concurrent Resolution No. 5 be read the second time in full.

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 5 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. 5 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,
April 16, 1951

Hon. Wallace E. Sturgis,
President of the Senate,
Sir:

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

By Mr. Simpson of Jefferson—

House Concurrent Resolution No. 4—

WHEREAS Curtis Longino Waller was born of a distinguished Mississippi family in Lawrence County, Mississippi, January 9, 1887, was graduated from Mississippi College and Millsaps Law School, and was admitted to the Bar of Mississippi in 1910 where he immediately achieved recognition and success; and

WHEREAS the said Curtis L. Waller in the year 1911 became secretary to the able and eminent Pat Harrison as a Member of the House of Representatives in the Congress of the United States whom he served as secretary until 1914; and

WHEREAS the said Curtis L. Waller patriotically responded to the call of his country by joining and serving in the Air Force of the United States in World War I as a pilot; and

WHEREAS the said Curtis L. Waller was so revered and honored by the people of Hancock County, Mississippi, that in 1923 he was elected without opposition to the House of Representatives in the Mississippi Legislature; and

WHEREAS the said Curtis L. Waller came to Florida in 1924 and immediately, by virtue of his great ability, his magnificent character, and his fine personality, endeared himself to the people of Tallahassee and Florida and became a leading citizen and distinguished member of the Florida Bar, Commander of the Tallahassee Post of the American Legion, and District Governor of the Florida National Exchange Club; and

WHEREAS his distinction as a citizen led the Honorable Doyle E. Carlton, Governor of Florida, to request the said Curtis L. Waller to assume the duties of State Attorney for the Second Judicial Circuit of Florida, a position which he discharged with fidelity and great ability; and

WHEREAS the eminence he enjoyed at the Florida Bar and the esteem in which he was held by his fellow citizens resulted in his being drafted by the citizens of Leon County for membership in the Florida House of Representatives for the years 1933-1934, where he made an outstanding record as a legislator and, among his other achievements, became the author of a new provision in the Florida State Constitution and was deeply loved and honored by his fellow legislators; and

WHEREAS the said Curtis L. Waller, in response to his patriotic conviction that the greatest security for his country lay in strength through preparedness, volunteered his services to the armed forces and became a Major, and later a Lieutenant-Colonel, in the Specialist Reserve in the Army of the United States; and

WHEREAS his legal learning, his unblemished character, his judicial temperament, led President Franklin D. Roosevelt, with the unanimous advice and consent of the Senate, to commission him as Judge of the District Court of the United States for the Northern and Southern Districts of Florida on the 19th of June, 1940, a position he discharged with particular distinction and devotion; and

WHEREAS his eminent record as a District Judge of the United States caused President Roosevelt to commission him, with the unanimous advice and consent of the Senate, on the 10th day of March, 1943, a Judge of the United States Court of Appeals for the Fifth Circuit; and

WHEREAS the said Curtis L. Waller served as a Judge of the United States Court of Appeals for the Fifth Circuit until the date of his death, July 11, 1950, and as Judge of the said Court of Appeals enriched the law with his learning, strengthened the Court with his character, and added new security to the liberties and freedom of our citizens through his interpretation and declaration of the Constitution and the laws of our land and through his great ability, magnanimous sentiment, and devotion to the American way of life contributed to the majesty and might of our democratic republic; and

WHEREAS the State of Florida and the Legislature of the State of Florida desire in some fitting way to remember and to honor the said Curtis L. Waller and deem it appropriate that such recognition can be extended and such honor worthily bestowed by setting aside as a public park, and honoring with his name, the area lying between the Capitol and the Supreme Court Building in Tallahassee, which was his

home, where he was honored and loved for more than a quarter of a century by his fellow citizens, and which area is peculiarly appropriate because of the service of the said Curtis L. Waller as a legislator in the Capitol and his having been one of those to achieve the highest judicial office ever held by a citizen of Florida;

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the Legislature of the State of Florida, the Senate concurring, that there is hereby set apart as a public park, and dedicated to the memory of Curtis L. Waller, the area between the Capitol and the Supreme Court Building in Tallahassee, Florida, the same hereafter to be maintained, developed, and preserved by the State of Florida as a public park and to bear the name of him who honored Florida and whom Florida delights to honor, the "Curtis L. Waller Park"

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Concurrent Resolution No. 4, contained in the above Message, was read the first time in full.

Senator Collins moved that the rules be waived and House Concurrent Resolution No. 4 be read the second time in full.

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 4 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. 4 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,
April 16, 1951

*Hon. Wallace E. Sturgis,
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. Darby of Escambia, Bollinger of Palm Beach, David of Broward, Watson of Lee, Floyd and Fascell of Dade and Cobb of Volusia—

H. B. No. 143—A bill to be entitled An Act requiring persons taking or having possession of written statements with respect to accidents or injuries to furnish copies thereof to the persons making such statements and prescribing the effect of failure to furnish copies in accordance with the provisions of this act.

Also—

By Messrs. Murray of Polk, and Shaffer, McLaren and Cramer of Pinellas—

H. B. No. 178—A bill to be entitled An Act relating to legislative committees: providing that interim committees of either branch of the legislature may be created; providing that joint interim committees of both branches of the legislature may be created; providing powers of such committees; providing that provisions of Sections 11.08, 11.09, 11.10 and 11.11, Florida Statutes, relating to subpoena of witnesses, sheriffs costs, false swearing, pay of witnesses, subpoena duces tecum and expenses of hearing, shall apply to such interim committees between sessions of the legislature as well as during sessions thereof.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 143, contained in the above Message, was read the first time by title only.

Senator Johnson moved that the rules be waived and House Bill No. 143 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 143 was read the second time by title only.

Senator Johnson moved that the rules be further waived and House Bill No. 143 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. 143 was read the third time in full.

Upon the passage of House Bill No. 143 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So House Bill No. 143 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Johnson moved that the action of the Senate on April 13, 1951, in ordering Senate Bill No. 120 certified to the House of Representatives, be rescinded.

Which was agreed to and it was so ordered.

Senator Johnson moved that the rules be waived and the Senate reconsider the vote by which Senate Bill No. 120 passed the Senate on April 13, 1951.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which Senate Bill No. 120 passed the Senate on April 13, 1951.

The question recurred on the passage of Senate Bill No. 120.

Pending roll call on the passage of Senate Bill No. 120, by unanimous consent Senator Johnson withdrew Senate Bill No. 120.

And House Bill No. 178, contained in the above Message, was read the first time by title only and referred to the Committee on Governmental Reorganization.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 16, 1951

*Hon. Wallace E. Sturgis,
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. Williams of Seminole, Watson of Lee, Fascell of Dade, Simpson of Jefferson, Beasley of Walton, Murray of Polk, Johnson, Moody and Pittman of Hillsborough, Turlington and Whitlock of Alachua, Ayres of Marion, Jacobs of Suwannee, Kirkland of Orange, Dowda of Putnam, Hathaway of Charlotte, Cramer, McLaren and Shaffer of Pinellas—

H. M. No. 4—A Memorial to the Congress of the United States requesting the enactment of a Federal law forbidding the interstate transmission of racing information when the same as transmitted with such speed, detail and accuracy as to further gambling purposes.

—and respectfully requests the concurrence of the Senate therein.

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

And House Memorial No. 4, contained in the above Message, was read the first time in full and referred to the Committee on Judiciary "C".

The following Message from the House of Representatives was read:

Tallahassee, Florida,
 April 16, 1951

Hon. Wallace E. Sturgis,
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 Judiciary "B"—

S. B. No. 155—A bill to be entitled An Act adopting and enacting Volume I, Florida Statutes 1951; correcting, changing, amending and repealing certain sections therein; and authorizing the inclusion of General Laws of State-wide application enacted in 1951 as prima facie evidence of such laws.

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

And Senate Bill No. 155, contained in the above Message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Senator Leaird moved that the rules be waived and Senate Bill No. 195, which had previously been referred to the Committee on Judiciary "A", be also referred to the Committee on Finance and Taxation.

The question was put on the motion made by Senator Leaird.

A roll call was demanded.

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

Yeas—19.

Mr. President	Johns	Lewis	Rodgers
Baker	Johnson	McArthur	Shands
Davis	Johnston	Moore	Smith
Gautier (28th)	King	Pearce	Tucker
Gautier (13th)	Leaird	Pope	

Nays—19.

Ayers	Branch	Dayton	Rogells
Baynard	Carroll	Franklin	Sanchez
Beall	Clarke	Lindler	Shivers
Boyle	Collins	Morrow	Wright
Brackin	Crary	Ripley	

So the motion failed of adoption.

CONSIDERATION OF BILLS AND JOINT RESOLUTIONS ON SECOND READING

Senate Bills Nos. 35 and 43 were taken up in their order and, by unanimous consent, the consideration thereof was informally passed, the Bills retaining their places on the Calendar of Bills and Joint Resolutions on Second Reading.

Senator Ripley asked unanimous consent of the Senate to take up and consider House Bill No. 162, out of its order, at this time.

Which was not agreed to.

By the Committee on Cities and Towns—

S. B. No. 144—A bill to be entitled An Act to confer additional powers upon Municipalities in the State of Florida in relation to parking facilities; to authorize and empower any such Municipality to acquire, construct, improve, extend, en-

large, reconstruct, maintain, equip, repair and operate parking facilities within the corporate limits of such Municipality; to provide for paying the cost of such parking facilities by the issuance of revenue bonds, payable solely from revenues; to provide for the imposition and collection of rates, rentals, fees and charges for the use of such parking facilities; to authorize the pledging to the payment of such bonds of the revenues of such parking facilities and of parking meters; to authorize and empower any such Municipality to prohibit or restrict the parking of motor vehicles in streets and public ways in the vicinity of such parking facilities; to grant to any such Municipality power to acquire necessary real and personal property and to exercise the power of eminent domain; to exempt from taxes and assessments such parking facilities and such bonds; to authorize the issuance of revenue refunding bonds; and to prescribe the powers and duties of the Municipality in connection with the foregoing and the rights and remedies of the holders of any bonds issued under the provisions of this act.

Was taken up in its order.

Senator Baker moved that the rules be waived and Senate Bill No. 144 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 144 was read the second time by title only.

Senator Baker offered the following amendment to Senate Bill No. 144:

In Section 2, line 2 of sub-paragraph (c), page 2, Strike out the word "garages".

Senator Baker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baker also offered the following amendment to Senate Bill No. 144:

In Section 2, lines 7, 8 and 9 of sub-paragraph (c), page 3, Strike out the following: "facilities for servicing motor vehicles and for the sale of gasoline, oil and other accessories".

Senator Baker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baker also offered the following amendment to Senate Bill No. 144:

In Section 2, line 11 of sub-paragraph (c), page 3, Strike out the word "garage".

Senator Baker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baker also offered the following amendment to Senate Bill No. 144:

In Section 2, line 14 of sub-paragraph (c), page 3, Following the word "structure" strike out the comma and insert in lieu thereof a semi-colon.

Senator Baker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baker also offered the following amendment to Senate Bill No. 144:

In Section 3 (typewritten bill), At the end of paragraph (e), add the following: "provided, however, nothing contained in this paragraph shall authorize the acquisition by eminent domain of any lands or rights owned or held by public utility or transportation companies;"

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. 144, 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. 144, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 144, as amended, the roll was called and the vote was:

Yeas—30.

Mr. President	Clarke	Johnson	Ripley
Ayers	Collins	King	Rodgers
Baker	Crary	Lindler	Sanchez
Baynard	Davis	McArthur	Shands
Boyle	Dayton	Moore	Smith
Brackin	Franklin	Morrow	Wright
Branch	Gautier (28th)	Pearce	
Carroll	Gautier (13th)	Pope	

Nays—7.

Beall	Leaird	Rogells	Tucker
Johnston	Lewis	Shivers	

So Senate Bill No. 144 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Franklin asked unanimous consent of the Senate to take up and consider Senate Joint Resolution No. 96, out of its order, at this time.

Which was agreed to.

Senate Joint Resolution No. 96:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VIII OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATIVE TO ASSESSMENT OF PROPERTY FOR TAXES AND THE COLLECTION OF TAXES, BY ADDING THERETO ADDITIONAL SECTIONS TO PROVIDE THAT IN THE COUNTY OF LEE, STATE OF FLORIDA, THE COUNTY TAX ASSESSOR SHALL ASSESS THE PROPERTY OF THE COUNTY FOR THE PURPOSE OF LEVYING STATE, COUNTY, SCHOOL AND MUNICIPAL TAXES LEVIED BY THE STATE, COUNTY, COUNTY SCHOOL BOARD, SCHOOL DISTRICTS, SPECIAL TAX SCHOOL DISTRICTS, PORT DISTRICTS, DRAINAGE DISTRICTS, AND ANY OTHER TAXING DISTRICTS, AND MUNICIPALITIES OF THE COUNTY WHICH BY ORDINANCE REQUEST THEIR TAXES TO BE SO ASSESSED AND LEVIED, AND THAT THE COUNTY TAX COLLECTOR SHALL COLLECT AND DISTRIBUTE THE SAID TAXES.

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

That the following amendment to Article VIII of the Constitution of the State of Florida relative to the assessment and collection of all taxes in the County of Lee, State of Florida, by adding thereto additional sections to be numbered by the Secretary of State, be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the general election to be held on the first Tuesday after the first Monday in November, 1952, as follows:

Section—. From and after January 1, 1954, the county tax assessor in the County of Lee, State of Florida, shall assess all property for all state, county, school, and municipal taxes to be levied in the county by the state, county, county school board, school district, special tax school districts, port districts, drainage districts, and any other taxing districts, and municipalities which by ordinance request their taxes to be so assessed.

The Legislature shall at the Legislative Session in 1953 and from time to time thereafter, enact laws specifying the powers, functions, duties and compensation of county tax assessor, designated in the first paragraph of this section, and shall likewise, provide by law for the extension on the assessment roll of the county tax assessor of all taxes levied by the state, county, county school board, school districts, special tax school districts, port districts, drainage districts, and any other taxing districts, and municipalities, whose taxes may be assessed by the county tax assessor pursuant to the first paragraph of this section.

Section—. From and after January 1, 1954, the county tax collector in the County of Lee, State of Florida, shall collect all taxes levied in the county by the state, county, county school board, school districts, special tax school districts, port districts, drainage districts, and any other taxing districts, and municipalities, whose taxes may be assessed by the county tax assessor pursuant to the first paragraph of the preceding section hereof.

The Legislature shall at the Legislative Session of 1953, and from time to time thereafter enact laws specifying the powers, functions, duties and compensation of county tax collector designated in the first paragraph of this section, and shall likewise provide for the collection, care, custody, reporting and disbursement of all taxes collected by the county tax collector.

Was taken up and read the second time in full.

Senator Franklin moved that the rules be waived and Senate Joint Resolution No. 96 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 96 was read the third time in full.

Upon the passage of Senate Joint Resolution No. 96 the roll was called and the vote was:

Yeas—36.

Mr. President	Clarke	Johnston	Pope
Ayers	Collins	King	Ripley
Baker	Crary	Leaird	Rodgers
Baynard	Davis	Lewis	Rogells
Beall	Dayton	Lindler	Shands
Boyle	Franklin	McArthur	Shivers
Brackin	Gautier (28th)	Moore	Smith
Branch	Gautier (13th)	Morrow	Tucker
Carroll	Johnson	Pearce	Wright

Nays—None.

So Senate Joint Resolution No. 96 passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1951 session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

Senator Johnson moved that a committee of three be appointed to escort the Honorable A. L. Wilson of Quincy, a former Member of the Senate from the 6th Senatorial District to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Johnson, Davis and Sanchez as the committee.

Senator Brackin asked unanimous consent of the Senate to take up and consider Senate Bill No. 175, out of its order, at this time.

Which was agreed to.

S. B. No. 175—A bill to be entitled An Act to amend Section 26.02, Florida Statutes, relating to Circuit Court of First Judicial Circuit of Florida, by increasing number of Judges thereof; and requiring that not more than one Judge of said Court can come from each County; and providing for the appointment of a third Judge.

Was taken up.

Senator Brackin moved that the rules be waived and Senate Bill No. 175 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 175 was read the second time by title only.

Senator Brackin moved that the rules be further waived and Senate Bill No. 175 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. 175 was read the third time in full.

Upon the passage of Senate Bill No. 175 the roll was called and the vote was:

Shands Smith Wright
Shivers Tucker

Yeas—37:

Mr. President	Carroll	Gautier (13th)	Moore
Ayers	Clarke	Johnson	Morrow
Baker	Collins	Johnston	Pearce
Baynard	Crary	King	Pope
Beall	Davis	Leaird	Ripley
Boyle	Dayton	Lewis	Rodgers
Brackin	Franklin	Lindler	Rogells
Branch	Gautier (28th)	McArthur	Sanchez

Nays—None.

So Senate Bill No. 175 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Baynard moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 5:03 o'clock P. M., until 11:00 o'clock A. M., Tuesday, April 17, 1951.