

JOURNAL OF THE SENATE

102

Wednesday, April 18, 1951

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Tuesday, April 17, 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:

"Oh God, in whom we place our trust, we offer Thee our praise for Thy loving favor upon our land. Forgive our ofttime unworthiness of Thy grace. May hallowed guidance be given the leaders of our beloved nation and do Thou bestow upon us a renewed appreciation of the grandeur of Americanism. Grant Thy blessing upon the legislative conclave of this Senate and may its contribution to the State of Florida be a glorious page in the annals of this Chamber, we pray in our Redeemer's name, Amen."

The reading of the Journal was dispensed with.

The Senate daily Journal of Monday, April 16, 1951, was further corrected as follows:

Page 6, column 1, in line 27, counting from the bottom of the column, strike out the word "by" and insert in lieu thereof the word "of."

Also—

Page 6, column 1, lines 22 and 23, counting from the bottom of the column, strike out the following words:

"providing for protest of sufficiency of petition"

And as further corrected was approved.

The Senate daily Journal of Tuesday, April 17, 1951, was corrected as follows:

Page 6, column 2, between line 22 and 23 insert the following:

"Which was read the first time by title only."

Also—

Page 11, column 2, between lines 5 and 6, counting from the bottom of the column, insert the following:

"A bill to be entitled"

And as corrected was approved.

REPORTS OF COMMITTEES

Senator Dayton, Chairman of the Committee on Privileges and Elections, reported that the Committee had carefully considered the following bill:

S. B. No. 97—A bill to be entitled An Act requiring Members of the Board of County Commissioners to be nominated by voters at large and not by Districts and providing for residence requirements of Board Members.

—and recommends that it do pass.

And the Bill contained in the preceding report was referred to the Committee on County Organizations under the original joint reference.

Senator Sanchez, Chairman of the Committee on County Organizations, reported that the Committee had carefully considered the following Bill:

S. B. No. 97—A bill to be entitled An Act requiring Members of the Board of County Commissioners to be nominated by voters at large and not by Districts and providing for residence requirements of Board Members.

—and recommends that it do not pass.

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

Senator Beall, Chairman of the Committee on Veterans Affairs, reported that the Committee had carefully considered the following Bills:

S. B. No. 130—A bill to be entitled An Act relating to the construction, acquisition, expansion, equipping, rehabilitation and conversion of armory facilities in the State, appropriating funds therefor and empowering the State armory Board to cooperate with and enter into contracts with Federal, State, County and municipal agencies in carrying out the provisions of the Act.

S. B. No. 168—A bill to be entitled An Act exempting veterans with a permanent total service connected disability which results in paralysis of the lower extremities from any taxation on real estate, including residence thereon, acquired wholly or in part through financial assistance authorized by the Veterans Administration of the United States Government. But no property shall be exempt from assessments nor is such exemption provided herein in addition to homestead exemption.

S. B. No. 169—A bill to be entitled An Act to amend Section 205.161 (2), Florida Statutes, by extending certain license tax exemptions to the unremarried widow of a man who lost his life while in the military service of the United States.

—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 Bills:

S. B. No. 112—A bill to be entitled An Act to amend Section 47.16 of Florida Statutes 1949, and relating to the service of process on persons, associations and co-partnerships, who are non-residents of the State of Florida and the United States of America, and foreign corporations, and residents who subsequently remove from the State or conceal their whereabouts, who operate, conduct, engage in, or carry on a business or business venture in this State.

S. B. No. 136—A bill to be entitled An Act amending Section 36.16, Florida Statutes, relating to substitution of Circuit Judge for County Judge in certain circumstances where the County Judge is unable or disqualified to act.

—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. 137—A bill to be entitled An Act amending Section 735.04, Florida Statutes, relating to the probate law, when administration of certain estates unnecessary: prescribing requirements of valuation of such estates in certain circumstances: and prescribing conditions under which administration of the Florida estate of a resident or non-resident decedent may be dispensed with after such decedent has been dead for more than three years.

—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 Bills:

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.

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.

—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. 229—A bill to be entitled An Act to empower the Supreme Court of the State of Florida to prescribe the requirements, qualifications and standards for the admission of persons to practice law in any of the courts of the State of Florida or its political subdivisions empowering the Supreme Court of the State of Florida to prescribe and establish additional duties, powers and procedures for the State Board of Law Examiners; providing, with certain exceptions provided herein, that no person shall be admitted to practice without examination (unless by order of the Supreme Court of Florida).

—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. 74—A bill to be entitled An Act providing that divorce invalidates a will insofar as divorced spouse is concerned.

—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.

ENROLLING REPORT

April 17, 1951.

Your Enrolling Clerk, to whom was referred—

H. B. No. 1.

—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.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Smith—

S. B. No. 305—A bill to be entitled An Act granting leaves of absence to State and county employees during absence from duty while in active military service and providing for their rights and privileges during such absence and upon return.

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

By Senator Leaird—

S. B. No. 306—A bill to be entitled An Act relating to the compensation of the Sheriff, Clerk of the Circuit Court and County Judge of Broward County, Florida, whose compensation is paid by fees or commissions; and prescribing the time when this Act shall become a law.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 306 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Leaird moved that the rules be waived and Senate Bill No. 306 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 306 was read the second time by title only.

Senator Leaird moved that the rules be further waived and Senate Bill No. 306 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. 306 was read the third time in full.

Upon the passage of Senate Bill No. 306 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. 306 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baynard—

S. B. No. 307—A bill to be entitled An Act for the relief of L. D. Chitty, growing out of an illegal sentence imposed by the Circuit Court of the Sixth Judicial Circuit in and for the County of Pinellas, State of Florida, on February 21, 1947, and executed between that time and April 2, 1949, in the State Penitentiary at Raiford, Florida, and making an appropriation therefor.

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

By Senator Baynard—

S. B. No. 308—A bill to be entitled An Act to amend Section 317.63, Florida Statutes, 1941, requiring motor vehicles to be equipped with mufflers by including motorcycles, motor bicycles, motor scooters and all self propelled vehicles.

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

By Senator Baynard—(By Request)—

S. B. No. 309—A bill to be entitled An Act exempting sponge boats not in use and operation for extended periods of time from ad valorem tangible personal property taxes when not in operation as aforesaid.

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

By Senator Baynard—

S. B. No. 310—A bill to be entitled An Act to provide for the removal and eviction or removal or eviction of tenants or occupants of real property for the non-payment of rent; to confer jurisdiction upon Justice of Peace courts; to fix and limit the jurisdiction thereof; to define and provide the procedure, and to fix the costs and fees for the same.

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

By Senator Sanchez—

S. B. No. 311—A bill to be entitled An Act relating to telephones and telephone service; providing for rural telephone co-operative nonprofit corporations to provide telephone service for rural areas; setting up powers, duties, organization, and exemptions.

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

By Senators Beall and Johnston—(By Request)—

S. B. No. 312—A bill to be entitled An Act amending Section 849.06, Florida Statutes, 1949, relating to minors and places where pool or billiards are publicly played, providing penalties for violation hereof, repealing all laws in conflict and effective date.

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

By Senator Beall —

S. B. No. 313—A bill to be entitled An Act authorizing Boards of County Commissioners of the several counties of Florida to vacate and abandon and to disclaim and renounce any claim of title of the county or the public to any lands constituting a park or any lands delineated on any recorded plat or map as a park, for the acquisition of which no consideration has been paid by the county, located without the limits of any municipal corporation, except with respect to those parks owned or maintained by the United States of America, State Board of Forestry, Florida Parks Service or Florida Board of Parks and Historic Memorials; Providing for the execution and delivery of a quit claim deed by the Board of County Commissioners to the parties designated in the law as being entitled to the fee simple title to said lands constituting the said parks or described on any recorded plat or map as a park; Providing for the procedure and duties of county officers in the administration of this law.

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

By Senator Gautier (13th)—

S. B. No. 314—A bill to be entitled An Act authorizing and empowering the City of Miami, a municipal corporation of the State of Florida, to do any and all things necessary and expedient in order to encourage and attract new industries and to encourage the development of those industries which have located in the said City of Miami and authorizing and empowering the said City of Miami to expend moneys for such purpose; restricting this act so that the City of Miami may not subsidize any light industry or manufacturing or lend its credit to any person, firm or corporation for the purpose of furthering any business enterprise; providing for the separability of the provisions of this act; repealing all laws and parts of laws in conflict or inconsistent herewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 314 when it was introduced in the Senate, and

evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 314 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 314 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 314 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. 314 was read the third time in full.

Upon the passage of Senate Bill No. 314 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. 314 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (13th)—

S. B. No. 315—A bill to be entitled An Act to amend Section 5 (c) of Chapter 10847, Laws of Florida, approved May 9, 1925, entitled "An Act to amend and reenact the charter of the City of Miami, in the County of Dade, 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 officers of the city", to extend the time from 10 to 20 days within which the City Clerk may examine and ascertain the number of registered voters whose signatures are appended to initiative petitions.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 315 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 315 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 315 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 315 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. 315 was read the third time in full.

Upon the passage of Senate Bill No. 315 the roll was called and the vote was:

Yeas—38.

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

Gautier (13th)	Lewis	Pope	Shivers
Johns	Lindler	Ripley	Smith
Johnson	McArthur	Rodgers	Tucker
Johnston	Moore	Rogells	Wright
King	Morrow	Sanchez	
Leaird	Pearce	Shands	

Nays—None.

So Senate Bill No. 315 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (13th)—

S. B. No. 316—A bill to be entitled An Act empowering and authorizing the City of Miami to establish and maintain a hurricane or disaster fund for the purpose of providing moneys for the payment of the cost of cleaning, repairing or repaving its streets, sidewalks, parks and playgrounds, or for rehabilitation for damage done to any municipal property caused by or resulting from any hurricane or disaster; providing for the payment of at least \$100,000 per year into said fund until it shall have reached the sum of \$500,000; and providing that the said fund shall not be used or expended for any other purpose except as provided in this Act.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 316 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 316 be read the second time by title only

Which was agreed to by a two-thirds vote.

And Senate Bill No. 316 was read the second time by title only

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 316 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. 316 was read the third time in full.

Upon the passage of Senate Bill No. 316 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. 316 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (13th)—

S. B. No. 317—A bill to be entitled An Act to further amend Section 13 of Chapter 10847, Laws of Florida, approved May 9, 1925, as amended by Chapter 22393, Special Laws of Florida, 1943, entitled "An Act to amend and reenact the charter of the City of Miami, in the County of Dade, 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 officers of the city", relating to the filling of vacancies on the commission caused by death, resignation or other causes, and providing for an election in case of failure of the commission to fill such vacancy and providing for the

election of commissioners where terms of four or more expire simultaneously and repealing all laws in conflict.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 317 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 317 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 317 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 317 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. 317 was read the third time in full.

Upon the passage of Senate Bill No. 317 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. 317 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (13th)—

S. B. No. 318—A bill to be entitled An Act authorizing and empowering the Director of Finance of the City of Miami, Florida, with the consent and approval of the City Manager, to invest any funds of the City of Miami in United States Government or United States treasury bonds, certificates, notes or bills, or to arrange interest-bearing time deposits with the depositories of the city, and the interest derived from such investments or deposits shall accrue as revenue to the general fund of the city, except in the case of special funds for which the city is required by agreements or by law to credit such special fund with interest on its invested balances.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 318 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 318 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 318 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 318 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. 318 was read the third time in full.

Upon the passage of Senate Bill No. 318 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. 318 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (13th)—

S. B. No. 319—A bill to be entitled An Act to amend Section 58 (e) of Chapter 10847, Laws of Florida, approved May 9, 1925, entitled "An Act to amend and reenact the charter of the City of Miami, in the County of Dade, 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 officers of the city", to make it unnecessary for the city manager's signature to appear upon general bonds of the City of Miami.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 319 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 319 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 319 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 319 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. 319 was read the third time in full.

Upon the passage of Senate Bill No. 319 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. 319 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (13th)—

S. B. No. 320—A bill to be entitled An Act to amend Section 6 (e) of Chapter 10847, Laws of Florida, approved May 9, 1925, entitled "An Act to amend and reenact the charter of the City of Miami, in the County of Dade, 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 officers of the city", to extend the time from 10 to 20 days within which the city clerk may examine and ascertain the number of registered voters whose signatures are appended to referendum petitions.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 320 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 320 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 320 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 320 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. 320 was read the third time in full.

Upon the passage of Senate Bill No. 320 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. 320 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (13th)—

S. B. No. 321—A bill to be entitled An Act amending Section 6 of Chapter 22935, Laws of Florida, Acts of 1945, relating to certain water conservation districts; reducing from two mills to one-half mill the tax authorized by said Section 6.

Which was read the first time by title only.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 321 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 321 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 321 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. 321 was read the third time in full.

Upon the passage of Senate Bill No. 321 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. 321 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (13th)—

S. B. No. 322—A bill to be entitled An Act concerning plats and revised plats and their effect, upon approval by proper authorities and recording in the public records of the county, on streets, alleys, roads and other thoroughfares, and on parks, parkways, waterways, school sites and other tracts, theretofore dedicated to or used by the public, when not shown on such plats and revised plats, and when so approved and recorded, their effect on the title to lands lying within the confines of the same; limiting the applicability of this Act to counties having populations of not less than 325,000 according to the last preceding Federal census.

Which was read the first time by title only.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 322 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 322 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 322 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. 322 was read the third time in full.

Upon the passage of Senate Bill No. 322 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. 322 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (13th)—

S. B. No. 323—A bill to be entitled An Act to amend Sections 726.02, 726.03, 726.04, 726.05 and 726.06, Laws of Florida, 1941, by providing for the giving of public notice to all creditors prior to completion of the sale in bulk of goods, wares or merchandise and by adding the sale of business fixtures and/or equipment to those sales for which notice to creditors must be given.

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

By Senator Gautier (13th)—

S. B. No. 324—A bill to be entitled An Act empowering the Board of County Commissioners of each county of the State of Florida having a population of not less than 325,000, according to the last preceding Federal census, which maintains a full-time county health unit and director thereof and which contributes not less than 70 per cent of the total funds expended annually for the operation of such county health unit, to fix the salary of the director of such county health unit, whether or not such salary is paid by or through the State Treasurer, and directing the State Treasurer to pay such salary out of the funds provided in the budget of such county health unit.

Which was read the first time by title only.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 324 be read the second time by title only.

Which was agreed to by a two-thirds vote.

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

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 324 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

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

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

Yeas—38.

Mr. President	Collins	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. 324 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (13th)—

S. B. No. 325—A bill to be entitled An Act amending Section 872.01, Florida Statutes, 1949, relating to dealing in dead bodies.

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

By Senator Gautier (13th)—

S. B. No. 326—A bill to be entitled An Act empowering the Board of County Commissioners of each county to give dead human bodies, unclaimed by relatives within ten days after death, to various schools and other institutions for educational and research purposes.

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

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

Senate Joint Resolution No. 327:

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 refuses 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 Gautier (13th)—

S. B. No. 328—A bill to be entitled An Act to abolish the winter term of Circuit Court of the Eleventh Judicial Circuit in and for Dade County, Florida.

Which was read the first time by title only.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 328 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 328 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 328 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. 328 was read the third time in full.

Upon the passage of Senate Bill No. 328 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. 328 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (13th)—

S. B. No. 329—A bill to be entitled An Act to create a grand jury commission constituted of the board of county commissioners, and to prescribe its duties and method of functioning, and to prescribe certain qualifications of grand jurors, and fixing the compensation of grand jurors in all counties in the State of Florida having a population of 325,000 or more, according to the last State or Federal census.

Which was read the first time by title only.

Senator Gautier (13th) 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.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 329 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. 329 was read the third time in full.

Upon the passage of Senate Bill No. 329 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. 329 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (13th)—

S. B. No. 330—A bill to be entitled An Act relating to excusing witnesses from testifying or producing evidence that may incriminate such witnesses; providing for a waiver of immunity by a witness; and repealing Section 932.29 of Florida Statutes 1949 relating to excusing witnesses from testifying in certain prosecutions on the grounds of self-incrimination, and all other laws in conflict therewith.

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

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

S. B. No. 331—A bill to be entitled An Act relating to criminal contempt of court for failure to testify or produce documentary or other evidence before the grand jury, and providing a penalty therefor.

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

By Senator Gautier (13th)—

S. B. No. 332—A bill to be entitled An Act amending Section 2 and the first paragraph of Section 3 of Chapter 22962, Laws of Florida, Acts of 1945, pertaining to counties having a population of more than 260,000 according to the last Federal census, by providing that the sale and conveyance or lease of property owned by the county or by its Board of County Commissioners may be effected at private sale if value thereof or amount of rent to be realized, in opinion of such board, does not exceed \$1,000, and by providing that if such value or amount of rent, in opinion of such board, exceeds \$1,000, sale and conveyance or lease may be made only after advertisement for bids.

Which was read the first time by title only.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 332 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 332 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 332 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. 332 was read the third time in full.

Upon the passage of Senate Bill No. 332 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. 332 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

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

S. B. No. 333—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 "C".

By Senator Gautier (13th)—

S. B. No. 334—A bill to be entitled An Act to provide for the issuance and service of witness subpoenas and subpoenas duces tecum by the grand jury in all counties in this State having a population of 325,000 or more, according to the last State or Federal census.

Which was read the first time by title only.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 334 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 334 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 334 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. 334 was read the third time in full.

Upon the passage of Senate Bill No. 334 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. 334 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (13th)—

S. B. No. 335—A bill to be entitled An Act to extend and enlarge the corporate limits of the City of Miami, in the County of Dade, Florida; to prescribe the liability of property within the annexed territory for municipal taxation; to give the said City of Miami jurisdiction over the territory em-

braced in said extension; providing for the submission of this act to the electorate of the City of Miami, Florida, for its approval or rejection and providing for the effective date hereof.

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

By Senator Gautier (13th)—

S. B. No. 336—A bill to be entitled An Act relating to the use of the services of retired Justices of the Supreme Court and compensation and allowances therefor.

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

By Senators Morrow and Gautier (13th)—

S. B. No. 337—A bill to be entitled An Act requiring all domestic corporations of the State of Florida to file with the county assessor of taxes in the county of the principal place of business of said corporation, financial statements of said corporation, a list of all stockholders of said corporations, the number of shares owned by each and the address of each stockholder as of January First of each year; requiring all foreign corporations authorized to do business in the State of Florida to file with the Secretary of State a statement showing the names and addresses of all stockholders of said corporation residing in the State of Florida, the number of shares owned by each and in certain cases the book value of its stock as of January First of each year; prescribing the time for filing such reports; providing that the Secretary of State shall furnish the information herein required from foreign corporations to the assessor of taxes of the county of residence of such stockholders; providing a penalty for the violation hereof; repealing all laws in conflict herewith and provided when this act shall become effective.

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

By Senators Morrow and Gautier (13th)—

S. B. No. 338—A bill to be entitled An Act making it unlawful for any person, firm or corporation to build or cause to be built any building, or any addition to any existing building outside the corporate limits of any municipality in the State of Florida without first having obtained a permit therefor from the Board of County Commissioners of the county in which said building shall be located: Providing for the issuance of such permits without fees or charges to the applicant; providing that the Board of County Commissioners shall furnish a copy of such building permits to the tax assessor of the county monthly; providing that a violation of this act shall constitute a misdemeanor; repealing all laws in conflict herewith and providing when this act shall become effective.

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

By Senator Gautier (13th)—

S. B. No. 339—A bill to be entitled An Act subjecting all tangible personal property as defined by Section 200.01, Florida Statutes 1949, located in the State of Florida between January 1 and March 31 of each year to taxation in the county in which the same is situated; repealing all laws in conflict herewith (except Section 200.44, Florida Statutes 1949) and providing when this Act shall become effective.

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

By Senators Morrow and Gautier (13th)—

S. B. No. 340—A bill to be entitled An Act amending Section 193.12, Florida Statutes, relating to the return of property for taxation: regulating the time and manner of making such return; and requiring that such return indicate the status of said property as to exemption from taxation.

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

By Senators Morrow and Gautier (13th)—

S. B. No. 341—A bill to be entitled An Act providing that

no person shall be entitled to the homestead exemption from taxation under Section 192.12, Florida Statutes 1949, unless such person at the time of making such application shall have been a legal resident of the State of Florida for a period of one year prior thereto; providing that the Assessors of Taxes of the counties of Florida shall require proof of such residence before granting such applications.

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

By Senator Branch—

S. B. No. 342—A bill to be entitled An Act relating to the re-employment rights of officers and employees of the City of Tampa entering the military service and granting to all officers and employees of the City of Tampa entering the military service since the beginning of the Korean war in June, A. D. 1950, the same re-employment rights as provided for by the statutes of the United States for employees of private employers.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 342 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. 342 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 342 was read the second time by title only.

Senator Branch moved that the rules be further waived and Senate Bill No. 342 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. 342 was read the third time in full.

Upon the passage of Senate Bill No. 342 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. 342 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johnston—

S. B. No. 343—A bill to be entitled An Act amending Subsection (2) of Section 317.27 of Florida Statutes, 1949, relating to overtaking and passing vehicles.

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

By Senator King—

S. B. No. 344—A bill to be entitled An Act amending Subsection (2) of Section 732.16 and Subsection (1) of Section 732.19, Florida Statutes, relating to probate law and providing the time in which appeals may be made.

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

By Senators Collins, Johnson and Clarke—

Senate Joint Resolution No. 345:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE V OF THE CONSTITUTION OF THE STATE OF FLORIDA BY ADDING THERETO AN ADDITIONAL SECTION TO BE NUMBERED BY THE SECRETARY OF STATE, PROVIDING FOR AN ADDITIONAL CIRCUIT JUDGE FOR THE SECOND JUDICIAL CIRCUIT EMBRACING THE STATE CAPITAL TO ASSIST IN THE DISPOSITION OF A LARGE VOLUME OF LITIGATION INVOLVING THE STATE, OR OFFICER THEREOF, HIS POWERS AND DUTIES, AND FURTHER PROVIDING FOR THE APPOINTMENT BY THE GOVERNOR AND CONFIRMATION BY THE SENATE OF THE FIRST SUCH CIRCUIT JUDGE, AND HIS ELECTION THEREAFTER.

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

That the following amendment to Article V of the Constitution of the State of Florida, by adding thereto an additional section to be numbered by the Secretary of State, is agreed to and shall be submitted to the electors of the State of Florida for approval or rejection at the next General Election to be held in November of the year 1952, as follows:

Section—-. There shall always be an additional Circuit Judge for the Second Judicial Circuit, embracing the State Capital, to assist in the disposition of a large volume of litigation involving the State, or officer thereof, who shall be appointed by the Governor and confirmed by the Senate to serve until the first Tuesday after the first Monday in January 1955. His successor shall be elected in the manner provided by law. Such Circuit Judge shall have the same power, jurisdiction and salary as the other judges of said Circuit.

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

By Senator Johnson—

S. B. No. 346—A bill to be entitled An Act prescribing the amount and authorizing the compensation to be paid to the Members of the County Boards of Public Instruction in Counties of the State of Florida having a population not less than 36,300 nor more than 37,000 according to the last preceding Federal census; providing for the payment of expenses of such Board members and specifying the effective date of said act.

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

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

S. B. No. 347—A bill to be entitled An Act relating to purchases by departments, boards, commissions, institutions, and agencies of the State of Florida and creating a State Central Purchasing Council, providing for the membership thereof, prescribing the duties, powers and functions of said Council and authorizing expenditures for the expenses thereof.

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

By Senators Leaird, Gautier (13th), McArthur and Lindler—

S. B. No. 348—A bill to be entitled An Act to amend Sections 30.23 and 30.25, Florida Statutes, relating to sheriffs and constables, their fees and compensation, also allowance for feeding prisoners.

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

Senator Brackin moved that a committee of three be appointed to escort Brig. General S. P. Wright, Deputy Commanding General, and Colonel J. T. Bull, Public Information Officer, Air Proving Ground, Eglin Air Force Base, to seats on the rostrum.

Which was agreed to.

The President appointed Senators Brackin, Johnson, and Collins as the committee.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 17, 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. Morgan of Duval—

H. B. No. 266—A bill to be entitled An Act to provide for temporary hospitalization and confinement of persons subject to proceedings of determination of mental capacity as provided by Sections 394.20 and 394.21, Florida Statutes in counties having a population in excess of 300,000 according to the last official census; and providing for procedure and payment of costs in such proceedings.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 266, contained in the above Message, was read the first time by title only and referred to the Committee on Population.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 18, 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 Senators Shands, Dayton, Ripley, Rogells, Leaird, Baynard, King, Smith and Gautier (13th)—

S. B. No. 37—A bill to be entitled An Act relating to the practice of public accounting; amending Section 473.08, Florida Statutes, 1941; and repealing Section 473.11, Florida Statutes, 1941; providing for eligibility to take the examination for Certified Public Accountant and the conditions for issuing certificates to practice as Certified Public Accountants to those persons taking and passing said examination; defining residence for the purpose of eligibility, placing authority with State Board of Accountancy for determining standards of accreditation of Colleges and Universities for purposes of eligibility of graduates; and repealing all laws in conflict herewith.

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

And Senate Bill No. 37, contained in the above Message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

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

Which was agreed to.

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 commis-

sion 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.

Was taken up and read the third time in full.

Upon the passage of House Bill No. 162 the roll was called and the vote was:

Yeas—33.

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

Nays—4.

Mr. President Ayers Baker Franklin

So House Bill No. 162 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

SENATE BILLS ON THIRD READING

By the Committee on Finance and Taxation—

S. B. No. 35—A bill to be entitled An Act revising Chapter 212, Florida Statutes, relating to the imposing and collecting of privilege taxes on the sale, use and storage for use or consumption of tangible personal property, on admissions and the rental of tangible personal property and certain real property; by eliminating certain exemptions and adding others; providing rates and methods of reporting and remitting such taxes to the State; declaring such taxes to be State funds and providing penalties for failure to remit and for embezzlement of such funds; granting additional powers to the Comptroller and providing funds for the enforcement of the Chapter; by amending all or parts of Sections 212.02, 212.03, 212.04, 212.06, 212.08, 212.11, 212.12, 212.15 and 212.20 thereof; and providing an effective date.

Was taken up in its order and read the third time in full, as amended.

Pending roll call on Senate Bill No. 35, as amended, Senator Shands moved that the rules be waived and the time of adjournment be extended until final disposition of Senate Bill No. 35.

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

Upon the passage of Senate Bill No. 35, as amended, the roll was called and the vote was:

Yeas—22.

Mr. President	Collins	Leaird	Pope
Ayers	Crary	Lewis	Rodgers
Baker	Franklin	McArthur	Shands
Boyle	Gautier (28th)	Moore	Smith
Carroll	Gautier (13th)	Morrow	
Clarke	King	Pearce	

Nays—16.

Baynard	Davis	Johnston	Sanchez
Beall	Dayton	Lindler	Shivers
Brackin	Johns	Ripley	Tucker
Branch	Johnson	Rogells	Wright

So Senate Bill No. 35 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

EXPLANATIONS OF VOTES

We voted against Senate Bill No. 35 because it is our opinion that the need for additional revenue has not yet been established.

GEORGE C. DAYTON, 38th District
F. ONELL ROGELLS, 36th District
JOHN BRANCH, 34th District

This Bill if enacted would place a tax on sales of farm equipment and machinery. It seems unfair to me to place an additional tax on our farmers, particularly on tractors and farm equipment so necessary for the planting and cultivation of crops. The Limited Sales Tax enacted in the 1949

Extraordinary Session of the Legislature exempted such equipment from the tax. I have therefore voted against this measure.

G. WARREN SANCHEZ, 17th District.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 2:06 o'clock P. M., until 11:00 o'clock A. M., Thursday, April 19, 1951.