

JOURNAL OF THE SENATE

Wednesday, May 2, 1951

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The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Tuesday, May 1, 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:

O Lord our God, who inspired our Pilgrim fathers in founding a new community of freedom, and into whose hands we confidently place our hope for the future, unite our hearts in the common cause of the hour for the survival of free men and nations. As our leaders in past crises found strength upon their knees, so may our nations great be humble before Thee. Forbid that we should trod the path of those who forgot God. We beseech Thee to direct in heart and mind the members of this Chamber. May their selection by the people of this State be justified and rewarded by wise legislation enacted for the best interest of all the people, in the name of Thy Son, our Lord and Savior, Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Thursday, April 19, 1951, was further corrected as follows:

Page 10, column 1, line 8, strike out the name "Brevard" and insert in lieu thereof the name "Broward".

And as further corrected was approved.

The Senate daily Journal of Wednesday, April 25, 1951, was further corrected as follows:

Page 10, column 2, at the end of line 8, counting from the bottom of the column, strike the period and add the following:

"by a two-thirds vote".

And as further corrected was approved.

The Senate daily Journal of Monday, April 30, 1951, was further corrected as follows:

Page 1, column 2, line 4, after the word "disability" and before the word "and" insert the following:

" ; defining such disability".

Also—

Page 2, column 2, line 28, strike the figures (14,800) and insert in lieu thereof the figures (114,800).

Also—

Page 5, column 1, line 2, counting from the bottom of the column, after the figures "62.45" and before the name "Florida" insert the word "of"

Also—

Page 5, column 2, line 40, strike the letters "piled" and insert the letters "plied".

Also—

Page 6, column 2, line 32, strike out the word "account" and insert in lieu thereof the word "amount".

Also—

Page 15, column 2, line 5, counting from the bottom of the column, strike out the name "Brevard" and insert in lieu thereof the name "Broward".

Also—

Page 23, column 1, line 10, strike out the word "seventy" and insert in lieu thereof the word "seven".

An as further corrected was approved.

The Senate daily Journal of Monday, May 1, 1951, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Senator Johnston, Chairman of the Committee on Labor and Industry, reported that the Committee had carefully considered the following Bill:

S. B. No. 445—A bill to be entitled An Act to amend Section 440.39, Florida Statutes, relating to compensation for injuries where third persons are liable.

—and recommends that it do not pass.

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

Senator Johnston, Chairman of the Committee on Labor and Industry, reported that the Committee had carefully considered the following Bills:

S. B. No. 526—A bill to be entitled An Act amending Sections 443.03, 443.05, 443.07, 443.08, 443.09, 443.15, 443.16, and 443.22, Chapter 443, Florida Statutes 1949, known as the "Unemployment Compensation Law," relating to definitions, benefit rights, recovery and recoupment of illegal benefits, contributions, experience rating, election and termination of coverage, collection of contributions, attorney fees, and fraud penalties; and making this Act effective July 1, 1951.

S. B. No. 542—A bill to be entitled An Act relating to the payment of workmen's compensation death benefits.

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

S. B. No. 519—A bill to be entitled An Act amending Chapter 361, Florida Statutes, relating to right of eminent domain to public utilities by providing right of eminent domain to certain natural gas companies.

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

S. B. No. 577—A bill to be entitled An Act to amend Section 343.46, Florida Statutes of 1949, relating to the termination of

easements and the fee in roads and other places used for travel, vacated and abandoned by the board of county commissioners.

—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 Branch, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bills:

S. B. No. 472—A bill to be entitled An Act making it unlawful for anyone, with intent to defraud, to secure farm or grove products from the producer thereof for or on account of a check, draft or written order for the payment of money, and stop payment thereon pursuant to such intent; providing penalties for the violation of this Act; prescribing certain rules of evidence in prosecutions under this Act; providing that this Act shall be cumulative; and prescribing the effective date hereof.

S. B. No. 564—A bill to be entitled An Act amending Chapters 62.40, 62.43, 62.44, and 62.45 of Florida Statutes of 1949 relating to free dealers, so as to provide for the removal of disabilities of marriage of married women residing within the State of Florida and married women who reside without the State of Florida who own real estate located within the State of Florida or any interest or apparent interest therein, as the separate property of said married woman acquired by gift, devise, bequest, descent, purchase, reverter or operation of law. Providing for the procedure in such matters, the decree to be entered by the court, the record thereof, and the effect of a marriage of any free dealer subsequent to the entry of any such decree: Providing that any decree so entered with respect to a non-resident owning real estate within the State of Florida shall provide that the powers, privileges, obligations and authority of any such free dealer shall be limited to transactions or suits relating to or in connection with the real estate located within the State of Florida.

—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 Branch, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bills:

S. B. No. 410—A bill to be entitled An Act relating to the use of photographic copies of business and public records as evidence.

S. B. No. 453—A bill to be entitled An Act to authorize public officials of any county of the State of Florida to reproduce on a small scale by photographic, micro-photographic, photostatic, microphotostatic, or other process, any public records, court exhibits, or office records in their official custody; to prescribe the conditions under which such records shall be so reproduced; to prescribe by whose authority the expenditure therefor shall be made; to provide for the verification, certifications, storage, examination and use of such reproductions; to provide that certified positive or negative reproductions shall be deemed the official original records for all purposes, and that certified copies thereof, or of any enlarged portion thereof, shall be acceptable in any court; to authorize the sale of copies of such reproductions; to provide that after the reproductions have been verified and certified the originals may be destroyed or otherwise disposed of; to provide that with certain exceptions public records, court exhibits and office records, which are considered to be worthless from a practical standpoint, may be destroyed or otherwise disposed of without first reproducing them on a smaller scale, provided that in each particular instance certain conditions are complied with, including the issuing and recording of a Circuit Court order; and otherwise generally and specifically regulating the reproducing of said records on a small scale and destroying same.

—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 Branch, Chairman of the Committee on Judiciary

"A", reported that the Committee had carefully considered the following Bill:

H. B. No. 77—A bill to be entitled An Act to amend Section 317.20 and repealing Section 860.01, Florida Statutes, relating to driving while intoxicated or under the influence of intoxicating liquor or narcotic drugs.

—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 Moore, Chairman of the Committee on Miscellaneous Legislation, reported that the Committee had carefully considered the following Bill:

H. B. No. 219—A bill to be entitled An Act to amend Section 849.14, Florida Statutes, relating to betting, wagering and gambling on trials and contests of skill, speed, power or endurance of man, machine, or other living creature capable of self-movement in this State, including football, baseball, basketball and other games, sports and athletic contests; to giving or accepting bribes and offering to give or accept bribes in connection therewith or on the outcome thereof; and excepting from the operation hereof any wagering expressly permitted under the laws of this State, including pari-mutuel wagering under Chapters 550 and 551, Florida Statutes, 1949.

—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 Moore, Chairman of the Committee on Miscellaneous Legislation, reported that the Committee had carefully considered the following Bill:

S. B. No. 293—A bill to be entitled An Act containing legislative findings and declaration of policy with reference to the earnings of and upon pari-mutuel pools conducted by dog race tracks and as to the taxes thereon; and to provide for additional taxes upon pari-mutuel pools conducted by dog race tracks based upon increasing percentages of two percent, three percent and four percent upon the amounts by which the total pari-mutuel handle at such tracks exceed \$40,000.00, \$70,000.00 and \$90,000.00, respectively, during any twenty-four hour period; defining such twenty-four hour period; providing that such additional taxes so assessed shall be paid into a special fund and become a part of a special revolving building fund for capital improvements at state institutions, subject to appropriations from said fund, and in such priority as may be provided by law, except in the event of any insufficiencies in the racing funds to be distributed to the several counties of the State of Florida; repealing all laws and parts of laws in conflict herewith and fixing the effective date of this Act.

—and recommends that it do not pass.

And the Bill contained in the preceding report was laid on the table without being referred to the Committee on Finance and Taxation under the original joint reference.

Senator Clarke, Chairman of the Committee on Constitutional Amendments, reported that the Committee had carefully considered the following Resolutions:

S. J. R. No. 218—A Joint Resolution proposing an Amendment to Section 7 of Article X of the State Constitution exempting homesteads from taxation by providing that such homesteads shall not be exempt from taxes for school purposes.

S. J. R. 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.

S. J. R. 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.

—and recommends that they do not pass.

And the Resolutions contained in the preceding report were laid on the table.

Senator Clarke, Chairman of the Committee on Constitutional Amendments, reported that the Committee had carefully considered the following Resolutions:

S. J. R. No. 403—A Joint Resolution proposing the Amendment of Section 7, of Article X of the Constitution of Florida relating to Homestead Exemptions.

S. J. R. No. 438—A Joint Resolution proposing Amendment to Article IX of the Constitution of the State of Florida relative to Taxation and Finance, to be known as Section 14 of Article IX.

S. J. R. No. 530—A Joint Resolution proposing an Amendment to Article VI of the Constitution, relating to the right of suffrage and eligibility by amending Section 1 thereof pertaining to conditions to be fulfilled so as to qualify as an Elector.

—and recommends that they do pass.

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

Senator Clarke, Chairman of the Committee on Constitutional Amendments, reported that the Committee had carefully considered the following Resolution:

S. J. R. 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.

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

And the Resolution contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Clarke, Chairman of the Committee on Constitutional amendments, reported that the Committee had carefully considered the following Resolution:

H. J. R. No. 9—A Joint Resolution proposing an Amendment of Section 2, Article III, Constitution of the State of Florida, related to Regular and Extra Sessions of the Legislature, by adding to said Section a provision for the convening of the Legislature into Extra Session by the Members thereof.

—and recommends that it do pass.

And the Resolution 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. 548—A bill to be entitled An Act amending Chapter 20412, Laws of Florida 1941, being Section 222.17, Florida Statutes, 1941, entitled "An Act providing a method for manifesting and evidencing domicile in Florida.", to provide for evidencing domicile both in Florida and in states other than the State of Florida.

—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. 510—A bill to be entitled An Act to amend Section 29.04, Florida Statutes, relating to salaries, expenses and duties of court reporters by allowing additional compensation when a court reporter serves as secretary to judge.

—and recommends that it do pass.

And the Bill contained in the preceding report was referred

to the Committee on Appropriations under the original joint reference.

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

S. B. No. 495—A bill to be entitled An Act to regulate the use of television sets in motor vehicles in the State of Florida and providing penalty for violation.

—and recommends it do pass.

And the Bill contained in the preceding report 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 Bills:

S. B. No. 524—A bill to be entitled An Act relating to traffic regulations prescribing certain rights and duties of pedestrians upon the public roads.

S. B. No. 525—A bill to be entitled An Act relating to the regulation of traffic on highways to provide regulations for the operation of bicycles upon the public roads, side paths and highways and providing penalties for violations.

S. B. No. 539—A bill to be entitled An Act to amend Subsection (3) of Section 317.61, Florida Statutes 1949, relating to brake equipment required on motor vehicles.

—and recommends that the same do not pass.

And the Bills contained in the preceding report were laid on the table.

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

S. B. No. 160—A bill to be entitled An Act amending Sections 317.11, 317.15; and repealing Sections 317.12; 317.13; 317.14; 317.17; 317.19, Florida Statutes relating to regulation of traffic on highways and requiring certain reports to be filed.

S. B. No. 580—A bill to be entitled An Act to amend Chapter 323, Florida Statutes, 1949, relating to the supervision and regulation of auto transportation companies by amending Section 323.01 of said chapter relating to definitions of the terms, language and phrases used therein; by amending Section 323.02 so as to require an interstate motor carrier to obtain a certificate of registration of its interstate authority; by amending Sections 323.03 and 323.04 so as to require payment of a fee of one hundred dollars with each application and to repeal Subsections 5 of each of said sections; By amending Section 323.10 relating to failure of a common carrier to operate over a route or schedule or to any point or terminal or the abandonment of operation or any part of same and providing penalty therefor; by adding a new section providing for the issuance of certificates of registration to interstate carriers holding authority from the interstate commerce commission and providing the requirements and procedure for obtaining such certificates of registration and the extent of supervision and regulation of such interstate carriers under such certificates of registration; by adding a new section providing for the transfer of certificates of public convenience and necessity and the procedure therefor, and repealing all laws and parts of laws in conflict herewith.

—and recommends that the same 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. 466—A bill to be entitled An Act to amend Subsection (2) of Section 744.13, Florida Statutes, 1949, by providing that natural guardians, residents of Florida, may, without appointment, authority or bond, collect, receive, manage and dispose of any property inherited by or otherwise accruing to the benefit of the child during infancy when the amount involved in any instance does not exceed fifteen hundred dollars,

and providing the method for petitioning the court for an increase of the amount to be collected, received, managed and disposed of by natural guardians if the property involved exceeds fifteen hundred dollars in value, providing for publication of notice to file such petition, hearing on such petition and fixing a formula for determining the amount of property to be managed and controlled by such natural guardians for the care, support and education of the infant and providing for a method for rescinding the order granting authority to natural guardians to manage and control an infant's property; and repealing all laws in conflict herewith.

—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:

H. B. No. 224—A bill to be entitled An Act amending Section 321.05, Subsection 5 Florida Statutes relating to the assignment of one patrolman to the office of the Governor and Chairman of the State Road Department; providing for the rank, pay and other benefits for said patrolman.

—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:

H. B. No. 213—A bill to be entitled An Act amending Subsection (1) of Section 733.16 and Subsection (2) of Section 733.18, Florida Statutes, relating to the probate law, when claims are filed against the estate; providing for notice to the personal representative, the claimant and the objector.

—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. 139—A bill to be entitled An Act amending Subsection (1) of Section 733.16 and Subsection (2) of Section 733.18, Florida Statutes, relating to the probate law, when claims are filed against the estate; providing for notice to the personal representative, the claimant and the objector.

—and recommends that the same do not pass.

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

ENGROSSING REPORTS

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

S. J. R. No. 106—A Joint Resolution proposing an amendment to Article XII of the State Constitution, by adding thereto Section 18, providing that part of the revenue derived from the licensing of motor vehicles shall be used for capital outlay and debt service school purposes and prescribing the method of distribution and use thereof.

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

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

And Senate Joint Resolution No. 106, contained in the above report, was ordered certified to the House of Representatives.

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

S. B. No. 481—A bill to be entitled An Act fixing the annual salary of the county superintendents of public instruction of the State of Florida; providing the basis upon which such salaries shall be computed; declaring the date upon which such salaries shall become effective, and repealing all laws or parts of laws in conflict with this Act.

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

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Pope—

S. B. No. 591—A bill to be entitled An Act authorizing St. Johns County, Florida, to construct or acquire a courthouse or jail, or both, or additions and improvements to any existing courthouse or jail; providing for the levy of a special tax to pay for the cost thereof; authorizing the issuance of certificates of indebtedness in anticipation of the levy and collection of said special taxes; authorizing said county to pledge to the payment of the principal of and interest on said certificates of indebtedness the monies received by said county from taxes on race tracks in the State of Florida; providing for the terms and conditions of said certificates of indebtedness and the rights of the holders thereof; and providing when this Act shall take effect.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 591 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Pope moved that the rules be waived and Senate Bill No. 591 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 591 was read the second time by title only.

Senator Pope moved that the rules be further waived and Senate Bill No. 591 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. 591 was read the third time in full.

Upon the passage of Senate Bill No. 591 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. 591 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Morrow—

Senate Joint Resolution No. 592:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 2 OF ARTICLE III OF THE CONSTITUTION RELATING TO THE REGULAR SESSIONS OF THE STATE LEGISLATURE.

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

Section 1. That the following amendment to Section 2 of Article III of the Constitution of Florida 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 1952, as follows:

Section 2. **Regular and extra sessions.**—The regular sessions of the Legislature shall be held annually, commencing on the first Tuesday after the first Monday in June A. D. 1953, and on the corresponding day of each year thereafter, but the Governor may convene the same in extra sessions by his proclamation. Regular sessions of the Legislature may extend to sixty days, but no special session convened by the Governor shall exceed twenty days.

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

By Senator Beall—

S. B. No. 593—A bill to be entitled An Act providing for the recording in the State of Florida of duly certified copies of decrees rendered by courts of competent jurisdiction of other states of the United States removing the disabilities of non-age of minors who are non-residents of the State of Florida, and providing that such decrees shall have the same force and effect in the State of Florida as in the state where rendered.

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

By Senator Beall—

S. B. No. 594—A bill to be entitled An Act providing for the filing and depositing of leases and agreements, other than mortgages, with the clerk of the Circuit Court and for the sealing and safekeeping thereof; providing for the recording of extracts from such instruments or statements of the substance of such portions of such instruments as the parties shall desire to appear of record and the fees to be collected in connection therewith; declaring that the record of such abstract shall constitute notice to third parties of the facts appearing of record; Providing for the breaking of the seal and inspection of the instrument filed, by the parties thereto or by their respective administrators, executors, successors or assigns, or, upon order of the judge of the Circuit Court and providing the procedure to be followed in such matters.

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

By Senator Beall—

S. B. No. 595—A bill to be entitled An Act amending Section 511.38, Florida Statutes, relating to obtaining food and lodging with intent to defraud; providing for inclusion of grocery store; providing for penalty.

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

By Senator King—

S. B. No. 596—A bill to be entitled An Act to amend Section 694.08, Florida Statutes of 1949, relating to the validating of certain instruments notwithstanding the lack of seals, or witnesses, or other defects.

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

By Senator Johns—

Senate Concurrent Resolution No. 597:

A CONCURRENT RESOLUTION PROVIDING FOR THE

APPOINTMENT OF THE APPROPRIATIONS COMMITTEES ON THE PART OF THE PRESIDENT DESIGNATE OF THE SENATE AND THE SPEAKER ELECT OF THE HOUSE; PROVIDING FOR SAID COMMITTEES TO MEET WITH THE BUDGET COMMISSION DURING PUBLIC HEARINGS ON BUDGETS; PROVIDING FOR THE EXPENSES OF SAID COMMITTEES; PROVIDING FOR THE PRESIDENT DESIGNATE OF THE SENATE AND SPEAKER ELECT OF THE HOUSE TO BE PRESENT AT SAID HEARING AND FOR THEIR EXPENSES; AND PROVIDING FOR SAID COMMITTEES TO WRITE THE APPROPRIATIONS BILL.

WHEREAS, under the present law the State Budget Commission composed of the Governor and cabinet must meet each biennium and hold public hearings on proposed State budgets; and

WHEREAS, the State Budget Commission must make its report and have same in the hands of the Legislators on or before March 1, biennially, prior to the meeting of the Legislature; and

WHEREAS, under Section 216.12, Florida Statutes 1949, the Appropriation Committees of the House of Representatives and of the Senate are required to sit jointly in open sessions while considering the budgets and have similar powers to require the attendance of heads of State offices and agencies in a similar manner as does the Budget Commission; and

WHEREAS, when the Legislature meets it is necessary for the respective appropriations committees to hold long and trying hearings and consider and hear practically the same information that was presented to the Budget Commission; and

WHEREAS, in an effort to eliminate some of the duplication and to give more time for the consideration of other legislative measures; NOW, THEREFORE,

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

Section 1. The President-designate of the Senate and the Speaker-elect of the House of Representatives shall as soon after the general election as practicable designate from the membership of their respective houses the membership of the respective appropriations committees who shall meet with the Budget Commission and shall have the opportunity to examine any person, persons or agencies that appear before the Budget Commission with reference to proposed budgets.

Section 2. The members of these respective committees shall be paid for travel and per diem on the same basis as if in attendance of a regular session of the Florida Legislature. The President-designate of the Senate and the Speaker-elect of the House of Representatives are hereby authorized to attend any or all of said meetings and their expenses shall be paid in the same manner as expenses of the various members of the respective committees.

Section 3. When the hearings before the said Budget Commission have terminated, the respective designated committees shall receive the Budget Commission's report and recommendations and may hold such further hearings as is deemed necessary and shall forthwith proceed to write the appropriations bill.

Section 4. For the purpose of working with the budget commission and for making determinations of the monetary needs of the various state offices and agencies, these committees are given the power to subpoena witnesses and records from any or all of the public offices or agencies of this State.

Which was read the first time in full.

Senator Johns moved that the rules be waived and Senate Concurrent Resolution No. 597 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 597 was read the second time in full.

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

A roll call was demanded.

Upon the adoption of Senate Concurrent Resolution No. 597 the roll was called and the vote was:

Yeas—35.

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

Nays—1.

Pearce

So Senate Concurrent Resolution No. 597 was adopted and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johns—

S. B. No. 598—A bill to be entitled An Act to amend Section 216.15, Florida Statutes 1949, relating to appropriations for the operation of the Budget Commission and interim committees.

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 Baker—

S. B. No. 599—A bill to be entitled An Act to declare, designate and establish certain State roads.

Which was read the first time by title only.

Senator Baker moved that the rules be waived and Senate Bill No. 599 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 599 was read the second time by title only.

Senator Baker moved that the rules be further waived and Senate Bill No. 599 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. 599 was read the third time in full.

Upon the passage of Senate Bill No. 599 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. 599 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By the Committee on Cities and Towns—

S. B. No. 600—A bill to be entitled An Act amending paragraphs (d) and (e) of Subsection (1) of Section 210.21, Florida Statutes 1949, relating to tax on cigarettes; said amendment relating to ad valorem tax millage and assessed valuations in municipalities where a tax on cigarettes is levied by such municipalities.

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

By Senator Baynard—

S. B. No. 601—A bill to be entitled An Act relating to the salaries of county judges in counties having a population of more than one hundred and fifty thousand and not more than two hundred and forty thousand according to the 1950 Federal Census, and providing for a portion of such salaries to be paid from the general revenue of such counties and making the same a county purpose; and providing for the approval, ratification and confirmation of payments of salary heretofore made by said county out of general revenue under the provisions of Chapter 23642, Laws of Florida 1947.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 601 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. 601 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 601 was read the second time by title only.

Senator Baynard moved that the rules be further waived and Senate Bill No. 601 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. 601 was read the third time in full.

Upon the passage of Senate Bill No. 601 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. 601 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baynard—

S. B. No. 602—A bill to be entitled An Act relating to day nurseries and foster boarding homes in Pinellas County for children; prescribing minimum standards and regulations relative to sanitation, physical plant, and the staffs thereof; providing for the granting of permits for the operation of such day nurseries and foster boarding homes, the inspection of such nurseries and homes and the revocation of such permits for failure to maintain the standards herein prescribed.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 602 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. 602 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 602 was read the second time by title only.

Senator Baynard moved that the rules be further waived and Senate Bill No. 602 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. 602 was read the third time in full.

Upon the passage of Senate Bill No. 602 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. 602 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baynard—(By Request)—

S. B. No. 603—A bill to be entitled An Act requiring parties cutting trees and hauling logs to apply for a permit and give indemnifying bonds.

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

By Senator Baynard—

S. B. No. 604—A bill to be entitled An Act to extend the corporate limits of the Town of Boca Ciega in Pinellas County, to provide for a referendum thereon, providing that the lands hereby added to said town shall not be liable for existing obligations, and repealing 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. 604 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 604 was read the second time by title only.

Senator Baynard moved that the rules be further waived and Senate Bill No. 604 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. 604 was read the third time in full.

Upon the passage of Senate Bill No. 604 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. 604 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baynard—(By Request)—

S. B. No. 605—A bill to be entitled An Act creating charging liens upon judgments and providing for their enforcement.

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

By Senator Baynard—(By Request)—

S. B. No. 606—A bill to be entitled An Act relating to the lien of judgments.

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

By Senator King—

S. B. No. 607—A bill to be entitled An Act to provide for the addition of Subsection (3) to Section 317.44, Florida Statutes, relating to regulation of traffic on highways, same requiring certain dispositions to be made of unattended vehicles left standing on the highways or other places in violation of law by law enforcement officers.

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

By Senator Shivers—

S. B. No. 608—A bill to be entitled An Act to provide that applications to the Comptroller for refunds under Section 215.26, Florida Statutes, 1949, when based on payment of license taxes made under Chapter 17178, Laws of Florida, Acts of 1935, may be filed within one year after the effective date of this Act.

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

By Senator Dayton—

S. B. No. 609—A bill to be entitled An Act to authorize the City Council of New Port Richey, Florida, to levy a special tax, not to exceed one and a half mills, upon all property, real and personal, subject to taxation in New Port Richey, Florida; to authorize the collection of such special tax and to appropriate the money derived from the levy and collection of such tax for the purpose of advertising and giving publicity to the advantages of every kind found in New Port Richey, Florida; providing the method of spending such funds; providing a savings clause.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 609 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 Dayton moved that the rules be waived and Senate Bill No. 609 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 609 was read the second time by title only.

Senator Dayton moved that the rules be further waived and Senate Bill No. 609 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. 609 was read the third time in full.

Upon the passage of Senate Bill No. 609 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. 609 passed, title as stated, and the action

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

By Senator Davis—

S. B. No. 610—A bill to be entitled An Act appropriating one hundred and eighty-four dollars and fifty cents (\$184.50) for the relief of J. Arthur Cruce.

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

By Senator Davis—

S. B. No. 611—A bill to be entitled An Act appropriating one hundred and forty-six dollars and eighty-five cents (\$146.85) for the relief of Howard F. Frier.

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

By Senator Davis—

S. B. No. 612—A bill to be entitled An Act appropriating two hundred dollars (\$200) for the relief of George S. Berden.

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

By Senator Davis—

S. B. No. 613—A bill to be entitled An Act appropriating three hundred and forty-one dollars (\$341.00) for the relief of W. C. Sullivan.

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

By Senator Pearce—

S. B. No. 614—A bill to be entitled An Act authorizing the Director of the State Department of Public Safety to destroy certain records and documents pertaining to public safety; to reproduce by photographic process books and records and authorizing the use of such reproductions as evidence.

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

By Senator Moore—

S. B. No. 615—A bill to be entitled An Act amending Sections 562.02, 569.02, 569.04 and 561.20 Sub-section (6), Florida Statutes 1941, as amended, and Florida Statutes 1941, all relating to the regulation of vendors licensed under the beverage law, and regulation of dispensing and consuming of liquors and beverages and enforcement thereof; prohibiting of beverages on licensed premises not permitted to be sold under the license and excepting certain licensees therefrom; prohibiting curb drinking of intoxicating liquors; prohibiting sale of intoxicating beverages to Indians; prohibiting club licensees from selling except by the individual drink, and prohibiting club licensees in package store counties from selling except by the package; and repealing Section 569.01, 569.02 and 569.07 Florida Statutes, 1941.

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

By Senators Rodgers, Gautier (13th), Shivers, King, Boyle, Leaird, Collins, Brackin, Morrow, Franklin and Baker—

S. B. No. 616—A bill to be entitled An Act amending Section 350.02, Florida Statutes, 1949, relating to the salary of each of the members of the Florida Railroad and Public Utilities Commission; fixing said salary; providing for the payment thereof; repealing all laws in conflict herewith and fixing an effective date of this Act.

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

By Senator Gautier (13th)—

S. B. No. 617—A bill to be entitled An Act relating to the compensation of the Clerk of the Circuit Court for services performed in suits or proceedings before the Circuit Court in all counties of the State of Florida having a population of more than 325,000 according to the last or any future official Federal or State census.

Which was read the first time by title only.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 617 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 617 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 617 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. 617 was read the third time in full.

Upon the passage of Senate Bill No. 617 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. 617 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Shivers—

S. B. No. 618—A bill to be entitled An Act declaring that all public roads and streets now in existence or hereafter constructed out of public funds serve a general public and state purpose, designating such roads as state roads and providing that this Act shall not make Sections 588.07 through 588.26 inclusive, Florida Statutes, relating to livestock running at large, effective as to such roads until they are accepted for maintenance by the State Road Department.

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

By Senator Boyle—

S. B. No. 619—A bill to be entitled An Act creating a Small Claims Court in Seminole County, Florida; providing for the appointment of a judge of said court; prescribing the jurisdiction, the pleading, practice and service of process therein; and providing the duties of the judge and his remuneration.

Which was read the first time by title only.

Senator Boyle moved that the rules be waived and Senate Bill No. 619 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 619 was read the second time by title only.

Senator Boyle moved that the rules be further waived and Senate Bill No. 619 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. 619 was read the third time in full.

Upon the passage of Senate Bill No. 619 the roll was called and the vote was:

Yeas—38.

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

Pope	Rogells	Shivers	Wright
Ripley	Sanchez	Smith	
Rodgers	Shands	Tucker	

Nays—None.

So Senate Bill No. 619 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Clarke—

S. B. No. 620—A bill to be entitled An Act authorizing cities or towns in this State to provide by ordinance, rules or regulations for the construction, maintenance and operation of curb windows, curb auto-teller service stations or other curb facilities for paying or collecting public utility charges, making bank deposits, cashing checks or other written orders on banks, paying telephone bills and for like or similar service as may be necessary, expedient, desirable or convenient and for the best interest of the public.

Which was read the first time by title only and referred to the Committee on Banking and Building and Loans.

By Senator Crary—

S. B. No. 621—A bill to be entitled An Act to provide that an action for damages for the publication or circulation of libel against the publisher or his agent or a corporation owned or controlled by the publisher is not barred by lapse of time while the publisher was absent from and not subject to the process of the courts of this State.

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

By the Committee on Judiciary "B"—

S. B. No. 622—A bill to be entitled An Act to provide for the joinder of plaintiffs in actions or suits brought by a father, mother or other person entitled to sue on behalf of a minor.

Which was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

By Senator Moore—

S. B. No. 623—A bill to be entitled An Act to amend Subsection 1 of Section 231.36, Florida Statutes, 1949, relating to education and tenure by providing that instructional personnel may be dismissed or returned in the same manner as members of the administrative and supervisory staff and striking the provisions for appeal.

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

By Senator Morrow—

S. B. No. 624—A bill to be entitled An Act amending Subsection (5) of Section 210.03, Florida Statutes, relating to tax on cigarettes; provides that municipalities may expend funds received by said tax for purposes authorized by respective city charters.

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

MESSAGE FROM THE GOVERNOR

STATE OF FLORIDA

EXECUTIVE DEPARTMENT

TALLAHASSEE

April 30, 1951

Honorable Wallace E. Sturgis
President of the Senate
State Capitol

Sir:

I have the honor to inform you that I have today approved the following Resolution, which originated in your Honorable Body, Regular Session, 1951, and have caused same to be filed in the office of the Secretary of State:

S. C. R. NO. 174, RELATING TO WORLD FEDERAL GOVERNMENT

Respectfully,
FULLER WARREN,
Governor.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 1, 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 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.

Proof of publication attached.

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

And Senate Bill No. 283, contained in the above Message, was referred to the Secretary of the Senate as *Ex Officio* Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 1, 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 Senator Tucker—

S. B. No. 503—A bill to be entitled An Act repealing Chapter 11319, Laws of Florida, Acts of 1925, entitled, "An Act to provide the nomination in primaries of candidates for office of county commissioner and members of the Board of Public Instruction, by the voters of the county at large, in Wakulla County, Florida."

Proof of publication attached.

Also—

By Senator Brackin—

S. B. No. 511—A bill to be entitled An Act amending Chapter 25754, Laws of Florida, Acts of 1949, relating to the charter of the City of Crestview, by adding a new section granting the city additional powers concerning franchises and the disposition of proceeds of consideration or remuneration for granting new franchises before old franchises expire and providing for revenue certificates issued against such expected consideration or remuneration; providing referendum.

Also—

By Senator Johnson—

S. B. No. 514—A bill to be entitled An Act to extend and enlarge the corporate limits of the City of Quincy, Florida in Gadsden County, Florida; to prescribe the liability of the inhabitants and property within the annexed territory for municipal taxation and to give the said City of Quincy jurisdiction, power and authority, over the territory embraced in said extension and enlargement and over the inhabitants thereof and providing for the application of the resolutions, laws and ordinances of the City of Quincy to such annexed territory.

Proof of publication attached.

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

And Senate Bills Nos. 503, 511 and 514, contained in the above Message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 1, 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 Senator Rodgers—

S. B. No. 545—A bill to be entitled An Act relating to school plant construction in Orange County, Florida; prescribing ninety per cent of the amount due on the contract on the basis of work completed as the percentage which may be paid on school plant construction while work in process of construction; prohibiting payments in excess of such percentage and prohibiting final payment until building accepted by the board of public instruction of Orange County, Florida; and repealing Chapter 25602, Laws of Florida, Acts of 1949.

Proof of publication attached.

Also—

By Senator Smith—

S. B. No. 555—A bill to be entitled An Act to provide for the registration and re-registration of all qualified electors in Clay County, as a prerequisite for voting; and further providing for the making of a new set of registration books in Clay County, and for the payment of expenses of same by the Board of County Commissioners of Clay County, and for the compensation of the Supervisor of Registration by the Board of County Commissioners of Clay County.

Proof of publication attached.

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

And Senate Bills Nos. 545 and 555, contained in the above Message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 1, 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. Tapper of Gulf—

H. B. No. 649—A bill to be entitled An Act authorizing and permitting the City of Wewahitchka in Gulf County, Florida, to levy and collect a tax of not more than one cent per gallon on each and every gallon of gasoline sold or stored in said City of Wewahitchka, and to exempt said City of Wewahitchka from the provisions of any and all other existing laws prohibiting municipalities from levying and collecting any tax upon gasoline measured or computed by the sale, purchase, storage, distribution, use, consumption, or other disposition of gasoline, provided, that this Act shall not apply to gasoline stored within or trans-shipped through the City of Wewahitchka, for trans-shipment.

Proof of publication attached.

Also—

By Mr. Nesmith of Wakulla—

H. B. No. 655—A bill to be entitled An Act to amend Chapter 26296, Acts of 1949, being an Act to require the Board of County Commissioners of Wakulla County, Florida, to publish the minutes of said Board; providing the maximum sum which said Board may expend for such publication and providing a penalty for failure to publish same.

Proof of publication attached.

Also—

By Mr. Nesmith of Wakulla—

H. B. No. 656—A bill to be entitled An Act to require the County Commissioners of Wakulla County to publish by numbers and amounts all county warrants issued for 1950; and to provide for cost of such publication.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

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

Proof of publication of Notice was attached to House Bill No. 649 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.

And House Bill No. 649, contained in the above Message, was read the first time by title only and referred to the Committee on Finance and Taxation.

Proof of publication of Notice was attached to House Bill No. 655 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.

And House Bill No. 655, contained in the above Message, was read the first time by title only.

Senator Tucker moved that the rules be waived and House Bill No. 655 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 655 was read the second time by title only.

Senator Tucker moved that the rules be further waived and House Bill No. 655 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. 655 was read the third time in full.

Upon the passage of House Bill No. 655 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. 655 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 656 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.

And House Bill No. 656, contained in the above Message, was read the first time by title only.

Senator Tucker moved that the rules be waived and House Bill No. 656 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 656 was read the second time by title only.

Senator Tucker moved that the rules be further waived and House Bill No. 656 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. 656 was read the third time in full.

Upon the passage of House Bill No. 656 the roll was called and the vote was:

Yeas—38.

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

Pope	Rogells	Shivers	Wright
Ripley	Sanchez	Smith	
Rodgers	Shands	Tucker	

Nays—None.

So House Bill No. 656 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 1, 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. Darby of Escambia—

H. B. No. 404—A bill to be entitled An Act to amend Section 561.45, Florida Statutes, relating to beverage law; effect on beverage license when school or church established near licensed premises; provides for transfer of license.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 404, contained in the above Message, was read the first time by title only.

Senator Beall moved that the rules be waived and House Bill No. 404 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 404 was read the second time by title only.

Senator Beall moved that the rules be further waived and House Bill No. 404 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. 404 was read the third time in full.

Upon the passage of House Bill No. 404 the roll was called and the vote was:

Yeas—31.

Ayers	Collins	Johnston	Rodgers
Baker	Crary	King	Rogells
Baynard	Davis	Lewis	Sanchez
Beall	Dayton	McArthur	Shands
Brackin	Franklin	Moore	Shivers
Branch	Gautier (28th)	Morrow	Smith
Carroll	Gautier (13th)	Pearce	Tucker
Clarke	Johnson	Pope	

Nays—2.

Mr. President Ripley

So House Bill No. 404 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 1, 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. Jones of Collier—

H. B. No. 495—A bill to be entitled An Act to empower the Board of County Commissioners of Collier County, Florida to regulate and restrict within territory in Collier County, Florida not included in any municipality, the height, number of stories and size of buildings and other structures on land and water, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, the use of land for junk yards and automobile trailer camps and the location and use of buildings, structures and land for trade, industry, residence or other specific use of the premises; providing for the division of Collier County, Florida into districts and within such districts to regulate and restrict the erection and construction, alteration, repair or use of buildings; providing for method or procedure; providing for the appointment of a zoning commission and a board of adjustment; providing for remedies and penalties for violation of this Act or of any order or resolution made under authority conferred hereby and conferring upon the county commissioners of Collier County, Florida so far as may be lawfully conferred the power to prescribe and enforce regulations to effectuate the purposes of this Act. Providing a short title for this Act.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

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

Proof of publication of Notice was attached to House Bill No. 495 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.

And House Bill No. 495, contained in the above Message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 1, 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. Jones of Collier—

H. B. No. 691—A bill to be entitled An Act to prohibit spearing or gigging fish by the use or aid of any artificial light in any of the salt waters of Collier County, Florida; providing penalty for violations.

Proof of publication attached.

Also—

By Mr. Putnal of Lafayette—

H. B. No. 682—A bill to be entitled An Act prohibiting and making it unlawful for livestock to run or roam at large within Lafayette County, Florida; providing for impounding of livestock found running or roaming at large in violation of this Act; providing impounding fees and for the collection thereof; providing for the sale or other disposition of impounded livestock; making it a misdemeanor to allow livestock to run or roam at large in violation of this Act; making the owner of livestock running or roaming at large in violation of this Act liable in damages for all injuries caused, either directly or indirectly, by such livestock while running or roaming at large in violation of this Act and providing a lien therefor; and providing for referendum election and effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

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

Proof of publication of Notice was attached to House Bill No. 691 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.

And House Bill No. 691, contained in the above Message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 682 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.

And House Bill No. 682, contained in the above Message, was read the first time by title only.

Senator Sanchez moved that the rules be waived and House Bill No. 682 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 682 was read the second time by title only.

Senator Sanchez moved that the rules be further waived and House Bill No. 682 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. 682 was read the third time in full.

Upon the passage of House Bill No. 682 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. 682 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 1, 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. Saunders of Clay—

H. B. No. 665—A bill to be entitled An Act to fix the compensation of the members of the County Board of Public Instruction of Clay County, Florida; providing that such compensation shall be in lieu of all compensation and prerequisites now allowed by law; and providing for the method of payment thereof.

Proof of publication attached.

Also—

By Mr. Saunders of Clay—

H. B. No. 666—A bill to be entitled An Act to provide for the

registration and re-registration of all qualified electors in Clay County, as a prerequisite for voting; and further providing for the making of a new set of registration books in Clay County, and for the payment of expenses of same by the Board of County Commissioners of Clay County, and for the compensation of the supervisor of registration by the Board of County Commissioners of Clay County.

Proof of publication attached.

Also—

By Messrs. Burwell and David of Broward—

H. B. No. 671—A bill to be entitled An Act relating to the Juvenile Court of Broward County, Florida, to provide for increases in the salaries for the Judge and Probation Officer, and fixing such salaries as follows: Judge, \$6,000; Probation Officer, \$4,200; to amend Section 2 of Chapter 24223, Laws of Florida, Acts of 1947, as amended by Section 1, Chapter 25426, Laws of Florida, Acts of 1949, which fixes the salary and automobile expense money for said Judge; to amend Section 4 of Chapter 24223, Laws of Florida, Acts of 1947, which fixes the salary and automobile expense money for said Probation Officer.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

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

Proof of publication of Notice was attached to House Bill No. 665 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.

And House Bill No. 665, contained in the above Message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 666 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.

And House Bill No 666, contained in the above Message, was read the first time by title only.

Senator Smith moved that House Bill No. 666 be indefinitely postponed.

Which was agreed to and House Bill No. 666 was indefinitely postponed.

Proof of publication of Notice was attached to House Bill No. 671 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.

And House Bill No. 671, contained in the above Message, was read the first time by title only.

Senator Leaird moved that the rules be waived and House Bill No. 671 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No 671 was read the second time by title only.

Senator Leaird moved that the rules be further waived and House Bill No. 671 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. 671 was read the third time in full.

Upon the passage of House Bill No. 671 the roll was called and the vote was:

Yeas—38.

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

Pope	Rogells	Shivers	Wright
Ripley	Sanchez	Smith	
Rodgers	Shands	Tucker	

Nays—None.

So House Bill No. 671 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 1, 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. Cobb and Sweeny of Volusia—

H. B. No. 640—A bill to be entitled An Act authorizing the Board of County Commissioners of Volusia County, Florida, to establish, maintain and operate fire control districts in Volusia County, Florida, and providing that upon presentation to said board of a petition to create a fire control district in said county outside of the corporate limits of any city, town or village, signed by at least twenty-five per cent of the registered freehold electors residing in the territory to be embraced therein, said board shall call a special free-holders election therein to determine whether or not a fire control district shall be established in said territory and a tax levied on all of the real and personal taxable property, including homesteads, as provided therein, for the purpose of establishing, maintaining and operating said fire control district, and providing for the time and manner of holding said election, and providing that if a majority of the registered freehold electors residing in said territory approve the same, said board shall adopt a resolution declaring said territory to be incorporated into a fire control district and thereafter authorizing the Board of County Commissioners to annually levy a tax not to exceed one-half mill on the dollar on all of the taxable real and personal property in said fire control districts, including homesteads, and to expend the same for the creation, maintenance and operation of said fire control district, including the purchase of fire engines, apparatus and equipment and the housing of the same, and the employment of personnel to operate and maintain the same, and declaring said fire control and the levying of said tax and expenditure thereof to be a special benefit to homesteads, and to all of the taxable property in said district, and providing certain conditions when said tax shall not be levied, and providing that, if a majority of the registered freehold electors residing in said territory disapprove the creation, maintenance and operation of said fire control district in said territory and the levying of a tax thereon, no further election or elections shall be called thereon within two years from the date of said election.

Proof of publication attached.

Also—

By Messrs. Morgan, Smith and Carlton of Duval—

H. B. No. 642—A bill to be entitled An Act to amend and supplement Chapter 25793, Laws of Florida, Special Acts of 1949 by authorizing and requiring the board of county commissioners of Duval County, Florida, and the budget commission of Duval County, Florida, to levy and appropriate additional funds for the erection, equipping and furnishing of the nurses' home building authorized by said Chapter, in such amount as may be specified in writing by the Duval County Welfare Board not in excess of one mill on all real and personal property in Duval County, Florida, for the year 1951.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

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

Proof of publication of Notice was attached to House Bill No. 640 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.

And House Bill No. 640, contained in the above Message, was read the first time by title only.

Senator Gautier (28th) moved that the rules be waived and House Bill No. 640 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 640 was read the second time by title only.

Senator Gautier (28th) moved that the rules be further waived and House Bill No. 640 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. 640 was read the third time in full.

Upon the passage of House Bill No. 640 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. 640 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 642 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.

And House Bill No. 642, contained in the above Message, was read the first time by title only.

Senator Ripley moved that the rules be waived and House Bill No. 642 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 642 was read the second time by title only.

Senator Ripley moved that the rules be further waived and House Bill No. 642 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. 642 was read the third time in full.

Upon the passage of House Bill No. 642 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. 642 passed, title as stated, and the action

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

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 1, 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. Dekle of Taylor—

H. B. No. 525—A bill to be entitled An Act creating a Small Claims Court in Taylor County, Florida; prescribing the jurisdiction of said court; providing for the appointment of a judge of said court, and affixing his compensation and term of office; providing for a clerk thereof; providing that the judgments of said court shall become liens on real property when filed in the office of the clerk of the Circuit Court; providing for a review of cases from said court; and generally to provide a forum and inexpensive procedure for the speedy trial of small claims cases.

Proof of publication attached.

Also—

By Mr. Getzen of Sumter—

H. B. No. 585—A bill to be entitled An Act to amend Sections 3, 4, 5, 7 and 8 of Article VII, and to repeal Sections 9, 10, 11, 12, 14, 15 and 16 of Article VII, and to repeal Sections 3, 4 and 5 of Article IX, and to repeal Sections 3, 4, 5, 6, 7, 8 and 9 of Article X, of Chapter 9950, Laws of Florida, Acts of 1923, entitled, "An Act to abolish the present municipality of Wildwood, Sumter County, Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Wildwood and to define its territorial boundaries and to provide for its jurisdiction, powers and privileges"; providing for changes relating to the assessment and collection of taxes, the time for the payment of taxes and the procedure for the enforcement of the payment of taxes.

Proof of publication attached.

Also—

By Mr. Getzen of Sumter—

H. B. No. 586—A bill to be entitled An Act legalizing, validating and confirming the assessment and levies of taxes by the City of Bushnell, Florida, for all years prior to 1951, and providing that payment of such taxes may be enforced in any manner that said city may be now and hereafter authorized, and providing that tax sales may be held and tax certificates issued thereon on all property upon which taxes have not been paid and that as many years taxes may be included in and covered by any one such tax sale certificate as may be desired, and providing for the issuance of a tax deed by said city thereon

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

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

Proof of publication of Notice was attached to House Bill No. 525 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.

And House Bill No. 525, contained in the above Message, was read the first time by title only.

Senator Davis moved that the rules be waived and House Bill No. 525 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 525 was read the second time by title only.

Senator Davis moved that the rules be further waived and House Bill No. 525 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. 525 was read the third time in full.

Upon the passage of House Bill No. 525 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. 525 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 585 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.

And House Bill No. 585, contained in the above Message, was read the first time by title only.

Senator Dayton moved that the rules be waived and House Bill No. 585 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 585 was read the second time by title only.

Senator Dayton moved that the rules be further waived and House Bill No. 585 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. 585 was read the third time in full.

Upon the passage of House Bill No. 585 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. 585 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 586 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.

And House Bill No. 586, contained in the above Message, was read the first time by title only.

Senator Dayton moved that the rules be waived and House Bill No. 586 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 586 was read the second time by title only.

Senator Dayton moved that the rules be further waived and House Bill No. 586 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. 586 was read the third time in full.

Upon the passage of House Bill No. 586 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. 586 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 1, 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. Putnal of Lafayette—

H. B. No. 613—A bill to be entitled An Act to fix the compensation of members of the Board of Public Instruction of Lafayette County, Florida; and providing an effective date.

Proof of publication attached.

Also—

By Mr. Stewart of Hendry—

H. B. No. 621—A bill to be entitled An Act relating to Sugarland Drainage District, a drainage district organized and existing under the Laws of Florida and embracing lands within Hendry and Glades Counties; amending Sections 5 and 6 of Chapter 18287, Laws of Florida, Acts of 1937, relating to the levy and assessment of special taxes or assessments against the lands within the district; ascertaining and declaring benefits accrued and to accrue to the lands within the district by virtue of works and improvements heretofore constructed; and ratifying, confirming and validating taxes heretofore levied pursuant to Chapter 18287, Laws of Florida, Acts of 1937, and certain acts of the Board of Supervisors of said District in connection with the levy and assessment of special taxes or assessments.

Proof of publication attached.

Also—

By Mr. Surles of Polk—

H. B. No. 633—A bill to be entitled An Act authorizing and permitting the City of Bartow, in Polk County, Florida, to provide for life, health, accident, or hospitalization insurance, or all or any kinds of such insurance for its employees and officers, upon a group insurance plan, to enter into agreements with insurance companies to provide such in-

urance; to deduct periodically from the wages and salary of any employee or officer upon written request of such employee or officer any premium or portion of premium for such insurance, providing that the City of Bartow, in Polk County, Florida, shall contribute and pay the expenses and costs thereof in such portions and amounts as the City of Bartow shall by ordinance determine and fix, and providing that the expenses thereof shall be paid out of the general fund and validating and confirming all payments heretofore made by such City of Bartow, in Polk County, Florida, for such group insurance.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

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

Proof of publication of Notice was attached to House Bill No. 613 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.

And House Bill No. 613, contained in the above Message, was read the first time by title only.

Senator Sanchez moved that the rules be waived and House Bill No. 613 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 613 was read the second time by title only.

Senator Sanchez moved that the rules be further waived and House Bill No. 613 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. 613 was read the third time in full.

Upon the passage of House Bill No. 613 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. 613 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 621 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.

And House Bill No. 621, contained in the above Message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 633 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.

And House Bill No. 633, contained in the above Message, was read the first time by title only.

Senator King moved that the rules be waived and House Bill No. 633 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 633 was read the second time by title only.

Senator King moved that the rules be further waived and House Bill No. 633 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. 633 was read the third time in full.

Upon the passage of House Bill No. 633 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. 633 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 1, 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. Hathaway of Charlotte—

H. B. No 634—A bill to be entitled An Act making it unlawful at all times to fish for commercial purposes in Alligator Creek (Allapatchee River) in Charlotte County; defining commercial purposes and providing that possession of nets, seines, and traps in Alligator Creek (Allapatchee River) shall be prima facie evidence of fishing for commercial purposes and providing penalties.

Proof of publication attached.

Also—

By Mr. Surlles of Polk—

H. B. No. 637—A bill to be entitled An Act relating to the municipal government of the City of Bartow, Florida, and providing for the establishment of a civil service board in said city.

Proof of publication attached.

Also—

By Mr. Surlles of Polk—

H. B. No. 638—A bill to be entitled An Act repealing Chapter 22368 Special Laws of Florida, Acts of 1943; Chapter 23377 Special Laws of Florida, Acts of 1945; Chapter 24653 Special Laws of Florida, Acts of 1947; and Chapter 26447 Special Laws of Florida, Acts of 1949; and providing for a pension system for certain officers and employees of the City of Lakeland, Florida; creating a pension board of said city; providing pensions for retired and disabled officers and employees of said city; providing for the payment of a pension to the spouse and dependents of an officer or employee of the City of Lakeland, Florida; creating a retirement fund and making provisions for contributions into same by officers and employees of said city and for payment to pensioners from same; providing for the investment of funds held in such retirement

fund; and repealing all laws in conflict with the provisions of this Act.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

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

Proof of publication of Notice was attached to House Bill No. 634 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.

And House Bill No. 634, contained in the above Message, was read the first time by title only.

Senator Rogells moved that the rules be waived and House Bill No. 634 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 634 was read the second time by title only.

Senator Rogells moved that the rules be further waived and House Bill No. 634 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. 634 was read the third time in full.

Upon the passage of House Bill No. 634 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. 634 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 637 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.

And House Bill No. 637, contained in the above Message, was read the first time by title only.

Senator King moved that the rules be waived and House Bill No. 637 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 637 was read the second time by title only.

Senator King moved that the rules be further waived and House Bill No. 637 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. 637 was read the third time in full.

Upon the passage of House Bill No. 637 the roll was called and the vote was:

Yeas—38.

Mr. President	Baker	Beall	Brackin
Ayers	Baynard	Boyle	Branch

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

Nays—None.

So House Bill No. 637 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 638 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.

And House Bill No. 638, contained in the above Message, was read the first time by title only.

Senator King moved that the rules be waived and House Bill No. 638 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 638 was read the second time by title only.

Senator King moved that the rules be further waived and House Bill No. 638 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. 638 was read the third time in full.

Upon the passage of House Bill No. 638 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. 638 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
 May 2, 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 concurred in the Senate Amendment to—

By Mr. Belser of Holmes—

H. B. No. 127—A bill to be entitled An Act to fix and provide for the compensation and mileage for members of the Board of County Commissioners of Holmes County and repealing conflicting laws.

Which amendment reads as follows:

In Section 1, line 4 (typewritten bill), after the word "mileage" insert: "for not more than one regular and one special meeting each month".

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

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 2, 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. Murray, Smith and Surlis of Polk, Summers of Liberty, Andrews of Orange, Bryant of Marion, David of Broward, Cobb of Volusia, Ayres of Marion, Rood of Manatee, Moody of Hillsborough, Johnson of Hillsborough, Simpson of Jefferson, Fascell and Floyd of Dade, Kirkland of Orange, Haley of Sarasota, Williams and Smith of Seminole, Saunders of St. Lucie and Saunders of Clay—

H. B. No. 52—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.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 52, contained in the above Message, was read the first time by title only.

Senator Shands moved that the rules be waived and House Bill No. 52 be placed on the Calendar of Bills on Second Reading, without reference.

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

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 2, 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. Fuqua of Manatee and Burnsed of Baker—

H. B. No. 222—A bill to be entitled An Act relating to the compensation of the Clerks of Courts for services performed in suits or proceedings in courts in the State of Florida.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 222, contained in the above Message, was read the first time by title only and referred to the Committee on County Organizations.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 2, 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"—

Committee Substitute for H. B. No. 211—A bill to be entitled An Act amending Section 372.61, Florida Statutes, 1949, relating to reports and remittances of county judges.

Also—

By Mr. Melvin of Santa Rosa—

H. B. No. 212—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.

Also—

By Mr. Melvin of Santa Rosa—

H. B. No. 215—A bill to be entitled An Act amending Section 734.04, Florida Statutes, relating to the probate law; providing for the deposit of funds with the State Treasurer whenever the interest of a missing heir or beneficiary is involved and making the provisions of Section 731.33, Florida Statutes, prescribing rights and procedure in echeated estates, applicable thereto.

—and respectfully requests the concurrence of the Senate therein.

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

And Committee Substitute for House Bill No. 211, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "B".

And House Bill No. 212, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "B".

And House Bill No. 215, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "B".

Senator Sanchez moved that the rules be waived and House Bill No. 314 be recalled from the Committee on County Organizations and placed on the Calendar of House Bills on Second Reading.

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

Senator Sanchez moved that the rules be waived and House Bill No. 221 be recalled from the Committee on County Organizations and placed on the Calendar of House Bills on Second Reading.

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

Senator Leaird moved that the Senate reconsider the vote by which Senate Bill No. 263 (1949 Regular Session) passed the Senate on May 1, 1951, the Governor's objections to the contrary notwithstanding.

And the motion went over under the rule.

Senator Baynard moved that the Senate reconsider the vote by which Senate Joint Resolution No. 220, as amended, failed to pass the Senate on May 1, 1951.

Pending consideration of the motion made by Senator Baynard, Senator Pope moved as a substitute motion that the rules be waived and the Senate do then take up and consider the motion made by Senator Baynard to reconsider the vote by which Senate Joint Resolution No. 220, as amended, failed to pass the Senate on May 1, 1951.

A roll call was demanded.

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

Yeas—25.

Mr. President	Collins	Leaird	Rogells
Baynard	Crary	Lewis	Shands
Beall	Dayton	Moore	Shivers
Brackin	Franklin	Morrow	Smith
Branch	Gautier (28th)	Pearce	
Carroll	Gautier (13th)	Pope	
Clarke	Johns	Rodgers	

Nays—11.

Ayers	Johnson	McArthur	Tucker
Boyle	Johnston	Ripley	Wright
Davis	King	Sanchez	

Which was agreed to and the Senate reconsidered the vote by which Senate Joint Resolution No. 220, as amended, failed to pass the Senate on May 1, 1951.

The question recurred on the passage of Senate Joint Resolution No. 220, as amended.

Upon the passage of Senate Joint Resolution No. 220, as amended, the roll was called and the vote was:

Yeas—25.

Mr. President	Collins	Johnston	Rogells
Baynard	Crary	Leaird	Shands
Beall	Dayton	Lewis	Shivers
Boyle	Franklin	Morrow	Smith
Branch	Gautier (28th)	Pearce	
Carroll	Gautier (13th)	Pope	
Clarke	Johns	Rodgers	

Nays—12.

Ayers	Davis	McArthur	Sanchez
Baker	Johnson	Moore	Tucker
Brackin	King	Ripley	Wright

So Senate Joint Resolution No. 220, passed, as amended, by the required Constitutional three-fifths vote of all members elected to the Senate for the 1951 Session of the Florida Legislature, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

SPECIAL AND CONTINUING ORDER

Pursuant to the motion made by Senator Collins on Thursday, April 26, 1951, the Senate took up the consideration of Senate Bill No. 451 as a Special and Continuing Order of Business.

S. B. No. 451—A bill to be entitled An Act relating to the county school boards of the State of Florida; authorizing any county school board of the State of Florida to elect one of its members as vice-chairman and prescribing the powers, duties and authorities of such vice-chairman.

Was taken up.

Senator Morrow moved that the rules be waived and Senate Bill No. 451 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 451 was read the second time by title only.

Senator Morrow moved that the rules be further waived and Senate Bill No. 451 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. 451 was read the third time in full.

Upon the passage of Senate Bill No. 451 the roll was called and the vote was:

Yeas—36.

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

Morrow	Ripley	Sanchez	Smith
Pearce	Rodgers	Shands	Tucker
Pope	Rogells	Shivers	Wright

Nays—None.

So Senate Bill No. 451 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 71—A bill to be entitled An Act relating to Medical School Education in the State of Florida; authorizing the Board of Control to pay to the first approved and accredited Medical School established in Florida the sum of three thousand dollars per year for each qualified Florida student enrolled; defining the necessary qualifications of a medical school and medical students to receive benefits; regulating the expenditure of such funds by said school; limiting the number of students from each county and appropriating the sum of two hundred twenty-five thousand dollars to the Board of Control to carry out the provisions of the Act.

Was taken up.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 71 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 71 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 71 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. 71 was read the third time in full.

Upon the passage of Senate Bill No. 71 the roll was called and the vote was:

Yeas—34.

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

Nays—1

Davis

So Senate Bill No. 71 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 418—A bill to be entitled An Act amending Section 230.25, Florida Statutes, 1949, relating to qualifications of county superintendents.

Was taken up.

Senator Crary moved that the rules be waived and Senate Bill No. 418 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 418 was read the second time by title only.

Senator Crary moved that the rules be further waived and Senate Bill No. 418 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. 418 was read the third time in full.

Upon the passage of Senate Bill No. 418 the roll was called and the vote was:

Yeas—31.

Mr. President	Baker	Brackin	Carroll
Ayers	Beall	Branch	Clarke

Collins	Johns	Pearce	Shands
Crary	Johnson	Pope	Shivers
Dayton	Leaird	Ripley	Smith
Franklin	Lewis	Rodgers	Tucker
Gautier (28th)	McArthur	Rogells	Wright
Gautier (13th)	Morrow	Sanchez	

Nays—3.

Baynard	Davis	Johnston
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So Senate Bill No. 418 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Collins moved that the rules be waived and Senate Joint Resolution No. 106, which passed the Senate on May 1, 1951, as amended, be immediately certified to the House of Representatives.

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

Senator Gautier (13th) asked unanimous consent of the Senate to take up and consider Senate Bill No. 1091 (1949 Regular Session), out of its order.

Which was agreed to.

S. B. No. 1091 (1949 Regular Session)—An Act to prohibit public selling or the offering for sale of property on Sunday in counties having a population of over 315,000 according to the last State census; providing for the exception from the prohibitions of this Act of certain sales and certain offerings for sale; and prescribing penalties for the violation of this Act; and providing for the enjoining of violations of this Act.

Was taken up and read by title, together with the following objections thereto of the Honorable Fuller Warren, Governor of Florida:

STATE OF FLORIDA

EXECUTIVE DEPARTMENT

TALLAHASSEE

June 13, 1949

Honorable R. A. Gray
Secretary of State
Capitol

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III of the Constitution of this State, I hereby transmit to you with my objections, Senate Bill 1091, enacted by the Legislature of 1949 and entitled:

"AN ACT TO PROHIBIT PUBLIC SELLING OR THE OFFERING FOR SALE OF PROPERTY ON SUNDAY IN COUNTIES HAVING A POPULATION OF OVER 315,000 ACCORDING TO THE LAST STATE CENSUS; PROVIDING FOR THE EXCEPTION FROM THE PROHIBITIONS OF THIS ACT OF CERTAIN SALES AND CERTAIN OFFERINGS FOR SALE; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THIS ACT; AND PROVIDING FOR THE ENJOINING OF VIOLATIONS OF THIS ACT."

In my opinion this bill is unconstitutional because,

1. It is discriminatory in that it permits the sale of numerous named articles and prohibits the sale of other vital necessities of life, thus rendering the terms and provisions of the bill ambiguous and uncertain.

2. The bill in the way it is written would evidently permit the private sale of such property listed in the bill but would make it unlawful to publicly sell or offer to sell any tangible personal property not therein listed.

3. The prohibition based upon population is unfair, discriminatory and in my opinion unconstitutional.

4. The Act does not contain a repealer clause and is in

direct conflict with Sections 855.01 and 855.02, Florida Statutes, 1941, annotated.

5. The Act discriminates against one class of merchants as against another class of merchants, when all citizens of the State of Florida are entitled to the equal protection of the laws and not a favored few.

For the foregoing reasons, I therefore withhold my approval from Senate Bill 1091, legislative session of 1949, and I hereby veto the same.

Respectfully,
FULLER WARREN
Governor.

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

Upon the passage of Senate Bill No. 1091 (1949 Regular Session) the roll was called and the vote was:

Yeas—None.

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—38.

So Senate Bill No. 1091 (1949 Regular Session) failed to pass over the Governor's veto.

S. B. No. 213—A bill to be entitled An Act to amend the first paragraph of Section 236.04, Florida Statutes, and repeal Subsection (3) of Section 236.04, Florida Statutes relating to education, schools and instructional units.

Was taken up and read the second time in full.

Senator Baynard offered the following amendment to Senate Bill No. 213:

In Section 1, line 18, (typewritten bill) strike out the words: "attendance in kindergartens or"

Senator Baynard moved the adoption of the amendment.

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

Pending amendment of Senate Bill No. 213 Senator Gautier (13th) moved that the rules be waived and the hour of adjournment be extended until final roll call on Senate Bill No. 213.

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

Senator Baynard also offered the following amendment to Senate Bill No. 213:

In Section 1, lines 17 and 18, (typewritten bill) strike out the words: "and no units shall be based on attendance in kindergartens" and insert in lieu thereof the following "and no units shall be based on attendance in kindergartens established after January 1st 1951."

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Leaird moved that the rules be further waived and Senate Bill No. 213, 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. 213, as amended was read the third time in full.

Upon the passage of Senate Bill No. 213, as amended, the roll was called and the vote was:

Yeas—34

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

Nays—4.

Collins	Gautier (28th)	Moore	Morrow
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So Senate Bill No. 213 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Collins requested unanimous consent of the Senate that the motion which he made on May 1, 1951, to reconsider the vote by which House Bill No. 101 failed to pass the Senate on April 30, 1951, be carried over for consideration by the Senate on May 3, 1951.

Unanimous consent was granted.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:09 o'clock P. M., until 11:00 o'clock A. M., Thursday, May 3, 1951.