

JOURNAL OF THE SENATE

304

Thursday, May 3, 1951

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Wednesday, May 2, 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:

"Almighty and eternal God, we thank Thee that as we have truly practiced our State and National motto, 'In God We Trust,' we have never been forsaken by Thee, nor overpowered by our enemies. Only our self-sufficiency will lead to national oblivion, as history has repeatedly proved. Keep Thou us ever mindful that a people without God are a people without hope. May the Spirit of Him who did naught but good, and who opposed wrong and dishonesty, lead these esteemed Senators in their duty before Thee and men, to the credit of our fair State before the world. We pray in the name of Him who is the fountain of wisdom and truth, even Christ our Lord, Amen."

The reading of the Journal was dispensed with.

The Senate daily Journal of Wednesday, May 2, 1951, was corrected as follows:

Page 12, column 1, between line 26 and line 27, insert the following:

"Proof of publication attached."

Also—

Page 12, column 1, between line 31 and line 32, insert the following:

"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 as corrected was approved.

REPORTS OF COMMITTEES

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

S. B. No. 182—A bill to be entitled An Act relating to the assessment, levying and collection of taxes upon the estates of decedents, amending Chapter 198, Florida Statutes, 1949, providing for the taxation of certain intangible property of the estates of nonresident decedents, and fixing the time for discharging estates of decedents from estate tax liability.

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

S. B. No. 549—A bill to be entitled An Act exempting written instruments from excise taxes on documents, under Chapter 201, Florida Statutes, when made, executed and delivered in connection with the sale or lease of tangible personal property, and as a part of such transaction, when a sales or use tax is paid, pursuant to Chapter 212, Florida Statutes, upon such sale or lease.

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

—and recommends that the same do not pass.

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

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

S. B. No. 208—A bill to be entitled An Act amending Sub-section (2) of Section 561.46 of Florida Statutes relating to beverage law; excise tax on wines manufactured in Florida.

S. B. No. 508—A bill to be entitled An Act making legislative findings regarding the assessment for taxation of the class of tangible personal property considered as goods, wares and merchandise, and commonly known as stock in trade; declaring that the assessment of such property at full cash value is unjust and discriminatory; providing for the assessment of such property for taxation on the basis of fifty per cent of the inventory value thereof or fifty per cent of the average inventory value thereof for the previous year; repealing all laws and parts of laws in conflict herewith and fixing an effective date.

S. B. No. 570—A bill to be entitled An Act to amend Section 19 of Chapter 20722, Laws of Florida, Acts of 1941, as amended by Section 8, Chapter 22079, Laws of Florida, Acts of 1943, being Section 194.02, Florida Statutes of 1941, providing amendment to said section as to maximum amount of interest per annum for first year.

—and recommends that they do pass.

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

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

S. B. No. 302—A bill to be entitled An Act to repeal Section 205.41 Florida Statutes, relating to occupational licenses; to prohibit fortune telling and other practices whereby money is obtained by the pretense of the exercise of occult or unnatural powers; and providing penalties for violation.

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

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

Senator Boyle, Chairman of the Committee on Alcoholic Beverages, reported that the Committee had carefully considered the following Bill:

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 re-

lating 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.

—and recommends that the same 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 Boyle, Chairman of the Committee on Alcoholic Beverages, reported that the Committee had carefully considered the following Bill:

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

—and recommends that the same do not pass.

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

Senator Boyle, Chairman of the Committee on Alcoholic Beverages, reported that the Committee had carefully considered the following Bill:

S. B. No. 538—A bill to be entitled An Act amending Sub-section (1) of Section 562.41 Florida Statutes, relating to alcoholic beverages and liquors; beverage law enforcement; authorizing searches by certain persons for determining whether or not beverage law is being violated.

—and recommends that the same do not pass.

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

Senator Boyle, Chairman of the Committee on Alcoholic Beverages, reported that the Committee had carefully considered the following Bill:

S. B. No. 553—A bill to be entitled An Act amending Sub-sections (2) and (3) of Section 561.46, Florida Statutes, relating to beverage law providing a reduction in taxes paid on certain wines by manufacturers and distributors.

—and recommends that the same 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 referred to the Committee on Finance and Taxation under the original joint reference.

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

S. B. No. 553—A bill to be entitled An Act amending Sub-sections (2) and (3) of Section 561.46, Florida Statutes, relating to beverage law providing a reduction in taxes paid on certain wines by manufacturers and distributors.

—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 Franklin, Chairman of the Committee on Insurance, reported that the Committee had carefully considered the following Bill:

S. B. No. 3—A bill to be entitled An Act relating to insurance; designating the State Treasurer as insurance commissioner and prescribing his powers and duties; providing for the qualification, governing and licensing of insurance companies authorized, and regulation of the placing of insurance in companies not authorized, to do business in this State;

specifying securities eligible for investment of insurance company funds, and requiring certain deposits of such securities with the commissioner for the protection of policyholders; providing for the qualification and licensing of insurance agents, solicitors and adjusters including filing fees and taxes in connection therewith; authorizing the classification of risks and procedure to establish equitable rates; defining kinds of insurance and requiring certain policy provisions; creating a reinsurance fund for policyholders and authorizing a tax on premiums therefor; establishing a uniform procedure for the mergers, rehabilitation and liquidation of companies, and otherwise providing for a comprehensive insurance code for this State regulating and governing the business of insurance and providing penalties for violations of the provisions of such code; repealing Section .45 of Chapter 205, Florida Statutes, 1949, and Sections .08, .09, .10, .11, .12, .13 of Chapter 112, and Chapters 625, 626, 627, 628, 629, 630, 631, 632, 634, 636, 638, 640, 642, 643, 648 and Chapter 635 except as to Section .17, Florida Statutes, 1949, and declaring that this Act shall become effective on January 1, 1952.

—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 Tucker, Chairman of the Committee on Corporations, reported that the Committee had carefully considered the following Bill:

S. B. No. 556—A bill to be entitled An Act amending Chapter 10096, Laws of 1925, Section 50, said Section 50 of said Chapter 10096 being Section 612.52 Florida Statutes of 1941, which is entitled "Trustees or Receivers; Duties"; to specify duties of trustees and receivers of dissolved corporations; to limit the personal liability of trustees; to permit final distribution of remaining assets to stockholders of record of a dissolved corporation after three years from date of dissolution.

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

S. B. No. 475—A bill to be entitled An Act to amend Section 838.02, Florida Statutes of 1949, relating to officer accepting bribe.

S. B. No. 492—A bill to be entitled An Act relating to autopsies; authorizing State Attorneys and County Solicitors to have autopsies performed upon dead bodies found within the county, before interment, when in their opinion such autopsies are necessary in order to determine whether death resulted from a criminal act or criminal negligence; etc. . . .

S. B. No. 491—A bill to be entitled An Act to amend Section 922.04, Florida Statutes 1941, relating to application for discharge by indigent prisoner who has been sentenced to pay a fine or fine and costs and who has been confined in prison sixty days solely for the non-payment of such fine or fine and costs, and relating to the discharge of such prisoner.

S. B. No. 489—A bill to be entitled An Act to amend Section 782.04, Florida Statutes 1941, relating to murder.

S. B. No. 493—A bill to be entitled An Act to provide additional compensation for prosecuting attorneys appointed or elected to prosecute criminal cases before the County Judge's Court.

S. B. No. 490—A bill to be entitled An Act to amend Section 811.11, Florida Statutes 1941, relating to horse or cattle stealing; to amend Section 811.12, Florida Statutes 1941, relating to second conviction of horse or cattle stealing; to amend Section 811.13, Florida Statutes 1941, relating to larceny of sheep and goats; to amend Section 811.14, Florida Statutes 1941, relating to larceny of hogs; and to amend Section 811.15, Florida Statutes 1941, relating to larceny of hogs, second offense.

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

S. B. No. 414—A bill to be entitled An Act to amend Section 12 of Chapter 25016, Laws of Florida, 1949, granting certain powers to the Florida Railroad Commissioners, the Attorney General and the State Attorneys of the State of Florida, for the enforcing of the provisions of Chapter 25016, relating to the regulation of public utilities in the furnishing to others of private wire service and other similar service for the dissemination of information, regulating the use of such service and prohibiting the use of same for gambling purposes and to provide remedies and penalties for the enforcement thereof.

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

H. B. No. 84—A bill to be entitled An Act to provide a penalty for violation of the lawfully adopted rule of either branch of the Legislature of the State relating to registration of lobbyists.

—and recommends that it do pass.

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

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

S. B. No. 145—A bill to be entitled An Act prescribing the method of closing, vacating and abandoning by Boards of County Commissioners of parks, parkways, school sites, waterways or other bodies of water, or other tracts of land, howsoever designated, excepting roads, streets, alleys and other thoroughfares, and when the same shall become effective; Providing in certain cases for the reversion or passing of title to lands lying within the confines of any of the foregoing that may be closed, vacated and abandoned; Providing for consent of Board of Public Instruction of county if school site is involved, and of governing body of municipality if lands or waters lie within municipal limits.

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

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

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

S. B. No. 415—A bill to be entitled An Act to amend Subsection (d) of Section 1, and Sections 4 and 8 of Chapter 25016, Laws of Florida, Acts of 1949, defining private wire and relating to the regulation of public utilities in the furnishing to others of private wire service and other similar service including telephone service for the dissemination of information; providing for contracts in certain instances with certain exceptions and providing for discontinuance of private wires and other similar service including telephone service and providing remedies.

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

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

Senator Ripley, Chairman of the Committee on Judiciary

"C", reported that the Committee had carefully considered the following Bills:

S. B. No. 535—A bill to be entitled An Act to amend Section 903.27, Florida Statutes, relating to bail providing for an extension of time in which to explain a breach of the undertaking.

S. B. No. 531—A bill to be entitled An Act to fix criminal jurisdiction of justice of the peace courts in all counties in certain misdemeanor cases.

—and recommends that they do not pass.

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

Senator Rodgers, Chairman of the Committee on Governmental Reorganization, reported that the Committee had carefully considered the following Bill:

S. B. No. 640—A bill to be entitled An Act to create a Governor's Highway Safety Conference; providing for its operation and maintenance; establishing a merit system for its employees; providing for its cooperation with other governmental agencies; and making an appropriation therefor.

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

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

—and recommends that it do pass with 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 Johnson, Chairman of the Committee on Agriculture and Livestock, reported that the Committee had carefully considered the following Bill:

S. B. No. 114—A bill to be entitled An Act to repeal Chapter 585, Florida Statutes 1941; Chapter 22581, Laws of Florida, Acts of 1945; Chapter 22886, Laws of Florida, 1945; Chapter 23775, Laws of Florida, Acts of 1947; Chapter 25358, Laws of Florida, Acts of 1949; and Chapter 585, Florida Statutes, 1949; to abolish the State Live Stock Sanitary Board as heretofore created and existing; and to create the State Live Stock Board and to prescribe its membership, powers and duties, and fix the compensation for the services of its members and to vest in said board the authority to provide for the prevention, suppression and control of dangerous communicable, contagious, infectious and other diseases of cattle, hogs and other domestic animals, and to establish, maintain and enforce quarantines, to prevent the introduction or spread of infectious, contagious and communicable diseases among such animals, and to adopt and to enforce rules and regulations regarding any and all said matters, and to give said board power and authority in respect thereto, and to authorize county commissioners to appropriate and expend funds for the work of tick eradication and hog cholera control, and to provide for the appointment of a state veterinarian and other agents and employees of said board, and to fix the powers thereof, and to prescribe punishment for violations of this Act and of the rules and regulations of said board.

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

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

ENGROSSING REPORTS

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

Senate Joint Resolution No. 220—A joint resolution proposing an amendment to Section 10 of Article XII of the State Constitution relating to school districts; by permitting the legislature to provide for only one school district in any county, which district shall be county-wide; and by abolishing the office of School District Trustee and providing that the members of the County Boards of Public Instruction shall be vested with all the powers and duties of trustees.

—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. 220, 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. 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.

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

ENROLLING REPORTS

Your Enrolling Clerk to whom was referred—

S. B. No. 545.

—begs leave to report same has been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on May 3, 1951, for his approval.

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

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Moore—

S. B. No. 625—A bill to be entitled An Act to restore the valuable wildlife and botanical area known as Highlands Hammock State Park to the full use of the public by making an appropriation therefor.

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

By Senators Johnson and Lewis—

S. B. No. 626—A bill to be entitled An Act amending Section 210.20, Florida Statutes, relating to tax on cigarettes; administrative personnel to carry out law; distribution, allocation, appropriation and use of proceeds of tax.

Which was read the first time by title only and referred

to the Committee on Finance and Taxation and the Committee on Appropriations, in the order named.

By Senator Johns—

S. B. No. 627—A bill to be entitled An Act amending Section 291.02, Florida Statutes 1949, relating to Confederate Veterans entitled to pensions.

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

By Senator Sanchez—

S. B. No. 628—A bill to be entitled An Act amending Section 585.32, Florida Statutes, authorizing and requiring the purchase by the State Live Stock Sanitary Board of hog cholera anti-serum and virus and vaccine; providing the method therefor; providing the method of distribution thereof free to bona fide farmers who are the owners of swine in Florida; providing for the sale thereof for use by owners of hogs in Florida, which hogs are commercial and/or commercial garbage fed hogs; and for the distribution thereof to all other owners of hogs in Florida not entitled to free distribution thereof; providing a method and use for the money derived from the sale of hog cholera anti-serum and virus and vaccine; and providing a source of funds for the purchase of the requirement of the State Live Stock Sanitary Board for said hog cholera anti-serum and virus and vaccine; giving the board power to make rules and regulations in connection with the administration of this Act; and repealing all laws in conflict herewith.

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

By Senator Beall—

S. B. No. 629—A bill to be entitled An Act providing for the construction of a health building in Pensacola, Florida, to be known as the State Board of Health Regional Building; providing for furnishing and equipping said building and providing an appropriation.

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

By the Committee on Alcoholic Beverages—

S. B. No. 630—A bill to be entitled An Act providing for the commitment of chronic alcoholics in private hospitals; Act to be effective only until the State Hospital for Alcoholics is established.

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

By Senators Morrow, Rodgers and Beall—

S. B. No. 631—A bill to be entitled An Act relating to education; providing the basis for compensation of County Superintendents in counties of Florida having a population of not less than one hundred twelve thousand (112,000) and not more than one hundred twenty thousand (120,000) according to the last preceding Federal census; providing that Section 242.01 Florida Statutes 1941, as amended by Section 43 of Chapter 23726, Laws of Florida, Acts of 1947, shall not apply to or be effective in any county in Florida having a population of not less than one hundred twelve thousand (112,000) and not more than one hundred twenty thousand (120,000) according to the last preceding Federal census; repealing all laws or parts of laws in conflict herewith; providing that this Act shall be retroactive to April 1, 1950 and from that date forward the County Superintendents shall be paid the salaries herein provided; and providing further that if any section of this Act shall be held void such section shall be considered as deleted without affecting the remainder of the Act.

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

By Senator Morrow—

Senate Joint Resolution No. 632:

A JOINT RESOLUTION DETERMINING THAT A REVISION OF THE CONSTITUTION OF THIS STATE IS

NECESSARY, AND PROVIDING FOR A REFERENDUM THEREON AT THE GENERAL ELECTION IN 1952 TO DETERMINE WHETHER THE GENERAL ELECTORS OF THE STATE FAVOR A CONSTITUTIONAL CONVENTION TO REVISE THE STATE CONSTITUTION.

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

Section 1. Pursuant to Section 2 of Article XVII of the State Constitution, the Legislature of the State has hereby determined by a two-thirds vote of all members of both houses, that a revision of the Constitution of this State is necessary.

Section 2. The general electors of the State at the general election in 1952 shall be submitted the following question:

For revision of the State Constitution.

Against revision of the State Constitution.

The election officials of the State shall be charged with the duty of submitting said referendum question to the general electors in substantially the same manner as amendments to the State Constitution are submitted.

Section 3. The Secretary of State shall give due notice of the action of the 1951 Legislature in determining the necessity for a revision of the State Constitution and of said referendum election in accordance with the provisions of Section 2, Article XVII of the State Constitution. Expense of giving such notices shall be paid out of the General Revenue Fund

Section 4. If a majority of the electors so voting be in favor of revision the Legislature chosen at such general election shall provide by law for a convention to revise the Constitution in accordance with the provisions of Section 2, Article XVII of the State Constitution.

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

By Senator Morrow—

S. B. No. 633—A bill to be entitled An Act in reference to the vacating of plats filed of public record and the filing of re-plats thereof; in reference to any person, firm or corporation and any governmental agency in this State owning land in such recorded plats; providing for publication of notice of intention to file a re-plat; describing certain requirements in reference to re-plats, and providing for the disposition of eliminated areas and of reverter clauses affecting the original plat; providing in reference to land owners other than governmental agencies; describing what shall be shown on the re-plat; vacating a plat without filing a new plat; authorizing the State, county, or other governmental agency to exchange land for blocking up ownership in the re-plat; and in reference to the Board of County Commissioners relating to plats and re-plats.

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

By Senator Baynard—

S. B. No. 634—A bill to be entitled An Act authorizing and empowering the City of Tarpon Springs, Florida to levy a tax not exceeding two mills on all property located in the City of Tarpon Springs, Florida, the funds derived from the collection of same to be earmarked for the purpose of advertising the advantages of the City of Tarpon Springs, securing the location of new industries in the City of Tarpon Springs, and discharging any commitments that have been made by the City of Tarpon Springs in the location of industry in said city.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate 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.

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

Which was agreed to by a two-thirds vote.

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

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

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

By the Committee on Finance and Taxation—

S. B. No. 635—A bill to be entitled An Act requiring carriers and public utilities under the regulatory jurisdiction of the Florida Railroad and Public Utilities Commission and whose rates and charges are fixed by said commission to pay fees to cover the cost and expense of such regulation; requiring said carriers and public utilities to file certain sworn statements of revenues received by them; fixing the time for filing such statements and prescribing penalties for failure to file; fixing the basis of assessing said fees and prescribing the time for payment thereof; repealing all laws in conflict herewith and providing the effective date of this Act.

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

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

S. B. No. 636—A bill to be entitled An Act making it a misdemeanor to publish advertisements of rates charged to guests by hotels, apartment houses, rooming houses, motor courts, tourist camps and trailer camps as the same are defined by Chapters 510, 511 and 513, Florida Statutes, unless such publication is accompanied by certain data explanatory thereof; providing the punishment for such misdemeanor; and providing certain further penalties which may be prescribed by the Hotel Commission for violation of this Act.

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

By Senator Crary—

S. B. No. 637—A bill to be entitled An Act making it unlawful to knowingly buy, sell, offer or expose for sale, certain trees, shrubs, and plants, or portions thereof, in the State of Florida and providing that violation of this Act shall be a misdemeanor, and repealing all laws and parts of laws in conflict herewith.

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

By Senator Rodgers—

S. B. No. 638—A bill to be entitled An Act relating to the practice of public accounting, providing for the issuance of certificates under certain conditions as Certified Public Accountants.

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

By Senator Franklin—

S. B. No. 639—A bill to be entitled An Act making certain findings in reference to lands comprising the Everglades experiment station and eliminating said lands from South Florida Conservancy District.

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

By Senators Collins, Smith, Sanchez, Branch, Brackin, Johnson, Gautier (13th), and Dayton—

S. B. No. 640—A bill to be entitled An Act to create a Governor's Highway Safety Conference; providing for its operation and maintenance; establishing a merit system for its employees; providing for its cooperation with other governmental agencies; and making an appropriation therefor.

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 Gautier (13th)—

S. B. No. 641—A bill to be entitled An Act providing a method by which copies of official foreign documents or records or entries therein shall be admissible in evidence in the courts of this State to prove the contents thereof.

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

By Senator Branch—

S. B. No. 642—A bill to be entitled An Act relating to and providing an alternative or additional procedure for the constructive service of process in judicial proceedings through radio broadcasting where constructive service of process is permitted by the provisions of Chapter 48, Florida Statutes.

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

By the Committee on Public Roads and Highways—

S. B. No. 643—A bill to be entitled An Act relating to the discharge or demotion of employees of the State Road Department.

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

By the Committee on Public Roads and Highways—

S. B. No. 644—A bill to be entitled An Act to amend Sections 479.04, 479.07, 479.09, 479.11 and 479.16, Florida Statutes 1949, relating to outdoor advertisers.

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

By Senators Davis, Pope and Rogells—

S. B. No. 645—A bill to be entitled An Act amending Sections 561.01 (1), 561.06 and 561.08 Florida Statutes, and repealing Sections 561.02, 561.04, 561.05 and 561.07 Florida Statutes, relative to the Beverage Director; and providing that the Comptroller of the State of Florida shall succeed to the powers and duties of the Beverage Director.

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

By Senator Smith—

S. B. No. 646—A bill to be entitled An Act to fix the salaries of the members of the Board of County Commissioners in Clay County, Florida, and to authorize the payment of such salaries from the county general fund.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 646 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 Smith moved that the rules be waived and Senate Bill No. 646 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 646 was read the second time by title only.

Senator Smith moved that the rules be further waived and Senate Bill No. 646 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. 646 was read the third time in full.

Upon the passage of Senate Bill No. 646 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. 646 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Smith—

S. B. No. 647—A bill to be entitled An Act making an appropriation for the preservation of Olustee Battlefield Monument and for its use by the people of Florida.

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

By Senator Clarke—

S. B. No. 648—A bill to be entitled An Act amending Section 578.08, Florida Statutes, relating to regulation of dealers under the Florida Seed Law by adding thereto a subsection designated (4).

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

By Senator Moore—

S. B. No. 649—A bill to be entitled An Act amending Chapter 48, Florida Statutes, by adding thereto a new section relating to service of process and service of process outside the State in lieu of constructive service by publication.

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

By Senator Clarke—

S. B. No. 650—A bill to be entitled An Act to amend Sub-section (4) of Section 578.10, Florida Statutes, relating to certain exemptions under the Florida Seed Law.

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

By Senator Dayton—

S. B. No. 651—A bill to be entitled An Act creating the Election Code of 1951, amending and revising Chapters 97, 98, 99, 100, 101, 102, 103, 104 relating to qualification and registration of electors; registration officers and procedures; candidates, campaign expenses and contesting elections; elections: general, primary, special, bond and referendum; voting; conducting and canvassing results of elections; presidential electors, political parties, executive committees and members; providing penalties; and repealing Chapters 105, 106 and 875.

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

Senator Lewis asked unanimous consent of the Senate to take up and consider House Bill No. 522, out of its order.

Which was agreed to.

H. B. No. 522—A bill to be entitled An Act to amend Section 25, of Chapter 21368, Laws of Florida, Special Acts of 1941; as amended by Section 1 of Chapter 26001, Laws of Florida, Special Acts of 1949; Section 26 of Chapter 21368, Laws of Florida, Special Acts of 1941, as amended by Section 1 of Chapter 22384, Laws of Florida, Acts of 1943, and as amended by Section 1 of Chapter 24683, Laws of Florida, Special Acts of 1947, and as amended by Section 2 of Chapter 26001, Laws of Florida, Special Acts of 1949; Section 27 of Chapter 21368, Laws of Florida, Special Acts of 1941, as amended by Section 3 of Chapter 26001, Laws of Florida, Special Acts of 1949; relating to the municipal government of the City of Marianna, in Jackson County, Florida, to the city clerk, the chief of police and the municipal judge, their appointment or election, duties, rights and privileges, and providing for a referendum.

Was taken up.

Senator Lewis moved that the rules be waived and House Bill No. 522 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 522 was read the second time by title only.

Senator Lewis moved that the rules be further waived and House Bill No. 522 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. 522 was read the third time in full.

Upon the passage of House Bill No. 522 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. 522 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Pope asked unanimous consent of the Senate to take up and consider House Bill No. 153, out of its order.

Which was agreed to.

H. B. No. 153—A bill to be entitled An Act fixing the compensation of members of the Board of Public Instruction of Flagler County, Florida.

Was taken up.

Senator Pope moved that the rules be waived and House Bill No. 153 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 153 was read the second time by title only.

Senator Pope moved that the rules be further waived and House Bill No. 153 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. 153 was read the third time in full.

Upon the passage of House Bill No. 153 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. 153 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

MESSAGES FROM THE GOVERNOR

The following Communications from the Governor were received:

STATE OF FLORIDA

EXECUTIVE DEPARTMENT

TALLAHASSEE

May 2, 1951

Honorable Wallace E. Sturgis,
President of the Senate,
State Capitol

Sir:

I have the honor to inform you that I have today filed in the office of the Secretary of State the following Act, which originated in your Honorable Body, Regular Session, 1951, same having remained in my office for the full Constitutional period of five days, and will become a law without my approval:

S B. No. 24—RELATING TO CITY OF HAWTHORNE.

Respectfully,
FULLER WARREN,
Governor.

STATE OF FLORIDA

EXECUTIVE DEPARTMENT

TALLAHASSEE

May 3, 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 Act, 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. B. No. 545—RELATING TO ORANGE COUNTY.

Respectfully,
FULLER WARREN,
Governor.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 3, 1951.

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

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted the report of the Conference Committee heretofore appointed

to adjust the differences between the Bodies, on Senate Amendment No. 2 to—

By Messrs. Dowda of Putnam, Griner of Dixie, Sweeny of Volusia, Tapper of Gulf and David of Broward—

H. B. No. 26—A bill to be entitled An Act providing for the regulation, control, and supervision of certain privately owned electric or gas public utilities by the Florida Railroad and Public Utilities Commission; defining such public utilities and prescribing their duties and responsibilities; prescribing the duties and powers of the commission with reference to the rates, service, securities and financing of said utilities; prescribing penalties for violations of this Act or any order, rate, rule or regulation of said commission; providing that the provisions of this Act shall neither apply to utilities owned or operated by cooperatives organized and existing under the Rural Electrification Cooperative law of the State of Florida nor to utilities owned or operated by municipalities, nor to certain natural gas pipe line transmission companies; providing that this Act shall not affect certain rate litigation and refund proceedings; repealing all laws or parts of laws in conflict herewith; and providing the effective date of this Act.

Which report reads as follows:

Tallahassee, Florida,
May 1, 1951.

Hon. Wallace E. Sturgis,
President of the Senate,
Honorable B. Elliott
Speaker of the House

Gentlemen:

Your Conference Committee appointed to adjust the differences between the Senate and the House of Representatives with reference to House Bill No. 26 begs leave to submit the following report and recommendations:

1. That the Senate recede from Senate Amendment No. 2 to the bill.
2. That the House and Senate adopt and concur in the attached amendment No. 1 to House Bill No. 26.
3. That the House and Senate adopt and concur in the attached amendment No. 2 to House Bill No. 26.

Respectfully submitted,

A. G. McArthur

Dewey M. Johnson

B. C. Pearce

Conferees on the part of the Senate.

Thos. E. David

James H. Sweeny, Jr.

Thomas B. Dowda

Conferees on the part of the House of Representatives.

And further pursuant to the Conference Committee Report the House has adopted Conference Committee Amendments Nos. 1 and 2, as attached to the Conference Committee Report, which amendments read as follows:

Conference Committee Amendment No. 1—

At the end of Section 2, change the period to a comma and add the following: "nor a person supplying liquified petroleum gas, in either liquid or gaseous form, irrespective of the method of distribution or delivery, unless such person also supplies electricity, manufactured or natural gas."

Conference Committee Amendment No. 2—

In the title between the words "transmission companies" and "providing that" insert: "nor a person supplying liquified petroleum gas unless such person also supplies electricity, manufactured or natural gas."

And the House of Representatives has passed House Bill No. 26 as further amended.

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 Speaker of the House of Representatives has appointed Messrs. Melvin, Simpson and Murray as a conference committee on the part of the House to confer with a like committee on the part of the Senate to adjust the differences existing between the Senate and the House of Representatives on House Amendments Nos. 1 and 2 to—

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

S. B. No. 8—A bill to be entitled An Act making it unlawful for the holder of a horse or dog racing permit, or for a member of an association or an officer, director or stockholder of a corporation holding such a permit, to make any political contribution; prescribing the penalty for the violation hereof; and prescribing the effective date hereof.

Which amendments read as follows:

Amendment No. 1—

Strike out Section 1 and insert the following in lieu thereof: Section 1 It is unlawful for any candidate for nomination or election to public office to accept any contribution in furtherance of his or her campaign.

Amendment No. 2—

Strike out the title, and insert the following in lieu thereof: A bill to be entitled An Act making it unlawful for any candidate for nomination or election to public office to accept political contributions, and providing penalties for violation of this Act.

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

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 3, 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. Nesmith of Wakulla and Shepperd of St. Johns—

H B. No. 273—A bill to be entitled An Act creating a permanent Legislative Auditing Committee and placing the State Auditing Department under the supervision of the Auditing Committee and repealing Chapter 21, Florida Statutes.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 273, contained in the above Message, 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.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 3, 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. Bryant and Ayres of Marion—

H. B. No. 204—A bill to be entitled An Act relating to testamentary trustees and requiring the establishment of their qualifications, providing for the giving of bonds and the filing of accounts in supervisory proceedings in the Circuit Court, prescribing the parties to such proceeding and the practice and procedure applicable thereto and the declaratory relief obtainable therein.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 204, contained in the above Message, was read the first time by title only.

Senator Baynard moved that the rules be waived and House Bill No. 204 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 3, 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. Bryant and Ayres of Marion—

H. B. No. 146—A bill to be entitled An Act amending Section 69.16, Florida Statutes providing for disposition of unclaimed funds in the hands of fiduciaries.

Also—

By Messrs. Fuqua of Manatee and Burnsed of Baker—

H. B. No. 223—A bill to be entitled An Act authorizing Boards of County Commissioners to procure and pay premiums on liability insurance against tort actions; requiring insurer to waive defense of governmental immunity in any suit brought against county; waiving governmental immunity only to extent of insurance carried.

Also—

By Messrs. Surles, Smith and Murray of Polk—

H. B. No. 299—A bill to be entitled An Act relating to costs in judicial proceedings and providing for the assessment and taxation as costs in such proceedings the amount paid any legally authorized surety company as consideration for the execution of any bond permitted or required in such proceedings including a supersedeas bond on appeal.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 146, contained in the above Message, was read the first time by title only.

Senator Baynard moved that the rules be waived and House Bill No. 146 be placed on the Calendar of Bills on Second Reading, without reference.

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

And House Bill No. 223, contained in the above Message, was read the first time by title only and referred to the Committee on County Organizations and the Committee on Finance and Taxation, in the order named.

And House Bill No. 299, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "B"

Senator Lewis moved that a committee of three be appointed to escort the Honorable Claude L. Alford, former member of the Senate from the 4th Senatorial District, to a seat on the rostrum.

Which was agreed to.

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

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 3, 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. Okell and Fascell of Dade—

H. B. No. 353—A bill to be entitled An Act amending Subsections (3) and (24) of Section 2 of Chapter 22963, Laws of Florida, Acts of 1945, as amended by Chapter 24296, Laws of Florida, Acts of 1947, and as further amended by Chapters 25166 and 25520, Laws of Florida, Acts of 1949; to grant to the counties and the Boards of County Commissioners referred to in said Act, in addition to the power of eminent domain otherwise granted by the Laws of Florida, the right, power and authority to acquire by condemnation and the exercise of the right of eminent domain any docks, wharves, warehouses and port facilities and lands owned or operated by any city, town, municipality or port district within such county; to permit surplus funds arising from the operation of any project and remaining on hand at the end of any fiscal year to be temporarily advanced for the payment of the cost of acquisition, improvement or extension of any other project as defined in Section 1 of said Act; and for other purposes.

Also—

By the Committee on Military and Veterans Affairs—

H. B. No. 423—A bill to be entitled An Act adding Section 617.22 to Chapter 617, Florida Statutes, relating to corporations not for profit and restricting the use of certain words in the name thereof.

Also—

By Messrs. Shepperd and Usina of St. Johns—

H. B. No. 6—A bill to be entitled An Act fixing the salaries and/or compensation, and providing for the expenses of members of school boards of counties of Florida having a population of more than 24,990, but less than 25,000 according to the last Federal census, designating the times and installments in which, and the funds from which, the same shall be paid.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 353, contained in the above Message, was read the first time by title only.

Senator Gautier (13th) moved that the rules be waived and House Bill No. 353 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 353 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and House Bill No. 353 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. 353 was read the third time in full.

Upon the passage of House Bill No. 353 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. 353 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 423, contained in the above Message, was read the first time by title only and referred to the Committee on Corporations.

And House Bill No. 6, 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 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 Speaker of the House of Representatives has appointed Messrs. Bryant, Duncan and Getzen as a conference committee on the part of the House to confer with a like committee on the part of the Senate to adjust the differences existing between the Senate and the House of Representatives on Senate amendment to—

By Messrs. Bryant and Ayres of Marion, Boyd and Duncan of Lake, Phillips of Hernando, Getzen of Sumter, and Williams of Citrus—

H. B. No. 487—A bill to be entitled An Act relating to the salaries of each of the Circuit Judges of the Fifth Judicial Circuit of Florida embracing Citrus, Hernando, Lake, Marion and Sumter Counties and providing that a part of the salary of each judge be paid from the General Revenue Fund of such counties in the proportion that the population of each county bears to the total population of such circuit as determined by the last preceding State or Federal census, whichever shall be the later; making the same a county purpose; making an annual appropriation therefor; providing the effective date hereof and repealing all laws in conflict herewith.

Which amendment reads as follows:

In Section 1, line 15, (typewritten bill) strike out the figure \$9000.00 and insert in lieu thereof the following: \$10000.00.

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

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. 212.

S. B. No. 212—A bill to be entitled An Act amending Sub-section (1) of Section 236.07, Florida Statutes, relating to education, minimum foundation program, teachers, instructional personnel and their rank based upon their educational attainments.

Was taken up.

Senator Collins moved that the rules be waived and Senate Bill No. 212 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 212 was read the second time by title only.

The Committee on Education offered the following amendment to Senate Bill No. 212:

In Section 1, (typewritten bill) strike out the words in lines 12 through 17 and insert in lieu thereof the following:

Rank I. Those holding certificates based on one year or more of approved graduate work beyond a Master's degree.

Rank II. (1) Those holding certificates based on the degree of Master of Arts or Master of Science or an equivalent degree. (2) Those vocational teachers who have completed additional approved training as prescribed by State Board regulations subsequent to receiving a Rank III certificate.

Rank III. (1) Those holding certificates based on a four year college degree. (2) Those vocational teachers whose qualifications on the basis of training and experience as determined by regulations of the State Board of Education are considered equal to those with four years of college training. (3) Those holding certificates in Rank III as of April 15, 1951, based on the establishment of 90 semester hours of college training and an examination type of certificate issued prior to October 1, 1939, may remain in Rank III until July 1, 1953, provided that:

(a) They have been continuously employed as a teacher in the public schools of Florida since July 1, 1947.

(b) They complete within each fiscal year beginning July 1, 1951, six semester hours of college training in residence or extension classes in an approved four year college.

Senator Collins moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Tucker and Johns offered the following amendment to Senate Bill No. 212:

At the end of Rank III add the following: "and those holding life certificates issued prior to July 1, 1933."

Senator Tucker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Tucker moved that the rules be further waived and Senate Bill No. 212, as amended, be read the third time in full and put upon its passage.

A roll call was demanded.

Upon the motion made by Senator Tucker the roll was called and the vote was:

Yeas—17.

Ayers	Johns	Pope	Tucker
Baker	Johnston	Ripley	Wright
Boyle	King	Rogells	
Davis	Moore	Sanchez	
Dayton	Morrow	Smith	

Nays—20.

Mr. President	Carroll	Gautier (28th)	McArthur
Baynard	Clarke	Gautier (13th)	Pearce
Beall	Collins	Johnson	Rodgers
Brackin	Crary	Lewis	Shands
Branch	Franklin	Lindler	Shivers

So the motion failed of adoption.

Senator Rodgers moved that Senate Bill No. 212, as amended, be recommitted to an appropriate committee for further study.

Pending adoption of the motion made by Senator Rodgers, Senator Tucker moved as a substitute motion that the rules be waived and Senate Bill No. 212, as amended, be recommitted to the Committee on Education without being engrossed.

Which was agreed to by a two-thirds vote and Senate Bill No. 212, as amended, was recommitted to the Committee on Education without being engrossed.

Senator Collins asked unanimous consent of the Senate to take up and consider House Bill No. 251, out of its order.

Which was agreed to.

H. B. No. 251—A bill to be entitled An Act to amend Sections 239.19 and 239.41, Florida Statutes, relating to the granting of scholarships in the institutions of higher learning by requiring that Senatorial, Representative and General (Lewis) Scholarships be limited to fields of education in which there is a shortage of teachers.

Was taken up.

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

Which was agreed to by a two-thirds vote.

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

Senator Collins offered the following amendment to House Bill No. 251:

In Section 2, lines 17-20 (typewritten bill), strike out the words: "as evidenced by their membership in the organization known as Future Teachers of America for at least one year, except as otherwise prescribed by the State Board of Education."

Senator Collins moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shivers moved that the rules be further waived and House Bill No. 251, as amended, 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. 251, as amended, was read the third time in full.

Upon the passage of House Bill No. 251, as amended, the roll was called and the vote was:

Yeas—36.

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

Nays—None.

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

By unanimous consent Senator Rodgers withdrew Senate Bill No. 211.

S. B. No. 224—A bill to be entitled An Act to establish a

poultry disease diagnostic clinic at Dade City, Florida, to be operated by the College of Agriculture of the University of Florida.

Was taken up.

Senator Dayton moved that the rules be waived and Senate Bill No. 224 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 224 was read the second time by title only.

Senator Dayton moved that the rules be further waived and Senate Bill No. 224 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. 224 was read the third time in full.

Upon the passage of Senate Bill No. 224 the roll was called and the vote was:

Yeas—23.

Mr. President	Crary	Johnson	Pearce
Beall	Davis	Johnston	Ripley
Boyle	Dayton	Lewis	Rogells
Brackin	Franklin	Lindler	Sanchez
Branch	Gautier (28th)	Moore	Wright
Collins	Johns	Morrow	

Nays—9.

Ayers	Gautier (13th)	Rodgers
Baynard	King	Shands
Carroll	Pope	Shivers

So Senate Bill No. 224 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

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

Was taken up.

Senator Collins moved that the rules be waived and Senate Bill No. 256 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 256 was read the second time by title only.

The Committee on Education offered the following amendment to Senate Bill No. 256:

In Section 2, line 4 (typewritten bill), strike out the period and insert in lieu thereof the following: " , provided, however, that the acceptance of such monies, materials, and other aid shall not deprive the State of Florida from complete control and supervision of its library."

Senator Morrow moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Collins moved that the rules be further waived and Senate Bill No. 256, 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. 256, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 256, as amended, the roll was called and the vote was:

Yeas—32.

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

Nays—2.

Baynard Wright

So Senate Bill No. 256 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

S. B. No. 407—A bill to be entitled An Act relating to the renovation and repair of State owned textbooks and amending Section 233.39, Florida Statutes.

Was taken up.

Senator Baynard moved that the rules be waived and Senate Bill No. 407 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 407 was read the second time by title only.

Senator Baynard moved that the rules be further waived and Senate Bill No. 407 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. 407 was read the third time in full.

Upon the passage of Senate Bill No. 407 the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 407 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Leaird asked unanimous consent of the Senate to take up and consider House Bill No. 249, out of its order.

Which was agreed to.

H. B. No. 249—A bill to be entitled An Act amending Sub-section (10) of Section 236.04, Florida Statutes, relating to Education, teachers, minimum foundation program, instructional units and personnel minimum and maximum allowed or required.

Was taken up

Senator Leaird moved that the rules be waived and House Bill No. 249 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 249 was read the second time by title only.

The Committee on Education offered the following amendment to House Bill No. 249:

In Section 1, line 13, (typewritten bill) insert after the semicolon the following: "unless the county submits evidence satisfactory to the State Board of Education that it is impossible to fill units on account of lack of classrooms, in which case it shall not be required to fill such units;"

Senator Collins moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Collins moved that the rules be further waived and House Bill No. 249, as amended, 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. 249, as amended, was read the third time in full.

Upon the passage of House Bill No. 249, as amended, the roll was called and the vote was:

Yeas—36.

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

Nays—None.

So House Bill No. 249 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Rodgers withdrew Senate Bill No. 215.

H. B. No. 164—A bill to be entitled An Act authorizing the Board of Control to establish and maintain a branch of the University of Florida Agricultural Experiment Station in or near Fort Pierce, St. Lucie County, Florida; providing the purposes of such establishment, and providing that the experiments conducted thereat shall be focused primarily upon the needs and requirements of the Indian River section.

Was taken up.

Senator Crary moved that the rules be waived and House Bill No. 164 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 164 was read the second time by title only.

Senator Crary moved that the rules be further waived and House Bill No. 164 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. 164 was read the third time in full.

Upon the passage of House Bill No. 164 the roll was called and the vote was:

Yeas—33.

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

Nays—3.

Baynard Pope Shands

So House Bill No. 164 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

MOTION TO RECONSIDER

Senator Brackin presiding.

The motion made by Senator Collins on May 1, 1951, to reconsider the vote by which House Bill No. 101, as amended, failed to pass the Senate on April 30, 1951, was taken up in its order.

Senator Shands moved that the rules be waived and the time of adjournment be extended until final disposition of the motion made by Senator Collins to reconsider the vote by which House Bill No. 101, as amended, failed to pass the Senate on April 30, 1951.

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

The Presiding Officer put the question: "Will the Senate reconsider the vote by which House Bill No. 101, as amended, failed to pass the Senate on April 30, 1951?"

A roll call was demanded.

Upon the motion made by Senator Collins the roll was called and the vote was:

Yeas—14.

Beall	Crary	Johnson	Rodgers
Boyle	Davis	Johnston	Rogells
Branch	Dayton	King	
Collins	Johns	Morrow	

Nays—20.

Mr. President	Baynard	Carroll	Franklin
Baker	Brackin	Clarke	Gautier (28th)

Gautier (13th)	Lindler	Pearce	Shands
Leaird	McArthur	Pope	Shivers
Lewis	Moore	Ripley	Smith

So the motion failed of adoption.

By unanimous consent Senator Leaird withdrew his motion made on May 2, 1951, to 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.

Senator Gautier (13th) moved that the rules be waived and when the Senate adjourns it adjourn to reconvene at 10:00 o'clock A. M., Friday, May 4, 1951.

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

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:06 o'clock P. M., until 10:00 o'clock A. M., Friday, May 4, 1951.