

JOURNAL OF THE SENATE

356

Monday, May 7, 1951

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Friday, May 4, 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, we present ourselves before Thee in humility and worship. We thank Thee for Thy watch-care over us as a nation. We pray Thee to bless all those in public office in State and Nation. Let wisdom and righteousness prevail this day and throughout the remainder of this session in the enactment of good laws. May they be honestly enforced without fear or favor. Grant unto our citizens a greater concern over civic responsibilities that worthy public servants may be appreciated and retained, and the others replaced. We pray in the Savior's name, Amen."

The reading of the Journal was dispensed with.

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

Page 13 column 1, between line 35 and line 36, insert the following:

"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."

Also—

Page 18, column 2, between line 8 and line 9, counting from the bottom of the column, insert the following:

"Pending consideration of the motion made by Senator Baynard."

And as further corrected was approved.

The Senate daily Journal of Friday, May 4, 1951, was corrected and as corrected was approved.

The President made the following announcement:

On last Friday a motion was made and carried to the effect that Senate Bill No. 645 which was introduced on Thursday, be referred to another appropriate committee, it having previously been referred to the Committee on Governmental Reorganization.

This Bill was not delivered to the Secretary's desk on the day of introduction in time for the Bill to be presented by the Secretary to the Chair for consideration as to committee assignment along with the other bills introduced that day. It was brought to my office by the introducer just before the session was to convene and while the Chair was engaged in as-

signing those bills which had been previously delivered to the Secretary for introduction.

It was the understanding of the Chair that the proposed law affected only the collection of the beverage tax and that it had no bearing on the enforcement or policing under the beverage laws; neither did the Chair understand that the effect of the Bill was to abolish the Beverage Department, or that it had the practical effect of placing the enforcement exclusively in the hands of the local officials, since only twelve enforcement officers were provided for under the bill.

Had the Chair been aware of these drastic provisions of the bill, it is likely that the original reference would have been to the Committee on Alcoholic Beverages which has traditionally considered measures affecting the collection of the beverage taxes and enforcement of the liquor laws.

It is the opinion of the Chair that notwithstanding the favorable action of this body on the motion to refer the bill to another appropriate committee, the Chair would be under no obligation under the rules to make such an assignment if in the opinion of the Chair a joint reference was either (a) unnecessary or (b) that the previous reference was to the only "appropriate" committee. Any other construction would operate to nullify the discretion of the Chair in making committee assignments and would result in needless confusion. The mentioned motion must, therefore, be considered only in the nature of a request.

I wish to emphasize that my lack of full information concerning the nature of this bill was not due to any evasion on the part of the introducer but simply because it was presented in the rush immediately ahead of the convening of the Senate and when the Chair did not have sufficient time to carefully analyze it.

The reference to the Committee on Governmental Reorganization was not inappropriate. As announced, however, the bill might have more appropriately been referred to the Committee on Alcoholic Beverages. Under the circumstances, it is ordered that the bill be and it is also referred to the Committee on Alcoholic Beverages for its action immediately following the action of the Committee on Governmental Reorganization.

Senator Gautier (28th) asked unanimous consent of the Senate to take up and consider Senate Bill No. 527, out of its order.

Which was agreed to.

S. B. No. 527—A bill to be entitled An Act relating to counties having a population of not less than seventy thousand (70,000) nor more than eighty thousand (80,000) according to the latest official census; providing for additional beverage licenses.

Was taken up.

Senator Gautier (28th) moved that the rules be waived and Senate Bill No. 527 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 527 was read the second time by title only.

Senator Gautier (28th) moved that the rules be further waived and Senate Bill No. 527 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. 527 was read the third time in full.

Upon the passage of Senate Bill No. 527 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. 527 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By the Committee on Appropriations—

S. B. No. 679—A bill to be entitled An Act making appropriations for the salaries of the officers and employees of the State and for the current operating expenses of the departments and branches of the State government and for the capital outlay and repairs as provided for herein for the annual periods beginning July 1, 1951 and July 1, 1952.

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

Senator Baynard moved that the rules be waived and Senate Bill No. 679 be made a Special and Continuing Order of Business for consideration by the Senate on Tuesday, May 8, 1951, beginning at 12:00 o'clock, Noon.

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

By Senator Lewis—

S. B. No. 680—A bill to be entitled An Act to declare, designate, and name certain parts of the State highways as Paradise Drive.

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

By Senator Ripley—

S. B. No. 681—A bill to be entitled An Act relating to and providing for procedure in a default in the undertaking of injunction or ne exeat bonds; prescribing the action to be taken for the enforcement thereof; and limiting the liability of sureties under such bonds to the penalties therein specified.

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

By Senator Baynard—

S. B. No. 682—A bill to be entitled An Act relating to schools, providing for collection of tuition fees by the several county Boards of Public Instruction from non-residents of Florida entering pupils in the public schools of Florida; providing the manner of computing such fees; authorizing rules and regulations for the administration of this Act; and appropriating monies collected, defining the term non-resident as used in this Act; providing for certain exemptions from the terms of this Act; providing that this Act shall go into effect in the respective counties in the State of Florida upon an affirmative vote of a majority of the qualified electors voting in any general or biennial election held in the respective counties; and providing a penalty for the violation of this Act.

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

By Senator Gautier (13th)—

S. B. No. 683—A bill to be entitled An Act amending Section 121.02 Florida Statutes 1949 relating to the State officers and employees retirement system by redefining "State officers and employees", and defining the words "full time officers and employees", as used in Chapter 121 Florida Statutes, 1949.

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

By Senator Gautier (13th)—

S. B. No. 684—A bill to be entitled An Act amending Section 13 Chapter 20724, Laws of Florida, Acts of 1941, as amended, by Section 2 and Section 4 of Chapter 21943, Laws of Florida, Acts of 1943 by providing the method of payment by stamps of Class C intangible personal property taxes; providing for the presentation and distribution of said stamps; providing for the cancellation of said stamps and penalties for failure to do so; defining illegal use of said stamps and penalties for illegal use; and providing for repeal of all laws and parts of laws in conflict herewith.

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

By Senator Baynard—

S. B. No. 685—A bill to be entitled An Act relating to the salaries of the Judges of the Circuit Court residing in a county having a population of not less than one hundred fifty thousand inhabitants, and not more than two hundred twenty-five thousand inhabitants, according to the latest census, and providing for a portion of such salaries to be paid from the general revenue of such counties and making same a county purpose.

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

By Senators Shands and Sturgis—

S. B. No. 686—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.

Senator Shands moved that the rules be waived and Senate Bill No. 686 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.

By Senator Beall—(By Request)—

S. B. No. 687—A bill to be entitled An Act for the relief of Gus Cheshire of Pensacola, Escambia County, Florida, and providing an appropriation for injuries and damages sustained by him by reason of an accident with a truck belonging to and being operated by the State Road Department, and providing for the payment of same.

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

By Senator Beall—

S. B. No. 688—A bill to be entitled An Act amending Section 66.22 of Florida Statutes 1949 so as to provide that persons not personally served with process in certain suits to quiet title and who have no actual knowledge thereof before the entry of the decree may under certain circumstances within the time allowed for taking appeals from final decrees be permitted to reopen and relitigate such causes; providing further that such privilege shall not lengthen the time for taking appeals and, further providing that this Act shall not reduce the time allowed by any prior law for the purposes above set forth, in any case where a final decree has been rendered prior to this Act becoming a law.

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

By Senator Beall—

S. B. No. 689—A bill to be entitled An Act relating to municipalities; in all counties having within its boundaries not more than two municipal corporations; granting additional powers unto municipalities in the State of Florida, having a population of not less than 43,052 and not more than 45,541 according to the last preceding Federal census; authorizing said cities to appropriate funds not to exceed \$10,000.00

in any one year to civic organizations conducting civic celebrations.

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

By Senator Gautier (13th)—

S. B. No. 690—A bill to be entitled An Act to provide for detention and correction of causes and sentencing to an indeterminate term and providing psychiatric treatment for persons convicted of certain sex offenses against persons under the age of twelve years.

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

By Senator Lewis—

S. B. No. 691—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.

Which was read the first time by title only.

Senator Lewis moved that the rules be waived and Senate Bill No. 691 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 691 was read the second time by title only.

Senator Lewis moved that the rules be further waived and Senate Bill No. 691 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. 691 was read the third time in full.

Upon the passage of Senate Bill No. 691 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. 691 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Branch—

S. B. No. 692—A bill to be entitled An Act relating to corporations not for profit; amending Section 617.01, Florida Statutes, 1949, to include Parents-Teachers or teachers groups or associations within the classifications contained in said Section 617.01, Florida Statutes, 1949.

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

Senator Shands asked unanimous consent of the Senate to take up and consider Senate Bill No. 686, out of its order.

Which was agreed to.

S. B. No. 686—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.

Was taken up.

Senator Shands moved that the rules be waived and Senate Bill No. 686 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 686 was read the second time by title only.

Senator McArthur presiding.

Senator Lewis offered the following amendment to Senate Bill No. 686:

In Section 1, between lines 25 and 26 on Page 2, insert the following paragraph to be numbered 2, and re-number the following paragraphs:

2. One million (\$1,000,000) dollars for the construction and equipment of additional facilities for the convalescent hospital at Marianna under the State Tuberculosis Board.

Senator Lewis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shands moved that the rules be further waived and Senate Bill No. 686, 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. 686, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 686, as amended, the roll was called and the vote was :

Yeas—36.

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

Nays—None.

So Senate Bill No. 686 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk; for engrossing.

The President presiding.

MESSAGE FROM THE GOVERNOR

The following Communication from the Governor was received:

STATE OF FLORIDA

EXECUTIVE DEPARTMENT

TALLAHASSEE

May 5, 1951

Hon. 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 Acts, 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 laws without my approval:

S. B. NO. 27—RELATING TO EAST VOLUSIA COUNTY ANTI-MOSQUITO DISTRICT

S. B. NO. 52—RELATING TO LIVESTOCK

- S. B. NO. 64—RELATING TO STATE ROAD
 - S. B. NO. 98—RELATING TO STATE ROAD
 - S. B. NO. 163—RELATING TO STATE ROAD
 - S. B. NO. 164—RELATING TO STATE ROAD
 - S. B. NO. 165—RELATING TO STATE ROAD
 - S. B. NO. 166—RELATING TO STATE ROAD
 - S. B. NO. 243—RELATING TO ST. PETERSBURG
 - S. B. NO. 245—RELATING TO STATE ROADS
 - S. B. NO. 246—RELATING TO STATE ROAD
 - S. B. NO. 250—RELATING TO ST. PETERSBURG
 - S. B. NO. 251—RELATING TO ST. PETERSBURG
 - S. B. NO. 280—RELATING TO TAMPA MUNICIPAL HOSPITAL
 - S. B. NO. 287—RELATING TO LAKE COUNTY
 - S. B. NO. 288—RELATING TO LAKE COUNTY
 - S. B. NO. 289—RELATING TO LAKE COUNTY
 - S. B. NO. 306—RELATING TO BROWARD COUNTY
 - S. B. NO. 315—RELATING TO MIAMI
 - S. B. NO. 316—RELATING TO MIAMI
 - S. B. NO. 318—RELATING TO MIAMI
 - S. B. NO. 319—RELATING TO MIAMI
 - S. B. NO. 320—RELATING TO MIAMI
 - S. B. NO. 328—RELATING TO CIRCUIT COURT 11th JUDICIAL CIRCUIT
 - S. B. NO. 329—RELATING TO GRAND JURY COMMISSION
 - S. B. NO. 334—RELATING TO GRAND JURIES
 - S. B. NO. 369—RELATING TO JURORS
 - S. B. NO. 417—RELATING TO NASSAU COUNTY
 - S. B. NO. 286—RELATING TO LAKE COUNTY
 - S. B. NO. 424—RELATING TO EL PORTAL VILLAGE
 - S. B. NO. 426—RELATING TO MIAMI
- also
- S.C.R. NO. 206—RELATING TO TAXES

Respectfully,
FULLER WARREN,
Governor.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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 with amendment—

By Senator Dayton—

S. B. No. 101—A bill to be entitled An Act amending Section 905.17, Florida Statutes of 1941, to provide for the presence of any court reporter or stenographer before the grand jury while they are in session and to repeal Section 905.14, Florida Statutes of 1941.

Which Amendment reads as follows:

In Section 2, line 12, of the bill, strike out the word: "Circuit," and insert the following in lieu thereof: "trial".

—and respectfully requests the concurrence of the Senate therein.

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

And Senate Bill No. 101, contained in the above Message, was read by title, together with the House amendment thereto.

Senator Dayton moved that the Senate concur in the House amendment to Senate Bill No. 101.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 101.

And Senate Bill No. 101, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 7, 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 Collins—

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

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

And Senate Bill No. 93, 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 7, 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 with amendment:

By Senator Johnston—

S. B. No. 184—A bill to be entitled An Act to declare, designate and establish a certain State Road.

Which amendment reads as follows:

In Section 1, line 11, of the bill, strike out the figure: "26" and insert the following in lieu thereof: "36".

—and respectfully requests the concurrence of the Senate therein.

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

And Senate Bill No. 184, contained in the above Message, was read by title, together with the House amendment thereto.

Senator Johnston moved that the Senate do not concur in the House amendment to Senate Bill No. 184.

Which was agreed to and the Senate refused to concur in the House Amendment to Senate Bill No. 184.

Senator Johnston moved that the House of Representatives be requested to recede from the House amendment to Senate Bill No. 184.

Which was agreed to and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 7, 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 with amendment:

By Senator Collins—

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

Which amendment reads as follows:

At the end of Section 1, after the word "homesteads" insert the following: "In any case where the dower interest of the widow shall have the effect of increasing the estate tax, her dower shall be ratably liable with the remainder of the estate for the estate taxes due by the estate of her deceased husband."

—and respectfully requests the concurrence of the Senate therein.

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

And Senate Bill No. 92, contained in the above Message, was read by title, together with the House amendment thereto.

Senator Collins moved that the Senate concur in the House amendment to Senate Bill No. 92.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 92.

And Senate Bill No. 92, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives.

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—

By the Committee on County Officials and County Organizations—

House Concurrent Resolution No. 13:

A CONCURRENT RESOLUTION FOR APPOINTMENT OF AN INTERIM COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND OF THE SENATE OF THE STATE OF FLORIDA TO INVESTIGATE DUTIES, FEES AND COMPENSATION OF COUNTY OFFICERS AND REPORT ITS

FINDINGS AND MAKE RECOMMENDATIONS RELATING THERETO TO THE 1953 SESSION OF THE LEGISLATURE OF THE STATE OF FLORIDA.

WHEREAS, in the consideration of the several bills relating to duties, fees and compensation of county officers of the State of Florida, it has come to the attention of the members of the House of Representatives and of the Senate that the laws regulating duties, fees and compensation of county officers are hopelessly conflicting in their application to the several counties of the State of Florida; that many of said laws are of doubtful validity; that many of said laws are obsolete and apply to duties, practices and proceedings which are no longer required or provided for by the statutes of this State, and

WHEREAS, the Constitution of the State of Florida requires that all laws relating to fees and compensation of county officers shall be by general law, and

WHEREAS, it appears that a law or laws embracing a complete, uniform, comprehensive and workable plan or scheme for county government and for the compensation of county officers is necessary for efficient functioning of county government, NOW, THEREFORE.

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

SECTION 1. That a committee of five (5) members of the House of Representatives be appointed by the Speaker thereof, and three (3) members of the Senate be appointed by the President thereof, who shall make thorough investigation of the duties, fees and compensation of the county officers of the several counties of the State of Florida.

SECTION 2. That said committee is authorized to require such necessary papers and information as well as free access to the records and files of all State Departments and agencies and all records and files of the several counties of the State of Florida as may be necessary to enable it to effectuate the purposes of this Resolution.

SECTION 3. The members of said committee appointed hereunder shall receive no compensation but shall be paid their necessary expenses incurred in performing the duties required.

SECTION 4. That said committee, be, and it is hereby directed to solicit the cooperation of the several State Associations of County Officers and to consult with the representatives of said associations in making its investigation and formulating its recommendations hereinafter provided for.

SECTION 5. That said committee shall report its findings and make recommendations to the 1953 session of the Legislature of the State of Florida.

—and respectfully requests the concurrence of the Senate therein.

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

And House Concurrent Resolution No. 13, contained in the above Message, was read the first time in full and referred to the Committee on Governmental Reorganization.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 7, 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. Chambers of Hardee—

H. B. No. 796—A bill to be entitled An Act to repeal Chapter 25852, Acts of 1949, being "An Act creating the elective office of County School Board Attorney in and for Hardee

County, Florida; fixing the term of said office and the method of filling same; prescribing the duties of said County School Board Attorney and prescribing his salary”.

Proof of publication attached.

Also—

By Messrs. McFarlin and Dukes of Jackson—

H. B. No. 400—A bill to be entitled An Act fixing the compensation of members of boards of county commissioners in and for all counties in Florida having a population of not less than thirty thousand (30,000) and not more than thirty-four thousand six hundred seventy-five (34,675) inhabitants according to the last official census, and designating the fund out of which such compensation shall be paid.

—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. 796 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. 796, contained in the above Message, was read the first time by title only.

Senator Moore moved that House Bill No. 796 be indefinitely postponed.

Which was agreed to and House Bill No. 796 was indefinitely postponed.

And House Bill No. 400, contained in the above Message, was read the first time by title only.

Senator Lewis moved that the rules be waived and House Bill No. 400 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 400 was read the second time by title only.

Senator Lewis moved that the rules be further waived and House Bill No. 400 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. 400 was read the third time in full.

Upon the passage of House Bill No. 400 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. 400 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 4, 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. Chambers of Hardee—

H. B. No. 760—A bill to be entitled An Act providing for the compensation of the members of the Board of Public Instruction of Hardee County, Florida.

Proof of publication attached.

Also—

By Mr. Chambers of Hardee—

H. B. No. 761—A bill to be entitled An Act creating a Small Claims Court in Hardee 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 upon 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. Chambers of Hardee—

H. B. No. 762—A bill to be entitled An Act to repeal Chapter 25851, Acts of 1949, being “An Act creating the elective office of county attorney in and for Hardee County, Florida; fixing the term of said office and the method of filling same; prescribing the duties of said county attorney and prescribing his salary.”

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. 760 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. 760, 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. 761 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. 761, 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. 762 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. 762, contained in the above Message, was read the first time by title only.

Senator Moore moved that House Bill No. 762 be indefinitely postponed.

Which was agreed to and House Bill No. 762 was indefinitely postponed.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
 May 4, 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. Andrews and Kirkland of Orange—

H. B. No. 73—A bill to be entitled An Act relating to school district electors; providing under what circumstances county supervisors of registration shall be ex officio supervisors of school district elections and providing their duties.

Also—

By the Committee on Census and Apportionment—

Committee Substitute for House Bills Nos. 10, 115, 195 and 236—A bill to be entitled An Act to amend Sections 8.01 and 8.04, Florida Statutes, relating to Congressional Districts.

Also—

By the Legislative Council Committee—

H. B. No. 254—A bill to be entitled An Act to amend Chapter 25369, Laws of Florida, Acts of 1949, as amended by Chapter 26333, Laws of Florida, Acts of 1949, Extraordinary Session, the same being Section 11.21, Florida Statutes, 1949, relating to membership of the Legislative Council.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 73, contained in the above Message, was read the first time by title only and referred to the Committee on Privileges and Elections.

And Committee Substitute for House Bills Nos. 10, 115, 195 and 236, contained in the above Message, was read the first time by title only.

Senator Sanchez moved that the rules be waived and Committee Substitute for House Bills Nos. 10, 115, 195 and 236 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. 254, contained in the above Message, was read the first time by title only.

Senator Rodgers moved that the rules be waived and House Bill No. 254 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 4, 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. MacWilliam of Indian River—

H. B. No. 857—A bill to be entitled An Act to abolish the present municipal government of the City of Vero Beach, in the County of Indian River and State of Florida, and to establish, organize and constitute a municipality to be known as "City of Vero Beach"; to provide a charter for said city; fix its territorial limits and boundaries; provide for its government; and prescribe its jurisdiction, powers and privileges, and providing for a referendum.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 857, contained in the above Message, was read the first time by title only.

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

Which was agreed to by a two-thirds vote.

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

Senator Crary moved that the rules be further waived and House Bill No. 857 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 857 was read the third time in full.

Upon the passage of House Bill No. 857 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. 857 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 7, 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. Smith of Polk and McFarlin of Jackson—

H. B. No. 231—A bill to be entitled An Act to amend Section 733.43 Florida Statutes, 1949, by permitting the filing of annual reports in probate matters subject to election by personal representatives on the basis of the fiscal year as well as the calendar year.

Also—

By the Committee on Judiciary "B"—

Committee Substitute for House Bill No. 291—A bill to be entitled An Act relating to the use of the services of retired Justices of the Supreme Court and compensation therefor.

Also—

By Mr. Cobb of Volusia—

H. B. No. 378—A bill to be entitled An Act to amend Section 440.30, Florida Statutes, relating to Workmen's Compensation; provides for taking of depositions.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 231, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "B".

And Committee Substitute for House Bill No. 291, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "C".

And House Bill No. 378, contained in the above Message, was read the first time by title only and referred to the Committee on Labor and Industry.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
 May 7, 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. MacWilliam of Indian River—

H. B. No. 858—A bill to be entitled An Act to declare, designate and establish a certain State Road in Indian River County, Florida.

Also—

By Mr. MacWilliam of Indian River—

H. B. No. 859—A bill to be entitled An Act to declare, designate and establish a certain State Road in Indian River County, Florida.

Also—

By Mr. MacWilliam of Indian River—

H. B. No. 860—A bill to be entitled An Act to declare, designate and establish a certain State Road in Indian River County, Florida.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 858, contained in the above Message, was read the first time by title only.

Senator Crary moved that the rules be waived and House Bill No. 858 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 858 was read the second time by title only.

Senator Crary moved that the rules be further waived and House Bill No. 858 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. 858 was read the third time in full.

Upon the passage of House Bill No. 858 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. 858 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 859, contained in the above Message, was read the first time by title only.

Senator Crary moved that the rules be waived and House Bill No. 859 be read the second time by title only.

Which was agreed to by a two-thirds vote.

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

Senator Crary moved that the rules be further waived and House Bill No. 859 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 859 was read the third time in full.

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

And House Bill No. 860, contained in the above Message, was read the first time by title only.

Senator Crary moved that the rules be waived and House Bill No. 860 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 860 was read the second time by title only.

Senator Crary moved that the rules be further waived and House Bill No. 860 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. 860 was read the third time in full.

Upon the passage of House Bill No. 860 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. 860 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 7, 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. McLaren, Cramer and Shaffer of Pinellas—

H. B. No. 531—A bill to be entitled An Act relating to the fixing of the several tax millages for the purpose of taxation, and providing for an adjustment of the millages under certain circumstances in counties having a population between 125,000 and 240,000 according to the last preceding official census.

Also—

By Mr. Melvin of Santa Rosa—

H. B. No. 303—A bill to be entitled An Act to amend Sections 129.01, 129.02, 129.03, 129.05, 129.06 and 129.07, Florida Statutes, 1949; to provide for the establishment of a budget system for Boards of County Commissioners; prescribing the methods of preparing and adopting budgets, levying taxes, making expenditures and accounting for county and other funds under the control of Boards of County Commissioners; prescribing penalties for the violation of this Act; and providing for the repeal of all laws in conflict with this Act.

Also—

By the Legislative Council Committee—

H. B. No. 252—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.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 531, contained in the above Message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

And House Bill No. 303, contained in the above Message, was read the first time by title only and referred to the Committee on County Organizations.

And House Bill No. 252, contained in the above Message, was read the first time by title only and referred to the Committee on Education.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 7, 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. Papy of Monroe—

H. B. No. 715—A bill to be entitled An Act authorizing and empowering the Utility Board of the City of Key West, Florida to establish, adopt, provide, operate, maintain and assist in the support of a pension system or plan for the relief or social security of disabled or retired officers and employees of said board and to delegate authority for the handling and perpetuation of said plan or system; empowering said board to make contracts of insurance with any insurance company insuring its officers and employees or any class or classes thereof under policies of group insurance covering life or health or accident insurance or any two or more of such classes of insurance and to contract with any company granting annuities or pensions for the pensioning of such officers and employees or any class or classes thereof; and for any

and all such purposes said board may appropriate out of its funds any moneys necessary to pay premiums or charges incident to the carrying on of such policies or contracts or for the support of a pension system; repealing all laws and parts of laws, whether general or special, in conflict with this Act to the extent of such conflict; and providing when this Act shall take effect.

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. 715 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. 715, contained in the above Message, was read the first time by title only.

Senator Franklin moved that the rules be waived and House Bill No. 715 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 715 was read the second time by title only.

Senator Franklin moved that the rules be further waived and House Bill No. 715 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. 715 was read the third time in full.

Upon the passage of House Bill No. 715 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. 715 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 7, 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. 185—A bill to be entitled An Act relating to adoption of children; authorizing a final order of adoption to be entered without hearing under certain conditions.

Also—

By the Committee on County Officials and County Organizations—

Committee Substitute for House Bill No. 210—A bill to be entitled An Act amending Section 125.08, Florida Statutes

1949, relating to advertisement of competitive bidding on contracts of boards of county commissioners of the several counties of 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. 185, contained in the above Message, was read the first time by title only and referred to the Committee on Welfare.

And Committee Substitute for House Bill No. 210, 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 7, 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. Whitlock and Turlington of Alachua—

H. B. No. 264—A bill to be entitled An Act to amend Section 467.14, Florida Statutes 1949, providing authority to suspend an architect's registration certificate and current renewal thereof; providing for suspension or revocation of architects registration certificate and current renewal thereof for a dishonest practice or practices; providing for suspension or revocation of architect's registration certificate and current renewal thereof for improper use of architectural seal or name as an architect; providing for the issuance of subpoenas to witnesses before the board or any member thereof; providing for the reissuance or reinstatement of the architect's registration certificate and current renewal thereof; repealing all laws in conflict herewith; and providing when said Act shall take effect.

Also—

By Messrs. Haley and Tate of Sarasota, Fuqua and Rood of Manatee, Smith of DeSoto, Simpson of Jefferson, Moody and Pittman of Hillsborough, Ayres of Marion and Patton of Franklin—

H. B. No. 310—A bill to be entitled An Act to require that all state, county and municipal records shall at all times be open for public inspection, and providing for punishment of any official who shall violate said Act.

Also—

By Messrs. Ayres of Marion, Moody of Hillsborough, Floyd and Fascell of Dade, Cobb of Volusia, Duncan of Lake, Akridge of Brevard, Watson of Lee, Surlis of Polk, Getzen of Sumter, Henderson of Leon, Campbell of Okaloosa and Bailey of Calhoun—

H. B. No. 327—A bill to be entitled An Act to empower the Supreme Court of the State of Florida to prescribe the requirements, qualifications and standards for the admission of persons to practice law in any of the courts of the State of Florida or its political subdivisions empowering the Supreme Court of the State of Florida to prescribe and establish additional duties, powers and procedures for the State Board of Law Examiners; providing, with certain exceptions provided herein, that no person shall be admitted to practice without examination (unless by order of the Supreme Court of Florida).

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 264, 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. 264 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. 310, contained in the above Message, was read the first time by title only and referred to the Committee on Governmental Reorganization.

And House Bill No. 327, contained in the above Message, was read the first time by title only.

Senator Franklin moved that the rules be waived and House Bill No. 327 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 7, 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 and Rood of Manatee—

H. B. No. 493—A bill to be entitled An Act relating to the nomination and election of county commissioners of Manatee County and to provide for their nomination and election by the voters at large and not by districts, and to prescribe where they shall reside, and to repeal all laws in conflict herewith and to provide for a referendum election.

Also—

By Messrs. Fuqua and Rood of Manatee—

H. B. No. 492—A bill to be entitled An Act fixing the compensation of the county commissioners of counties of the State of Florida which now have or may hereafter have a population of more than thirty-four thousand six hundred fifty and not more than thirty-five thousand inhabitants according to the last preceding Federal census.

Also—

By Messrs. Inman and McFarland of Gadsden—

H. B. No. 388—A bill to be entitled An Act prescribing the amount and authorizing the compensation to be paid to the members of the County Boards of Public Instruction in counties of the State of Florida having a population of not less than 36,400 nor more than 37,000 according to the last preceding Federal census; providing for the payment of expenses of such board members and specifying the effective date of said Act.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 493, contained in the above Message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

And House Bill No. 492, contained in the above Message, was read the first time by title only and referred to the Committee on Population.

And House Bill No. 388, contained in the above Message, was read the first time by title only.

Senator Johnson moved that the rules be waived and House Bill No. 388 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 388 was read the second time by title only.

Senator Johnson moved that the rules be further waived and House Bill No. 388 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. 388 was read the third time in full.

Upon the passage of House Bill No. 388 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. 388 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 7, 1951.

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

Sir:

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

By the Committee on Rules and Calendar—

House Concurrent Resolution No. 14:

A CONCURRENT RESOLUTION PROPOSING AN INVITATION TO THE HONORABLE MILLARD F. CALDWELL TO ADDRESS A JOINT MEETING OF THE HOUSE OF REPRESENTATIVES AND SENATE OF FLORIDA ON MAY 14, 1951.

WHEREAS, the danger of hostile action against the United States by foreign powers within the near future is becoming increasingly apparent; and

WHEREAS, it is the duty of the Legislature to consider and take such action as may be necessary and feasible to insure that preparation of the State of Florida will be adequate to deal with such emergency and to protect in so far as possible the public peace, health and safety and to preserve the lives and property of the people of Florida; and

WHEREAS, the Honorable Millard F. Caldwell, former governor of Florida, has been designated and appointed by the President of the United States to serve as Federal Civil Defense Administrator in Washington, NOW, THEREFORE,

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

Section 1. That the 1951 Legislature of the State of Florida extends an invitation to the Honorable Millard F. Caldwell to address a joint meeting of the Florida Legislature at 12:30 P. M. on May 14, 1951. on the subject of civil defense.

Section 2. That a copy of this resolution be sent to the Honorable Millard F. Caldwell immediately upon its adoption by the House of Representatives and Senate.

—and respectfully requests the concurrence of the Senate therein.

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

And House Concurrent Resolution No. 14, contained in the above Message, was read the first time in full.

Senator Morrow moved that the rules be waived and House Concurrent Resolution No. 14 be read the second time in full and put upon adoption.

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 14 was read the second time in full.

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

A roll call was demanded.

Upon call of the roll on the adoption of House Concurrent Resolution No. 14 the roll was called and the vote was:

Yeas—27.

Mr. President	Carroll	Johns	Morrow
Ayers	Clarke	Johnson	Rodgers
Baker	Collins	Johnston	Rodgers
Baynard	Crary	King	Sanchez
Beall	Davis	Lewis	Shivers
Brackin	Dayton	Lindler	Smith
Branch	Gautier (13th)	Moore	

Nays—9.

Boyle	Leaird	Pope
Franklin	McArthur	Ripley
Gautier (28th)	Pearce	Shands

Which was agreed to and House Concurrent Resolution No. 14 was adopted.

Senator Brackin moved that the Senate reconsider the vote by which House Concurrent Resolution No. 14 was adopted this day.

Senator Morrow moved that the rules be waived and the Senate do then take up and consider the motion made by Senator Brackin to reconsider the vote by which House Concurrent Resolution No. 14 was adopted this day.

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

A roll call was demanded.

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

Yeas 16.

Ayers	Boyle	King	Rodgers
Baker	Carroll	Moore	Rogells
Baynard	Clarke	Morrow	Sanchez
Beall	Johns	Ripley	Smith

Nays—21.

Mr. President	Dayton	Leaird	Shands
Brackin	Franklin	Lewis	Shivers
Branch	Gautier (28th)	Lindler	Wright
Collins	Gautier (13th)	McArthur	
Crary	Johnson	Pearce	
Davis	Johnston	Pope	

So the Senate refused to take up and consider the motion made by Senator Brackin, and the motion went over under the rule.

SENATE BILLS ON SECOND READING

S. B. No. 197—A bill to be entitled An Act to confer additional powers upon Municipalities in the State of Florida in relation to the collection, treatment and disposal of sewage, including industrial wastes; to authorize and empower any such Municipality to construct, improve, extend, enlarge, reconstruct, maintain, equip, repair and operate sanitary sewers and sewage disposal systems; to authorize the levy of special assessments upon property benefited by the construction or

reconstruction of such sanitary sewers; to provide for paying the whole or a part of the cost of a sewage disposal system or systems, of extensions and additions thereto, and of sanitary sewers, by the issuance of either (1) general obligation bonds of such municipality payable from ad valorem taxes or from ad valorem taxes and the proceeds of sewer service charges or special assessments or both, or (2) sewer revenue bonds of such municipality payable solely from sewer service charges or from sewer service charges and special assessments; to provide for the levy of a sufficient ad valorem tax for the payment of general obligation bonds; to provide for the imposition and collection of charges for making connections with the sewer system of such municipality, for the imposition and collection of rates, fees and charges for the use of the services and facilities of such sewage disposal system or systems, for the imposition and collection of rates, fees and charges for the use of the services and facilities of such sanitary sewers, and for the application of such revenues: to authorize and empower any such municipality to require connections with sanitary sewers served or which may be served by any sewage disposal system; to grant to any such municipality power to acquire necessary real and personal property and to exercise the right of eminent domain: to give the consent of the State of Florida to the use of all State lands lying under water which are necessary for the accomplishment of the purposes of this Act; to exempt from taxes and assessments the sewage disposal system of any such municipality; to authorize the municipalities to accept grants and contributions in aid of the purposes of this Act; to authorize the pledge of surplus water revenues; to authorize the issuance of sewer revenue refunding bonds; to authorize the combination of the water and sewer systems of any such municipality for financing purposes and the issuance of water and sewer revenue bonds; and to prescribe the powers and duties of municipalities in connection with the foregoing and the rights and remedies of the holders of any bonds issued pursuant to the provisions of this Act.

Was taken up in its order.

Senator Collins moved that the rules be waived and Senate Bill No. 197 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 197 was read the second time by title only.

Senator Baynard offered the following amendment to Senate Bill No. 197:

After Section 18, add the following new section to be known as Section 19, renumbering remaining sections:

"Section 19. Provided, however, the provisions of this Act shall not apply to counties having a population between 150,000 and 200,000."

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shands offered the following amendment to Senate Bill No. 197.

Following Section 20 insert the following section to be numbered Section 21, re-numbering succeeding sections:

Section 21 This Act shall not apply to counties having a population less than 60,000 but more than 52,000 according to the latest Federal census.

Senator Shands 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. 197 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. 197, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 197, as amended, the roll was called and the vote was:

Yeas—23.

Mr. President	Collins	Johnson	Morrow
Baker	Crary	Johnston	Pearce
Beall	Dayton	King	Pope
Boyle	Gautier (28th)	Leaird	Rogells
Branch	Gautier (13th)	Lewis	Sanchez
Clarke	Johns	McArthur	

Nays—9.

Baynard	Lindler	Shands
Carroll	Moore	Smith
Davis	Ripley	Wright

So Senate Bill No. 197 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

S. B. No. 230—A bill to be entitled An Act to amend Section 11 of Chapter 23077 as amended by Chapters 26362 and 26477, Acts of 1949, relating to authority of Housing Authorities to clear blighted areas and slums in certain Municipalities; to acquire real property by condemnation and to issue obligations by designating and authorizing additional Municipalities to enter into such projects.

Was taken up in its order.

Senator Boyle moved that the rules be waived and Senate Bill No. 230 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 230 was read the second time by title only.

Senator Boyle offered the following amendment to Senate Bill No. 230:

In Section 1, line 5 (typewritten bill) strike out the word "only".

Senator Boyle moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Boyle moved that the rules be further waived and Senate Bill No. 230, 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. 230, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 230, as amended, the roll was called and the vote was:

Yeas—32.

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

Nays—1.

Rodgers

So Senate Bill No. 230 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

S. B. No. 73—A bill to be entitled An Act to amend Section 165.01, Florida Statutes, 1941, as amended by Chapter 23656, Laws of Florida, Acts of 1947, relating to number of inhabitants necessary to incorporate a municipal government.

Was taken up in its order.

Senator Baynard moved that the rules be waived and Senate Bill No. 73 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 73 was read the second time by title only.

The Committee on Cities and Towns offered the following amendment to Senate Bill No. 73:

In Section 1, line 9 (typewritten bill) strike out the words: "two hundred" and insert in lieu thereof the words "one hundred fifty".

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Cities and Towns also offered the following amendment to Senate Bill No. 73:

In Section 2, line 2 (typewritten bill) strike out the period and add the following: "provided however that Chapter 25758 Special Laws of 1949 or parts thereof conflicting herewith shall not be repealed hereby."

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baynard moved that the rules be further waived and Senate Bill No. 73, 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. 73, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 73, as amended, the roll was called and the vote was:

Yeas—35.

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

Nays—1.

Sanchez

So Senate Bill No. 73 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

S. B. No. 198—A bill to be entitled An Act providing for the financing by counties and municipalities in the State of Florida of certain self-liquidating projects without the incurring of indebtedness or the levy of taxes; providing for the purchase, construction, improvement, extension, betterment, repair, operation and maintenance of bridges, causeways and tunnels by counties and waterworks systems, bridges, causeways, tunnels, harbor and port facilities and parking facilities by municipalities, authorizing the issuance of revenue bonds, payable solely from revenues, to pay the cost of such projects, providing that no debt of any such county or municipality shall be incurred in the exercise of any of the powers granted by this Act, and that no county or municipality shall have the power to levy taxes for the payment of such revenue bonds; providing for the collection of rates, fees, rentals and tolls for the payment of such revenue bonds and for the cost of maintenance, repair and operation of such projects; providing for the execution of trust agreements to secure the payment of such revenue bonds without mortgaging or encumbering any such projects; authorizing the issuance of revenue refunding bonds; and prescribing the powers and duties of counties and municipalities in connection with the foregoing and the rights and remedies of the holders of any bonds issued pursuant to the provisions of this Act.

Was taken up in its order.

Senator King moved that the rules be waived and Senate Bill No. 198 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 198 was read the second time by title only.

The Committee on Cities and Towns offered the following amendment to Senate Bill No. 198:

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

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Cities and Towns also offered the following amendment to Senate Bill No. 198:

In Section 2, paragraph (k), line 2 (typewritten bill) strike out the word: "garages".

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Cities and Towns also offered the following amendment to Senate Bill No. 198:

In Section 2, lines 6, 7, and 8 of paragraph (k) (typewritten bill) strike out the words: "facilities for servicing motor vehicles and for the sale of gasoline, oil and other accessories, and all facilities appurtenant thereto."

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator King offered the following amendment to Senate Bill No. 198:

In Section 1, in the last line of subparagraph (2) (typewritten bill) strike out the words: "and parking facilities" and strike out subparagraph (k).

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator King also offered the following amendment to Senate Bill No. 198:

Strike out Section 14 (typewritten bill) and renumber the succeeding sections as Sections 14, 15 and 16.

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator King also offered the following amendment to Senate Bill No. 198:

In the title, in lines 9 and 10, (typewritten bill) strike out the words: "and parking facilities".

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gautier (13th) offered the following amendment to Senate Bill No. 198:

In Section 2, Subsection (1) of Subsection (d) Page 2. (typewritten bill) strike out all of Subsection (1) of Subsection (d) and insert in lieu thereof the following: "(1) as applied to a county, waterworks systems, bridges, causeways, tunnels, harbor and port facilities."

Senator Gautier (13th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baynard offered the following amendment to Senate Bill No. 198:

After Section 15, (typewritten bill) add the following new section to be known as Section 16, renumbering remaining sections:

Section 16. Provided, however, the provisions of this Act shall

not apply to counties having a population between 150,000 and 200,000.

Senator Baynard moved the adoption of the amendment. Which was agreed to and the amendment was adopted.

Senator Shands offered the following amendment to Senate Bill No. 198:

Following Section 16 insert the following new section to be numbered Section 17, re-numbering the succeeding sections: and insert the following: Section 17. This Act shall not apply to counties having a population of less than 60,000 and more than 52,000.

Senator Shands moved the adoption of the amendment. Which was agreed to and the amendment was adopted.

Senator Gautier (13th) offered the following amendment to Senate Bill No. 198:

In title, line 7 (typewritten bill) strike out the words: "BRIDGES, CAUSEWAYS AND TUNNELS" and insert in lieu thereof the following: "WATERWORKS SYSTEMS, BRIDGES, CAUSEWAYS, TUNNELS, HARBOR AND PORT FACILITIES."

Senator Gautier (13th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator King moved that the rules be further waived and Senate Bill No. 198, 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. 198, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 198, as amended, the roll was called and the vote was:

Yeas—28.

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

Nays—8.

Baynard	Carroll	Franklin	Shands
Beall	Davis	Pope	Wright

So Senate Bill No. 198 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Crary asked unanimous consent of the Senate to take up and consider House Bill No. 149, out of its order.

Which was agreed to.

H. B. No. 149—A bill to be entitled An Act to amend Section 47.16 of Florida Statutes 1949, and relating to the service of process on persons, associations and co-partnerships, who are non-residents of the State of Florida and the United States of America, and foreign corporations, and residents who subsequently remove from the state or conceal their whereabouts, who operate, conduct, engage in, or carry on a business or business venture in this state.

Was taken up.

Senator Crary moved that the rules be waived and House Bill No. 149 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 149 was read the second time by title only.

Senator Crary moved that the rules be further waived and

House Bill No. 149 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. 149 was read the third time in full.

Upon the passage of House Bill No. 149 the roll was called and the vote was:

Yeas—31.

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

Nays—None.

So House Bill No. 149 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Crary withdrew Senate Bill No. 112.

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

Was taken up in its order.

Senator Crary moved that the rules be waived and Senate Bill No. 136 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 136 was read the second time by title only.

Senator Crary moved that the rules be further waived and Senate Bill No. 136 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. 136 was read the third time in full.

Upon the passage of Senate Bill No. 136 the roll was called and the vote was:

Yeas—33.

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

Nays—None.

So Senate Bill No. 136 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 137—A bill to be entitled An Act amending Section 735.04, Florida Statutes, relating to the Probate Law, when administration of certain estates unnecessary: prescribing requirements of valuation of such estates in certain circumstances: and prescribing conditions under which administration of the Florida estate of a resident or non-resident decedent may be dispensed with after such decedent has been dead for more than three years.

Was taken up in its order.

Senator Crary moved that the rules be waived and Senate Bill No. 137 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 137 was read the second time by title only.

Senator Crary moved that the rules be further waived and Senate Bill No. 137 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. 137 was read the third time in full.

Upon the passage of Senate Bill No. 137 the roll was called and the vote was:

Yeas—10.

Baynard	Crary	Johnson	Morrow
Branch	Dayton	Johnston	
Carroll	Johns	Moore	

Nays—27.

Mr. President	Davis	Lindler	Sanchez
Baker	Franklin	McArthur	Shands
Beall	Gautier (28th)	Pearce	Shivers
Boyle	Gautier (13th)	Pope	Smith
Brackin	King	Ripley	Tucker
Clarke	Leaird	Rodgers	Wright
Collins	Lewis	Rogells	

So Senate Bill No. 137 failed to pass.

Senator Johnston moved that House Bill No. 447 be withdrawn from the Calendar of Bills on Second Reading and placed on the Calendar of Local Bills on Second Reading.

Which was agreed to and it was so ordered.

Senator Gautier (13th) moved that the Senate adjourn.

Which was agreed to.

And the Senate took a recess at 12:58 o'clock P. M., until 3:00 o'clock P. M., this day.

AFTERNOON SESSION

The Senate reconvened at 3:00 o'clock P. M., pursuant to recess order.

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.

By permission the following Reports of Committees were filed:

REPORTS OF COMMITTEES

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

S. C. R. No. 662—A Concurrent Resolution proposing an invitation to the Honorable Millard F. Caldwell to address a joint meeting of the Senate and House of Representatives of Florida on May 14, 1951.

—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 Morrow, Chairman of the Committee on Drainage

and Water Conservation, reported that the Committee had carefully considered the following Bill:

S. B. No. 48—A bill to be entitled An Act vesting power and authority in Drainage Districts to regulate and control when and under what circumstances connections may be made with their works and improvements and to regulate and control the volume of water which may be discharged into and taken out of their canals and laterals.

—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 Collins, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bill:

H. B. No. 274—A bill to be entitled an Act amending Sub-section (13) of Section 230.23 by adding thereto a new paragraph to be designated as paragraph (e) relating to county school system; powers and duties of county school board; setting up and defining tax areas and providing for issuing of bonds for certain school purposes as provided by Section 17, Article XII, Florida Constitution; method of making and financing improvements for school purposes; providing this Act shall not disturb or affect minimum foundation law but is separate and apart therefrom; excluding counties having over 200,000 population according to the last official Federal census.

—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 Collins, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bill:

S. B. No. 547—A bill to be entitled An Act to amend Section 242.47, Florida Statutes, 1949, prohibiting pupils of the public schools from belonging to fraternities, sororities or other secret societies.

—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 Collins, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bills:

S. B. No. 576—A bill to be entitled An Act fixing the salaries to be paid to each of the members of county school boards of the State of Florida in counties having a population of not less than one hundred fourteen thousand (114,000) nor more than one hundred fourteen thousand eight hundred (114,800) according to the last federal census; providing that said Act shall be retroactive to January 1, 1951; and providing that if any section, sentence or clause of said Act shall be void that then such void section, sentence or clause shall be considered as deleted and that the balance of the Act shall be and remain unaffected by such void portion.

S. B. No. 582—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 fourteen thousand eight hundred (114,800) 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 fourteen thousand eight hundred (114,800) 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.

S. B. No. 631—A bill to be entitled An Act relating to edu-

cation; 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.

—and the Committee reports same without recommendation.

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

ENGROSSING REPORTS

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

S. B. No. 33—A bill to be entitled an act amending Section 40.24, Florida Statutes; providing an increase in compensation for certain jurors.

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

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

And Senate Bill No. 33, contained in the above report was ordered certified to the House of Representatives.

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

S. B. No. 56—A bill to be entitled An Act fixing the salaries of the Justices of the Supreme Court and of the Circuit Judges of the State of Florida.

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

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

And Senate Bill No. 56, contained in the above report was ordered certified to the House of Representatives.

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

S. B. No. 346—A bill to be entitled An Act prescribing the amount and authorizing the compensation to be paid to the members of the County Boards of Public Instruction in counties of the State of Florida having a population not less than 36,400 nor more than 37,000 according to the last preceding Federal census; providing for the payment of expenses of such board members and specifying the effective date of said Act.

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

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

And Senate Bill No. 346, 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. 686—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.

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

ENROLLING REPORT

May 7, 1951.

Your Enrolling Clerk, to whom was referred—

- | | |
|---------------|---------------|
| H. B. No. 585 | H. B. No. 637 |
| H. B. No. 586 | H. B. No. 638 |
| H. B. No. 613 | H. B. No. 640 |
| H. B. No. 633 | H. B. No. 642 |
| H. B. No. 634 | H. B. No. 671 |

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

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

SPECIAL AND CONTINUING ORDER OF BUSINESS

Pursuant to the motion made by Senator Franklin on Friday, May 4, 1951, the Senate took up the consideration of Senate Bill No. 3 as a Special and Continuing Order of Business.

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.

Was taken up.

Senator Franklin moved that the rules be waived and Senate Bill No. 3 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 3 was read the second time by title only.

The Committee on Insurance offered the following amendment to Senate Bill No. 3:

In Section 644.24, Page 11, line 21, (typewritten bill) after

the word "order" add a period and strike out the remainder of paragraph (c) ending with the word "voluntarily" on line 24.

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.47, page 24, line 23 (typewritten bill), strike out all of Section 644.47 and insert in lieu thereof the following: "Section 644.47 Credit Life Insurance Defined: Credit Life Insurance is term insurance upon the life of a debtor in favor of a creditor."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.70, page 34, line 3 (typewritten bill), in Sub-section (1), line 3, after the word "fails" interpolate the following word: "knowingly"

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.80, page 38, line 32 (typewritten bill), after the word "issued," line 32, strike out the remainder of the section, ending on line 3, page 39, and insert in lieu thereof the following: "through and countersigned by an agent who is a resident of this State and licensed herein, subject, however, to the provisions of Section 644.0164, and such agent shall receive on each policy the usual commission thereon."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.96, page 45, lines 16, 17 and 18 (typewritten bill), strike entire Sub-section (2), and insert in lieu thereof: "(2) Every director and principal officer shall be a stockholder."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0128, page 57, line 25, (typewritten bill), place a period after the word "liability" on line 25 and strike the remaining portion of the sentence down to and including the word "corporation" on line 27.

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0164, page 67, line 16 (typewritten bill), after the word "code" strike the period and add the following: "; except for policies or other contracts of insurance issued through traveling salaried representatives of reciprocals or inter-insurance exchanges, which policies or other contracts of insurance and which representatives shall be exempt from the provisions of Sections 644.80, 644.0305, and 644.0310, but all such policies or contracts of insurance covering property in this State shall be countersigned by an insurance agent who is a resident of this State and duly licensed as such; and provided further that such agent may be compensated on either a salary or a commission basis. At the time its license is issued or renewed every such reciprocal or inter-insurance exchange shall certify to the Insurance Commissioner the names of its representatives and whether each of its agents or representatives will be paid upon a commission or a salary basis. Each agent or representative of any such

reciprocal or inter-insurance exchange shall be compensated either by commission or salary but not by both commission and salary."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0231, page 95, (typewritten bill), after line 3 at the end of Sub-section (4) and immediately preceding Section 644.0232, add a new Sub-section (5) as follows:

"(5) An insurer may invest its funds in securities or investments in addition to those permitted in this code, whether or not such investments qualify or are permitted as legal investments under other provisions of this code or statutes; provided, that the aggregate of such company's loans, securities and investments under this section shall not exceed ten per cent (10%) of the first three hundred thousand (\$300,000.00) dollars of such company's assets plus five per cent (5%) of such company's assets in excess of three hundred thousand (\$300,000.00) dollars."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0233, page 95, line 26 (typewritten bill), on line 26 after the word "corporation" strike the period and insert a comma and add the following: "except as to an affiliate or subsidiary corporation, which affiliate or subsidiary corporation has substantially all of its assets in a home office, or branch office, building used by the parent corporation."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0276, page 112, after line 14 (typewritten bill) At the end of sub-section (2), paragraph (n), after line 14, page 112, add paragraph (o) as follows:

"(o) Multiple line insurers shall be required to make only a single deposit of Twenty-five thousand (\$25,000.00) Dollars to cover all lines for which licensed, but companies writing surety shall, in addition, deposit Seventy-five thousand (\$75,000.00) Dollars."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0304, page 119, line 14, (typewritten bill), After the word "damage" strike the period and add the following: "and vehicle insurance."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0305, page 119, line 16 (typewritten bill), After the word "agent", add a comma and insert the following: "subject, however, to the provisions of Section 644.0164,"

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0305, page 119, line 27 (typewritten bill), On page 119, at the end of line 27 of paragraph (b) insert a new sub-section as follows:

"(c) An individual employed on salary and devoting full time to clerical work with incidental taking of insurance applications and receiving premiums in the office of the agent or insurer, is not deemed to be an agent if his compensation neither includes commission on such business nor is related to the volume of such applications for insurance, or premiums."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0310 Page 122, line 20 (typewritten bill) After the word "state" strike the period and substitute in lieu thereof a semi-colon and add the following: "subject, however, to the provisions of Section 644.0164."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0312, Page 124, line 1, (typewritten bill) Beginning on Page 124, line 1, strike sub-paragraphs (a), (b), (c) and (d) and insert in lieu thereof the following: (a) His own property or risks or those of his spouse or relatives by blood or marriage to the second degree;

(b) The property or risks of his employer, or his firm, or of any officer, director, stockholder, or member of his employer or firm, other than members of mutual insurer, or any spouse of such employer, officer, director, stockholder, or member;

(c) The property or risks of any corporation of which he has stock control, or of which the stock control is held by any combination of himself, his firm, his employer, controlling stockholders of his employer, and spouses; the property or risks of any subsidiary of any such corporation;

(d) The property or risks of his ward, or his employees; or upon persons. property or risks under his supervision or control as trustee, or as manager, or as administrator or executor of any estate.

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0312, Page 125, lines 7 and 10 (typewritten bill), strike out the words "five years" and insert in lieu thereof "seven years."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0315, between Subsection (1) (b) and Subsection (2), and lines 11 and 12, insert the following:

"(c) Applicants for limited licenses as travel insurance agents to be issued to individuals selling transportation tickets of a common carrier of persons or property, who shall act as such agents only as to travel ticket policies of disability insurance or baggage insurance on personal effects."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0316, line 2, page 129 (typewritten bill): On page 129, line 2, following the word "relative" insert the word "only".

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0321, pages 130 and 131 (typewritten bill): Beginning on page 130, line 14, strike entire Section 644.0321, ending with the word "cease" on line 20, page 131 and insert in lieu thereof the following: "SECTION 644.0321 SPECIAL LICENSE—(1) The Commissioner may issue a special agent license to individuals qualifying therefor to write vehicle insurance as defined in Section 644.43 (a).

(2) The provisions of Sections 644.0304 to 644.0333 shall be applicable as to the qualifications for a special license, including filing fees and license taxes as provided in Section 644.0296, except that any examination of an applicant for such license shall be restricted to the determination of his competence with respect to the kind of insurance referred to in this section and his familiarity with other pertinent provisions of this code.

(3) Any agent licensed to write vehicle insurance must make a complete disclosure of the insurance provided to the purchaser of such insurance as follows:

(a) At or before the consummation of an installment sale or loan the agent shall furnish or have furnished to the buyer or borrower an itemization in writing disclosing the costs of insurance and the coverage provided and the party or parties to whom the insurance is payable, unless all such information is clearly set forth in a sales contract, chattel mortgage, or other instrument, evidencing the transaction, and a true copy of such instrument is furnished to the purchaser or borrower at the time of the consummation of the purchase or loan.

(b) The policy or certificate when executed, which shall not be more than thirty (30) days after execution of a retail sale contract or the consummation of a loan, shall be sent to the purchaser or borrower and shall indicate clearly the amount of the premium, the kind of insurance, and the scope of the coverage.

(4) All policies of insurance must be effective from the time of consummation of the sale or the loan transaction.

(5) Policies or certificates of insurance shall be written for the full term for which a premium may have been charged the purchaser or borrower in connection with the financing or effecting of a loan.

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0350, Page 146, line 13, (typewritten bill) in paragraph (b) line 13 after the words "engaged, or" interpolate the following: "except as to Credit Life as defined in Section 644.47,"

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0481, page 203, line 2 (typewritten bill), on line 2, page 203, between the words "any" and "insurance" insert the words "fire, windstorm, or casualty."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0500, page 211, line 12 (typewritten bill), on line 12, paragraph (7) strike out the word "such" and insert in lieu thereof the words "accident and health."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0557, page 230, line 22 (typewritten bill), on line 22, page 230, after the word "within" strike the words "one (1) year" and insert in lieu thereof the following: "two (2) years."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0561, page 238, line 32 (typewritten bill), at the end of line 32 strike the comma after the figures "1957" and insert a semi-colon and add the following: "provided that the provisions of this section shall be optional with the company having less than fifty million (\$50,000,000.00) dollars of insurance in force; and provided further that when such company has fifty million (\$50,000,000.00) dollars in force it shall have four (4) years thereafter within which to comply with these requirements."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0574, Page 244, line 6 (typewritten bill) strike out the word "and" and insert in lieu thereof the following: "in conjunction with".

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0574, line 31, Page 244, (typewritten bill) strike out the word: "employees" and insert in lieu thereof the following: "employers".

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0574, Page 245, line 16, (typewritten bill) strike out the words "ten (10)" and insert in lieu thereof the following: "five (5)".

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0574, Page 245, line 17, (typewritten bill) Beginning on line 17 following the word "unit" strike the semi-colon and insert in lieu thereof the following: "and at least five (5) persons per employer unit if such additional units are included thereafter;"

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0602, Page 253, line 31 thru 33, (typewritten bill) Beginning on line 31, Page 253, after the words "or ages," strike entire sentence beginning with the word "provided" and ending with the word "policy".

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0622, page 261, line 5 (typewritten bill), at the end of paragraph (b) between lines 5 and 6 of Section 644.0622, on page 261, insert the following paragraph in parenthesis:

"(For the purpose of permitting insurers to use a uniform policy, the insurer is permitted to print in the policy form in required provisions (2) (a) and (2) (b) above the term '3 years'. Nevertheless, the provisions of the contract and text of the statute to the contrary notwithstanding, the time limits for said defenses under any contract delivered or issued for delivering to any person in this State shall not exceed 2 years.)"

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0623, page 267, line 27 (typewritten bill), at the end of line 27, page 267, after the word "by" add "the insurer to."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0650, page 280, line 30 (typewritten bill), strike out the words "windstorm and extended coverage."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0651, page 281, lines 13, 14 and 20 (typewritten bill), strike out the words: "windstorm or extended coverage."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0676, page 284, line 29 (typewritten bill), strike out the words: "State must have a paid-in capital of not less than one hundred" and insert in lieu thereof the following: "State must have a paid-in capital or surplus of not less than one hundred."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0677, Page 285, line 2, (typewritten bill) strike out the words: "shall have corporate powers, and in addition shall have power" and insert in lieu thereof the following: "shall be entitled to corporate powers, and in addition shall have power".

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0677, Page 285, line 4, (typewritten bill) strike out the words "(1) To insure titles to real property, and to guarantee an" and insert in lieu thereof the following: "(1) To insure or guarantee titles to real property, and to guarantee an".

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0677, Page 285, line 6 (typewritten bill) strike out the words: "(2) To insure the validity, priority and status of real" and insert in lieu thereof the following: "(2) To insure or guarantee the validity, priority and status of real."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0678, Page 286, line 1, (typewritten bill), strike out the words: "cent of the premiums collected during the preceding calendar" and insert in lieu thereof the following: "cent of the risk premiums collected during the preceding calendar".

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0682, page 288, line 9 (typewritten bill), strike out the words: "(a) Any person or persons appointed as agents must be an abstractor, officer of an abstract company, or an attorney licensed to practice law in this State, unless otherwise specifically authorized by the commissioner, provided that no examination or license fee, shall be required of such attorney when appointed as agent," and insert in lieu thereof the following: "(a) Any person or persons appointed as agents must be an abstractor, officer of an abstract company, or an attorney licensed to practice law in this State, unless otherwise specifically authorized by the commissioner. Provided, however, that any attorney duly licensed to practice law in this State shall be exempt from any and all licensing requirements in so far as same shall be applicable to title insurance agents."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0695, page 289, line 28 (typewritten bill), strike out entire Section 644.0695, including the title of said section on line 27.

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0696, page 290, line 9 (typewritten bill), strike out entire Section 644.0696.

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0697, page 290, line 24 (typewritten bill), strike out entire Section 644.0697.

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0698, line 12, page 291 (typewritten bill), strike out entire Section 644.0698.

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

In Section 644.0699, line 30, Page 291, (typewritten bill) strike out entire Section 644.0699.

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 3:

At the end of Section 644.0650 strike out the period, insert a comma, and add the following: Provided, any fire insurance company authorized to transact business in this State may, by appropriate riders or endorsements or otherwise, provide insurance indemnifying the insured for the difference between the insurable value of the insured property at the time any loss or damage occurs, and the amount actually expended to repair, rebuild or replace within the State with new materials of like size, kind and quality, such property as has been damaged or destroyed by fire or lightning.

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Brackin offered the following amendment to Senate Bill No. 3:

In Section 644.08, lines 7 and 8 on Page 3, (typewritten bill) strike out the words: "hospital service plans" and insert in lieu thereof the following: "medical, surgical and hospital service plans".

Senator Brackin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Rodgers offered the following amendment to Senate Bill No. 3:

In Section 644.42, Page 18, line 11, (typewritten bill) in line 11 after the word "concealment" interpolate "including theft concealment".

Senator Rodgers moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Rodgers also offered the following amendment to Senate Bill No. 3:

In Section 644.42, Page 18, line 12, (typewritten bill) in line 12 after the word "aircraft" interpolate "mechanical breakdown of motor vehicle".

Senator Rodgers moved the adoption of the amendment.

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

Senator Lindler offered the following amendment to Senate Bill No. 3:

In Section 644.65, page 31, line 23 (typewritten bill), after the figures "1953," strike the following words: "and shall comply with the requirements of Section 644.61, 'Schedule "A", of this code within ten (10 years from its effective date."'

Senator Lindler moved the adoption of the amendment.

A roll call was demanded.

Upon the adoption of the amendment offered by Senator Lindler to Senate Bill No. 3 the roll was called and the vote was:

Yeas—16.

Ayers	Dayton	Lindler	Rogells
Beall	Johns	Moore	Sanchez
Branch	Johnson	Morrow	Smith
Clarke	King	Ripley	Tucker

Nays—21.

Mr. President	Collins	Johnston	Rodgers
Baker	Crary	Leaird	Shands
Baynard	Davis	Lewis	Shivers
Boyle	Franklin	McArthur	
Brackin	Gautier (28th)	Pearce	
Carroll	Gautier (13th)	Pope	

So the amendment failed of adoption.

Senator Rodgers offered the following amendment to Senate Bill No. 3 Typewritten bill:

Add a new Section 644.0576 as follows and renumber the following sections accordingly:

"Section 644.0576. COVERAGE OF CREDIT UNION GROUPS; REQUIREMENTS.

The lives of members of a Credit Union may be insured under a policy issued to the Credit Union, in this State, which shall be deemed the policyholder, insuring the members of such Credit Union for the benefit of persons other than the Credit Union or any of its officials, subject to the following requirements:

(1) The members eligible for insurance under the policy shall be all the members of the Credit Union, or all of any class or classes thereof determined by conditions pertaining to their age or to their membership in the Credit Union, or both.

(2) The premium for the policy shall be paid by the policyholder, either wholly from the Credit Union's funds or partly from such funds and partly from funds contributed by the insured members. No policy may be issued on which the entire premium is to be derived from funds contributed by the insured members. A policy on which part of the premium is to be derived from funds contributed by the insured members may be placed in force only if at least seventy-five per cent (75%) of the then eligible members, excluding any as to whom evidence of individual insurability is not satisfactory to the insurer, elect to make the required contribution. A policy on which no part of the premium is to be derived from funds contributed by the insured members must insure all eligible members, or all except any as to whom evidence of individual insurability is not satisfactory to the insurer.

(3) The policy must cover at least twenty-five (25) members at date of issuance.

(4) The amounts of insurance under the policy must be based upon some plan proclaiming individual selection either by the members or by the Credit Union. No policy may be issued which provides term insurance on any Credit Union member which together with any other term insurance under any group life insurance policies issued to the Credit Union exceeds twenty thousand dollars (\$20,000.00)."

Senator Rodgers moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Rodgers also offered the following amendment to Senate Bill No. 3:

In Section 644.0572, line 31, Sub-paragraph 4, (typewritten bill) strike out the words: "Five thousand dollars (\$5,000)", and insert in lieu thereof the following: "Ten thousand dollars (\$10,000)".

Senator Rodgers moved the adoption of the amendment.

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

The Committee on Insurance offered the following amendment to Senate Bill No. 3:

In the Title of the Act, lines 16, 17 and 18 (typewritten bill) strike out the words: "creating a reinsurance fund for policyholders and authorizing a tax on premiums therefor;"

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Franklin moved that the rules be further waived and Senate Bill No. 3, 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. 3, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 3, as amended, the roll was called and the vote was:

Yeas—31.

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

Shands Shivers Smith

Nays—4.

Branch Johnston Ripley Rogells

So Senate Bill No. 3 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

SENATE BILLS ON SECOND READING

Senator Baynard asked unanimous consent of the Senate to take up and consider House Bill No. 204, out of its order.

Which was agreed to.

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 proceedings and the practice and procedure applicable thereto and the declaratory relief obtainable therein.

Was taken up.

Senator Baynard moved that the rules be waived and House Bill No. 204 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 204 was read the second time by title only.

Senator Baynard moved that the rules be further waived and House Bill No. 204 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. 204 was read the third time in full.

Upon the passage of House Bill No. 204 the roll was called and the vote was:

Yeas—32.

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

Nays—None.

So House Bill No. 204 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Baynard withdrew Senate Bill No. 248.

Senator Baynard asked unanimous consent of the Senate to take up and consider House Bill No. 146, out of its order.

Which was agreed to.

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.

Was taken up.

Senator Baynard moved that the rules be waived and House Bill No. 146 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 146 was read the second time by title only.

Senator Baynard moved that the rules be further waived and House Bill No. 146 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. 146 was read the third time in full.

Upon the passage of House Bill No. 146 the roll was called and the vote was:

Yeas—31.

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

Nays—None.

So House Bill No. 146 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Baynard withdrew Senate Bill No. 249.

Senator Crary asked unanimous consent of the Senate to take up and consider House Bill No. 327, out of its order.

Which was agreed to.

H. B. No. 327—A bill to be entitled An Act to empower the Supreme Court of the State of Florida to prescribe the requirements, qualifications and standards for the admission of persons to practice law in any of the courts of the State of Florida or its political subdivisions empowering the Supreme Court of the State of Florida to prescribe and establish additional duties, powers and procedures for the State Board of Law Examiners; providing, with certain exceptions provided herein that no person shall be admitted to practice without examination (unless by order of the Supreme Court of Florida).

Was taken up.

Senator Crary moved that the rules be waived and House Bill No. 327 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 327 was read the second time by title only.

The Committee on Judiciary "B" offered the following amendment to House Bill No. 327:

In Section 3, line 10 (typewritten bill), strike out the word "passage" and insert in lieu thereof the following: "effective date."

Senator Crary moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator King presiding.

Senator Crary moved that the rules be further waived and House Bill No. 327, 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. 327, as amended, was read the third time in full.

Upon the passage of House Bill No. 327, as amended, the roll was called and the vote was:

Yeas—29.

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

Nays—0.

Johns	Pope	Sanchez
Johnston	Ripley	Wright

So House Bill No. 327 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Sturgis withdrew Senate Bill No. 229.

The President presiding.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 5:00 o'clock P. M., until 11:00 o'clock A. M., Tuesday, May 8, 1951.