

# JOURNAL OF THE SENATE

688

Tuesday, May 22, 1951

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, May 21, 1951.

The President Pro Tempore presiding.

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, upon whom no man, in earnest humility, ever called in vain, we thank Thee that, amid violence and hopeless despair, the foundations of God standeth sure. Grant that our lives, our hopes and national structure, may be built upon that Rock of Ages. We are grateful, Thou Lord of Hosts, for tidings of Thy sustaining hand in Korea. Grant those gallant men; weary, outnumbered, but fighting on, a glorious and final victory. Bless Thou this day the labors of the Senate. May patience, courtesy, wisdom and truth, prevail; We pray in the name of Him, before whom we shall each give account, even Christ the Lord; Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Friday, April 18, 1951, was further corrected as follows:

Page 74, column 1, line 7, strike out the word "pay" and insert in lieu thereof the word "payment".

Also—

Page 78, column 2, strike out line 28, counting from the bottom of the column, which reads as follows:

"b. Expenses ..... 735,508.00 1,430,026.00"

Also—

Page 79, column 1, line 29, counting from the bottom of the column, strike out the word "Examiners" and insert in lieu thereof the word "Embalmers".

Also—

Page 79, column 1, line 31, counting from the bottom of the column, strike out the figures "20,700.00" and insert in lieu thereof the figures "20,800.00"

And as further corrected was approved.

The Senate daily Journal of Monday, May 21, 1951, was corrected as follows:

Page 26, column 2, line 9, strike out the figure "3" and insert in lieu thereof the figure "4".

And as corrected was approved.

## REPORTS OF COMMITTEES

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

S. B. No. 793—A bill to be entitled An Act to amend Sections 443.03 and 443.08, Florida Statutes, 1949, known as the "Unemployment Compensation Law," relating to employing units, transfer of employment experience of employers, and contribution rate of certain employers, and making this Act effective July 1, 1951.

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

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

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

S. B. No. 775—A bill to be entitled An Act to establish a Board of Electrolysis Examiners for the State of Florida; to provide for the appointment and terms of office of said Board; to define its duties and powers; to provide for the election of its officers; to provide for the times and places of its meetings; to define Electrolysis; to define the illegal practice of Electrolysis and to set out the penalty therefor; to provide for an examination and the qualifications for taking the examinations; to provide for the issuance of certificates by the board; to provide for the exemption of certain qualified persons now practicing Electrolysis in this state; to provide for the fees and the disposition of the fees collected under this Act; to provide for the times and places of the examination and the subjects upon which applicants may be examined; to provide for the revocation and suspension and reinstatement of certificates issued by the board and providing for appeal from the board to the courts; to define and prohibit unfair and fraudulent activities by certificate holders and set out the penalty therefor; to exempt from this Act physicians licensed to practice in this State; to provide for the enforcement by the State Board of Health of the provisions of this Act and the other laws of the State of Florida and the rules and regulations of the board created by this Act; to provide for the repeal of inconsistent acts; and to provide for the effective date of this Act.

—and recommends that it do pass.

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

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

S. B. No. 742—A bill to be entitled An Act to amend Section 517.30, Florida Statutes, relating to the penalty for violation of the Laws of Florida pertaining to the sale of securities as set out in Chapter 517 of Florida Statutes by increasing penalty for violations and fixing Statute of Limitation for prosecutions.

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

S. B. No. 758—A bill to be entitled An Act to amend Sections 567.06 and 567.07, Florida Statutes, 1949, relating to local option elections for the sale of intoxicating liquors, wines or beer by amending the form of ballot to permit voting for the sale of wines and beer or intoxicating liquors, or for the sale of intoxicating liquors, wine and beer.

—and recommends that the same do not pass.

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

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

S. B. No. 974—A bill to be entitled An Act to amend Subsection (6) of Section 561.20, Florida Statutes, relating to the limitation of the number of licenses for the serving of alcoholic beverages by social clubs by exempting certain yacht clubs from the operation thereof.

—and recommends that it do pass.

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

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

S. B. No. 851—A bill to be entitled An Act to require the courts of the State to refer all convictions of noncapital crimes to the State Parole Commission for a recommendation and report as to probation and providing a minimum and maximum sentence in such cases; providing for screening of prisoners relative to place of confinement; imposing certain duties on the parole commission and the prison division of the department of agriculture relative to rehabilitation of prisoners; authorizing the Parole Commission to determine the period of confinement of certain prisoners; providing for employment of certain trained personnel by the Department of Agriculture for observation of mental capabilities of prisoners; repealing certain laws relating to minimum sentences; and excepting certain fines and penalties from the provisions of this Act.

S. B. No. 900—A bill to be entitled An Act relating to the regulation by children under the age of sixteen in the use of air rifles, BB guns, and 22-calibre rifles; providing penalties for violation of this Act and repealing all laws in conflict herewith and making this Act effective upon becoming a law.

—and recommends that they do pass.

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

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

S. B. No. 958—A bill to be entitled An Act amending Section 843.01, Florida Statutes 1949, relating to resisting and obstructing or opposing an officer in the performance of his legal duty.

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

S. J. R. No. 849—A Joint Resolution proposing an Amendment to Article IV of the Constitution of the State of Florida relative to the Executive Department, by adding thereto an additional Section to create a salt water fish commission.

S. J. R. No. 890—A Joint Resolution proposing an Amendment to Article IV of the Constitution of the State of Florida, by adding thereto an additional Section to be numbered by the Secretary of State; providing for a collector of revenue, his powers and duties; providing for appointment by the Governor and confirmation by the Senate of the first collector of revenue; and that he shall thereafter be elected at the time of voting for Governor.

—and recommends that the same do not pass.

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

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

S. B. No. 964—A bill to be entitled An Act amending Subsection (16) of Section 320.01 Florida Statutes, relating to motor vehicle licenses; definition of "for hire" vehicles; exempting certain vehicles from "for hire" classification.

—and recommends that it do pass.

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

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

H. B. No. 1233—A bill to be entitled An Act to authorize and empower the Board of County Commissioners of Columbia County, Florida, to make appropriations, donations and payments not exceeding fifteen hundred (\$1500.00) dollars per year to the Lake City and Columbia County Chamber of Commerce, making funds available for such purposes declaring the same to be a county purpose and repealing all laws in conflict herewith.

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

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

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

H. B. No. 747—A bill to be entitled An Act exempting agricultural cooperatives, as organized under Chapter 618, Florida Statutes, and operating wholly within the borders of a single county and all its stockholders are bona fide legal residents of such county, and no non-resident promoter is interested therein, from compliance with any of the provisions of the Florida securities law, same being Chapter 517, Florida Statutes.

H. B. No. 455—A bill to be entitled An Act to prohibit the use of appropriations to influence a member of the legislature to favor or oppose legislation and providing for removal from office or employment all State officers or employees violating said Act; declaring violation of said Act to be a misdemeanor and providing punishment therefor.

—and recommends that they do pass.

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

Senator Lindler, Chairman of the Committee on Publicity and Advertising, reported that the Committee had carefully considered the following Bill:

H. B. No. 873—A bill to be entitled An Act amending Chapter 286, Florida Statutes, by adding a new section thereto relating to Florida State Advertising Commission and authorizing advertising of Florida ports.

—and recommends that it do pass.

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

#### ENGROSSING REPORTS

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

S. B. No. 55—A bill to be entitled An Act to amend Section 253.12, Florida Statutes, relating to the title to sovereignty tidal lands in the State of Florida, vesting title thereof in the Trustees of the Internal Improvement Fund of Florida, validating certain Acts of the Trustees of the Internal Improvement Fund in relation to such lands and repealing certain laws.

—begs leave to report that the House 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. 55, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

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

S. B. No. 71—A bill to be entitled An Act relating to medical school education in the State of Florida; authorizing the Board of Control to pay to the first approved and accredited medical school established in Florida the sum of three thousand dollars per year for each qualified Florida student enrolled; defining the necessary qualifications of a medical school and medical students to receive benefits; regulating the expenditure of such funds by said school; limiting the number of students from each county and providing appropriations to the Board of Control.

—begs leave to report that the House 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. 71, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

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

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

—begs leave to report that the House 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. 634, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

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

S. B. No. 728—A bill to be entitled An Act granting pensions to Kate B. Inman and Fannie Jones.

—begs leave to report that the House 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. 728, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

#### ENROLLING REPORT

Your Enrolling Clerk to whom was referred—

S. B. No. 116	S. B. No. 522
S. B. No. 346	S. B. No. 527

S. B. No. 631	S. B. No. 782
S. B. No. 677	S. B. No. 783
S. B. No. 698	S. B. No. 784
S. B. No. 699	S. B. No. 786
S. B. No. 702	S. B. No. 790
S. B. No. 717	S. B. No. 794
S. B. No. 721	S. B. No. 800
S. B. No. 723	S. B. No. 812
S. B. No. 724	S. B. No. 813
S. B. No. 733	S. B. No. 814
S. B. No. 743	S. B. No. 815
S. B. No. 744	S. B. No. 816
S. B. No. 747	S. B. No. 817
S. B. No. 748	S. B. No. 822
S. B. No. 749	S. B. No. 824
S. B. No. 750	S. B. No. 834
S. B. No. 751	S. B. No. 835
S. B. No. 756	S. B. No. 837
S. B. No. 760	S. B. No. 838
S. B. No. 768	S. B. No. 841
S. B. No. 776	S. B. No. 844

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on May 22, 1951, for his approval.

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

Senator Ripley asked unanimous consent of the Senate to take up and consider House Bill No. 1006, out of its order.

Which was agreed to.

H. B. No. 1006—A bill to be entitled An Act amending Section 3, of Chapter 23259, Laws of Florida, Acts of 1945, entitled, "An Act providing for pensions for employees of the county of Duval" so as to provide that the County Commissioners may increase the percentum deducted from the salaries or wages of employees as pension contributions.

Was taken up.

Senator Ripley moved that the rules be waived and House Bill No. 1006 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1006 was read the second time by title only.

Senator Ripley moved that the rules be further waived and House Bill No. 1006 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. 1006 was read the third time in full.

Upon the passage of House Bill No. 1006 the roll was called and the vote was:

Yeas—38.

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

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

Nays—None.

So House Bill No. 1006 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Ripley asked unanimous consent of the Senate to take up and consider House Bill No. 1159, out of its order.

Which was agreed to.

H. B. No. 1159—A bill to be entitled An Act to provide for additional compensation to be paid by the counties to the official circuit court reporter in all judicial circuits embracing three or more counties, one of which counties has a population in excess of 300,000 according to the latest official census.

Was taken up.

Senator Ripley moved that the rules be waived and House Bill No. 1159 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1159 was read the second time by title only.

Senator Ripley moved that the rules be further waived and House Bill No. 1159 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. 1159 was read the third time in full.

Upon the passage of House Bill No. 1159 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. 1159 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Gautier (13th) asked unanimous consent of the Senate to take up and consider Senate Bill No. 427, out of its order.

Which was agreed to.

S. B. No. 427—A bill to be entitled An Act to validate the incorporation of the Town of Hialeah Gardens in Dade County.

Was taken up.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 427 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 427 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 427 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. 427 was read the third time in full.

Upon the passage of Senate Bill No. 427 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. 427 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Gautier (13th) asked unanimous consent of the Senate to take up and consider Senate Bill No. 585, out of its order.

Which was agreed to.

S. B. No. 585—A bill to be entitled An Act to confer additional powers upon the City of Miami, a municipal corporation in Dade County, Florida, in relation to parking facilities; to authorize and empower said city to acquire, construct, improve, extend, enlarge, reconstruct, maintain, equip, repair and operate parking facilities within the corporate limits of the city; to provide for paying the cost of such parking facilities by the issuance of revenue bonds, payable solely from revenues; to provide for the imposition and collection of rates, rentals, fees and charges for the use of such parking facilities; to authorize the pledging to the payment of such bonds of the revenues of such parking facilities and of on street parking meters; to authorize and empower the city to prohibit or restrict the parking of motor vehicles in streets and public ways in the vicinity of such parking facilities; to grant to the city power to acquire necessary real and personal property and to exercise the power of eminent domain; to exempt from taxes and assessments such parking facilities and such bonds; to authorize the issuance of revenue refunding bonds; and to prescribe the powers and duties of the city in connection with the foregoing and the rights and remedies of the holders of any bonds issued under the provisions of this Act.

Was taken up.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 585 be read the second time by title only.

Which was agreed to by a two-thirds vote.

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

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 585 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 585 was read the third time in full.

Upon the passage of Senate Bill No. 585 the roll was called and the vote was:

Yeas—38.

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

Nays—None.

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

Senator Beall asked unanimous consent of the Senate to take up and consider Senate Joint Resolution No. 993, out of its order.

Which was agreed to.

Senate Joint Resolution No. 993:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VIII OF THE CONSTITUTION OF FLORIDA RELATING TO COUNTIES AND CITIES BY ADDING THERETO A SECTION RELATING TO THE FEES AND COMPENSATION OF COUNTY OFFICERS OF ESCAMBIA COUNTY.

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

That the following amendment to Article VIII of the Constitution of Florida, by adding a section to be designated by an appropriate section number of Article VIII, is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the next general election to be held in 1952, as follows:

Section . All fees, revenues or other charges collected by the several county officers of Escambia County shall be paid into the general county fund of Escambia County subject to disbursement as provided by law. The Legislature shall provide by local or special legislation for the salaries, expenses and compensation to be paid the several county officers of Escambia County. Any legislation which shall have heretofore been enacted in contemplation of the ratification of this amendment is hereby confirmed and shall have the same force and effect as if the said legislation were enacted subsequent to the ratification of this amendment.

Was taken up and read the second time in full.

Senator Beall moved that the rules be waived and Senate Joint Resolution No. 993 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 993 was read the third time in full.

Upon the passage of Senate Joint Resolution No. 993 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 Joint Resolution No. 993 passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1951 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

Senator Moore asked unanimous consent of the Senate to take up and consider Senate Bill No. 938, out of its order.

Which was agreed to.

S. B. No. 938—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of all counties in the State of Florida, having a population of not more than 9,500 and not less than 9,000 according to the last Federal census, to acquire, construct, maintain, lease and operate an airport or airports and landing fields, and authorizing the issuance of revenue certificates for the construction thereof, and providing for the maintenance thereof, and exempting any said airport or airports and landing fields and facilities from taxation, and providing for the right of eminent

domain and providing for the effective date hereof, and repealing all laws and parts of laws in conflict herewith.

Was taken up.

Senator Moore moved that the rules be waived and Senate Bill No. 938 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 938 was read the second time by title only.

Senator Moore moved that the rules be further waived and Senate Bill No. 938 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. 938 was read the third time in full.

Upon the passage of Senate Bill No. 938 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. 938 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Crary moved that a committee be appointed to escort Honorable A. O. Kanner, of Stuart, Florida, a former member of the Senate from the former 33rd Senatorial District and presently Judge of the Ninth Judicial Circuit; and Honorable Thad H. Carlton, of Fort Pierce, Florida, a former member of the House of Representatives and presently Assistant State Attorney, to seats on the rostrum.

Which was agreed to.

The President Pro Tempore appointed Senators Crary, Moore and Smith as the committee.

Senator Gautier (28th) asked unanimous consent of the Senate to take up and consider Senate Bill No. 731, out of its order.

Which was agreed to.

S. B. No. 731—A bill to be entitled An Act designating and establishing a certain State road in Volusia County, Florida.

Was taken up.

Senator Gautier (28th) moved that the rules be waived and Senate Bill No. 731 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 731 was read the second time by title only.

Senator Gautier (28th) moved that the rules be further waived and Senate Bill No. 731 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. 731 was read the third time in full.

Upon the passage of Senate Bill No. 731 the roll was called and the vote was:

Yeas—38.

Mr. President	Baynard	Brackin	Clarke
Ayers	Beall	Branch	Collins
Baker	Boyle	Carroll	Crary

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

Nays—None.

So Senate Bill No. 731 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

**REPORT OF THE COMMITTEE ON RULES AND CALENDAR  
PURSUANT TO SENATE RULE 65**

May 21, 1951.

*Honorable Wallace E. Sturgis,  
President of the Senate,*

Sir:

Your Committee on Rules and Calendar, pursuant to Senate Rule No. 65, submits herewith the list of Bills to constitute the Special Order Calendar to be considered by the Senate beginning May 22, 1951:

S. B. No. 668—Relative to Appropriation from Internal Improvement Fund.

H. B. No. 293—Relative to closed season on shrimp.

S. B. No. 738—Relative to tax on certain length boats.

S. B. No. 254—Relating to Hospital for Alcoholics.

S. B. No. 956—Relating to Eminent Domain.

S. C. R. No. 960—Relative to Inland Waterways.

S. B. No. 148—Relating to public recording of Welfare Rolls.

S. J. R. No. 7—Relating to State Attorneys.

S. B. No. 305—Relating to leaves of absence.

S. B. No. 388—Relating to corporations.

S. B. No. 257—Relating to qualification for Bar Examination.

H. B. No. 17—Relating to gasoline tax.

S. J. R. No. 403—Relating to Homestead Exemption.

S. B. No. 553—Relating to wine tax.

S. B. No. 802—Claim Bill.

S. B. No. 670—Claim Bill.

S. B. No. 341—Relative to Homestead Exemption.

Very respectfully,  
R. B. GAUTIER, JR.,  
Senator (13th) District,  
Chairman.

Senator Gautier (13th), as Chairman of the Committee on Rules and Calendar, moved the adoption of the Report.

Which was agreed to and the Report of the Committee on Rules and Calendar was adopted.

Senator McArthur moved that the Senate take up the consideration of Local Bills on the Calendar.

Pending consideration of the motion made by Senator McArthur, Senator Gautier (13th), as Chairman of the Committee on Rules and Calendar, moved as a substitute motion that the Senate proceed to the consideration of bills on the Special Order Calendar prepared pursuant to Senate Rule 65.

Which was agreed to and it was so ordered.

**SPECIAL ORDER CALENDAR PURSUANT TO SENATE  
RULE 65**

Senate Bill No. 668 was taken up in its order and, by unanimous consent, the consideration thereof was informally

passed, the Bill retaining its place on the Special Order Calendar.

H. B. No. 293—A bill to be entitled An Act to amend Section 374.15 Subsection 2, Florida Statutes relating to the closed season for the taking of shrimp or prawn in certain areas in the Atlantic Ocean; providing penalty; effect date; repealing laws inconsistent herewith.

Was taken up in its order.

Senator Pope moved that the rules be waived and House Bill No. 293 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 293 was read the second time by title only.

Senator Pope moved that the rules be further waived and House Bill No. 293 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. 293 was read the third time in full.

Upon the passage of House Bill No. 293 the roll was called and the vote was:

Yeas—33.

Ayers	Crary	Lindler	Sanchez
Baker	Davis	McArthur	Shands
Baynard	Dayton	Moore	Shivers
Beall	Franklin	Morrow	Smith
Boyle	Johns	Pearce	Tucker
Brackin	Johnson	Pope	Wright
Carroll	Johnston	Ripley	
Clarke	King	Rodgers	
Collins	Lewis	Rogells	

Nays—1.

Gautier (28th)

So House Bill No. 293 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent, Senator Pope withdrew Senate Bill No. 231.

Senate Bill No. 738 was taken up in its order and, by unanimous consent, the consideration thereof was informally passed, the Bill retaining its place on the Special Order Calendar.

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

Was taken up in its order.

Senator Moore moved that the rules be waived and Senate Bill No. 254 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 254 was read the second time by title only.

The Committee on Alcoholic Beverages offered the following amendment to Senate Bill No. 254:

In Section 6, Add a Section E, to read as follows:

"E. Pending the completion of the hospital contemplated by this Act, and, thereafter, in the event the Director of said hospital shall advise any County Judge that there are no facilities for the care of a person adjudged to be a chronic alcoholic, the County Judge of any county in the State of Florida may commit any person found and adjudged by him to be a chronic alcoholic, in the manner hereinabove described, to private homes and hospitals licensed under Chapter 395, Florida Statutes 1949; provided that before such commitment shall be made to a private home or hospital, one or more of the petitioners for commitment shall post a bond with the court conditioned upon full payment of any and all hospital costs accruing by reason of such commitment. Release of the committed patient may be effected in the same manner as provided for a patient committed to the Florida State Hospital for Alcoholism."

Senator Moore moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Appropriations offered the following amendment to Senate Bill No. 254:

In Section 12, line 4, (typewritten bill) strike out the word: "five."

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Moore moved that the rules be further waived and Senate Bill No. 254, 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. 254, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 254, as amended, the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 254 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

By Senator Sturgis—

S. B. No. 956—A bill to be entitled An Act amending Sections 74.01, 74.03, 74.09 and 74.15, Florida Statutes, relating to the power of eminent domain and supplemental proceedings for the acquisition of private property for public use.

Was taken up in its order.

Senator Sturgis moved that the rules be waived and Senate Bill No. 956 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 956 was read the second time by title only.

Senator Sturgis moved that the rules be further waived and Senate Bill No. 956 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. 956 was read the third time in full.

Upon the passage of Senate Bill No. 956 the roll was called and the vote was:

Yeas—32.

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

Nays—2.

Tucker Wright

So Senate Bill No. 956 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senate Concurrent Resolution No. 960:

A CONCURRENT RESOLUTION RELATING TO INLAND WATERWAYS AND PROVIDING FOR AN INTERIM COMMITTEE TO REPORT THEREON AT THE 1953 SESSION OF THE LEGISLATURE.

WHEREAS, the water resources of the State of Florida constitute an outstanding attraction, both commercial and recreational; and

WHEREAS, the development of the inland waterways of the State is an integral and essential part of the economy of the State and, considering the growth and development of the State, must keep pace with its general progress; and

WHEREAS, the proper development of the inland waterways system can only be brought about by careful planning after proper study; NOW, THEREFORE,

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

Section 1. That an interim committee to be composed of two members of the Senate, to be appointed by the President of the Senate, and three members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, shall investigate and make report to the 1953 session of the Legislature respecting the general subject of the inland waterways of this State, and its recommendation for the future development of the same, together with any proposed bills which may be indicated as desirable to be enacted into law for the purpose of duly promoting a system of inland waterways in this State.

Section 2. The State Road Department of the State is requested to lend its aid and assistance to said committee to the end that it may be furnished with the necessary data relating to the general subject; and forasmuch as funds available to the State Road Department are implemented by the tax paid for gasoline used by watercraft, it is declared that any expenses incurred by the State Road Department at the request of said committee, up to but not exceeding the sum of twenty thousand (\$20,000.00) dollars for the next biennium, are proper expenses of the State Road Department and that the same shall be paid out of any funds available for the purpose. Such funds shall be expended by and under the direction of the committee to be appointed pursuant to this resolution and shall include the necessary travel expense of the members of the committee in attendance upon committee business.

Was taken up in its order and read the second time in full.

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

Which was agreed to and Senate Concurrent Resolution No. 960 was adopted, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The President presiding.

Senator Ripley moved that the rules be waived and the Senate proceed to the consideration of motions to reconsider appearing on the calendar.

Which was agreed to by a two-thirds vote.

**MOTIONS TO RECONSIDER**

The motion made by Senator Brackin on May 21, 1951 to reconsider the vote by which House Bill No. 184, as amended, failed to pass the Senate on May 21, 1951, was taken up in its order.

H. B. No. 184—A bill to be entitled An Act making it unlawful to make, issue or utter checks or other orders for money on banks without sufficient funds on deposit to pay same or to receive goods or other things of value in exchange for such checks and providing penalties for violation.

The President put the question: "Will the Senate reconsider the vote by which House Bill No. 184, as amended, failed to pass the Senate on May 21, 1951?"

Which was agreed to, and the Senate reconsidered the vote by which House Bill No. 184, as amended, failed to pass the Senate on May 21, 1951.

The question recurred on the passage of House Bill No. 184, as amended.

Pending roll call on the passage of House Bill No. 184, as amended, Senator Moore moved that the rules be waived and House Bill No. 184, as amended, be placed back on the Calendar of Bills on Second Reading for the purpose of further amendment.

Which was not agreed to.

The question recurred on the passage of House Bill No. 184, as amended.

Upon the passage of House Bill No. 184, as amended, the roll was called and the vote was:

Yeas—30.

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

Nays—5.

Baker	Moore	Wright
Lewis	Sanchez	

So House Bill No. 184 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

The motion made by Senator Pearce on May 21, 1951 to reconsider the vote by which House Bill No. 1100 passed the Senate on May 18, 1951, was taken up in its order.

The President put the question: "Will the Senate reconsider the vote by which House Bill No. 1100 passed the Senate on May 18, 1951?"

Which was agreed to and the Senate reconsidered the vote by which House Bill No. 1100 passed the Senate on May 18, 1951.

The question recurred on the passage of House Bill No. 1100.

Pending roll call on the passage of House Bill No. 1100, Senator Pearce moved that the rules be waived and House Bill No. 1100 be placed back on the Calendar of Bills on Second Reading.

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

Senator Shands asked unanimous consent of the Senate to take up and consider House Bill No. 422, out of its order.

Which was agreed to.

H. B. No. 422—A bill to be entitled An Act to require the State Welfare Board and the Comptroller through the several district welfare boards to file with the clerks of the circuit courts of the several counties a quarterly list of those receiving

welfare payments; and authorizing the suspension of the provisions of this Act by the Board of Commissioners of State institutions.

Was taken up.

Senator Shands moved that the rules be waived and House Bill No. 422 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 422 was read the second time by title only.

Senators Shands, Baynard, Brackin and Gautier (13th) offered the following amendment to House Bill No. 422:

Following Section 2, add a new section to be known as Section 3, renumbering remaining section as Section 4.

Section 3. Except as specifically authorized or required by this Act, it shall be unlawful for any person, for himself, or for any other person, body, association, firm, corporation, group or agency, to solicit, disclose, receive, make use of, or to authorize, knowingly permit, participate in or acquiesce in the use of, any of the lists of names of public assistance recipients herein required to be filed, or parts of such lists, for commercial or political purposes of any nature, or for any purpose whatsoever not directly connected with the administration of public assistance. Any person who violates any provision of this section shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than five hundred dollars or imprisonment in the county jail for not more than three months, or by both such fine and imprisonment.

Senator Shands 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 House Bill No. 422, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds votes.

And House Bill No. 422, as amended, was read the third time in full.

Upon the passage of House Bill No. 422, as amended, the roll was called and the vote was:

Yeas—32.

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

Nays—5.

Brackin	Pope	Wright
Johnston	Tucker	

So House Bill No. 422 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Shands withdrew Senate Bill No. 148.

By unanimous consent the following Message from the House of Representatives was received:

**MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 22, 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. Tate of Sarasota, Watson and Mitts of Lee, Rood of Manatee and Hathaway of Charlotte—

H. B. No. 938—A bill to be entitled An Act amending Sub-section (5) of Section 374.30, Florida Statutes, relating to salt water fisheries; providing for annual license tax for non-resident fishermen.

Also—

By Messrs. Tate of Sarasota, Watson and Mitts of Lee, Rood of Manatee and Hathaway of Charlotte—

H. B. No. 939—A bill to be entitled An Act amending Section 373.25, Florida Statutes, relating to the State Board of Conservation; providing for additional license tax on certain length boats owned by aliens or non-residents when engaging in fishing.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 938, 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. 938 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. 939, 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. 939 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.

Senator Franklin asked unanimous consent of the Senate to take up and consider House Bill No. 939, out of its order.

Which was agreed to.

H. B. No. 939—A bill to be entitled An Act amending Section 373.25, Florida Statutes, relating to the State Board of Conservation; providing for additional license tax on certain length boats owned by aliens or non-residents when engaging in fishing.

Was taken up.

Senator Franklin moved that the rules be waived and House Bill No. 939 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 939 was read the second time by title only.

Senator Franklin moved that the rules be further waived and House Bill No. 939 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. 939 was read the third time in full.

Upon the passage of House Bill No. 939 the roll was called and the vote was:

Yeas—36.

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

Rodgers	Sanchez	Shivers	Tucker
Rogells	Shands	Smith	Wright

Nays—None.

So House Bill No. 939 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Franklin withdrew Senate Bill No. 738.

Senator Gautier (13th) moved that the Senate revert to the Introduction of Resolutions, Memorials, Bills and Joint Resolutions.

Which was agreed to and it was so ordered.

#### INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By the Committee on Miscellaneous Legislation—

Senate Memorial No. 996:

A MEMORIAL TO CONGRESS NOT TO AMEND THE FEDERAL INCOME TAX LAWS WITH RELATION TO CERTAIN DEDUCTIONS.

WHEREAS, it has come to the attention of the Legislature of the State of Florida that the Treasury Department is asking Congress to amend the present income tax laws so as to limit the amount of loss that can be deducted from any side business to the amount of four thousand (\$4,000.00) dollars per year and then only for a period of five (5) consecutive years, and

WHEREAS, under the present law a person engaged in business which is not his main business and source of income, is allowed a loss deduction on his income tax from said side business of fifty thousand (\$50,000.00) dollars per year for five (5) consecutive years, and

WHEREAS, the Legislature of the State of Florida is of the opinion that should this drastic amendment pass Congress that it would be detrimental to the best interest of the State of Florida and of the United States and, in addition to checking the development of the resources of this state, would stifle industries which contribute huge sums of money into the treasury of the State of Florida as well as the counties thereof and among other things would tremendously harm and injure the citrus industry of Florida, the cattle industry of Florida, thoroughbred horse racing in Florida, and the thoroughbred breeding industry of Florida by making it impractical and impossible for a business man to engage in either of these enterprises and in the long run would force him to sell and dispose of his racing stables, as well as his breeding farm and would likewise force business men to sell and dispose of ranches, farms and other types of side businesses which they were attempting to develop and expand.

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

That the members of this Legislature are inalterably opposed to the enactment into law of any amendment to the income tax laws of the United States whereby the amount of loss that can be deducted from any side business shall be limited.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to both of the United States Senators and to each member of the Florida House of Representatives delegation in Washington, urging and requesting them to oppose enactment of this amendment.

Which was read the first time in full.

Senator Moore moved that the rules be waived and Senate Memorial No. 996 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Memorial No. 996 was read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to and Senate Memorial No. 996 was adopted by a viva voce vote with Senator Baynard voting

"Nay", and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Beall—

S. B. No. 997—A bill to be entitled An Act providing for the appointment and compensation of two assistant county solicitors in and for the court of record of Escambia County, Florida, and in all constitutional courts of record in the State of Florida, and to provide an appropriation therefor.

Which was read the first time by title only.

Senator Beall moved that the rules be waived and Senate Bill No. 997 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 997 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 997 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. 997 was read the third time in full.

Upon the passage of Senate Bill No. 997 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. 997 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Rogells—

S. B. No. 998—A bill to be entitled An Act amending Section 561.32 Florida Statutes, 1941, as amended by Section (4) Chapter 23746, Laws of 1947 and Section (12) Chapter 25359, Laws of 1949, also known as Section 561.32, Florida Statutes, 1949, relating to the transfer of beverage licenses upon a bona fide sale of the business licensed; an application for transfer of such license and procedure; providing for license transfer fees to be paid the State of Florida at time transfer license issued by tax collector; providing for repeal of laws in conflict and effective date of this Act.

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

By Senator Collins—

S. B. No. 999—A bill to be entitled An Act to amend An Act as amended entitled "An Act to incorporate the Protestant Episcopal Congregation of the City of Tallahassee, St. John's Parish, approved November 2, 1829".

Which was read the first time by title only.

Senator Collins moved that the rules be waived and Senate Bill No. 999 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 999 was read the second time by title only.

Senator Collins moved that the rules be further waived and Senate Bill No. 999 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. 999 was read the third time in full.

Upon the passage of Senate Bill No. 999 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. 999 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Pope—

S. B. No. 1000—A bill to be entitled An Act to provide for creation of sanitary districts within St. Johns County, Florida; to incorporate same; to provide for the government, operation, maintenance, regulation and control thereof; to provide for the construction, maintenance, operation, purchase or condemnation of water supply, sewerage and refuse disposal systems; and to provide for optional methods of financing of such construction, maintenance, operation and control.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1000 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Pope moved that the rules be waived and Senate Bill No. 1000 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1000 was read the second time by title only.

Senator Pope moved that the rules be further waived and Senate Bill No. 1000 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. 1000 was read the third time in full.

Upon the passage of Senate Bill No. 1000 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. 1000 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Branch—

S. B. No. 1001—A bill to be entitled An Act providing for the incorporation into the Sulphur Springs Fire Control District of Hillsborough County, Florida, of additional territory, which, together with the territory in the original Sulphur Springs Special Fire Control District provided for by Chapter 24590, Laws of Florida, Special Acts of 1947, being described as follows: Beginning at the intersection of the east side of the Hillsborough River and the southern boundary of

Section 36, Twp. 28 South, range 18 east, run thence west along the southern boundary of Sections 36, 35 and 34 of Twp. 28 South, range 18 east to the southwest corner of said Section 34 Twp. 28 South, range 18 east; run thence north along the west boundary of Sections 34, 27 and 22 Twp. 28 South, range 18 east to an intersection with the Tampa Gulf Coast Railroad; run thence easterly and southerly along the center of the said Tampa Gulf Coast Railroad to a point 200 feet west of the western boundary of Section 23 Twp. 28 South, range 18 east; run thence due north on a line drawn north and south 200 feet west of the western boundaries of Sections 23, and 14 Twp. 28 South range 18 east to an intersection with the southern boundary of Section 10, Twp. 28 South range 18, east; run thence east along the southern boundaries of Sections 10, 11, and 12 Twp. 28 South range 18 east and Section 7 Twp. 28 South range 19 east to an intersection with the Tampa Northern Railroad; run thence southerly along the center of the said Tampa Northern Railroad to an intersection with a half-section line drawn east and west through Section 18 Twp. 28 South range 19 east; run thence east along the said half-section line drawn east and west through Section 18, Twp. 28 South range 19 east to an intersection with the west boundary of Section 17, Twp. 28 South, range 19 east; run thence due south along the western boundaries of Sections 17, 20 and 29 Twp. 28 South, range 19 east to an intersection with the south side of the Hillsborough River; run thence westerly and southerly along the south and east sides of the Hillsborough River to the point of beginning; providing a referendum election of the freeholders in the territory affected; providing the manner of adoption of the said freeholders of the provisions of this Act; and repealing all laws or parts of laws in conflict herewith.

Which was read the first time by title only.

Senator Branch moved that the rules be waived and Senate Bill No. 1001 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1001 was read the second time by title only.

Senator Branch moved that the rules be further waived and Senate Bill No. 1001 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. 1001 was read the third time in full.

Upon the passage of Senate Bill No. 1001 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. 1001 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (28th)—

S. B. No. 1002—A bill to be entitled An Act providing a pension system for the fire department employees of the City of Daytona Beach, Florida: creating a pension board for said department; providing pensions for retired and disabled employees of said fire department of said city; creating a retirement fund and making provision for contributions into same by said employees of said city and for contributions into same by the city and for payments from same; providing for the investment of funds held in such retirement fund, and repealing all laws in conflict with the provisions of this Act.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill

No 1002 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Gautier (28th) moved that the rules be waived and Senate Bill No. 1002 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1002 was read the second time by title only.

Senator Gautier (28th) moved that the rules be further waived and Senate Bill No. 1002 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. 1002 was read the third time in full.

Upon the passage of Senate Bill No. 1002 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. 1002 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Ripley—

S. B. No. 1003—A bill to be entitled An Act to amend Section 21, Chapter 16866, Laws of Florida, Acts of 1935, as amended, relating to An Act providing civil service for employees of cities having a population of more than one hundred thirty thousand according to the last preceding State census, which cities are hereby designated as belonging to class "J".

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

By Senator Ripley—

S. B. No. 1004—A bill to be entitled An Act to create a county budget commission in counties of Florida having a population of not less than two hundred fifty thousand (250,000) and not more than four hundred fifty thousand (450,000) according to the last preceding Federal census; to prescribe the powers, duties and functions of such county budget commission and the qualifications, terms of office and methods of appointment of members thereof; and to authorize such county budget commission to make and control the budget receipts and expenditures of the Board of County Commissioners, Board of Public Instruction, County Welfare Board, and all other boards, commissions and officials of such counties or of taxing districts, situate therein authorized to raise and expend moneys for county or district purposes.

Which was read the first time by title only.

Senator Ripley moved that the rules be waived and Senate Bill No. 1004 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1004 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 1004 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. 1004 was read the third time in full.

Upon the passage of Senate Bill No. 1004 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. 1004 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Boyle—

S. B. No. 1005—A bill to be entitled An Act to repeal Section 770.01, Florida Statutes, 1941, the same having to do with giving of notice in libel actions.

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

By Senator Gautier (13th)—

S. B. No. 1006—A bill to be entitled An Act to prohibit law enforcing and other public officials, who are attorneys, from practicing law while holding public office, in all counties in the State of Florida having a population of more than three hundred twenty-five thousand (325,000) inhabitants, according to the most recent official census; providing for penalty.

Which was read the first time by title only.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 1006 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1006 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 1006 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. 1006 was read the third time in full.

Upon the passage of Senate Bill No. 1006 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. 1006 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Shivers—

S. B. No. 1007—A bill to be entitled An Act for the relief and reimbursement of C. B. Dunn, of Chipley, Florida, former trustee of Special Road and Bridge District Number One of said county, for money required to be paid personally by him for loss of funds of said district deposited in bank of Chipley upon the failure and liquidation of said bank; to provide payment of such money for said purpose from funds

of the State Road Department in the State Treasury not otherwise appropriated.

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

By Senators King and Boyle—

S. B. No. 1008—A bill to be entitled An Act to amend Sub-section (16) of Section 320.01, Florida Statutes, 1941, relating to the definitions of "for hire" vehicles, and declaring vehicles for transporting school children, agricultural and horticultural products and supplies, hearses, ambulances and leased vehicles, under certain conditions, to be not "for hire".

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

By the Committee on Agriculture and Livestock—

S. B. No. 1009—A bill to be entitled An Act amending Section 585.34, Florida Statutes 1949, relating to the State Live Stock Sanitary Board and inspection and transportation of meats in Florida, by adding thereto additional Sub-sections numbered (9) through (20) both inclusive, providing for State inspection of meat and meat products by said board; prescribing inspection fees and penalties for violation of this law, and providing the effective date hereof.

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

By Senators Johns and Boyle—

S. B. No. 1010—A bill to be entitled An Act making an appropriation to the Florida Board of Forestry to be expended pursuant to agreements to establish and maintain fire control units in Collier, Manatee, Sarasota, Seminole and Union counties whereby referendum elections have been had and taxes voted to be levied in such counties as provided by Section 125.29, Florida Statutes.

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

By Senator Baynard—

S. B. No. 1011—A bill to be entitled An Act amending Section 24 of the Charter of the City of Safety Harbor, Florida, by authorizing and empowering the Board of Commissioners of the City of Safety Harbor, Florida, to appoint a substitute judge for the mayor of the mayor's court of the City of Safety Harbor, Florida, for the purpose of carrying on the judicial functions of said city, repealing all laws or parts of laws in conflict herewith and requiring the submission of this Act to the electorate of the City of Safety Harbor for its approval or rejection and subject to said approval, providing for the effective date of this Act.

Which was read the first time by title only.

Senator Baynard moved that the rules be waived and Senate Bill No. 1011 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1011 was read the second time by title only.

Senator Baynard moved that the rules be further waived and Senate Bill No. 1011 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. 1011 was read the third time in full.

Upon the passage of Senate Bill No. 1011 the roll was called and the vote was:

Yeas—38.

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

Pope	Rogells	Shivers	Wright
Ripley	Sanchez	Smith	
Rodgers	Shands	Tucker	

Nays—None.

So Senate Bill No. 1011 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baynard—

S. B. No. 1012—A bill to be entitled An Act amending Section 909.21, Florida Statutes Annotated, relating to appointment and compensation of counsel in criminal cases where the defendant is insolvent.

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

By Senator Brackin—

S. B. No. 1013—A bill to be entitled An Act relating to compensation of county officials in the several counties of the State of Florida with not more than nineteen thousand five hundred (19,500) and not less than eighteen thousand three hundred (18,300) population according to the last preceding official Federal census; retroactive provision; providing effective date.

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

By the Committee on Pensions and Claims—

S. B. No. 1014—A bill to be entitled An Act creating a limitation on time to present claims to the Legislature; providing that all relief acts be for payment in full.

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

By Senator Branch—

S. B. No. 1015—A bill to be entitled An Act to prohibit the operation of motor propelled boats or water craft without mufflers on Lake Thonotosassa in Hillsborough County, Florida, and to provide a penalty for the violation thereof.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1015 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Branch moved that the rules be waived and Senate Bill No. 1015 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1015 was read the second time by title only.

Senator Branch moved that the rules be further waived and Senate Bill No. 1015 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. 1015 was read the third time in full.

Upon the passage of Senate Bill No. 1015 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. 1015 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Branch—

S. B. No. 1016—A bill to be entitled An Act amending and supplementing Sections 3, 4, and 5, of Chapter 23339, Acts 1945, being "An Act to create the Hillsborough County Aviation Authority; to provide for the appointment of the members of said authority, prescribing its jurisdiction, powers and duties and to provide for the employment of a director of aviation, to prescribe the duties of said director, and to authorize the levying of a tax, not to exceed 3/4 of a mill upon all of the taxable real and personal property situated in Hillsborough County, State of Florida, to finance the operations of said authority"; to provide for the term of office of the members of the Hillsborough County Aviation Authority and its internal organization; to provide for the extension of the powers and duties of the authority; to provide for the execution of contracts, deeds, mortgages, bonds, and other instruments in writing, by the authority; to provide for a renewal and replacement fund for the extension, renewal and replacement of airports and airport facilities; to provide for airport zoning; and to repeal all laws or parts of laws in conflict herewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1016 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Branch moved that the rules be waived and Senate Bill No. 1016 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1016 was read the second time by title only.

Senator Branch moved that the rules be further waived and Senate Bill No. 1016 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. 1016 was read the third time in full.

Upon the passage of Senate Bill No. 1016 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. 1016 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Branch—

S. B. No. 1017—A bill to be entitled An Act authorizing and empowering the Hillsborough County Port District, created by Chapter 23338, Special Laws of Florida, 1945, acting by and through the Hillsborough County Port Authority, to issue revenue bonds, payable solely from revenues, to pay the cost of acquiring, constructing, extending, enlarging or improving any project or projects as defined in said Chapter 23338, including projects located on land owned by the district or the authority or subject to lease or a contract to purchase by the district or the authority, and to repay any obligations owing by the district or the authority in connection with any such projects; providing for the issuance of revenue refunding bonds; prescribing the powers and duties of the Hillsborough County Port Authority in relation to the foregoing; and de-

clarating all Acts and parts of Acts inconsistent with the provision of this Act to be inapplicable thereto.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1017 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Branch moved that the rules be waived and Senate Bill No. 1017 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1017 was read the second time by title only.

Senator Branch moved that the rules be further waived and Senate Bill No. 1017 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. 1017 was read the third time in full.

Upon the passage of Senate Bill No. 1017 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. 1017 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Smith—

S. B. No. 1018—A bill to be entitled An Act amending Section 121.02 Florida Statutes 1949, relating to and creating State officers and employees retirement system, by adding to Section 121.02 a subsection designated as Subsection (7) defining the term "day laborers"; and providing that said classification shall be retroactive.

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

By Senator McArthur—

S. B. No. 1019—A bill to be entitled An Act creating a small claims court in Nassau County, Florida; prescribing the jurisdiction of said court; providing for the appointment of a judge for said court and affixing his compensation and term of office; providing for a clerk thereof; providing that the judgments of said court shall become liens on real property when filed in the office of the clerk of the circuit court; providing for a review of cases from said court; and generally to provide a forum and inexpensive procedure for the speedy trial of small claims cases.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1019 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator McArthur moved that the rules be waived and Senate Bill No. 1019 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1019 was read the second time by title only.

Senator McArthur moved that the rules be further waived and Senate Bill No. 1019 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. 1019 was read the third time in full.

Upon the passage of Senate Bill No. 1019 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. 1019 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The President announced that Senate Joint Resolution No. 995, introduced on May 21, 1951 by Senator King, and referred to the Committee on Constitutional Amendments, would be referred to the Committee on Constitutional Amendments and the Committee on Education, in the order named.

Senator Gautier (13th) moved that the Senate take up the consideration of Messages from the House of Representatives.

Which was agreed to and it was so ordered.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 21, 1951.

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

Sir:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has appointed Messrs. Morgan, Bollinger and Haley as a Conference Committee on the part of the House to confer with a like committee to be appointed by the President of the Senate to adjust the differences existing between the two Bodies on Senate Amendment to House Bill No. 753.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 21, 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 respectfully requests the return of—

By Messrs. Courtney and Mathis of Bay—

H. B. No. 1244—A bill to be entitled An Act amending Sections 9, 20, 47 and 166 of Chapter 11678, Laws of Florida, Acts of the Legislature, at its Extraordinary Session, A. D. 1925, as amended, relating to rejection of all bids on advertised sales of real estate; providing for the levy of excise taxes

by the City of Panama City; relating to the salary of the city manager of said city and providing for registration of voters in said city.

For the purpose of further consideration.

—and respectfully requests the concurrence of the Senate therein.

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

Senator Shivers moved that House Bill No. 1244 be withdrawn from the Committee on Finance and Taxation and returned to the House of Representatives as requested in the foregoing message.

Which was agreed to and it was so ordered.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 21, 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 determined that Senate Bill No. 951 does not meet the requirements of Section 21 of Article III of the State Constitution, and therefore returns the bill herewith.

By Senator Lewis—

S. B. No. 951—A bill to be entitled An Act to amend Paragraph (c), Section 6 of Chapter 19901, Laws of Florida, Acts of 1939, relating to the Jackson County Hospital District and Jackson County Hospital Corporation by increasing the number of trustees thereof and providing for their appointment.

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

Senator Lewis moved that the rules be waived and the Senate immediately reconsider the vote by which Senate Bill No. 951 passed the Senate on May 18, 1951.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which Senate Bill No. 951 passed the Senate on May 18, 1951.

The question recurred on the passage of Senate Bill No. 951.

Pending roll call on the passage of Senate Bill No. 951, by unanimous consent, Senator Lewis withdrew Senate Bill No. 951.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 21, 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 refused to recede from House Amendments to—

By Senators Shands, Collins, Clarke, Johnson and Tucker—

S. B. No. 737—A bill to be entitled An Act relating to the salary of each Circuit Judge of a Judicial Circuit of the State of Florida embracing six or more counties with a total population not exceeding 115,000 and with one or more counties therein with a population of 51,000 or more according to the last preceding State or Federal census, and in which said circuit there is neither established nor provided a Criminal Court of Record or a Civil Court of Record, and providing that a part of the salary of each such Circuit Judge be paid from the gen-

eral revenue fund of the counties of his said circuit in the proportion that the population of each county bears to the total population of such circuit according to the last preceding State or Federal census; making an annual appropriation therefor; providing the effective date hereof and repealing all laws in conflict herewith.

Which amendments read as follows—

Amendment No. 1—

In line 17 of the title of the bill after the semi-colon insert the following: "providing for attendance of the judges in each county of the said circuits."

Amendment No. 2—

Renumber Section 4 and Section 5 of said bill so that the said sections shall read as follows:

"Section 5.

Section 6."

Amendment No. 3—

After Section 3, of the bill, add the following:

"Section 4. That the Judges of said circuits shall arrange to be present in each county of the said circuit at least once each week to attend to any matters that may be presented to the said court."

—and respectfully requests the concurrence of the Senate therein.

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

Senator Collins moved that the President of the Senate appoint a Conference Committee on the Part of the Senate, and that the Speaker of the House of Representatives be requested to appoint a Conference Committee on the part of the House of Representatives to adjust the differences between the House of Representatives and the Senate on House Amendments to Senate Bill No. 737.

Which was agreed to and it was so ordered.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 21, 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 receded from House Amendment No. 1—

By the Committee on Education—

S. B. No. 481—A bill to be entitled An Act fixing the annual salary of the County Superintendents of Public Instruction of the State of Florida in all counties of a population of less than 200,000 according to the latest official census; Providing the basis upon which such salaries shall be computed; declaring the date upon which such salaries shall become effective, and repealing all laws or parts of laws in conflict with this Act.

Which Amendment reads as follows:

Amendment No. 1

In Section 2, of the bill, strike out the words at the end of Section 2 and insert the following in lieu thereof:

"(5) The salaries provided for herein shall be regarded as maximum salaries and the several Boards of Public Instruction shall have authority to fix the salary of the Superintendent within the limit provided herein and provided further that no salary shall be fixed lower than that existing January 1st, 1950 and provided further that no salary shall be changed more than once in any calendar year."

And has called the roll and passed Senate Bill No. 481 as amended by House Amendments 2 and 3 after the House receded from its Amendment No. 1.

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

And Senate Bill No. 481, as amended, contained in the above Message, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 22, 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 amendments—

By the Committee on Finance and Taxation—

S. B. No. 36—A bill to be entitled An Act revising Chapter 209, Florida Statutes, relating to the levy, collection and distribution of the tax on motor fuels other than gasoline, by amending Sections 209.01, 209.02, 209.03, 209.05, 209.06, 209.07, 209.08, 209.09, 209.10, 209.11, 209.12, 209.13, 209.15, 209.16 and 209.17; repealing Sections 209.04 and 209.18 thereof; and adding Sections 209.001, 209.111, 209.19, 209.20, 209.21, 209.22, 209.23 and 209.24 thereto.

Which amendment reads as follows:

In Section 4, of the bill, strike out entire Section and insert the following in lieu thereof:

Section 4. Section 209.03, Florida Statutes. is amended to read:

209.03 Allocation of Tax.—All taxes collected under this law, except the filing fee for application for license shall be paid into the State Treasury by the Comptroller and shall be allocated in the same manner and for the same purposes as now provided for by law for allocation of the taxes on gasoline and other like products of petroleum.

—and respectfully requests the concurrence of the Senate therein.

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

Senator Shands moved that the Senate concur in the House Amendment to Senate Bill No. 36.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 36.

And Senate Bill No. 36, 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 21, 1951

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

Sir:

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

By the Committee on Cities & Towns—

H. B. No. 698—A bill to be entitled An Act amending paragraphs (d) and (e) of Subsection (1) of Section 210.21 Florida Statutes 1949, relating to tax on cigarettes; said amendment relating to ad valorem tax millage and assessed valuations in municipalities where a tax on cigarettes is levied by such municipalities.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 698, 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. 698 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 22, 1951.

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

Sir:

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

By Senators Ayers and Moore—

S. B. No. 210—A bill to be entitled An Act to amend Sub-section (1) of Section 500.11, Florida Statutes, 1949, relating to the misbranding of food.

Also—

By Senators Gautier (28th) and Baynard—

S. B. No. 496—A bill to be entitled An Act authorizing the investment by the State Board of Administration of certain State Road Department funds and providing for the use of earnings from such investment.

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

And Senate Bills Nos. 210 and 496, contained in the above Message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 21, 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 refused to concur in Senate amendments to—

By Mr. Fascell of Dade—

H. B. No. 233—A bill to be entitled An Act to amend Sections 855.01 and 855.02 Florida Statutes 1949, relating to following trade and selling of goods on Sunday.

Which amendments read as follows:

Amendment No. 1—

In Section 1, line 8 (typewritten bill), strike out the words: "not exceeding fifty dollars" and insert in lieu thereof the following: "of not less than fifty dollars, and not more than two hundred and fifty dollars;"

Amendment No. 2—

In Section 2, lines 6 and 7 (typewritten bill), strike out the words: "not exceeding fifty dollars" and insert in lieu thereof the following: "of not less than fifty dollars, and not more than two hundred and fifty dollars;"

—and respectfully requests the Senate to recede therefrom.

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

Senator Gautier (13th) moved that the Senate do not recede from Senate Amendment No. 1 to House Bill No. 233.

Which was agreed to and the Senate refused to recede from Senate Amendment No. 1 to House Bill No. 233.

Senator Gautier (13th) moved that the Senate do not recede from Senate Amendment No. 2 to House Bill No. 233.

Which was agreed to and the Senate refused to recede from Senate Amendment No. 2 to House Bill No. 233.

Senator Gautier (13th) moved that the President of the Senate appoint a Conference Committee on the part of the Senate and that the Speaker of the House of Representatives be requested to appoint a Conference Committee on the Part of the House of Representatives to confer with said committee on the part of the Senate to adjust the differences between the Senate and the House of Representatives on Senate Amendments to House Bill No. 233.

Which was agreed to and it was so ordered.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 21, 1951.

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

Sir:

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

By the Committee on Judiciary "C"—

Committee Substitute for H. B. No. 154—A bill to be entitled An Act relating to juvenile courts; prescribing the jurisdiction, powers, practice, pleadings, procedure, process and manner of service thereof, officers and employees, and financing of juvenile courts and other courts the name of which includes the word "juvenile"; prescribing exclusive methods of taking and detaining children in custody and prohibiting certain practices with reference to children; providing the qualifications, manner of election or employment, duties, powers, compensation, expenses and tenure of judges and employees of such courts; authorizing levying of taxes and appropriations of county funds for the expense of operation of such courts; and repealing inconsistent general laws and special acts.

—and respectfully requests the concurrence of the Senate therein.

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

And Committee Substitute for House Bill No. 154, contained in the above Message, was read the first time by title only.

Senator Ripley moved that the rules be waived and Committee Substitute for House Bill No. 154 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 21, 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. David of Broward—

H. B. No. 140—A bill to be entitled An Act cancelling and annulling all reverter or forfeiting provisions or clauses in plats or deeds conveying real estate or any interest therein in the State of Florida which have been in force and effect for more than twenty-one years; fixing a limitation on the duration of such reverter or forfeiture provision and reversionary clauses in existing conveyances and future conveyances of real estate or any interest therein in the State of Florida; providing that any holder of a possible right of reverter shall have one year within which to enforce such right; providing for the continuance of said restrictions and providing a remedy for enforcement thereof; and exempting from the operation of this Act any conveyance to a governmental, educational, literary, scientific, religious, charitable, or non-profit corporation or association.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 140, contained in the above Message, was read the first time by title only.

Senator Gautier (13th) moved that the rules be waived and House Bill No. 140 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 22, 1951.

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

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1951 Session of the Florida Legislature—

By Messrs. Mathis and Courtney of Bay—

H. J. R. No. 341—A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VII OF THE STATE CONSTITUTION, BY ADDING THERETO AN ADDITIONAL SECTION CREATING A SENATORIAL DISTRICT FOR BAY COUNTY.

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

That the following amendment to Article VII of the State Constitution by adding thereto Section 6 creating a Senatorial District for Bay County is hereby agreed to and submitted to the electors of the State for ratification or rejection at the general election in 1952, as follows:

Section 6. There is hereby created a senatorial district for Bay county to be known as the fortieth (40th) senatorial district. Nothing herein shall disturb the thirty-eight (38) existing senatorial districts, except that Bay County shall no longer be a part of said existing districts. A special election shall be called and held in said fortieth (40th) senatorial district within 75 days after the general election in 1952 to elect a senator from said district. The senator elected from the fortieth (40th) district shall hold office from his election for a term ending on the first Tuesday after the first Monday in November, 1956; and thereafter senators elected from said district shall hold office for terms of four years.

—and respectfully requests the concurrence of the Senate therein.

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

And House Joint Resolution No. 341, contained in the above Message, was read the first time in full.

Senator Franklin moved that the rules be waived and House Joint Resolution No. 341 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 22, 1951.

Hon Wallace E. Sturgis,  
President of the Senate,

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1951 Session of the Florida Legislature—

By Mr. Simpson of Jefferson—

House Joint Resolution No. 891:

**A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 30 OF ARTICLE IV OF THE CONSTITUTION OF FLORIDA BY AUTHORIZING REMOVAL OF MEMBERS OF THE GAME AND FRESH WATER FISH COMMISSION AND AUTHORIZING A MERIT OR CIVIL SERVICE SYSTEM TO REGULATE THE EMPLOYEES OF SAID COMMISSION.**

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

That the following amendment of Section 30 of Article IV of the Constitution of Florida be submitted to the qualified electors of the State of Florida for adoption or rejection at the general election to be held in the year 1952, to wit:

**Section 30. Game and fresh water fish commission; powers, duties, etc.—**

(1) The management, restoration, conservation, and regulation, of the birds, game, fur-bearing animals, and fresh-water fish, of the State of Florida, and the acquisition, establishment, control, and management, of hatcheries, sanctuaries, refugees, reservations, and all other property now or hereafter owned or used for such purposes by the State of Florida, shall be vested in a commission to be known as the Game and Fresh Water Fish Commission. Such Commission shall consist of five (5) members, one (1) from each congressional district as existed on January 1, 1941, who shall be appointed by the Governor, subject to confirmation by the Senate. Any commissioner may be removed for cause, by the Governor and his Cabinet, after due notice and a public hearing. The Commission members so appointed shall annually select one (1) of their members as Chairman.

(2) The first members of the commission shall be appointed on January 1, 1943, and shall serve respectively for one (1), two (2), three (3), four (4), and five (5) years. At the expiration of each of such terms, a successor shall be appointed to serve for a term of five (5) years.

(3) The members of the Commission shall receive no compensation for their services as such, but each Commissioner shall receive his necessary traveling or other expenses incurred while engaged in the discharge of his official duties, but such shall not exceed the sum of six hundred (\$600.00) dollars in any one (1) year.

(4) Among the powers granted to the Commission by this section shall be the power to fix bag limits and to fix open and closed seasons, on a state-wide, regional or local basis, as it may find to be appropriate, and to regulate the manner and method of taking, transporting, storing, and using birds, game, fur-bearing animals, fresh-water fish, reptiles, and amphibians. The Commission shall also have the power to acquire by purchase, gift, all property, necessary, useful, or convenient, for the use of the Commission in the exercise of its powers hereunder.

(5) The Commission shall appoint, fix the salary of, and at pleasure remove, a suitable person, as Director, and such Director shall have such powers and duties as may be prescribed by the Commission in pursuance of its duties under this section. Such Director shall, subject to a merit or civil service system to be adopted by said Commission, appoint, fix the powers, duties and salaries of, and remove, assistants, and other employees. No Commissioner shall be eligible for any such appointment or employment.

(6) The funds resulting from the operation of the Commission and from the administration of the laws and regulations pertaining to birds, game, fur-bearing animals, fresh-water fish, reptiles and amphibians, together with any other funds specifically provided for such purpose shall constitute the State Game Fund and shall be used by the Commission as it shall deem fit in carrying out the provisions hereof and for no other purposes. The Commission may not obligate itself beyond the current resources of the State Game Fund unless specifically so authorized by the Legislature.

(7) The Legislature may enact any laws in aid of, but not inconsistent with the provisions of this amendment, and all existing laws inconsistent herewith shall no longer remain in force and effect. All laws fixing penalties for the violation of the provisions of this amendment and all laws imposing license taxes, shall be enacted by the Legislature from time to time.

—and respectfully requests the concurrence of the Senate therein.

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

And House Joint Resolution No. 891, contained in the above Message, was read the first time in full and referred to the Committee on Constitutional Amendments.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 22, 1951.

Honorable 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, Phillips of Hernando, Payne of Pasco, McFarlin and Dukes of Jackson, Williams of Citrus, Webb of Washington, Belser of Holmes, Jernigan and Darby of Escambia, Melvin of Santa Rosa, and Chambers of Hardee—

H. B. No. 763—A bill to be entitled An Act authorizing the issuance of a permit and license for dog racing tracks in certain counties in the State of Florida having a population of not less than one hundred fifty-seven thousand (157,000) or more than two hundred thousand (200,000) according to the latest official Federal census, without regard to the distance between said track and any other dog or horse track and excepting the provisions of this Act from the applicability of Sections 550.05 and 550.06, Florida Statutes; prescribing the manner of issuing said permit and license, the periods during which said dog race track shall operate, and the laws, rules and regulations to which it shall be subject, declaring said permit and license to be a franchise, and prescribing the conditions under which it may be revoked; providing for a referendum.

Also—

By Messrs. David and Burwell of Broward—

H. B. No. 610—A bill to be entitled An Act making legislative findings regarding the assessment for taxation of the class of tangible personal property considered as goods, wares and merchandise, and commonly known as stock in trade; declaring that the assessment of such property at full cash value is unjust and discriminatory; providing for the assessment of such property for taxation on the basis of fifty per cent of the inventory value thereof or fifty percent of

the average inventory value thereof for the previous year; repealing all laws and parts of laws in conflict herewith and fixing an effective date.

—and respectfully requests the concurrence of the Senate therein.

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

House Bill No. 763, contained in the above Message, was read the first time by title only.

Senator Baynard moved that the rules be waived and House Bill No. 763 be placed on the Calendar of Local Bills on Second Reading, without reference.

Which was not agreed to and House Bill No. 763 was referred to the Committee on Miscellaneous Legislation.

And House Bill No. 610, contained in the above Message, was read the first time by title only.

Senator Morrow moved that the rules be waived and House Bill No. 610 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.

Senator Gautier (13th) moved that when the Senate adjourns it recess to reconvene at 3:00 o'clock P. M., this day.

Which was agreed to and it was so ordered.

The hour of adjournment having arrived a point of order was called and the Senate took a recess at 1:04 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 received:

#### REPORTS OF COMMITTEES

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

H. B. No. 846—A bill to be entitled An Act to authorize and empower the clerks of the Circuit Courts of Florida to record any or all instruments which they are or hereafter may be required by law to record, in one general series of books, to be called "official records," and to index any or all classes of instruments in one general alphabetical index, direct and indirect, and providing that such recording imparts notice in like manner and effect as if the instruments were recorded in separate books.

—and recommends that it do pass.

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

#### ENGROSSING REPORTS

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

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

—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. 343, 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. 187—A bill to be entitled An Act relating to forest protection; providing a penalty for obstructing the suppression of woods fires; creating a liability for cost of suppressing woods fires upon person responsible; and providing a penalty for mutilating or destroying fire control or forestry signs and posters.

—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. 187, 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. 278—A bill to be entitled An Act to amend Section 905.27 of Florida Statutes 1949, prohibiting the disclosing of testimony, or other evidence, received before the Grand Jury, and repealing all laws in conflict therewith.

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

#### ENROLLING REPORTS

Your Enrolling Clerk to whom was referred—

S. B. No. 142	S. B. No. 354
S. B. No. 178	S. B. No. 399
S. B. No. 351	S. B. No. 400
S. B. No. 352	S. B. No. 430
S. B. No. 353	

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on May 22, 1951, for his approval.

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

May 22, 1951.

Your Enrolling Clerk, to whom was referred—

H. B. No. 1403

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

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

May 22, 1951.

Your Enrolling Clerk, to whom was referred—

H. B. No. 179	H. B. No. 870
H. B. No. 221	H. B. No. 879
H. B. No. 224	H. B. No. 894
H. B. No. 227	H. B. No. 915
H. B. No. 229	H. B. No. 928
H. B. No. 231	H. B. No. 937
H. B. No. 361	H. B. No. 955
H. B. No. 362	H. B. No. 957
H. B. No. 454	H. B. No. 959
H. B. No. 464	H. B. No. 961
H. B. No. 488	H. B. No. 962
H. B. No. 752	H. B. No. 982
H. B. No. 823	H. B. No. 1009
H. B. No. 838	H. B. No. 1012
H. B. No. 841	H. B. No. 1013
H. B. No. 844	Com. Sub. for House Bills
H. B. No. 845	Nos. 10, 115, 195 and 236
H. B. No. 849	H. C. R. No. 13
H. B. No. 855	

—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.

May 22, 1951.

Your Enrolling Clerk, to whom was referred—

H. B. No. 1123

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

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

BY PERMISSION THE FOLLOWING BILL WAS INTRODUCED:

By Senator Morrow—

S. B. No. 1020—A bill to be entitled An Act prescribing the

compensation to be paid to and received by each member of the Boards of Public Instruction in all counties of the State of Florida having a population of not less than one hundred fourteen thousand (114,000) and not more than one hundred fourteen thousand eight hundred (114,800), according to the last preceding Federal census.

Which was read the first time by title only.

Senator Morrow moved that the rules be waived and Senate Bill No. 1020 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1020 was read the second time by title only.

Senator Morrow moved that the rules be further waived and Senate Bill No. 1020 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. 1020 was read the third time in full.

Upon the passage of Senate Bill No. 1020 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. 1020 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The Senate resumed the consideration of Messages from the House of Representatives.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 22, 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. 670—A bill to be entitled An Act amending Chapter 10096, Laws of 1925, Section 50, said Section 50 of said Chapter 10096 being Section 612.52 Florida Statutes of 1941, which is entitled "Trustees or Receivers; Duties"; to specify duties of trustees and receivers of dissolved corporation; to limit the personal liability of trustees; to permit final distribution of remaining assets to stockholders of record of a dissolved corporation after three years from date of dissolution.

Also—

By Mr. Patton of Franklin—

H. B. No. 897—A bill to be entitled An Act making an appropriation for the payment of costs of the interim House committee appointed by the 1949 Extraordinary Session to study and investigate practices and procedures of State agencies.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 670, contained in the above Message, was read the first time by title only and referred to the Committee on Corporations.

And House Bill No. 897, contained in the above Message, was read the first time by title only and referred to the Committee on Legislative Management.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
 May 22, 1951.

*Honorable 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. Dowda of Putnam—

H. B. No. 541—A bill to be entitled An Act levying an excise tax on certain fish taken commercially from the fresh waters of the state; providing for the collection thereof authorizing the State Game and Fresh Water Fish Commission to promulgate rules and regulations in relation thereto; appropriating the proceeds to the State Game and Fresh Water Fish Commission and recommending the use thereof; providing penalties for violation and effective date hereof; providing for repeal of all acts in conflict.

Also—

By Messrs. Griner of Dixie, Putnal of Lafayette and McKenzie of Levy—

H. B. No. 398—A bill to be entitled An Act to amend Section 372.573 (2) Florida Statutes, relating to the Game and Fresh Water Fish Commission; providing for the issuance of a permit to hunt on land owned, managed or leased by the State of Florida; fixing a fee for such permit; repealing conflicting laws; fixing effect date.

Also—

By Mr. Dekle of Taylor—

H. B. No. 563—A bill to be entitled An Act providing that members of the Florida Highway Patrol shall be allowed credit for their previous service as state or county employees which shall be computed as a part of their length of service under the Florida Highway Patrol pension fund.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 541, contained in the above Message, was read the first time by title only.

Senator Pearce moved that the rules be waived and House Bill No. 541 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. 398, contained in the above Message, was read the first time by title only and referred to the Committee on Game and Fisheries.

And House Bill No. 563, contained in the above Message, was read the first time by title only and referred to the Committee on Appropriations.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
 May 21, 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. Chambers of Hardee, Hathaway of Charlotte, and Smith of DeSoto—

H. B. No. 502—A bill to be entitled An Act requiring all persons, firms or corporations engaged in the business of mining certain minerals or subterranean products in this State to provide necessary places of deposit for the waste, wash or debris of any mine or mines operated by any such person, persons, firm or corporation; making it unlawful for any person, persons, firm or corporation to permit or allow the escape of waste, wash or debris from any mine or mines operated by any such person, persons, firm or corporation, into any of the rivers and streams of this State traversing all or any part of four counties within the State of Florida; providing for the filing of injunction suits and issuance of injunctions to prevent the escape of waste, wash or debris from any such mine or mines; providing the venue of injunction suits and/or actions to enforce the provisions of this Act.

—and respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 502, contained in the above Message, was read the first time by title only and referred to the Committee on Oil and Natural Resources.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
 May 22, 1951.

*Honorable Wallace E. Sturgis,*  
*President of the Senate,*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendments Nos. 1, 2, 3, 4, 5, and 7 to—

By Messrs. Bollinger of Palm Beach, Shepperd and Usina of St. Johns, Courtney and Mathis of Bay, Darby of Escambia, Watson of Lee, McFarlin and Dukes of Jackson, Saunders of Clay, Carlton and Morgan of Duval, Belser of Holmes, Roberts of Union, Hammons of Columbia, Burwell and David of Broward, Turlington and Whitlock of Alachua, Simpson of Jefferson, MacWilliam of Indian River, Tate and Haley of Sarasota, Papy of Monroe, Sweeny and Cobb of Volusia, Phillips of Hernando, Hathaway of Charlotte, Jacobs of Suwannee, Smith of DeSoto, Rowell of Martin, Summers of Liberty, Saunders of St. Lucie, Fascell of Dade, Surlis of Polk, Conner of Bradford and Miss Pearce of Highlands—

H. B. No. 302—A bill to be entitled An Act regulating the practice of nursing for hire or gain, creating the Florida State Board of Nurse Registration and Nursing Education, defining its powers and duties, abolishing the State Board of Examiners for Nurses, transferring its rights, powers and duties, providing for the transfer of funds, prescribing fees, defining certain misdemeanors and providing penalties for violation thereof; repealing Chapter 464 Florida Statutes 1949 and all acts amendatory thereto.

which amendments read as follows:

Amendment No. 1:

In Section IV, line 9, page 8 (typewritten bill) strike out the word: "may" and insert in lieu thereof the following: "shall."

Amendment No. 2:

In Section V, Paragraph (1) (typewritten bill) strike out Sub-Sections (e) and (f) and insert in lieu thereof the following:

(e) Has completed at least two years of high school or its equivalent.

(f) Has had three or more years of employment in practical nursing, attested by Certificates from at least two licensed physicians; or, in lieu of such experience, has completed a course of study in practical nursing in a State accredited school.

Amendment No. 3:

In Section V, Sub-section (2) (a) (typewritten bill) strike out (a) and insert in lieu thereof the following:

(a) The applicant shall be required to pass a written examination, including oral and written tests, and practical demonstrations conducted by the Board. Upon successfully passing such examination, the Board shall issue license to the applicant, to practice as a licensed practical nurse.

Amendment No. 4:

In Section V, line 16, Page 10 (typewritten bill) strike out the words: "Licensure by Waiver" and insert in lieu thereof the following: "(4) License by Waiver."

Amendment No. 5:

In Section V, line 19, page 10, (typewritten bill) strike out the word: "may" and insert in lieu thereof the following: "shall".

Amendment No. 7:

In Section X add another sentence at the end of said Section X to read as follows:

Provided further, that nothing contained in this Act shall prohibit any person who is a non-resident of Florida from employing a Registered or Practical Nurse in a State other than the State of Florida and such Registered or Practical Nurse shall be permitted to administer to such person living in the State of Florida for a period of six months without qualifying hereunder provided such nurse confines his or her nursing to the patient having employed such nurse in a State other than the State of Florida.

And has amended Senate Amendment No. 6 and concurred in and adopted Senate Amendment No. 6 as amended by the House which amended amendment reads as follows:

Amendment No. 6, as amended:

After Section X, (typewritten bill) add a new section to be numbered Section XI, and renumber succeeding paragraphs; said Section XI to be as follows: "This Act shall not be construed as prohibiting the care of the sick, with or without compensation, by any unlicensed person who does not hold herself or himself out to be a licensed practical nurse, trained nurse, graduate nurse or registered nurse, provided the phrase "care of the sick" shall not be construed to mean the practice of nursing as hereinbefore defined by this Act."

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

Senator Franklin moved that the Senate do not concur in the House Amendment to Senate Amendment No. 6 to House Bill No. 302.

Which was agreed to and the Senate refused to concur in the House Amendment to Senate Amendment No. 6 to House Bill No. 302.

Senator Franklin moved that the House of Representatives be requested to recede from the House Amendment to Senate Amendment No. 6 to House Bill No. 302.

Which was agreed to.

Senator Collins moved that the rules be waived and the Senate immediately reconsider the vote by which the Senate adopted the motion made by Senator Franklin that the House of Representatives be requested to recede from the House Amendment to Senate Amendment No. 6 to House Bill No. 302.

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which the motion was adopted.

The question recurred on the adoption of the motion made by Senator Franklin.

Pending adoption of the motion made by Senator Franklin, Senator Collins moved as a substitute motion that the President of the Senate appoint a Conference Committee on the part of the Senate and the Speaker of the House of Representatives be requested to appoint a Conference Committee on the part of the House of Representatives to confer with said committee on the part of the Senate to adjust the differences between the Senate and the House of Representatives on the House Amendment to Senate Amendment No. 6 to House Bill No. 302.

Which was agreed to.

And the President appointed Senators Franklin, Morrow and Collins as the Committee on the part of the Senate.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 22, 1951.

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

Sir:

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

By Mr. Patton of Franklin—

House Concurrent Resolution No. 19:

A CONCURRENT RESOLUTION DESIGNATING AND OFFICIALLY NAMING CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF APALACHICOLA, FLORIDA, AS THE GORRIE STATE PARK.

WHEREAS, one hundred years ago there was granted a patent in the United States patent office in Washington for the plans for a machine to manufacture ice, which was to become the most important factor in the improvement of human health and comfort since the discovery of fire and the wheel in the Stone Age, and

WHEREAS, the man solely responsible for this great achievement was Dr. John Gorrie, whose origin and early life is lost in the obscurity of history, but of whom it is known that he graduated from the school of physicians and surgeons in Fairfield, New York, and settled at Apalachicola soon thereafter, where he made his permanent home, and

WHEREAS, the first major role of manufactured ice was as an adjunct of the brewery and but for a country doctor's efforts to alleviate human suffering, man's eternal thirst might have been the only impelling motive behind the initial research which has resulted in the great refrigerating industries of today, and

WHEREAS, Dr. Gorrie is conspicuous as the first to have received an American patent for a machine to manufacture ice, and although he sacrificed his whole personal fortune without ever receiving a penny's remuneration, his method was the first to have practical commercial value, and

WHEREAS, intent upon his humanitarian purpose of controlling temperature as a therapeutic measure in treating fevers, he nevertheless prophesied the use of mechanical refrigeration in the preservation of perishable foods, a development which has indeed 'altered and extended the face of civilization', and

WHEREAS, although recognized and revered as a pioneer in mechanical refrigeration, Dr. Gorrie has not been accorded the priority he deserves as the first of the pioneers in air-conditioning, an industry yet in its infancy which bids fair to outstrip mechanical refrigeration. To this distinction he is pre-eminently entitled, for he was, in truth, the father of modern air-conditioning. In a current magazine one reads that this rising industry was born in a factory, educated in theaters and now stands at the threshold of the American home. As a matter of fact, this great new commercial enterprise, which potentially encircles the globe in its beneficent effect,

was born in the makeshift laboratory of this ingenious general practitioner, and

WHEREAS, Dr. Gorrie was selected for the honor of a place in the Hall of Fame in Washington, D. C., where his statue now stands, and

WHEREAS, the city of Apalachicola is the site of the tomb of Dr. Gorrie, and the city of Apalachicola has dedicated certain lands within said city as Gorrie Square, NOW, THEREFORE,

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

In honor of and commemorating the centennial of the official filing for patent of Dr John Gorrie's ice machine that particular parcel of real property in the city Apalachicola, Florida, bounded by blocks 15, 16, 23 and 24 of the said city, known and designated in the plat thereof as Gorrie Square is hereby dedicated and shall be henceforth dedicated a State Park 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. 19, contained in the above Message, was read the first time in full.

Senator Tucker moved that the rules be waived and House Concurrent Resolution No. 19 be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 19 was read the second time in full.

The question was put on the adoption of the Resolution.

Which was agreed to.

And House Concurrent Resolution No. 19 was adopted and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 22, 1951.

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

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendment to—

By Mr. Belser of Holmes—

H. B. No. 126—A bill to be entitled An Act to fix and provide for the compensation and mileage for members of the Board of Public Instruction of Holmes County and repealing conflicting laws.

Which amendment reads as follows:

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

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

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 22, 1951.

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

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendment to—

By Messrs. Williams of Seminole, Watson of Lee, Fascell of Dade, Simpson of Jefferson, Beasley of Walton, Murray of Polk, Andrews and Kirkland of Orange, Moody and Pittman of Hillsborough, Turlington and Whitlock of Alachua, Ayres of Marion, Jacobs of Suwannee, Dowda of Putnam, Hathaway of Charlotte, Cramer. McLaren and Shafer of Pinellas and Tate of Sarasota—

H. B. No. 170—A bill to be entitled An Act to amend Section 12 of Chapter 25016, Laws of Florida, 1949, granting certain powers to the Florida Railroad Commissioners, the Attorney General and the State Attorneys of the State of Florida, for the enforcing of the provisions of Chapter 25016, relating to the regulation of public utilities in the furnishing to others of private wire service and other similar service for the dissemination of information, regulating the use of such service and prohibiting the use of same for gambling purposes and to provide remedies and penalties for the enforcement hereof.

Which amendment reads as follows:

In Section 1 at the end of paragraph (a), (typewritten bill) strike out the period and insert in lieu thereof the following: "providing, however, if no appropriation is made to the Railroad and Public Utilities Commission for enforcing the 'Anti-Bookie Law' and such appropriation is made to the Attorney General, then the Attorney General shall either employ the necessary technically trained staff, as provided for in this section, or make available the necessary funds to the Railroad and Public Utilities Commission for the employment of such a staff."

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

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 22, 1951.

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

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendments to—

By Mr. Sweeny of Volusia—

H. B. No. 1062—A bill to be entitled An Act creating and incorporating a special taxing district in Volusia County, Florida, to be known as "West Volusia Hospital District"; fixing and prescribing the boundaries of said district; defining the purposes of said district; providing for the government and administration of said district; providing for a Board of Commissioners of said taxing district, designating the first Board of Commissioners and providing for the appointment by the Governor of Florida of the successors of said board so named herein, and fixing the term of office of said Board of Commissioners and prescribing its powers and duties as the Board of Commissioners of said West Volusia Hospital District; and providing that said Board of Commissioners shall serve without compensation from said West Volusia Hospital District; and authorizing and requiring the Board of County Commissioners of Volusia County, Florida to levy annually a tax of not exceeding three mills on the dollar on all of the property in said West Volusia Hospital District and assessable for the purposes of this Act; providing and requiring the Comptroller of the State of Florida to assess and levy on all the railroad lines and railroad property and telegraph lines and telegraph property and telephone lines and telephone property situated or located in said West Volusia Hospital District the tax determined by the Board of County Commissioners of Volusia County, Florida, each year to be necessary for the purposes of said West Volusia Hospital District, and making it the duty of the Clerk of the Board of County Commissioners of Volusia County, Florida, to certify to the Comptroller of the State of Florida the millage of the taxes so determined by said Board of County Commissioners and

the tax assessor of Volusia County, Florida, to include such property in his tax assessment roll and the assessment of such taxes and the Comptroller of the State of Florida to certify annually to the tax assessor of Volusia County, Florida, the property so assessed by him and providing for the assessment and collection of said tax and payment of the same to the Board of County Commissioners of Volusia County, Florida, and requiring said Board of County Commissioners to pay quarter-annually to the said Board of Commissioners of said West Volusia Hospital District so much of such tax as may be necessary to pay for hospitalization furnished to the poor and indigent residents of the said West Volusia Hospital District by a hospital to be erected under the provisions of this Act or in lieu thereof to pay for hospitalization furnished under contracts for a period not exceeding twenty-five years, entered into between the Board of Commissioners and a public or private hospital now or hereafter existing within said West Volusia Hospital District and authorizing said Board of Commissioners of said district to enter into a contract or contracts for such purposes, and providing that said board of Commissioners of said West Volusia Hospital District shall have the right to determine who are poor and indigent persons entitled to the benefit of this Act; and determining when the levy of said tax shall be first made and for its annual levy thereafter as long as such hospitalization is provided.

Which amendments read as follows:

Senate Amendment No. 1:

In Section 10, line 4. of the bill, strike out the words: "and telephone lines and telephone property"

Senate Amendment No. 2:

In title, line 26, of the bill, strike out the words: "and telephone lines and telephone property"

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

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
 May 22, 1951.

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

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendment to—

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.

which amendment reads as follows:

In Section 1, line 6, (typewritten bill) strike out the words: Three Hundred (\$300.00) Dollars and insert in lieu thereof the following: Two Hundred (\$200.00) Dollars.

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

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
 May 22, 1951.

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

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendments to—

By Mr. Phillips of Hernando—

H. B. No. 447—A bill to be entitled An Act providing that the salary of the members of the Board of Public Instruction of Hernando County, Florida, shall be fifty (\$50.00) dollars per month; providing for the payment of mileage to said members; repealing all laws in conflict herewith; and providing for the effective date of this Act.

which amendments read as follows:

Amendment No. 1

In Section 1, line 1, (typewritten bill) strike out the words: "Compensation of"

Amendment No. 2

In Section 1, line 8 (typewritten bill) strike out the words: "by the nearest practicable route, in lieu of the Compensation otherwise fixed by statute, for their services," and insert in lieu thereof the following: "to attend regular meetings of aforementioned board, by the nearest practicable route, in lieu of the compensation otherwise fixed by statute, for their services."

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

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
 May 22, 1951.

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

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendment to—

By Mr. Rowell of Martin—

H. B. No. 813—A bill to be entitled An Act to authorize the board of county commissioners of Martin County, Florida, to make purchases of not to exceed one thousand (\$1000.00) dollars without advertising for bids under certain conditions.

which amendment reads as follows:

After Section 3 of the typewritten bill, add a new Section as follows: Section 4. This Act shall remain in force and effect until July 1, 1953, whereupon it shall expire and be of no further force and effect.

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

Senator Davis asked unanimous consent of the Senate to take up and consider House Bill No. 806, out of its order.

Which was agreed to.

H. B. No. 806—A bill to be entitled An Act fixing the salaries of the members of the Board of Public Instruction of Taylor County, Florida, and providing that same shall be paid from general fund of board of public instruction, and repealing all laws in conflict with the law.

Was taken up.

Senator Davis moved that the rules be waived and House Bill No. 806 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 806 was read the second time by title only.

Senator Davis moved that the rules be further waived and

House Bill No. 806 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. 806 was read the third time in full.

Upon the passage of House Bill No. 806 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. 806 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Shands withdrew his motion made on May 21, 1951 that the Senate reconsider the vote by which Senate Bill No. 199 passed the Senate, as amended, on May 21, 1951.

Senator Ripley moved that House Bill No. 140 be withdrawn from the Calendar of Bills on Second Reading and referred to the Committee on Judiciary "C".

Which was agreed to and it was so ordered.

Pursuant to the report of the Committee on Rules and Calendar the Senate resumed the consideration of Bills on the Special Order Calendar.

#### SPECIAL ORDER CALENDAR PURSUANT TO SENATE RULE 65

S. B. No. 668—A bill to be entitled An Act appropriating one million (\$1,000,000.00) dollars from the State Internal Improvement Fund to the General Revenue Fund of the State.

Was taken up in its order.

Senator Baynard moved that the rules be waived and Senate Bill No. 668 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 668 was read the second time by title only.

Senator Baynard moved that the rules be further waived and Senate Bill No. 668 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. 668 was read the third time in full.

Upon the passage of Senate Bill No. 668 the roll was called and the vote was:

Yeas—22.

Baker	Davis	Lewis	Rogells
Baynard	Franklin	Lindler	Shands
Beall	Gautier (28th)	McArthur	Shivers
Brackin	Gautier (13th)	Pearce	Wright
Branch	Johnson	Pope	
Carroll	Johnston	Ripley	

Nays—13.

Mr. President	Dayton	Morrow	Tucker
Clarke	Johns	Rodgers	
Collins	King	Sanchez	
Crary	Moore	Smith	

So Senate Bill No. 668 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Joint Resolution No. 7:

A JOINT RESOLUTION PROPOSING A CONSTITUTIONAL AMENDMENT RELATING TO THE JURISDICTION, POWERS AND DUTIES OF STATE ATTORNEYS, TO THE NUMBER, APPOINTMENT, TENURE, POWERS, DUTIES AND COMPENSATION OF ASSISTANT STATE ATTORNEYS, AND TO THE ABOLISHING OF OTHER PROSECUTING OFFICES AND POSITIONS.

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

That Article Five (5) of the Constitution of Florida be amended by adding thereto an additional section, to be known as Section Fifty (50) of said Article, relating to the jurisdiction, powers and duties of state attorneys, to the number, appointment, tenure, powers, duties and compensation of assistant state attorneys, and abolishing the offices and positions of county solicitors, assistant county solicitors, prosecuting attorneys for county courts and county judges' courts and of all other prosecuting attorneys and assistant prosecuting attorneys for courts other than circuit courts, and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the general election to be held on the first Tuesday after the first Monday in November, 1952, as follows:

Section 50. (A) On and after the 1st day of July, 1953, the state attorney in each judicial circuit shall be the prosecuting attorney in all courts having criminal jurisdiction in his circuit, and he shall have the powers and perform the duties then or thereafter vested in and imposed by law upon the prosecuting attorneys of said courts, except that he shall not be the prosecuting attorney for justice of the peace courts unless the Legislature shall so require by general or local law; provided that, if the term of office of any other prosecuting attorney holding elective office shall extend beyond that date, then this Subsection "A" shall be operative as to the court served by him from and after his tenure in office terminates as provided in Subsection "C" hereof.

(B) At midnight on June 30, 1953, the term of office of every assistant state attorney shall expire and his office shall stand abolished. Thereafter, each state attorney shall appoint his own assistants. He shall appoint as many assistant state attorneys as there are counties in his circuit, and may appoint such further number of assistant state attorneys as the Legislature may provide for by general law. One of said assistants shall reside in each county in the circuit. Each assistant shall serve during the pleasure of the state attorney, and shall be vested with all the powers and shall discharge all the duties of the state attorney throughout the circuit, including the right to sign indictments informations, and other documents, which he shall sign as assistant state attorney and which, when so signed, shall have the same force and effect as if signed by the state attorney. The division of work and the duties of such assistants shall be under the direction of the state attorney appointing them. The Legislature shall by general law fix the compensation of such assistants.

(C) At midnight on June 30, 1953, the offices and positions of county solicitors, assistant county solicitors, prosecuting attorneys for county courts and county judges' courts, and of all other prosecuting attorneys and assistant prosecuting attorneys, however created and named, for courts other than circuit courts, shall be and stand abolished and their powers and duties shall thereafter be exercised by the state attorney and his assistants under his direction; provided, that, if the term of office of any such prosecuting attorney who is an elective officer shall extend beyond that date, his office, and the offices or positions of his assistants, if any, shall be and stand abolished at the end of his said term of office or upon his prior death, resignation, or removal pursuant to the provisions of Article Four (4), Section fifteen (15) of this Constitution, and thereafter his powers and duties shall vest in and be exercised by the state attorney and his assistants under his direction.

(D) On and after the 1st day of July, 1953, each state attorney shall, in his judicial circuit, concurrently with the several sheriffs of the counties thereof, enforce the criminal laws of the State of Florida; and each state attorney and assistant state attorney shall, throughout his judicial circuit,

have all the powers of a deputy sheriff to make arrests with or without warrant, carry weapons, and serve subpoenas and search warrants.

(E) Each state attorney shall have the right to appoint one or more special investigators, to serve during his pleasure, who shall have all of the powers of a deputy sheriff to make arrests with or without warrant, carry weapons, and serve subpoenas and search warrants, and who shall work under the direction of the state attorney. The Legislature shall by general law fix the number and compensation of such special investigators.

Was taken up in its order and read the second time in full.

By unanimous consent Senator Clarke, Chairman of the Committee on Constitutional Amendments, withdrew the amendments recommended by the Committee on Constitutional Amendments in its report filed April 26, 1951, to Senate Joint Resolution No. 7.

Senator Gautier (13th) offered the following amendment to Senate Joint Resolution No. 7:

Strike out everything after the resolving clause and insert the following:

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

Section —. On and after July 1, 1953, the State Attorney of the Eleventh Judicial Circuit in and for Dade County, Florida shall be the prosecuting attorney of the Criminal Court of Record and the Court of Crimes, of Dade County; and the office of County Solicitor, and the position of Assistant County Solicitor in Dade County shall stand abolished and terminated, and, thereafter, the State Attorney and his Assistant State Attorneys, under his direction, shall perform all of the duties and functions of office heretofore performed by the County Solicitor. Pending information filed in the Criminal Court of Record or Court of Crimes shall not be invalidated hereby and the State Attorney, or his Assistant State Attorneys, may file amended informations in any such cases, if and when necessary. The Legislature may provide for Assistant State Attorneys and special investigators for the State Attorney of Dade County, who shall be appointed by the State Attorney and sworn in by the court, and such Assistant State Attorneys shall work under the direction of the State Attorney and shall have full authority to do and perform any official act that the State Attorney may do and perform. It shall be the duty of the said State Attorney concurrently with the Sheriff of Dade County to enforce all of the criminal laws of the State of Florida in said County and the Legislature may, by special or general act, enact such statutes as are necessary to supplement and give full force and effect to this section of the Constitution.

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

Which was agreed to and the amendment was adopted.

Senator Gautier (13th) also offered the following amendment to Senate Joint Resolution No. 7:

Strike out the title and insert the following in lieu thereof:

A Joint Resolution proposing an amendment to Article V of the Constitution of the State of Florida by adding a new section thereto to be numbered by the Secretary of State, relating to abolishing the office of County Solicitor in Dade County, Florida, and the duties of the State Attorney of Dade County, Florida, and his Assistant State Attorneys, and the appointment of such Assistant State Attorneys and special investigators, and for the enactment of enabling statutes.

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

Which was agreed to and the amendment was adopted.

Senator Gautier (13th) moved that the rules be waived

and Senate Joint Resolution No. 7, 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 Joint Resolution No. 7, as amended, which reads as follows, was read the third time in full:

Senate Joint Resolution No. 7:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE V OF THE CONSTITUTION OF THE STATE OF FLORIDA BY ADDING A NEW SECTION THERETO TO BE NUMBERED BY THE SECRETARY OF STATE, RELATING TO ABOLISHING THE OFFICE OF COUNTY SOLICITOR IN DADE COUNTY, FLORIDA, AND THE DUTIES OF THE STATE ATTORNEY OF DADE COUNTY, FLORIDA, AND HIS ASSISTANT STATE ATTORNEYS, AND THE APPOINTMENT OF SUCH ASSISTANT STATE ATTORNEYS AND SPECIAL INVESTIGATORS, AND FOR THE ENACTMENT OF ENABLING STATUTES.

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

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

Section —. On and after July 1, 1953, the State Attorney of the Eleventh Judicial Circuit in and for Dade County, Florida, shall be the prosecuting attorney of the Criminal Court of Record and the Court of Crimes, of Dade County; and the office of County Solicitor, and the position of Assistant County Solicitor in Dade County shall stand abolished and terminated, and, thereafter, the State Attorney and his Assistant State Attorneys, under his direction, shall perform all of the duties and functions of office heretofore performed by the County Solicitor. Pending information filed in the Criminal Court of Record or Court of Crimes shall not be invalidated hereby, and the State Attorney, or his Assistant State Attorneys, may file amended informations in any such cases, if and when necessary. The Legislature may provide for Assistant State Attorneys and special investigators for the State Attorney of Dade County, who shall be appointed by the State Attorney and sworn in by the court, and such Assistant State Attorneys shall work under the direction of the State Attorney and shall have full authority to do and perform any official act that the State Attorney may do and perform. It shall be the duty of the said State Attorney concurrently with the Sheriff of Dade County to enforce all of the criminal laws of the State of Florida in said County and the Legislature may, by special or general act, enact such statutes as are necessary to supplement and give full force and effect to this section of the Constitution.

Upon the passage of Senate Joint Resolution No. 7, as amended, the roll was called and the vote was:

Yeas—32.

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

Nays—2.

Beall Johnston

So Senate Joint Resolution No. 7 passed, as amended, by the required Constitutional three-fifths vote of all members elected to the Senate for the 1951 session of the Florida Legislature, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

**MOTION TO RECONSIDER**

The motion made by Senator Branch on May 21, 1951, to

reconsider the vote by which House Concurrent Resolution No. 17 failed of adoption on May 21, 1951, was taken up.

House Concurrent Resolution No. 17:

**A CONCURRENT RESOLUTION TO PROVIDE FOR THE APPOINTMENT OF AN INTERIM COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE SENATE TO RECOMMEND TO THE 1953 SESSION OF THE LEGISLATURE A PLAN OF REORGANIZATION OF THE GOVERNMENT OF THE STATE OF FLORIDA.**

WHEREAS, during the first half of this century the economic and social conditions of the world have gone through an evolution and change unequalled in any like period in history, and

WHEREAS, the demands on our State Government, in order to meet these rapidly changing conditions, have been so compelling and so diverse that from time to time new agencies, offices and services have been established until there are now more than one hundred twenty-seven (127) separate departments, divisions, boards, councils, commissions and other agencies within the framework of the State Government, and

WHEREAS, because they have been created at various times and in response to varied demands, such agencies charged with the responsibilities of providing the required services do not form a coordinated, integrated governmental structure, but because of their numbers often perform overlapping and duplicate services to the confusion and expense of the taxpayer and

WHEREAS, in order to realize greater efficiency and economy in furnishing the services required by the citizens of the State Government there should be an elimination of duplications and a coordination of services among the various agencies of the State, and

WHEREAS, for the accomplishment of such purpose there must be submitted to the State Legislature a thorough and ably thought out plan of reorganization of State Government, and to this end, NOW THEREFORE

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

Section 1. There shall be appointed a committee of five members, two of whom shall be appointed from the Senate by the President thereof; and three of whom shall be appointed from the House of Representatives by the Speaker thereof.

Section 2. The committee shall serve during the interim from their appointment and report a study and plan of reorganization of the agencies of State Government in Florida to the 1953 session of the State Legislature.

The committee immediately upon its appointment shall meet and elect a chairman. The committee shall be assisted by the Legislative Reference Bureau under the direction of the Legislative Council in all necessary research and related fields.

Section 3. In connection with the study and report of the committee there shall be prepared an analysis of existing laws providing for the functions performed by the State Government through the various departments, divisions, boards, councils, commissions and other agencies. The committee shall prepare such bills for introduction at the 1953 session of the Legislature as it deems necessary to provide for elimination of such duplication of duties and authorities with the object in view of a complete statutory modernization of the administrative functions of the State Government.

The President put the question: "Will the Senate reconsider the vote by which House Concurrent Resolution No. 17 failed of adoption on May 21, 1951?"

Which was agreed to, so the Senate reconsidered the vote by which House Concurrent Resolution No. 17 failed of adoption on May 21, 1951.

The question recurred on the adoption of House Concurrent Resolution No. 17.

Pending adoption of House Concurrent Resolution No. 17, by unanimous consent Senator Gautier (13th) offered the following amendment to House Concurrent Resolution No. 17:

In line 3 of the last Whereas clause, on page 2, after the word "re-organization", insert the following:

"of the executive and administrative branches"

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

Which was agreed to and the amendment was adopted.

Pending adoption of House Concurrent Resolution No. 17, by unanimous consent Senator Gautier (13th) also offered the following amendment to House Concurrent Resolution No. 17:

Strike out everything after the resolving clause and insert in lieu thereof the following:

"Section 1. The Legislative Council is requested to report a study and plan of re-organization of the executive and administrative branches of the State government of Florida to the 1953 Session of the State Legislature.

"Section 2. In connection with the study and report of the Legislative Council, it is requested to prepare an analysis of existing laws providing for the functions performed by the State government through the various departments of the executive and administrative branches. The Legislative Council is requested to prepare such bills for introduction at the 1953 session of the Legislature as it deems necessary to provide for elimination of duplication and overlapping of duties and authorities, so as to accomplish the objectives of this resolution."

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

Which was agreed to and the amendment was adopted.

Pending adoption of House Concurrent Resolution No. 17, by unanimous consent, Senator Gautier (13th) also offered the following amendment to House Concurrent Resolution No. 17:

In line 1 of the title, strike out everything following the word "resolution" and insert in lieu thereof the following:

"Requesting the Legislative Council to report a study and plan of reorganization of the executive and administrative branches of the State government of Florida; requesting the Legislative Council to prepare bills for introduction at the 1953 session of the Legislature to eliminate overlapping and duplication of duties of authorities."

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

Which was agreed to and the amendment was adopted.

The question recurred on the adoption of House Concurrent Resolution No. 17, as amended.

The question was put.

Which was agreed to.

So House Concurrent Resolution No. 17, as amended, was adopted, and the action of the Senate was ordered certified to the House of Representatives.

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

Was taken up in its order.

Senator Smith moved that the rules be waived and Senate Bill No. 305 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 305 was read the second time by title only.

Senator Morrow offered the following amendment to Senate Bill No. 305:

In Section 1, line 1, (typewritten bill) strike out the words: "all state and county"

and insert in lieu thereof the following: "All state, county and municipal"

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

Senator Morrow also offered the following amendment to Senate Bill No. 305:

In Title, lines 1 and 2, (typewritten bill) strike out the words "State and County" and insert in lieu thereof the following: "State, County and Municipal".

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

Senator Smith moved that the rules be further waived and Senate Bill No. 305, 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. 305, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 305, as amended, the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Bill No. 305 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator McArthur asked unanimous consent of the Senate to take up and consider House Bill No. 463, out of its order.

Which was agreed to.

H. B. No. 463—A bill to be entitled An Act to amend Section 9 of Chapter 10096, Laws of Florida, Acts of 1925, entitled "An Act relating to corporations" and being Section 612.09, Florida Statutes 1949, and which section relates to the power of a corporation to issue stock, by providing that shares of preferred or special stock of any class may be divided by number from time to time into and issued in designated series, and, such shares of preferred or special stock of any class or series thereof shall provide for dividends at such rates, on such conditions and payable at such times and shall be subject to redemption rights at such price or prices and at such time or times as shall be stated and expressed with respect thereto either in the certificate of incorporation or in any amendment thereof or in the resolution or resolutions providing for the issue of such stock adopted by the board of directors or duly constituted executive committee of the corporation; providing that all laws or parts of laws in conflict with this Act are hereby repealed; and providing for the effective date of this Act.

Was taken up.

Senator McArthur moved that the rules be waived and House Bill No. 463 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 463 was read the second time by title only.

Senator McArthur moved that the rules be further waived and House Bill No. 463 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. 463 was read the third time in full.

Upon the passage of House Bill No. 463 the roll was called and the vote was:

Yeas—30.

Mr. President	Brackin	Davis	Johns
Baker	Branch	Franklin	Johnson
Beall	Clarke	Gautier (28th)	Johnston
Boyle	Collins	Gautier (13th)	King

Leaird	Moore	Rogells	Smith
Lewis	Pearce	Sanchez	Tucker
Lindler	Ripley	Shands	
McArthur	Rodgers	Shivers	

Nays—4.

Baynard	Carroll	Morrow	Wright
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So House Bill No. 463 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator McArthur withdrew Senate Bill No. 388.

Senator Tucker moved that a committee be appointed to escort Honorable S. E. Teague, of Tallahassee, to the rostrum.

Which was agreed to.

And the President appointed Senators Tucker, Davis and Collins as the committee.

Senator Collins asked unanimous consent of the Senate to take up and consider House Bill No. 317, out of its order.

Which was agreed to.

H. B. No. 317—A bill to be entitled An Act allowing certain persons to be examined by the State Board of Law Examiners for admission to the practice of law; and providing for certain prerequisites for such examination and admission to practice.

Was taken up.

Senator Collins moved that the rules be waived and House Bill No. 317 be read the second time by title only.

Which was agreed to by a two-thirds vote.

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

Senator Collins moved that the rules be further waived and House Bill No. 317 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 317 was read the third time in full.

Upon the passage of House Bill No. 317 the roll was called and the vote was:

Yeas—32.

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

Nays—None.

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

By unanimous consent Senator Collins withdrew Senate Bill No. 257.

H. B. No. 17—A bill to be entitled An Act to amend Sections 208.06, and 208.24, Florida Statutes, by providing for a deduction of the amount of gasoline tax shown to be due on monthly gasoline tax reports to the Comptroller on account of services and expenses in complying with the provisions of said Chapter 208, and fixing the date on which such reports shall be made and for other purposes.

Was taken up in its order.

Senator Shands moved that the rules be waived and House Bill No. 17 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 17 was read the second time by title only.

Senator Shands moved that the rules be further waived and House Bill No. 17 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. 17 was read the third time in full.

Upon the passage of House Bill No. 17 the roll was called and the vote was:

Yeas—29.

Ayers	Franklin	Lindler	Shands
Baker	Gautier (28th)	McArthur	Shivers
Beall	Gautier (13th)	Pearce	Smith
Brackin	Johns	Pope	Tucker
Branch	Johnson	Ripley	Wright
Clarke	King	Rodgers	
Collins	Leaird	Rogells	
Crary	Lewis	Sanchez	

Nays—6.

Mr. President	Carroll	Moore
Baynard	Johnston	Morrow

So House Bill No. 17 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Joint Resolution No. 403:

A JOINT RESOLUTION PROPOSING THE AMENDMENT OF SECTION 7, OF ARTICLE 10 OF THE CONSTITUTION OF FLORIDA RELATING TO HOMESTEAD EXEMPTIONS.

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

That the following amendment of Section 7, Article 10 of the Constitution of Florida relating to homestead exemptions is hereby agreed and shall be submitted to the electors of the State of Florida for ratification or rejection at the next general election to be held in November, 1952, as follows:

Section 7. **Exemption of homestead from taxation.**—Every person who has the legal title or beneficial title in equity to real property in this State and who resides thereon and in good faith makes the same his or her permanent home, or the permanent home of another or others legally or naturally dependent upon said person, shall be entitled to an exemption from all taxation, except for assessments for special benefits, up to the assessed valuation of Five Thousand Dollars on the said home and contiguous real property, as defined in Article 10 Section 1, of the Constitution, for the year 1939 and thereafter, provided, however, that no exemption shall be granted unless the property is used exclusively as the residence of the owner or the above prescribed people. Said title may be held by the entireties, jointly, or in common with others, and said exemption may be apportioned among such of the owners as shall reside thereon, as their respective interests shall appear, but no such exemption of more than Five Thousand Dollars shall be allowed to any one person or any one dwelling house, nor shall the amount of the exemption allowed any person exceed the proportionate assessed valuation based on the interest owned by such person. The Legislature may prescribe appropriate and reasonable laws regulating the manner of establishing the right to said exemption.

Was taken up in its order and read the second time in full.

Senators Shivers and Gautier (13th) offered the following amendment to Senate Joint Resolution No. 403:

In line 23, after the resolving clause, strike out the following words: "one person or any one dwelling house", and insert in lieu thereof the following "person or combination of persons residing in one or more dwelling units where such dwellings are under one common roof".

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

Which was agreed to and the amendment was adopted.

Pending further amendment, Senator Shivers moved that the rules be waived and further consideration of Senate Joint Resolution No. 403, as amended, be informally passed, the resolution retaining its place on the Special Order Calendar, on Second Reading.

Which was agreed to by a two-thirds vote and Senate Joint Resolution No. 403 was placed on the Special Order Calendar on Second Reading.

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

Was taken up in its order.

Senator Ripley moved that the rules be waived and Senate Bill No. 553 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 553 was read the second time by title only.

The Committee on Alcoholic Beverages offered the following amendment to Senate Bill No. 553:

In Section 2 (typewritten bill) 3rd line from the bottom, strike out the words and figures: "manufactured in Florida from any fruits and vegetables or other horticultural or agricultural products grown in Florida", and insert in lieu thereof the following: "fermented, manufactured and aged in Florida."

Senator Ripley moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Ripley moved that the rules be further waived and Senate Bill No. 553, 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. 553, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 553, as amended, the roll was called and the vote was:

Yeas—25.

Ayers	Crary	Lindler	Shivers
Baker	Davis	McArthur	Smith
Beall	Gautier (28th)	Moore	Tucker
Brackin	Johns	Pearce	Wright
Branch	Johnson	Ripley	
Clarke	King	Rodgers	
Collins	Lewis	Shands	

Nays—10.

Mr. President	Dayton	Johnston	Rogells
Baynard	Franklin	Morrow	
Carroll	Gautier (13th)	Pope	

So Senate Bill No. 553 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

S. B. No. 802—A bill to be entitled An Act for the relief of Quincy Livestock Company for damages sustained as a result of defective State road construction and authorizing payment thereof by the State Road Department.

Was taken up in its order.

Senator Johnson moved that the rules be waived and Senate Bill No. 802 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 802 was read the second time by title only.

Senator Johnson offered the following amendment to Senate Bill No. 802.

In Section 1, line 4, (typewritten bill) strike out the words and figures: "nine hundred forty-four (\$944.00) dollars and insert in lieu thereof the following: Five hundred-ninety six dollars (\$596.00)

Senator Johnson moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johnson moved that the rules be further waived and Senate Bill No. 802, 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. 802, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 802, as amended, the roll was called and the vote was:

Yeas—31.

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

Nays—None.

So Senate Bill No. 802 passed, as amended, by the required Constitutional two-thirds vote of all members elected to the Senate for the 1951 Session of the Florida Legislature, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

S. B. No. 670—A bill to be entitled An Act providing for a pension to John T. Bevis, Sr., and making appropriation therefor.

Was taken up in its order.

Senator Lewis moved that the rules be waived and Senate Bill No. 670 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 670 was read the second time by title only.

Senator Lewis moved that the rules be further waived and Senate Bill No. 670 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. 670 was read the third time in full.

Upon the passage of Senate Bill No. 670 the roll was called and the vote was:

Yeas—32.

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

Nays—None.

So Senate Bill No. 670 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Collins asked unanimous consent of the Senate to take up and consider Senate Bill No. 500, out of its order.

Which was agreed to.

S. B. No. 500—A bill to be entitled An Act amending Section 26.23, Florida Statutes, relating to terms for the second judicial circuit; providing for a change in the terms.

Was taken up.

Senator Collins moved that the rules be waived and Senate Bill No. 500 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 500 was read the second time by title only.

Senator Collins moved that the rules be further waived and Senate Bill No. 500 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. 500 was read the third time in full.

Upon the passage of Senate Bill No. 500 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	Tueker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 500 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 341—A bill to be entitled An Act providing that no person shall be entitled to the homestead exemption from taxation under Section 192.12, Florida Statutes 1949 unless such person at the time of making such application shall have been a legal resident of the State of Florida for a period of one year prior thereto; providing that the Assessors of Taxes of the counties of Florida shall require proof of such residence before granting such applications.

Was taken up in its order.

Senator Morrow moved that the rules be waived and Senate Bill No. 341 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 341 was read the second time by title only.

Senator Morrow moved that the rules be further waived and Senate Bill No. 341 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. 341 was read the third time in full.

Upon the passage of Senate Bill No. 341 the roll was called and the vote was:

Yeas—29.

Mr. President	Clarke	Johnston	Shands
Ayers	Collins	King	Shivers
Baker	Davis	Lewis	Smith
Baynard	Dayton	Lindler	Tucker
Beall	Gautier (28th)	McArthur	Wright
Boyle	Gautier (13th)	Morrow	
Brackin	Johns	Rodgers	
Carroll	Johnson	Rogells	

Nays—4.

Franklin	Pearce	Pope	Ripley
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So Senate Bill No. 341 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Rogells asked unanimous consent of the Senate to take up and consider House Bill No. 492, out of its order.

Which was agreed to.

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.

Was taken up.

Senator Rogells moved that the rules be waived and House Bill No. 492 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 492 was read the second time by title only.

Senator Rogells moved that the rules be further waived and House Bill No. 492 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. 492 was read the third time in full.

Upon the passage of House Bill No. 492 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. 492 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

#### SENATE BILLS ON SECOND READING

S. B. No. 457—A bill to be entitled An Act to amend Chapter 317, Florida Statutes, 1949, relating to the regulation of traffic on highways, by amending Section 317.66 of said chapter requiring certain vehicles to carry flares or similar devices; and by amending Section 317.67 of said chapter requiring the display of warning devices when certain motor vehicles are disabled on the highways or shoulders thereof.

Was taken up in its order.

Senator Boyle moved that the rules be waived and Senate Bill No. 457 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 457 was read the second time by title only.

Senator Boyle moved that the rules be further waived and Senate Bill No. 457 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. 457 was read the third time in full.

Upon the passage of Senate Bill No. 457 the roll was called and the vote was:

Yeas—22.

Mr. President	Collins	Lewis	Rogells
Baker	Franklin	Lindler	Shands
Baynard	Gautier (28th)	Morrow	Smith
Boyle	Johnson	Pearce	Tucker
Carroll	Johnston	Ripley	
Clarke	King	Rodgers	

Nays—10.

Ayers	Davis	Johns	Wright
Brackin	Dayton	Pope	
Crary	Gautier (13th)	Shivers	

So Senate Bill No. 457 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Baynard moved that the Senate reconsider the vote by which Senate Bill No. 457 passed the Senate, this day.

And the motion went over under the rule.

The hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 5:03 o'clock P. M., until 11:00 o'clock A. M., Wednesday, May 23, 1951.