

JOURNAL OF THE SENATE

366

Friday, May 8, 1953

The Senate convened at 9:30 o'clock A. M., pursuant to adjournment on Thursday, May 7, 1953.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

—38.

A quorum present.

Prayer was offered by the Senate Chaplain, Reverend W. E. Hall.

The reading of the Journal was dispensed with.

The Senate daily Journal of Monday, May 4, 1953, was further corrected as follows:

Page 15, column 2, strike out lines 3, 4, 5, 6 and 7, counting from the bottom of the column.

And as further corrected was approved.

The Senate daily Journal of Wednesday, May 6, 1953, was further corrected as follows:

Page 10, column 2, line 30, strike out the figures "628" and insert in lieu thereof the figures "528".

Also—

Page 24, column 2, line 23, strike out the figures "(14,850)" and insert in lieu thereof the figures "(114,850)"

And as further corrected was approved.

The Senate daily Journal of Thursday, May 7, 1953, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Senator Connor, Chairman of the Committee on Game and Fisheries, reported that the Committee had carefully considered the following Bill:

S. B. No. 440—A bill to be entitled An Act amending Section 373.25 of Florida Statutes relating to State Board of Conservation by excluding therefrom boats, vessels, schooners or launches used for fishing for personal use and pleasure.

—and recommends that the same pass.

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

Senator Connor, Chairman of the Committee on Game and Fisheries, reported that the Committee had carefully considered the following Bill:

H. B. No. 68—A bill to be entitled An Act to amend Chapter 372, Florida Statutes, relating to fish and game by a section to be numbered 372.27 prohibiting the taking of fish in certain designated waters in Marion county.

—and recommends that the same pass.

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

Senator Dayton, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Bill:

S. B. No. 368—A bill to be entitled An Act setting the salary of the chairman and members of the State Road Department by amending Subsection (1) of Section 341.03, Florida Statutes.

—and recommends that the same pass.

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

Senator Black, Chairman of the Committee on Livestock, reported that the Committee had carefully considered the following Bill:

S. B. No. 472—A bill to be entitled An Act to amend Section 580.15, Florida Statutes, relating to commercial feeds and providing a reporting system.

—and recommends that the same pass.

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

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

S. B. No. 599—A bill to be entitled An Act creating the State Governmental Reorganization Council, providing for its composition and appointment of members; authorizing said council to review the laws, jurisdiction, powers, duties and functions of certain state agencies and departments, to determine what changes, consolidations and reorganizations should be made to accomplish greater efficiency and economy; defining the powers and duties of said council, and making an appropriation therefor.

—and recommends that the same pass.

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

Senator Melvin, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bill:

S. B. No. 403—A bill to be entitled An Act to amend Subsections (11) and (12) of Section 500.15, Florida Statutes, relating to the misbranding of drugs.

—and recommends that the same 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 Fraser, Chairman of the Committee on Temperance, reported that the Committee had carefully considered the following Bill:

S. B. No. 543—A bill to be entitled An Act relating to the shipment of certain alcoholic beverages into the State of Florida.

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

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

Senator Houghton, Chairman of the Committee on Prisons and Convicts, reported that the Committee had carefully considered the following Bill:

S. B. No. 235—A bill to be entitled An Act to require the Courts of the State to refer all cases of conviction of non-capital felonies to the State Parole Commission for investigation and recommendation as to probation; providing a minimum and maximum sentence in such cases; providing for the screening, relative to place of confinement, of prisoners sentenced under this Act; prescribing certain powers, and imposing certain duties on the parole commission, Commissioner of Agriculture, Board of Commissioners of State Institutions, Superintendent of the State Prison, relative to rehabilitation of such prisoners; providing, and prescribing certain conditions, for parole, and recommendations for pardon or commutation of sentence of such prisoners; providing for employment of certain trained personnel by the Board of Commissioners of State Institutions necessary to such rehabilitation; repealing certain Laws relative to minimum sentences; excepting certain fines and penalties from the provisions hereof; and providing that all Laws and parts of Laws in conflict herewith shall be of no force and effect to the extent of such conflict.

—and the Committee reports same without recommendation.

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

Senator Black, Chairman of the Committee on Livestock, reported that the Committee had carefully considered the following Bill:

S. B. No. 594—A bill to be entitled An Act appropriating funds for the establishment and operation of a livestock diagnostic laboratory under the State Veterinarian.

—and recommends that the same pass.

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

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

S. B. No. 90—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

S. B. No. 563—A bill to be entitled An Act relating to pari-mutuel pools authorized within enclosures at horse race tracks by providing that any horse (running) race track having an average daily pari-mutuel pool of less than \$400,000 for the preceding racing season shall be permitted to operate pari-mutuel wagering upon the payment of a graduated daily license fee as set forth in this Act, and providing for the distribution of the proceeds from said license tax; repealing all laws or parts of laws in conflict herewith and fixing the effective date of this Act.

—and recommends that they do pass.

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

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

S. B. No. 289—A bill to be entitled An Act to amend Chapter 627, Florida Statutes, relating to insurance agents by adding at the end thereof a new section to require a statement of risks covered and the usual risks not covered by each policy to be delivered to the insured upon his receipt therefor and providing penalties for violations.

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

And the Bill contained in the preceding report, with the recommended Committee Substitute attached thereto, was

referred to the Committee on Judiciary "C", under the original joint reference.

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

S. J. R. No. 519—A Joint Resolution proposing an amendment to Article IX of the Florida Constitution, by adding thereto an additional section authorizing the creation and establishment of a State Tax Commission and the fixing of its powers, duties, authority and jurisdiction in connection with taxation under the laws of this State.

—and recommends that the same not pass.

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

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

S. B. No. 443—A bill to be entitled An Act to require the registration of ships, boats, sloops and other vessels, to define terms used to provide means for administering the provisions of this Act, for collection of fees and service charges, for exemption of certain classes of vessels, prohibiting the assessment of taxes or fees by municipalities, providing for recording of liens for transfer of registrations and liens, providing for penalties for failure to comply with the provisions hereof, for the enforcement hereof, and repealing of all Acts in conflict herewith.

S. B. No. 444—A bill to be entitled An Act to provide for the segregation of tax on gasoline or other motor fuels sold or used by watercraft; for making of monthly reports to the State Comptroller by dealers of watercraft gasoline or motor fuels of the amount of such gasoline or motor fuels sold by them for use by watercraft; provide for regulations to be issued in connection therewith by the State Comptroller to facilitate the administration of this Act; provide for the expenditure of said funds so segregated by the State Road Department, Board of Conservation of the State of Florida and the Game and Fresh Water Fish Commission of the State of Florida; to provide and fix a penalty for violation of this Act in repeal of any and all laws in conflict therewith.

S. B. No. 622—A bill to be entitled An Act relating to the sales and use tax; repealing Subsection (2) and amending Subsection 8 of Section 212.08, Florida Statutes, repealing exemptions for machines and equipment; changing the limitation on the clothing exemptions and setting effective date.

—and recommends that the same do not pass.

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

Senator Fraser, Chairman of the Committee on Temperance, reported that the Committee had carefully considered the following Bills:

S. B. No. 249—A bill to be entitled An Act relating to liquors and beverages, amending Section 561.25, Florida Statutes, regarding officers and employees engaging in beverage business.

S. B. No. 544—A bill to be entitled An Act requiring manufacturers and distributors of certain alcoholic beverages to maintain offices, warehouses and certain equipment in connection therewith.

S. B. No. 583—A bill to be entitled An Act to amend Chapter 562.41 of the Beverage Laws of Florida entitled "Searches-Penalty," requiring that the sheriff and the chief of police, at the place of arrest, shall be notified by the Beverage Director of persons arrested in state licensed beverage premises, and of the nature of beverage violations brought against such licensed places, and, further, requiring sheriffs and chiefs of police to notify the Beverage Department of arrests made by such agencies in licensed beverage places.

—and recommends that the same do not pass.

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

**SPECIAL REPORTS OF THE
COMMITTEE ON RULES AND CALENDAR**

Senator King, Chairman of the Committee on Rules and Calendar, submitted the following Report:

Your Committee on Rules and Calendar recommends that the Senate adopt the following procedure pursuant to Rule 62:

Except with unanimous consent after the morning period for introductions, no visitors to the Senate floor or gallery will be introduced except school children. As to school children, any Senator who is advised of a visit of school children from his district, will send a memorandum to the President stating the name of the class and school, and the President at his convenience will announce briefly the presence of the class, and mention the Senator from whose district the students come. It shall be the duty of the Chairman of the Rules Committee, representing the whole Senate, to make objection to any introduction sought in violation of the above except as to any visitation of an exceptional or extraordinary nature.

Senator King moved the adoption of the foregoing Report of the Committee on Rules and Calendar.

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

Senator King, Chairman of the Committee on Rules and Calendar, submitted the following Report:

Your Committee on Rules and Calendar recommends that the Senate adopt the following procedure as to House Bills on Second Reading:

All House Bills appearing on the Calendar of House Bills on Second Reading be made a Special and Continuing Order of Business for consideration by the Senate for a period of at least two hours immediately following consideration of Senate Bill No. 438 on Monday, May 11, 1953.

Senator King moved the adoption of the foregoing Report of the Committee on Rules and Calendar.

Which was agreed to by a two-thirds vote and the Report of the Committee on Rules and Calendar was adopted.

Senator King, Chairman of the Committee on Rules and Calendar, submitted the following Report:

Your Committee on Rules and Calendar recommends that the Senate adopt the following schedule of Sessions:

Monday, May 11, 1953, 1:00 o'clock P. M., until 5:00 o'clock P. M.

Tuesday, May 12, 1953, through Friday, May 15, 1953, 9:30 o'clock A. M. until 1:00 o'clock P. M., daily.

Senator King moved the adoption of the foregoing Report of the Committee on Rules and Calendar.

Which was agreed to by a two-thirds vote and the Report of the Committee on Rules and Calendar was adopted.

Senator Lewis moved that the rules be waived and the hour for consideration of Senate Bill No. 438, as a Special and Continuing Order of Business, be changed from 11:00 o'clock A. M., Monday, May 11, 1953 to 1:30 o'clock P. M., Monday, May 11, 1953.

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

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

By Senator Branch—

S. B. No. 647—A bill to be entitled An Act levying a tax of one dollar (\$1.00) on each fishing license issued in this State, to be used for hyacinths control, eradication and elimination; providing collection and distribution.

Which was read the first time by title only and referred to the Committee on Game and Fisheries and the Committee on Finance and Taxation, in the order named.

By Senator Melvin—

Senate Joint Resolution No. 648:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VIII OF THE CONSTITUTION RELATING TO COUNTIES AND CITIES BY ADDING THERETO SECTION 22 AUTHORIZING THE LEGISLATURE TO PRESCRIBE BY GENERAL LAW THE QUALIFICATIONS OF COUNTY SUPERINTENDENTS OF PUBLIC INSTRUCTION.

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

That the following amendment to Article VIII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the next general election to be held in November, A. D. 1954 as follows:

Section 22. The Legislature shall have the power to prescribe by general law qualifications of County Superintendents of Public Instruction in addition to the qualifications now prescribed by this Constitution for elective officials.

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

By the Committee on Livestock—

S. B. No. 649—A bill to be entitled An Act amending Section 585.34, Florida Statutes, 1951, by adding thereto an additional Sub-section relating to inspection of meat and meat producing animals where slaughtered and offered for sale in limited numbers and fixing the limitations thereof.

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

By Senator Johnson—

S. B. No. 650—A bill to be entitled An Act creating Small Claims Courts in each Justice of the Peace District in every county in the State of Florida having a population of not less than 36400 and not more than 38000, according to the last preceding decennial federal census; providing for a Justice of the Peace to be the Judge of each of said courts; prescribing the jurisdiction, pleading, practice and service of notice of proceedings therein; providing for a clerk and prescribing his duties; providing for fees to be charged in said court; providing for jury trials; providing for judgment to be recorded in any county and the same to be a lien on the property of the defendant; providing for appeals from said court and repealing Chapter 26747 Laws of Florida, Acts of 1951.

Which was read the first time by title only.

Senator Johnson moved that the rules be waived and Senate Bill No. 650 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 650 was read the second time by title only.

Senator Johnson moved that the rules be further waived and Senate Bill No. 650 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. 650 was read the third time in full.

Upon the passage of Senate Bill No. 650 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So Senate Bill No. 650 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Dayton—

S. B. No. 651—A bill to be entitled An Act relating to citrus fruit and amending Section 601.12, Florida Statutes 1951, relative to the power of the Florida Citrus Commission so as to provide that all rules, regulations and orders promulgated by the commission shall be published within ten days after the same are promulgated and become effective ten days after the same are adopted instead of five days as now provided by said section; and amending Section 601.61, Florida Statutes 1951 by adding an additional paragraph to be designated as paragraph (2) so as to provide that an express or gift fruit shipper who handles only fruit produced by such shipper or citrus purchased from a licensed citrus fruit dealer does not have to post a bond, and amending Chapter 601, Florida Statutes 1951 by adding an additional section to be numbered 601.501 exempting shipments to be used for charitable purposes from the payment of advertising taxes.

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

By Senator Beall—

S. B. No. 652—A bill to be entitled An Act to authorize but not require County Commissioners of Escambia County, Florida, to pay a specified indebtedness which is past due, and as to which doubt exists as to authority of said County Commissioners to pay.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 652 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 Beall moved that the rules be waived and Senate Bill No. 652 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 652 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 652 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. 652 was read the third time in full.

Upon the passage of Senate Bill No. 652 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So Senate Bill No. 652 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Crary and Gautier (28th)—

S. B. No. 653—A bill to be entitled An Act relating to riparian rights; in reference to submerged bottoms not filled in and made land; conveyance or lease of the riparian land; riparian rights not to be assessed for purposes of taxation; relating to tax liens against riparian rights; cancelling said liens and restoring said rights to original status; and direct-

ing the clerks of the Circuit Courts or other taxing officers in reference thereto.

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

By Senators Crary and Gautier (28th)—

S. B. No. 654—A bill to be entitled An Act authorizing the counties and the municipalities of this State to control and regulate the building up of land upon the submerged bottoms in the intracoastal waters of the State, the use to which such land may be put, and the excavation of basins or channels in such waters; that such regulation shall not be in conflict with the Laws of Congress and regulations based thereon affecting commerce and navigation; providing for the enforcement of the provisions of this Act and for penalties and violations thereof and authorizing the trustees of the Internal Improvement Fund to cooperate in carrying out the purposes of this Act, and repealing Chapter 271, Florida Statutes.

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

By Senator Boyle—

S. B. No. 655—A bill to be entitled An Act validating \$800,000 County Hospital bonds heretofore authorized by the qualified electors who were free-holders of Seminole County at the general election held November 4, 1952, and validating said election; providing that said \$800,000 County Hospital bonds may be issued under Chapter 155, Florida Statutes or any other law, general, local or special, authorizing the issuance of bonds for the construction, establishment and maintenance of a county public hospital by Seminole County, Florida, and providing when this Act shall take effect.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 655 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

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

Which was agreed to by a two-thirds vote.

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

Senator Boyle moved that the rules be further waived and Senate Bill No. 655 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 655 was read the third time in full.

Upon the passage of Senate Bill No. 655 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

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

By Senator Boyle—

S. B. No. 656—A bill to be entitled An Act authorizing the County of Seminole, Florida, to construct, establish and maintain a public hospital in said county; providing for the issuance of bonds of said county to finance the cost of such public

hospital and for approval at a referendum of the issuance of said bonds by the qualified electors who are freeholders in said county; providing for the levy of taxes for the payment of the principal of and interest on said bonds, and providing when this Act shall take effect.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 656 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

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

Which was agreed to by a two-thirds vote.

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

Senator Boyle moved that the rules be further waived and Senate Bill No. 656 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 656 was read the third time in full.

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

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

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

By Senators Boyle and Gautier (28th)—

S. B. No. 657—A bill to be entitled An Act to prohibit the sale and purchase of fresh water scale fish; providing a penalty therefor.

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

By Senator Leaird—

S. B. No. 658—A bill to be entitled An Act exempting written instruments, from excise taxes on documents, under Chapter 201, Florida Statutes, when made, executed and delivered in connection with the sale or lease of tangible personal property, and as a part of such transaction, when a sales or use tax is paid, pursuant to Chapter 212, Florida Statutes, upon such sale or lease.

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

By Senator Rogells—

S. B. No. 659—A bill to be entitled An Act relating to ad valorem taxation; amending Sections 193.25, 193.26, 193.27, 199.12 and 200.19, Florida Statutes, adding three additional sections to be known and designated as Section 193.271, Section 192.61, and Section 193.031, Florida Statutes, relating to the completion of the county tax rolls; the equalization of tax assessments; establishing a County Board of Tax Equalizers in each county and fixing their jurisdiction, powers and duties; providing assessment of property at full cash value to be required; compliance with laws to be required as prerequisite for receiving state funds; limiting millage; defining the duties of the County Assessor of Taxes, the Comptroller, the Clerk of the Circuit Court, and the Board of County Commissioners in this connection; and repealing Sections 199.13, 200.20, 200.21, 200.22 and 200.23, Florida Statutes.

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

By Senator Johnson—

S. B. No. 660—A bill to be entitled An Act providing for a pension to Thomas B. Isler and making appropriation therefor.

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

By Senator Johnson—

S. B. No. 661—A bill to be entitled An Act providing for the registration and certification of all persons engaged in inspectional duties in the field of environmental sanitation relative to the public health; providing for the appointment of a Sanitarian's Registration Advisory Board; providing for the formulation by rule of minimum standards and qualifications for sanitarians and provisions for examinations and certification; providing for examination and certification fees and for annual dues and further providing for a penalty and revocation of license for violations of this chapter.

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

By Senator Ripley—

S. B. No. 662—A bill to be entitled An Act to authorize and empower the City of Jacksonville to make an appropriation of six hundred dollars (\$600.00) per year to the Clara White Mission, a corporation not for profit for the use of the Negro Museum.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 662 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 Ripley moved that the rules be waived and Senate Bill No. 662 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 662 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 662 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. 662 was read the third time in full.

Upon the passage of Senate Bill No. 662 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So Senate Bill No. 662 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Ripley—

S. B. No. 663—A bill to be entitled An Act to authorize and to empower the City of Jacksonville to make appropriations to Clara White Mission, a corporation not for profit for the use of Mercy Hospital to provide care for persons of the Negro race suffering from incurable diseases and disabilities requiring nursing care.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 663 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 Ripley moved that the rules be waived and Senate Bill No. 663 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 663 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 663 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. 663 was read the third time in full.

Upon the passage of Senate Bill No. 663 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So Senate Bill No. 663 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Morrow—

S. B. No. 664—A bill to be entitled An Act subjecting all tangible personal property as defined by Section 200.01, Florida Statutes, located in the State of Florida between January 1 and March 31 of each year to taxation in the county in which the same is situated; repealing all laws in conflict herewith (except Section 200.44, Florida Statutes) and providing the effective date of this Act.

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

By Senator Floyd—

S. B. No. 665—A bill to be entitled An Act fixing a closed season for taking, selling or possessing oysters from privately leased or granted reefs in Franklin County, Florida; providing for transportation of oysters through county during closed season; repealing exemption for home consumption provided by Section 375.15, Florida Statutes, as affecting Franklin County; providing penalties and prescribing effective date of this Act.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 665 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Floyd moved that the rules be waived and Senate Bill No. 665 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 665 was read the second time by title only.

Senator Floyd moved that the rules be further waived and Senate Bill No. 665 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. 665 was read the third time in full.

Upon the passage of Senate Bill No. 665 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So Senate Bill No. 665 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Floyd—

S. B. No. 666—A bill to be entitled An Act prohibiting banks making service charge or collection fee on State or Federal warrants or checks; and providing an action at law for triple damages, costs and attorneys fees.

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

By Senator Dayton—

S. B. No. 667—A bill to be entitled An Act relating to candidates of one political party becoming candidates for other political parties.

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

By Senator Houghton—

S. B. No. 668—A bill to be entitled An Act authorizing the several Boards of County Commissioners of each county in the State of Florida having a population according to the latest official census of not less than 150,000 inhabitants nor more than 225,000 inhabitants and wherein a law library has been established and is being maintained out of the Law Library Fund provided for by Chapter 25606 Laws of Florida, Acts of 1949, to pay, in the sole discretion of said commissioners, out of any moneys available in the General Revenue Fund or the Fine and Forfeiture Fund a reasonable amount for the services of a librarian or librarians of said law libraries and declaring such expenditure to be a proper county purpose.

Which was read the first time by title only.

Senator Houghton 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 Houghton 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—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

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

By Senator Pope—

S. B. No. 669—A bill to be entitled An Act relating to fishing with a cane pole; providing that Florida residents may fish from the banks of any Florida water without a fishing license.

Which was read the first time by title only and referred to the Committee on Game and Fisheries and the Committee on Finance and Taxation, in the order named.

By Senators Shands, Fraser and Hodges—

S. B. No. 670—A bill to be entitled An Act relating to the salaries of the State Attorney and Assistant State Attorney of each Judicial Circuit of the State of Florida embracing six or more counties with a combined total population not exceeding 110,000 and with one or more counties therein having a population of 55,000 or more, according to the last preceding Federal census, and in which circuit there is no criminal court of record, and providing that a part of the salary of each such State Attorney and Assistant State Attorney be paid from the General 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 Federal census; making the same a county purpose; making an annual appropriation therefor; providing the effective date hereof; and repealing all Laws in conflict herewith.

Which was read the first time by title only.

Senator Shands 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 Shands 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—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

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.

By the Committee on Appropriations—

S. B. No. 671—A bill to be entitled An Act setting a limitation upon the salaries which may be paid to certain officers and employees of the State of Florida for the annual periods beginning July 1, of each year.

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

Senator Dayton moved that Senate Bill No. 671 be made a Special and Continuing Order of Business for consideration by the Senate, after the completion of consideration of House Bills on Second Reading which are to be considered as a Special Order of Business, on Monday, May 11, 1953.

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

MESSAGES FROM THE GOVERNOR

The following communications from the Governor were received:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

May 7, 1953

*Hon. Charley E. Johns,
President of the Senate,
State Capitol*

Sir:

I have the honor to inform you that I have today approved the following Act, which originated in your Honorable Body, Regular Session, 1953, and have caused the same to be filed in the office of the Secretary of State:

S. B. No. 26—RELATING TO MEDICAL AND NURSING SCHOOL.

Respectfully,

DAN McCARTY
Governor

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

May 6, 1953

*Hon. Charley E. Johns,
President of the Senate,
State Capitol*

Sir:

I have the honor to inform you that I have today filed in the office of the Secretary of State the following Acts, which originated in your Honorable Body, Regular Session 1953, same having remained in my office for the full Constitutional period of five days, and will become laws without my approval:

S. C. R. No. 147—RELATING TO PARIMUTUEL WAGERING ESTABLISHMENTS.

S. B. No. 491—RELATING TO HIGH SPRINGS.

Respectfully,

DAN McCARTY
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 7, 1953

*Hon. Charley E. Johns,
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 Senators Morrow, Johns, Crary, Gautier (13th), Leaird, Bronson, Boyle, Carlton and Rodgers—

Senate Concurrent Resolution No. 627:

A CONCURRENT RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO PROVIDE FOR THE NECESSARY FEDERAL AID TO MAINTAIN THE CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL PROJECT.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Concurrent Resolution No. 627, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 6, 1953.

Hon. Charley E. Johns,
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 Committee on Judiciary—Criminal—

H. B. No. 552—A bill to be entitled An Act amending Section 36.01(4), Florida Statutes, relating to the original jurisdiction of the county judge by expanding such jurisdiction to embrace high grade misdemeanors; providing effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 552, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "C".

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 6, 1953.

Hon. Charley E. Johns,
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. Burke of Walton—

H. B. No. 84—A bill to be entitled An Act to amend Section 876.05, Florida Statutes, requiring all persons on the payroll of the State of Florida, its departments, agencies and subdivisions, counties and city governments, the state school system, school districts, school boards, or connected with the free public schools or the state institutions of higher learning and all candidates for public office, to take a prescribed oath of loyalty; prescribing penalties and for the dismissal of those failing or refusing to take such oath, and the making of a false oath the crime of perjury and other matters in connection therewith.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 84, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "C".

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 6, 1953.

Hon. Charley E. Johns,
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—Criminal—

H. B. No. 559—A bill to be entitled An Act relating to appeals in criminal cases; amending Subsection two (2) of Section 924.11, Florida Statutes, relating to how appeals are taken in criminal cases; amending Section 924.26, Florida Statutes, relating to the designation of and transmission of papers to the Appellate Court when an appeal is taken by the defendant in a criminal case; amending Section 924.26, Florida Statutes, relating to transmission of papers to Appellate Court upon appeal by the State in a criminal case; and prescribing the effective date hereof.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 559, contained in the above message, was read the first time by title only.

Senator Ripley moved that the rules be waived and House Bill No. 559 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 6, 1953.

Hon. Charley E. Johns,
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—Criminal—

H. B. No. 556—A bill to be entitled An Act relating to assistant state attorneys; to provide for abolishing the offices of assistant state attorneys and to prescribe when they shall stand abolished; to provide for the appointment of assistant state attorneys, and for the revocation of such appointments, by the state attorneys; to prescribe the powers, duties, tenure and compensation of assistant state attorneys appointed under authority of this Act; providing a rule for the construction of this Act; repealing all laws and parts of laws in conflict with this Act; and to provide the effective date hereof, excepting the First, Third, Fourth, Fifth, Sixth and Ninth Judicial Circuits from the operation hereof.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 556, contained in the above message, was read the first time by title only.

Senator Ripley moved that the rules be waived and House Bill No. 556 be placed on the Calendar of Bills on Second Reading, without reference.

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

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 7, 1953

Hon. Charley E. Johns,
President of the Senate.
Sir:

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

By the Committee on Education—Higher Learning—

HOUSE CONCURRENT RESOLUTION NO. 845—A RESOLUTION RELIEVING THE STATE BOARD OF CONTROL OF THE DUTY OF SECURING LEGISLATIVE APPROVAL OF THE ISSUANCE OF REVENUE CERTIFICATES FOR CONSTRUCTION OF DORMITORIES AT FLORIDA STATE UNIVERSITY.

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

The State Board of Control is relieved of the duty of reporting to and securing approval of the Legislature as contemplated by House Bill 323, of the issuance of five hundred thousand (\$500,000.00) dollars of revenue certificates for construction of five (5) small dormitories at Florida State University, for the payment of which said certificates revenues from rental of said dormitories shall be pledged.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Concurrent Resolution No. 845, contained in the above message, was read the first time in full and referred to the Committee on State Institutions.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 7, 1953

*Hon. Charley E. Johns,
President of the Senate.
Sir:*

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

By The Committee on Education—Higher Learning—

HOUSE CONCURRENT RESOLUTION NO. 844—A RESOLUTION RELIEVING THE BOARD OF CONTROL OF CERTAIN DUTIES AS TO PROCEDURE FOR ISSUING OF REVENUE CERTIFICATES TO FINANCE CONSTRUCTION OF THE FLORIDA STATE UNIVERSITY DEMONSTRATION SCHOOL.

WHEREAS, the proposed plans for construction of a demonstration school at the Florida State University have been completed and,

WHEREAS, to secure approval by the Legislature of the issuance of five hundred thousand dollars (\$500,000) in self liquidating revenue certificates for payment of which certain income from Leon County is pledged would delay construction of such school for a period of two years until the 1955 Legislature, NOW THEREFORE,

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

That the State Board of Control is hereby relieved of the duty of reporting to and securing approval of the Legislature as required by House Bill 323, 1953 Legislature, for the issuance of five hundred thousand dollars (\$500,000) in revenue certificates, the payment of interest and principal of which is pledged certain revenues to be received from Leon County, such funds to be expended in construction of a demonstration school at Florida State University as contemplated by item 4 of the 1951 appropriation act, wherein a total cost of such school of eight hundred seventy-five thousand dollars (\$875,000) was approved by the 1951 Legislature.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Concurrent Resolution No. 844, contained in the above message, was read the first time in full and referred to the Committee on State Institutions.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 7, 1953.

*Hon. Charley E. Johns,
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 Finance and Taxation—

Committee Substitute for H. B. No. 397—A bill to be entitled An Act amending Subsections (2), (8), (10) and (12) of Section 550.16 and Subsection (1) of Section 550.26, Florida Statutes, relating to pari-mutuel pools at dog race tracks and horse race tracks; by levying on every licensee conducting dog races, another additional tax on the total contributions to pari-mutuel pools conducted and made each day on dog racing which said tax includes the three per cent pari-mutuel tax provided by Section 550.09, Florida Statutes, and the two per cent "Old Age Assistance Tax" provided by Section 550.16, Florida Statutes, and is levied on a graduated scale in accordance with a schedule set forth in this act; by providing that dog racing at "matinees" and dog racing at night shall be considered and taxed separately in regard to the tax hereby levied; by providing that sixty per cent of the additional tax hereby levied shall be distributed equally among the sixty-seven counties of this state in the same manner that said three per cent tax is distributed to such counties, and that forty per cent of said tax shall be deposited in the "Old Age Assistance Tax Fund"; by prescribing the taxes that shall be included in the maximum commission of licensees on a pari-mutuel pool on dog racing; by providing when and where the tax hereby levied shall be paid; and by increasing the tax, herein described and known as the "breaks tax", on pari-mutuel pools at dog race tracks in order to make the "breaks tax" at dog tracks conform with the "breaks tax" levied on such pools at horse race tracks.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Committee Substitute for House Bill No. 397, contained in the above message, was read the first time by title only and referred to the Committee on Miscellaneous Legislation and the Committee on Finance and Taxation, in the order named.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 6, 1953.

*Hon. Charley E. Johns,
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. Campbell of Okaloosa—

H. B. No. 926—A bill to be entitled An Act designating State Road No. 85 in Okaloosa County as the "Okaloosa Memorial Highway".

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 926, contained in the above message, was read the first time by title only.

Senator Melvin moved that the rules be waived and House Bill No. 926 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 926 was read the second time by title only.

Senator Melvin moved that the rules be further waived and House Bill No. 926 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. 926 was read the third time in full.

Upon the passage of House Bill No. 926 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 926 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 6, 1953.

Hon. Charley E. Johns,
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. Stokes of Bay—

H. B. No. 625—A bill to be entitled An Act applying to all counties in this state having a population of not less than 40,000 and not more than 48,000 inhabitants according to the latest official census and amending Chapter 27,163 Laws of Florida Acts of 1951 creating a small claims court in all counties of this state having a population of not less than 40,000 and not more than 48,000 inhabitants according to the latest official census, relating to jurisdiction; election, appointment, compensation and term of office of the judge; fees; rules of court; jurors and jury trials; offices, equipment and supplies.

Also—

By Mr. Stokes of Bay—

H. B. No. 624—A bill to be entitled An Act to provide for a judge, his election, term of office and qualifications for any small claims court which might be organized and established by the County Commissioners under Chapter 42 in all counties of the State of Florida having a population of not less than 40,000 and not more than 48,000 inhabitants according to the latest official census.

Also—

By Messrs. Morgan, Mahon and Westberry of Duval, Stratton of Nassau and Saunders of Clay—

H. B. No. 808—A bill to be entitled An Act providing for three assistant state attorneys in all judicial circuits of the

State of Florida containing three or more counties, which judicial circuits embrace and include a county having a population of 290,000 or more inhabitants according to the latest Federal census, and providing for the appointment, residence, term of office, powers, duties and compensation of such assistant state attorneys.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 625, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

And House Bill No. 624, contained in the above message, was read the first time by title only.

Senator Tapper moved that the rules be waived and House Bill No. 624 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 624 was read the second time by title only.

Senator Tapper moved that the rules be further waived and House Bill No. 624 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. 624 was read the third time in full.

Upon the passage of House Bill No. 624 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 624 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 808, contained in the above message, was read the first time by title only.

Senator Ripley moved that the rules be waived and House Bill No. 808 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 808 was read the second time by title only.

Senator Ripley moved that the rules be further waived and House Bill No. 808 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. 808 was read the third time in full.

Upon the passage of House Bill No. 808 the roll was called and the vote was:

Yeas—38.

Mr. President	Carlton	Douglas	Houghton
Baker	Clarke	Floyd	Johnson
Beall	Collins	Franklin	King
Black	Connor	Fraser	Leaird
Boyle	Crary	Gautier (28th)	Lewis
Branch	Davis	Gautier (13th)	Lindler
Bronson	Dayton	Hodges	McArthur

Melvin
Morrow
Pearce

Pope
Ripley
Rodgers

Rogells
Shands
Sturgis

Tapper

Yeas—38.

Mr. President
Baker
Beall
Black
Boyle
Branch
Bronson
Carlton
Clarke
Collins

Connor
Crary
Davis
Dayton
Douglas
Floyd
Franklin
Fraser
Gautier (28th)
Gautier (13th)

Hodges
Houghton
Johnson
King
Leaird
Lewis
Lindler
McArthur
Melvin
Morrow

Pearce
Pope
Ripley
Rodgers
Rogells
Shands
Sturgis
Tapper

Nays—None.

So House Bill No. 808 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 6, 1953

*Hon. Charley E. Johns,
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. 939—A bill to be entitled An Act to amend Section 3 of Article II of Chapter A of Chapter 23374, Laws of Florida, Acts of the Legislature Year 1945, being the Charter of the City of Key West, Florida, by eliminating the provision which makes the general laws of the State that are applicable to municipal corporations applicable to the City of Key West, Florida if they do not conflict with ordinances or resolutions enacted by the City Commission; and further eliminating the provision that nothing contained in said Charter be construed as limiting the power of the City Commission to enact ordinances or resolutions not in conflict with the Constitution of the State of Florida, or with state laws, or with express provisions of said Charter. Repealing all laws and parts of laws, whether general or special, particularly Chapter 23374, Laws of Florida, Acts of the Legislature Year 1945, as amended, in conflict with this Act to the extent of such conflict; and providing when Act shall take effect.

Proof of Publication Attached.

Also—

By Mr. Conner of Bradford—

H. B. No. 943—A bill to be entitled An Act extending the city limits of the City of Starke in Bradford County, Florida, so as to include additional territory therein; and providing for referendum election.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 939 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 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 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:

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.

And House Bill No. 943, contained in the above message, was read the first time by title only.

Senator King moved that the rules be waived and House Bill No. 943 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 943 was read the second time by title only.

Senator King moved that the rules be further waived and House Bill No. 943 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. 943 was read the third time in full.

Upon the passage of House Bill No. 943 the roll was called and the vote was:

Yeas—38.

Mr. President
Baker
Beall
Black
Boyle
Branch
Bronson
Carlton
Clarke
Collins

Connor
Crary
Davis
Dayton
Douglas
Floyd
Franklin
Fraser
Gautier (28th)
Gautier (13th)

Hodges
Houghton
Johnson
King
Leaird
Lewis
Lindler
McArthur
Melvin
Morrow

Pearce
Pope
Ripley
Rodgers
Rogells
Shands
Sturgis
Tapper

Nays—None.

So House Bill No. 943 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

May 6, 1953

*Hon. Charley E. Johns,
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. Medlock of Lafayette—

H. B. No. 921—A bill to be entitled An Act relating to the Town of Mayo, Lafayette County, Florida; amending Section 18 of Chapter 23399, Laws of Florida, 1945; by changing qualifications of electors, prescribing qualifications to conform to requirements of State and County electors.

Proof of Publication Attached.

Also—

By Mr. Cook of Flagler—

H. B. No. 920—A bill to be entitled An Act relating to the nomination and election of the County Commissioners of Flagler County, Florida, and to provide for their nomination

and election by the voters of said County at large and not by districts, and to prescribe where they shall reside.

Proof of Publication Attached.

Also—

By Mr. Campbell of Okaloosa—

H. B. No. 923—A bill to be entitled An Act authorizing Okaloosa County, Florida, to construct or acquire a courthouse or jail, or both, or additions and improvements to any existing courthouse or jail; providing for the levy of a special tax to pay for the cost thereof; authorizing the issuance of certificates of indebtedness in anticipation of the levy and collection of said special taxes; authorizing said county to pledge to the payment of the principal of and interest on said certificates of indebtedness the monies received by said county from taxes on race tracks in the State of Florida; providing for the terms and conditions of said certificates of indebtedness and the rights of the holders thereof; and providing when this Act shall take effect.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 921 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 921, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 920 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 920, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 923 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 923, contained in the above message, was read the first time by title only.

Senator Melvin moved that the rules be waived and House Bill No. 923 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 923 was read the second time by title only.

Senator Melvin moved that the rules be further waived and House Bill No. 923 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. 923 was read the third time in full.

Upon the passage of House Bill No. 923 the roll was called and the vote was:

Yeas—38.

Mr. President	Carlton	Douglas	Houghton
Baker	Clarke	Floyd	Johnson
Beall	Collins	Franklin	King
Black	Connor	Fraser	Leaird
Boyle	Crary	Gautier (28th)	Lewis
Branch	Davis	Gautier (13th)	Lindler
Bronson	Dayton	Hodges	McArthur

Melvin	Pope	Rogells	Tapper
Morrow	Ripley	Shands	
Pearce	Rodgers	Sturgis	

Nays—None.

So House Bill No. 923 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 6, 1953.

Hon. Charley E. Johns,
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, Shaffer and Petersen of Pinellas—

H. B. No. 931—A bill to be entitled An Act: providing for uniform hours during which establishments dealing in alcoholic beverages in Pinellas County, Florida, including those located in municipalities therein, must remain closed, but permitting such municipalities to establish even shorter hours; defining restaurants, clubs and other establishments dealing in alcoholic beverages and other terms used in this Act; providing for certain hours, regulations and exceptions as to certain of said establishments; prohibiting the employment of minors in such establishments, with exceptions; containing legislative findings as to the public effect of hours previously established; repealing and superseding Chapter 26150, Special Acts of 1949, and Chapter 26463, Special Acts of the Special Session of 1949; and repealing all laws and parts of laws in conflict herewith so far as applicable to Pinellas County.

Proof of Publication Attached.

Also—

By Mr. Campbell of Okaloosa—

H. B. No. 924—A bill to be entitled An Act to authorize the Board of County Commissioners of Okaloosa County to require compliance with the minimum requirements of the applicable provisions of the State Sanitary Code by restaurants and places where non-alcoholic beverages are sold to the public as a necessary condition for the issuance or continuation of a county license.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 931 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 931, contained in the above message, was read the first time by title only.

Senator Houghton moved that the rules be waived and House Bill No. 931 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 931 was read the second time by title only.

Senator Houghton moved that the rules be further waived and House Bill No. 931 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. 931 was read the third time in full.

Upon the passage of House Bill No. 931 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 931 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 924 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 924, contained in the above message, was read the first time by title only.

Senator Melvin moved that the rules be waived and House Bill No. 924 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 924 was read the second time by title only.

Senator Melvin moved that the rules be further waived and House Bill No. 924 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. 924 was read the third time in full.

Upon the passage of House Bill No. 924 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 924 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 6, 1953.

*Hon. Charley E. Johns,
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. Land and Keezel of Orange—

H. B. No. 936—A bill to be entitled An Act to provide for and permit in Orange County the permissive closing of banks, trust companies and other financial organizations on Saturday or Wednesday and providing that as to all banking transactions Saturday or Wednesday shall be a legal holiday as to banks or other financial institutions closing under

this law, and providing for the repeal of all laws in conflict herewith.

Proof of Publication Attached.

Also—

By Mr. Papy of Monroe—

H. B. No. 937—A bill to be entitled An Act to amend Section 1 of Article VI of Chapter A of Chapter 23374, Laws of Florida, Acts of the Legislature year 1945, being the charter of the City of Key West, Florida, by providing a new method for effecting amendments to the charter of said city; declaring null and void all proceedings for amendment of the city charter under the provisions of the aforesaid Section 1 of Article VI of Chapter A had and taken prior to the passage of this Act. Repealing all laws and parts of laws, whether general or special, particularly Chapter 23374, Laws of Florida, Acts of the Legislature year 1945, as amended, in conflict with this Act to the extent of such conflict; and providing when Act shall take effect.

Proof of Publication Attached.

Also—

By Mr. Papy of Monroe—

H. B. No. 938—A bill to be entitled An Act creating the "Monroe County Advertising Commission" and providing for the appointment of its members by the Board of County Commissioners of Monroe County, Florida, also the time of appointment of the first Advertising Commission hereunder and its organization; declaring the purposes of said Advertising Commission; authorizing and empowering said Board of County Commissioners to raise by taxation and appropriate funds annually not in excess of ten thousand dollars for use by said Advertising Commission in advertising; providing for the expenditure of said funds on the requisition of the Advertising Commission and prohibiting the use of said funds for certain purposes; repealing all laws and parts of laws, whether general or special, in conflict with this Act to the extent of such conflict; and providing when Act shall take effect.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 936 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 936, contained in the above message, was read the first time by title only.

Senator Rodgers moved that the rules be waived and House Bill No. 936 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 936 was read the second time by title only.

Senator Rodgers moved that the rules be further waived and House Bill No. 936 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. 936 was read the third time in full.

Upon the passage of House Bill No. 936 the roll was called and the vote was:

Yeas—38.

Mr. President	Branch	Connor	Floyd
Baker	Bronson	Crary	Franklin
Beall	Carlton	Davis	Fraser
Black	Clarke	Dayton	Gautier (28th)
Boyle	Collins	Douglas	Gautier (13th)

Hodges	Lewis	Pearce	Shands
Houghton	Lindler	Pope	Sturgis
Johnson	McArthur	Ripley	Tapper
King	Melvin	Rodgers	
Leaird	Morrow	Rogells	

Nays—None.

So House Bill No. 936 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 937 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 937, 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. 937 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 937 was read the second time by title only.

Senator Franklin moved that the rules be further waived and House Bill No. 937 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. 937 was read the third time in full.

Upon the passage of House Bill No. 937 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 937 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 938 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

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

Which was agreed to by a two-thirds vote.

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

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

Upon the passage of House Bill No. 938 the roll was called and the vote was:

Yeas—38.

Mr. President	Beall	Boyle	Bronson
Baker	Black	Branch	Carlton

Clarke	Franklin	Leaird	Ripley
Collins	Fraser	Lewis	Rodgers
Connor	Gautier (28th)	Lindler	Rogells
Crary	Gautier (13th)	McArthur	Shands
Davis	Hodges	Melvin	Sturgis
Dayton	Houghton	Morrow	Tapper
Douglas	Johnson	Pearce	
Floyd	King	Pope	

Nays—None.

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

Senator Houghton asked unanimous consent of the Senate to take up and consider Senate Bill No. 152, out of its order.

Which was agreed to.

S. B. No. 152—A bill to be entitled An Act providing for an additional club liquor license in all Counties of the State of Florida having a population of not less than 125,250 nor more than 185,400 persons according to the 1950 Federal census.

Was taken up.

Senator Houghton moved that the rules be waived and Senate Bill No. 152 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 152 was read the second time by title only.

Senator Houghton moved that the rules be further waived and Senate Bill No. 152 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. 152 was read the third time in full.

Upon the passage of Senate Bill No. 152 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So Senate Bill No. 152 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

SPECIAL AND CONTINUING ORDER

Pursuant to the motion made by Senator Tapper on May 6, 1953, and the hour having arrived, the Senate took up for consideration as a Special and Continuing Order of Business:

S. B. No. 557—A bill to be entitled An Act relating to racing dates and seasons at horse race tracks and amending Sub-section (3) of Section 550.081, Florida Statutes, setting up rotation system of allocating racing period where three tracks are within a radius of one hundred (100) air miles of each other.

Senator Tapper moved that the rules be waived and Senate Bill No. 557 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 557 was read the second time by title only.

The following Committee Substitute for Senate Bill No. 557:

By the Committee on Miscellaneous Legislation:

Committee Substitute for Senate Bill No. 557—

A bill to be entitled An Act amending Section 550.081, Florida Statutes, 1951; and allocating and providing the period of operation of horse race tracks and prohibiting future permits in this State where three horse race tracks are located within a radius of one hundred air miles of each other; providing and establishing annual racing seasons; allocating such racing seasons into three racing periods, for the rotation of such periods; and making findings and declaration of policy relative thereto, and other things or matters in connection therewith.

Was taken up and read the first time by title only.

Senator Tapper moved that the rules be waived and the Committee Substitute for Senate Bill No. 557 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And the Committee Substitute for Senate Bill No. 557 was read the second time by title only.

Senator Tapper moved the adoption of the Committee Substitute for Senate Bill No. 557.

Which was agreed to and the Committee Substitute for Senate Bill No. 557 was adopted.

Senator Pope offered the following amendment to Committee Substitute for Senate Bill No. 557:

In Section (4), line five (5), (typewritten bill) strike out the words: "second" and in line seven (7) strike out the word "third" and in line eight (8) strike out the word "first", and insert in lieu thereof the following: In line five (5) the word "third:" In line seven (7) the word "first:" In line eight (8) the word "second."

Senator Pope moved the adoption of the amendment.

A roll call was demanded.

Upon the adoption of the amendment offered by Senator Pope to Committee Substitute for Senate Bill No. 557 the roll was called and the vote was:

Yeas—14.

Carlton	Franklin	Lewis	Ripley
Clarke	Gautier (13th)	McArthur	Sturgis
Collins	King	Morrow	
Crary	Leaird	Pope	

Nays—24.

Mr. President	Bronson	Fraser	Melvin
Baker	Connor	Gautier (28th)	Pearce
Beall	Davis	Hodges	Rodgers
Black	Dayton	Houghton	Rogells
Boyle	Douglas	Johnson	Shands
Branch	Floyd	Lindler	Tapper

So the amendment failed of adoption.

Senator Tapper moved that the rules be further waived and Committee Substitute for Senate Bill No. 557 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Bill No. 557 was read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 557 the roll was called and the vote was:

Yeas—23.

Mr. President	Bronson	Gautier (28th)	Melvin
Baker	Davis	Hodges	Rodgers
Beall	Dayton	Houghton	Rogells
Black	Douglas	Johnson	Shands
Boyle	Floyd	Leaird	Tapper
Branch	Fraser	Lindler	

Nays—15.

Carlton	Collins	Crary	Gautier (13th)
Clarke	Connor	Franklin	King

Lewis	Morrow	Pope	Sturgis
McArthur	Pearce	Ripley	

So Committee Substitute for Senate Bill No. 557 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

SENATE BILLS ON THIRD READING

S. B. No. 397—A bill to be entitled An Act relating to worthless checks; making it unlawful to make, issue, utter or deliver checks or other written 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, establishing evidence of worthless checks; providing an exception; and providing penalties for violations.

Which was pending roll call, having been read the third time in full, as amended, on May 6, 1953, was taken up in its order.

By unanimous consent Senator Collins offered the following amendment to Senate Bill No. 397:

In Section 1, Sub-section (2), line 12, (typewritten bill) after the word "same" insert the following: "or has reason to believe"

Senator Collins moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator Collins also offered the following amendment to Senate Bill No. 397:

In Section 1, Sub-section 3 at the end of such subsection add the following "Provided however that no crime may be charged in respect to the giving of any such check or draft or other written order where the payee knows or has been expressly notified or has reason to believe that the drawer did not have on deposit or to his credit with the drawee sufficient funds to insure payment thereof."

Senator Collins moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator Collins also offered the following amendment to Senate Bill No. 397:

In Section 1, Subsection 6 strike out Subsection (a) and insert in lieu thereof the following: "Any person violating the provisions of this Act shall be punished in the same manner as provided by law for punishment for the crime of larceny."

Senator Collins moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator King presiding.

By unanimous consent Senator Johnson offered the following amendment to Senate Bill No. 397:

In Section 5, at the end of section, (typewritten bill) strike out the period, insert a semi-colon and add the following: "provided, however, if it is determined at the trial in a prosecution hereunder, that the payee of any such check, draft or written order at the time of accepting such check, draft or written order, had knowledge of or reason to believe that the drawee of such check, draft or written order did not have sufficient funds on deposit in or credit with such payee bank, then the payee instituting such criminal prosecution shall be assessed all costs of court incurred in connection with such prosecution."

Senator Johnson moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Upon the passage of Senate Bill No. 397, as amended, the roll was called and the vote was:

Yeas—17.

Baker	Connor	King	Rodgers
Beall	Crary	Leaird	Tapper
Boyle	Franklin	Lindler	
Bronson	Gautier (28th)	McArthur	
Collins	Johnson	Morrow	

Nays—19.

Black	Douglas	Houghton	Ripley
Carlton	Floyd	Lewis	Rogells
Clarke	Fraser	Melvin	Shands
Davis	Gautier (13th)	Pearce	Sturgis
Dayton	Hodges	Pope	

So Senate Bill No. 397, as amended, failed to pass.

Senate Bill No. 252 was taken up in its order and the consideration thereof was informally passed, the bill retaining its place on the Calendar of Bills on Second Reading.

S. B. No. 322—A bill to be entitled An Act relating to savings banks; adding Sections 654.001 and 654.09 to Chapter 654, Florida Statutes, to provide for the incorporation of savings banks and the supervision and control thereof; and providing the effective date of this Act.

Was taken up in its order.

Senator Clarke moved that the rules be waived and Senate Bill No. 322 be read the second time by title only.

Which was agreed to by a two-thirds vote.

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

Senator Clarke moved that the rules be further waived and Senate Bill No. 322 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 322 was read the third time in full.

Upon the passage of Senate Bill No. 322 the roll was called and the vote was:

Yeas—32.

Baker	Crary	Hodges	Morrow
Beall	Davis	Houghton	Pearce
Black	Dayton	King	Pope
Bronson	Douglas	Leaird	Ripley
Carlton	Franklin	Lewis	Rodgers
Clarke	Fraser	Lindler	Rogells
Collins	Gautier (28th)	McArthur	Shands
Connor	Gautier (13th)	Melvin	Sturgis

Nays—None.

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

Senate Bill No. 399 was taken up in its order and the consideration thereof was informally passed, the bill retaining its place on the Calendar of Bills on Second Reading.

Senator Ripley asked unanimous consent of the Senate to take up and consider House Bill No. 559, out of its order.

Which was agreed to.

H. B. No. 559—A bill to be entitled An Act relating to appeals in criminal cases; amending Sub-section two (2) of Section 924.11, Florida Statutes, relating to how appeals are taken in criminal cases; amending Section 924.25, Florida Statutes, relating to the designation of and transmission of papers to the Appellate Court when an appeal is taken by the defendant in a criminal case; amending Section 924.26, Florida Statutes, relating to transmission of papers to Appellate Court upon appeal by the State in a criminal case; and prescribing the effective date hereof.

Was taken up.

Senator Ripley moved that the rules be waived and House Bill No. 559 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 559 was read the second time by title only.

Senator Ripley moved that the rules be further waived and House Bill No. 559 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. 559 was read the third time in full.

Upon the passage of House Bill No. 559 the roll was called and the vote was:

Yeas—35.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	King	Ripley
Black	Dayton	Leaird	Rodgers
Branch	Douglas	Lewis	Rogells
Bronson	Franklin	Lindler	Shands
Carlton	Fraser	McArthur	Sturgis
Clarke	Gautier (28th)	Melvin	Tapper
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 559 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The President presiding.

By unanimous consent Senator Beall, Chairman of the Committee on Judiciary "A", withdrew Senate Bill No. 400.

S. B. No. 281—A bill to be entitled An Act relating to election laws, amending Section 101.36, Florida Statutes, by providing and setting out requirements to be followed in the use of voting machines by counties which have adopted such machines; providing for cities at their option to use such machines and granting authority to county commissioners to permit such use when requested by municipalities.

Was taken up in its order.

Senator King moved that the rules be waived and Senate Bill No. 281 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 281 was read the second time by title only.

Senator King offered the following amendment to Senate Bill No. 281:

At the end of Section 1 add two (2) sections to be numbered and to read as follows:

Section 2. Any election held prior to the effective date of this Act in any municipality in accordance with the provisions of Section 101.36, Florida Statutes, as amended by this Act, is hereby validated in all respects.

Section 3. This Act shall take effect immediately upon becoming a law.

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator King also offered the following amendment to Senate Bill No. 281:

In title at the end of the title, strike out the period, insert a semicolon and add the following: "Validating elections heretofore held in any municipality in accordance with this Act and providing the effective date of this Act.

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator King moved that the rules be further waived and Senate Bill No. 281, 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. 281, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 281, as amended, the roll was called and the vote was:

Yeas—33.

Baker	Crary	Hodges	Pope
Beall	Davis	Houghton	Ripley
Black	Dayton	King	Rodgers
Branch	Douglas	Leaird	Rogells
Bronson	Floyd	Lindler	Sturgis
Carlton	Franklin	McArthur	Tapper
Clarke	Fraser	Melvin	
Collins	Gautier (28th)	Morrow	
Connor	Gautier (13th)	Pearce	

Nays—None.

So Senate Bill No. 281 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Dayton presiding.

Senator Rodgers asked unanimous consent of the Senate to take up and consider House Bill No. 134, out of its order.

Which was agreed to.

H. B. No. 134—A bill to be entitled An Act to amend Chapter 642, Florida Statutes, relating to accident and sickness insurance, by adding thereto a new section to be designated Section 642.031, in substitution for present Section 642.03, Florida Statutes, relating to the form and content of accident and sickness policies, and in substitution for Subsection 642.04(1), Florida Statutes, relating to family group accident and sickness insurance, said new section providing for individual accident and sickness insurance, form of policies, policy provisions and explanations thereof, the riders or endorsements to be attached thereto or affixed thereon, the applications to be used therewith, and the powers, duties and obligations of the commissioner with respect to approval thereof; fixing the effective date of this act; continuing in effect certain provisions of said Section 642.03 and said Subsection 642.04(1) under stated conditions during the three-year period immediately subsequent to said effective date, and repealing said section and said subsection on October 1, 1956.

Was taken up.

Senator Rodgers moved that the rules be waived and House Bill No. 134 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 134 was read the second time by title only.

Senator Rodgers moved that the rules be further waived and House Bill No. 134 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. 134 was read the third time in full

Upon the passage of House Bill No. 134 the roll was called and the vote was:

Yeas—33.

Baker	Crary	Johnson	Ripley
Beall	Dayton	King	Rodgers
Black	Douglas	Leaird	Rogells
Branch	Floyd	Lindler	Shands
Bronson	Franklin	McArthur	Sturgis
Carlton	Fraser	Melvin	Tapper
Clarke	Gautier (28th)	Morrow	
Collins	Gautier (13th)	Pearce	
Connor	Houghton	Pope	

Nays—None.

So House Bill No. 134 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Rodgers withdrew Senate Bill No. 121.

S. B. No. 57—A bill to be entitled An Act to protect and control the artesian waters of the State; providing duties of certain state and county officers in regard thereto; and providing a penalty for the violation of this Act.

Was taken up in its order.

Senator Rogells moved that the rules be waived and Senate Bill No. 57 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 57 was read the second time by title only.

Senator Rogells offered the following amendment to Senate Bill No. 57:

Strike out Section 6 and Section 7 in their entirety, and insert in lieu thereof the following:

Section 6. Nothing in this Act shall be construed to apply to an artesian well feeding a lake already in existence prior to the passage of this Act, which lake is used or intended to be used for public bathing and/or the propagation of fish, where the continuous flow of water is necessary to maintain its purity for bathing and the water level of said lake for fish.

Section 7. All laws and parts of laws in conflict with this Act are hereby repealed.

Section 8. This Act shall take effect immediately upon becoming a law.

Senator Rogells moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Rogells moved that the rules be waived and the further consideration of Senate Bill No. 57, as amended, be informally passed, the bill retaining its place on the Calendar of Bills on Second Reading.

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

S. B. No. 85—A bill to be entitled An Act amending Section 374.23, Florida Statutes, relating to the taking, possessing, buying, selling or shipping of fresh or freshly-salted mullet or mullet roe within the State of Florida; repealing conflicting laws; fixing effect date.

Was taken up in its order.

Senator Connor moved that the rules be waived and Senate Bill No. 85 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 85 was read the second time by title only.

Senator Connor moved that the rules be further waived and Senate Bill No. 85 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. 85 was read the third time in full.

Upon the passage of Senate Bill No. 85 the roll was called and the vote was:

Yeas—33.

Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Branch	Douglas	Lewis	Rogells
Bronson	Floyd	Lindler	Sturgis
Carlton	Franklin	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	
Connor	Hodges	Pearce	

Nays—None.

So Senate Bill No. 85 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 228—A bill to be entitled An Act relating to salt water fisheries, amending Section 374.30, Florida Statutes, by requiring a license for the sale of frozen seafood; amending Section 374.31, Florida Statutes by extending the definition of wholesale and retail seafood dealers to include sellers of frozen seafood.

Was taken up in its order.

Senator Connor moved that the rules be waived and Senate Bill No. 228 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 228 was read the second time by title only.

Senator Connor moved that the rules be further waived and Senate Bill No. 228 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. 228 was read the third time in full.

Upon the passage of Senate Bill No. 228 the roll was called and the vote was:

Yeas—35.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Branch	Douglas	Leaird	Rogells
Bronson	Floyd	Lewis	Shands
Carlton	Franklin	Lindler	Sturgis
Clarke	Gautier (28th)	McArthur	Tapper
Collins	Gautier (13th)	Morrow	

Nays—1.

Melvin

So Senate Bill No. 228 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 298 was taken up in its order and the consideration thereof was informally passed, the bill retaining its place on the Calendar of Bills on Second Reading.

Senate Joint Resolution No. 179;

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 28 OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO EXECUTIVE APPROVAL OF BILLS BY PROVIDING THAT AFTER FINAL ADJOURNMENT OF THE LEGISLATURE THE GOVERNOR SHALL HAVE TWENTY (20) DAYS IN WHICH TO APPROVE OR VETO BILLS.

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

That Article III, Section 28 of the Constitution of the State of Florida be amended, 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 next general election to be held on the Tuesday after the first Monday in November, 1954, as follows:

Section 28. **Executive approval of acts; veto; over-riding veto.**—Every bill that may have passed the Legislature shall, before becoming a law, be presented to the Governor; if he approves it he shall sign it, but if not he shall return it with his objections to the House in which it originated, which House shall cause such objections to be entered upon its Journal, and proceed to reconsider it; if, after such reconsideration, it shall pass both Houses by a two-thirds vote of members present, which vote shall be entered on the Journal of each House, it shall become a law. If any bill shall not be returned within five days after it shall have been presented to the Governor, (Sunday excepted) the same shall be a law, in like manner as if he had signed it. If the Legislature, by its final adjournment prevent such action, such bill shall be a law, unless the Governor within twenty (20) days after the adjournment, shall file such bill, with his objections thereto, in the office of the Secretary of State, who shall lay the same before the Legislature at its next session, and if the same shall receive two-thirds of the votes present it shall become a law.

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

Senator Sturgis moved that the rules be waived and Senate Joint Resolution No. 179 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. 179 was read the third time in full.

Upon the passage of Senate Joint Resolution No. 179 the roll was called and the vote was:

Yeas—35.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Branch	Douglas	Lewis	Rogells
Bronson	Floyd	Lindler	Shands
Carlton	Franklin	McArthur	Sturgis
Clarke	Gautier (28th)	Melvin	Tapper
Collins	Gautier (13th)	Morrow	

Nays—None.

So Senate Joint Resolution No. 179 passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1953 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

Senate Joint Resolution No. 374:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE IX, SECTION 11 OF THE CONSTITUTION OF THE STATE OF FLORIDA PERTAINING TO PROHIBITION OF INCOME TAX, INHERITANCE TAX, AND EXEMPTIONS FOR HEAD OF FAMILY; BY PROVIDING THAT HOUSEHOLD GOODS AND PERSONAL EFFECT EXEMPTION TO THE HEAD OF A FAMILY SHALL BE ONE THOUSAND DOLLARS.

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

That Article IX, Section 11 of the Constitution of Florida be amended, 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 next general election to be held on the first Tuesday after the first Monday in November, 1954, as follows:

Section 11. **Income tax prohibited; inheritance tax; exemption for head of family.**—No taxes upon inheritances or upon the income of residents or citizens of this State shall be levied by the State of Florida, or under its authority, and there shall be exempt from taxation to the head of the family residing in this State, household goods and personal effect to the value of one thousand dollars, (\$1,000.00); provided however, that the Legislature may provide for the assessment, levying and collection of a tax upon inheritances, or for the levying of estate taxes, not exceeding in the aggregate the amounts which may by any law of the United States be allowed to be credited against or deducted from any similar tax upon inheritances, or taxes on estates assessed or levied by the United States on the same subject, but the power of the Legislature to levy such inheritance taxes, or estate taxes in this State, shall exist only so long as, and during the time a similar tax is enforced by the United States against Florida inheritances or estates and shall only be exercised or enforced to the extent of absorbing the amount of any deduction or credit which may be permitted by the laws of the United States, now existing or hereafter enacted to be claimed by reason thereof, as a deduction or credit against such similar tax of the United States applicable to Florida inheritances or estates. The Legislature may provide for the appropriation of all taxes collected under this article to such state, county, municipal or educational purposes as it may deem advisable.

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

Senator Gautier (28th) moved that the rules be waived and Senate Joint Resolution No. 374 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. 374 was read the third time in full.

Upon the passage of Senate Joint Resolution No. 374 the roll was called and the vote was:

Yeas—13.

Mr. President	Dayton	Lindler	Sturgis
Beall	Douglas	Morrow	
Black	Gautier (28th)	Rogells	
Branch	Johnson	Shands	

Nays—20.

Baker	Crary	Houghton	Pearce
Bronson	Davis	King	Pope
Carlton	Floyd	Lewis	Ripley
Clarke	Franklin	McArthur	Rodgers
Collins	Gautier (13th)	Melvin	Tapper

So Senate Joint Resolution No. 374 failed to pass.

Senator King, Chairman of the Committee on Rules and Calendar, moved that the rules be waived and when the Senate adjourns it adjourn to reconvene at 1:00 o'clock P. M. Monday, May 11, 1953.

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

S. B. No. 272—A bill to be entitled An Act designating and defining Florida State Day.

Was taken up in its order.

Senator Pope moved that the rules be waived and Senate Bill No. 272 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 272 was read the second time by title only.

The Committee on Education offered the following amendment to Senate Bill No. 272:

In Section 2 (typewritten bill) strike out all of Section 2 and insert in lieu thereof the following:

Section 2. "The Governor may annually issue a proclamation designating April 2 as said State Day and designating the week of March 27 to April 2 as "Pascua Florida" week at the suggestion of Mary A. Harrell, and calling upon public schools and citizens of Florida to observe the same as a patriotic occasion. Said Day will be observed on April 2 unless the day fall on Saturday or Sunday, in which event the Governor may declare the preceding Friday or following Monday as State Day.

Senator Pope moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Pope moved that the rules be further waived and Senate Bill No. 272, 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. 272, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 272, as amended, the roll was called and the vote was:

Yeas—34.

Mr. President	Connor	Gautier (13th)	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Branch	Douglas	Lewis	Shands
Bronson	Floyd	Lindler	Sturgis
Carlton	Franklin	McArthur	Tapper
Clarke	Fraser	Melvin	
Collins	Gautier (28th)	Morrow	

Nays—None.

So Senate Bill No. 272 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator King moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 12:57 o'clock P. M., until 1:00 o'clock P. M., Monday May 11, 1953, pursuant to the motion made, this day, by Senator King, Chairman of the Committee on Rules and Calendar.