

JOURNAL OF THE SENATE

500

Friday, May 15, 1953

The Senate convened at 9:30 o'clock A. M., pursuant to adjournment on Thursday, May 14, 1953.

The President in the Chair.

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

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

—35.

A quorum present.

Senators Boyle, Floyd and Shands were excused from attendance upon the session today.

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

The reading of the Journal was dispensed with.

The Senate daily Journal of Tuesday, May 12, 1953, was further corrected as follows:

Page 8, column 2, strike out line 12, counting from the bottom of the column, and insert in lieu thereof the following:

"By Messrs. Stokes and Mashburn of Bay—"

Also —

Page 23, column 2, line 8, between the words "Senator" and "moved" insert the name "Dayton"

And as further corrected was approved.

The Senate daily Journal of Wednesday, May 13, 1953, was further corrected as follows:

Page 12, column 1, line 5, counting from the bottom of the column, strike out the period at the end of the line and add the following:

"immediately, by waiver of the rule."

Also—

Page 12, column 1, line 18, strike out the word "qualification" and insert in lieu thereof the word "qualifications"

Also—

Page 13, column 2, line 29, strike out the word "law" and insert in lieu thereof the word "Act"

Also—

Page 17, column 1, between lines 5 and 6, counting from the bottom of the column, insert the following:

"Which was agreed to."

And as further corrected was approved.

The Senate daily Journal of Thursday, May 14, 1953, was corrected as follows:

Page 31, column 1, at the end of line 30, add the following:

"Committee Substitute for"

And as corrected was approved.

REPORTS OF COMMITTEES

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

S. B. No. 700—A bill to be entitled An Act regulating agreements for the maintenance or personal care for a period of one or more years or for life for a fixed fee; vesting the administration of this act in the insurance commissioner; prescribing prerequisites prior to entering into said agreements and the rights of the parties thereto; prescribing penalties for the violation of this Act and providing the effective date.

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

S. B. No. 550—A bill to be entitled An Act amending Subsections (2) and (3) of Section 561.46, Florida Statutes, relating to Beverage Law providing a reduction in taxes paid on certain wines by manufacturers and distributors.

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

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

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

S. B. No. 602—A bill to be entitled An Act imposing a gross receipts tax on premiums on bail bonds in Florida; appropriating all taxes collected to law enforcement purposes, and providing a penalty for violation.

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

S. B. No. 566—A bill to be entitled An Act to amend Section 933.14, Florida Statutes, relating to the return of property taken under search warrants or taken by search without a warrant.

S. B. No. 681—A bill to be entitled An Act restricting and limiting the keeping, possessing and exhibiting of poisonous or venomous reptiles without permit or licenses providing for the issuance of such permits and licenses in certain cases and prescribing regulations and restrictions for the keeping, possessing and exhibiting of poisonous and venomous reptiles requiring the posting of bond by exhibitors of poisonous and venomous reptiles and providing a penalty for the violation of the provisions of this Act.

S. B. No. 683—A bill to be entitled An Act relating to the control of certain animals, insects, fish and fowl, prohibiting the release or running at large thereof, and providing a penalty for the violation of the provisions 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 Crary, Chairman of the Committee on County Organizations, reported that the Committee had carefully considered the following Bill:

S. B. No. 578—A bill to be entitled An Act to empower municipalities and counties, individually or jointly, to control their development through planning, zoning, subdivision regulation, the reservation of mapped street locations for future public acquisition and the regulation of building in the land reserved for such mapped streets; providing for the establishment, government and maintenance of planning and zoning commissions and their staffs, and boards of zoning appeals and their staffs; enabling the planning and zoning commissions and boards of zoning appeals to establish and collect reasonable fees for permits, inspections and public hearings in connection with their operation; providing for penalties for violation of the provisions of this Act and the regulations adopted pursuant thereto; and for certain appeals and for applications to courts for relief.

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

H. B. No. 246—A bill to be entitled An Act relating to arrest fees and mileage paid to Sheriffs or Constables when arrest is made jointly with the Highway Patrol; amending Subsection (4) of Section 321.05, Florida Statutes.

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.

Committee Substitute for H. B. No. 82—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.

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

S. B. No. 42—A bill to be entitled An Act prohibiting the keeping, possession, transporting or exhibition within the State of Florida, boa constrictors, anacondas, pythons, cobras, or any venomous reptiles not indigenous to the State of Florida and providing a penalty for the violation of this Act, and repealing all laws or parts of laws in conflict herewith.

S. B. No. 607—A bill to be entitled An Act relating to the granting of ex parte orders by Circuit Courts for the interception of telegraphic and telephonic communications upon oath of certain public officers and employees that evidence of violation of laws against setting up, conducting and operating lotteries, bookmaking, other gambling and fraud of public agencies may be obtained thereby; providing the maximum limitation on the existence of such orders and providing that evidence thus obtained may be admitted in any court of competent jurisdiction in this State.

S. B. No. 765—A bill to be entitled An Act making funds received by contractor and subcontractors for any public improvement, construction or work, trust funds in the hands of such contractors and subcontractors to be applied first to the payment of claims arising out of such

improvement, construction or work; making it larceny for any contractor or subcontractor or any officer, director or agent of any contractor or subcontractor to apply or consent to the application of such funds for any purpose except to pay such claims until they are paid in full; providing the penalties for such larceny; and providing the effective date hereof.

—and recommends that the same do not pass.

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

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

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" levied on such pools at horse race tracks.

—and recommends that the same not pass.

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

ENGROSSING REPORT

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

S. B. No. 442—A bill to be entitled An Act to amend Sections 239.19, 239.22, 239.23, 239.24, 239.38, 239.41, 239.42, 239.43 and 239.44, Florida Statutes, relating to scholarships in the institutions of higher learning of the State; the qualifications of applicants; value of scholarships; procedure for issuance of scholarships; and execution of notes by and collection or satisfaction of such notes by certain scholarship holders under certain conditions.

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

Very respectfully,

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

And Senate Bill No. 442, contained in the above report was ordered certified to the House of Representatives.

ENROLLING REPORTS

Your Enrolling Clerk, to whom was referred—

S. B. No. 452

—begs leave to report same has been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on May 14, 1953.

Very respectfully,

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

Your Enrolling Clerk, to whom was referred—

Committee Substitute for H. B. No. 46.

—begs leave to report same has been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on May 14, 1953.

Very respectfully,

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

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senators Franklin, Gautier (13th) and Rodgers—

S. B. No. 782—A bill to be entitled An Act relating to the formation, powers, amendment of certificates of incorporation, merger or consolidation and dissolution of corporations; filing fees and taxes, and capital stock taxes of corporations; rights and obligations of directors and stockholders of corporations; revising and consolidating Chapters 611, 612 and portions of 610, Florida Statutes; adding a new Chapter 608 to the Florida Statutes; repealing Sections 610.01 to 610.27, inclusive, 610.30, 610.37 to 610.41, inclusive, 611.01 to 611.28, inclusive, 611.30 to 611.40, inclusive, 612.01 to 612.64, inclusive, Florida Statutes; providing an effective date.

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

By Senators Shands, Fraser, Collins, Gautier (28th), Ripley, Pope and Carlton—

S. B. No. 783—A bill to be entitled An Act authorizing the formulation and operation of program for prevention, care, treatment and rehabilitation of alcoholics; requiring construction of rehabilitation center for alcoholism in Highlands County, Florida, in connection with said program; vesting administration of act in board of commissioners of State Institutions; creating advisory council and prescribing its powers, duties and compensation; providing an appropriation and requiring transfer of certain funds; repealing Chapter 396, Florida Statutes, and providing effective date of this Act.

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

By Senator Rogells—

S. B. No. 784—A bill to be entitled An Act amending Section 38.22, Florida Statutes, relating to contempt of court and punishment therefor.

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

By Senator Gautier (13th)—

S. B. No. 785—A bill to be entitled An Act declaring that the placing of sidewalks, the making of street improvements, sanitary improvements and the like are proper and necessary parts of school plants and the properties of other State Boards or Agencies, when such facilities are lawfully constructed and specially benefit such properties within the meaning of the laws governing special assessments; authorizing and directing the Board of Public Instruction of Dade County, Florida, and any and all other boards and agencies in Dade County, Florida, having the control and disposition of tax derived money, to expend and distribute such portion of public school funds or the funds of any of said other boards or agencies, as may be necessary for the purpose of paying off and discharging lawfully imposed encumbrances upon school properties and other properties under the control of other boards or agencies whenever such encumbrances have been lawfully imposed thereon by reason of special or

local assessments for street improvements, sidewalk improvements, sanitary improvements and other like improvements; repealing all laws or parts of laws in conflict herewith; declaring this Act shall take effect upon its becoming a Law.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 785 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 785 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 785 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 785 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. 785 was read the third time in full.

Upon the passage of Senate Bill No. 785 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 785 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (13th)—

S. B. No. 786—A bill to be entitled An Act exempting from taxation off-street parking facilities now or hereafter operated by the City of Coral Gables, a municipal corporation of Florida, whether the fee simple title to the lands upon which such facilities are located be owned by the city or by others and operated under lease by the city, provided such lease be for a term of not less than ten years from its effective date; defining the meaning of the words "Held" and "Used"; authorizing the taxing authorities to cancel any unpaid taxes charged against any such facilities and to repay to said city any taxes which may have been paid it on any such facilities; repealing all laws or parts of laws in conflict herewith; providing the effective date hereof.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 786 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 786 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 786 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 786 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. 786 was read the third time in full.

Upon the passage of Senate Bill No. 786 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 786 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (13th)—

S. B. No. 787—A bill to be entitled An Act to provide by the County School Board for the furnishing of transportation of children in the first three grades of the elementary schools whose homes are one mile or more from the nearest appropriate school and to permit the County Board of Public Instruction to use Minimum Foundation Funds or other State funds to pay for said transportation, to be effective only in counties of the State of Florida with a population of not less than 400,000 people as shown by the latest State or federal census, heretofore or hereafter made or to be made, whichever is or shall be more recent.

Which was read the first time by title only.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 787 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 787 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 787 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. 787 was read the third time in full.

Upon the passage of Senate Bill No. 787 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 787 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (13th)—

S. B. No. 788—A bill to be entitled An Act to provide continuing contract status for vocational education personnel in counties of the State of Florida with a population of not less than 400,000 people as shown by the latest State or Federal Census, heretofore or hereafter made or to be made, whichever is or shall be the more recent.

Which was read the first time by title only.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 788 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 788 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 788 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. 788 was read the third time in full.

Upon the passage of Senate Bill No. 788 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 788 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier (13th)—

S. B. No. 789—A bill to be entitled An Act to permit the Board of Public Instruction in all counties of the State of Florida with a population of not less than 400,000 people as shown by the latest State or Federal census, heretofore or hereafter made or to be made, whichever is or shall be the more recent, to erect school buildings on sites which do not comply with existing provisions of the school code in congested areas and areas where land values are high as herein set forth.

Which was read the first time by title only.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 789 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 789 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 789 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. 789 was read the third time in full.

Upon the passage of Senate Bill No. 789 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 789 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Black—

S. B. No. 790—A bill to be entitled An Act to amend Sections 503.01 to 503.12 inclusive, Florida Statutes, 1941, relating to frozen desserts, the engaging in the business thereof, regulations thereof, and for enforcement of such regulations.

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

By Senator Pope—

S. B. No. 791—A bill to be entitled An Act to provide for protection of employees of railroads accused of violations of municipal ordinances in the operation of trains.

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

By Senator Boyle—

S. B. No. 792—A bill to be entitled An Act relating to motor vehicles; providing for protectors or flaps for the rear wheels of certain types of vehicles; providing penalty; setting effective date.

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

By Senator Ripley—

S. B. No. 793—A bill to be entitled An Act to abolish the existing municipality in Duval County, Florida, known as the town of Neptune Beach, creating in lieu thereof a municipality to be known as the City of Neptune Beach, providing for the government, jurisdiction and powers of the City of Neptune Beach hereby created, and providing for a referendum election.

Which was read the first time by title only.

Senator Ripley moved that the rules be waived and Senate Bill No. 793 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 793 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 793 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. 793 was read the third time in full.

Upon the passage of Senate Bill No. 793 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 793 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Connor—

S. B. No. 794—A bill to be entitled An Act to authorize Hugh C. Barco, Ray Sassard, Elizabeth V. McIntyre, and B. E. Newsome, upon contributing the full amount they would have been required to contribute to the county officers and employees retirement system to receive credit for prior service to the county under such retirement system; providing time limit for such payment.

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

By the Committee on Judiciary "A"—

S. B. No. 795—A bill to be entitled An Act to permit the releasing of one joint tort-feasor without its effect being to release all joint tort-feasors, and providing for set-off in actions against other joint tort-feasors.

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

By Senator Clarke—

S. B. No. 796—A bill to be entitled An Act to release and discharge, and declaring null and void any and all reservations unto the State of Florida of all or any portion of the petroleum and petroleum products, and all other minerals, including fissionable minerals and materials, which may be found on or under any lands heretofore deeded or conveyed by the Trustees of the Internal Improvement Fund of the State of Florida under the provisions of Chapter 18296, Laws of Florida, Acts of 1937, and prohibiting the inclusion of any such reservation in any such deeds hereafter made.

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

By the Committee on Appropriations—

S. B. No. 797—A bill to be entitled An Act making a deficiency appropriation for the Florida State Improvement Commission for use in the current biennium to pay liabilities already incurred and for necessary expenses to be incurred during the remainder of the biennium in the administration of the Capitol Center heating and electrical program.

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

By Senator Branch—

S. B. No. 798—A bill to be entitled An Act creating the Florida Investment Board; prescribing its powers; describing permitted types of investment for the various funds of the State.

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

Senator Gautier (13th) asked unanimous consent of the Senate to take up and consider Senate Bill No. 767, out of its order.

Which was agreed to.

S. B. No. 767—A bill to be entitled An Act authorizing the City of Coral Gables, a municipal corporation of Florida, and the University of Miami, a non-profit corporation of Florida, to enter into contracts dealing with the subject of sanitary sewers, sanitary sewage disposal plants and related subjects in the City of Coral Gables; permitting and authorizing the exchange, sale or purchase of lands between said city and the said university and entering into agreements for the servicing by the city of the university with sewer facilities, all upon terms and conditions as agreed upon between the governing bodies of the city and of the university; ratifying and confirming any previous negotiations between the said city and the said university, and ratifying and confirming any contract or contracts which may be entered into between them regarding the subject matter of this legislation; providing that this Act shall take effect upon its becoming a law.

Was taken up.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 767 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 767 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 767 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. 767 was read the third time in full.

Upon the passage of Senate Bill No. 767 the roll was called and the vote was:

Yeas—35.

Mr. President	Black	Carlton	Connor
Baker	Branch	Clarke	Crary
Beall	Bronson	Collins	Davis

Dayton	Hodges	Lindler	Ripley
Douglas	Houghton	McArthur	Rodgers
Franklin	Johnson	Melvin	Rogells
Fraser	King	Morrow	Sturgis
Gautier (28th)	Leaird	Pearce	Tapper
Gautier (13th)	Lewis	Pope	

Nays—None.

So Senate Bill No. 767 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Gautier (13th) asked unanimous consent of the Senate to take up and consider Senate Bill No. 768, out of its order.

Which was agreed to.

S. B. No. 768—A bill to be entitled An Act granting to the City of Coral Gables, a municipal corporation of Florida, the authority to pledge all, or any part, of its cigarette tax receipts as security for the payment of either general bonds, refunding bonds or revenue certificates or other obligations which are issued for the purpose of financing the matters and things authorized to be done by municipalities of this State with the proceeds of cigarette taxes as set forth in Section 210.03, Florida Statutes, 1951; repealing all laws or parts of laws in conflict herewith; providing that this Act shall take effect on its becoming a law.

Was taken up.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 768 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 768 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 768 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. 768 was read the third time in full.

Upon the passage of Senate Bill No. 768 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 768 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Gautier (13th) asked unanimous consent of the Senate to take up and consider Senate Bill No. 769, out of its order.

Which was agreed to.

S. B. No. 769—A bill to be entitled An Act amending Subsection (c) of Section 9 of Chapter 25743, Acts of 1949, such chapter being the Act known and cited as 'The City of Coral Gables Sewer Financing Act,' by providing that any municipal corporation, private corporation, board, body or person that ceases supplying or selling water for use on premises after the receipt of the notice of delinquency in compliance with the provisions of such Subsection (c) of Section 9 shall be relieved of all liability of any kind whatsoever to the owner, tenant, or occupant of such premises as a result of such ceasing to supply or to sell water for use on such premises, and by further providing that the City of Coral Gables may shut off the supply of water to premises and be

so relieved of all such liability as a result of shutting off the supply of water to the premises.

Was taken up.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 769 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 769 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 769 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. 769 was read the third time in full.

Upon the passage of Senate Bill No. 769 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 769 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Houghton asked unanimous consent of the Senate to take up and consider House Bill No. 1171, out of its order.

Which was agreed to.

H. B. No. 1171—A bill to be entitled An Act authorizing the Town of Redington Beach in Pinellas County to contract with any legal entity or agency thereof to furnish, or to obtain any service incident to any municipal function; and providing for referendum.

Was taken up.

Senator Houghton moved that the rules be waived and House Bill No. 1171 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1171 was read the second time by title only.

Senator Houghton moved that the rules be further waived and House Bill No. 1171 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. 1171 was read the third time in full.

Upon the passage of House Bill No. 1171 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1171 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Pope asked unanimous consent of the Senate to take up and consider House Bill No. 920, out of its order.

Which was agreed to.

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.

Was taken up.

Senator Pope moved that the rules be waived and House Bill No. 920 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 920 was read the second time by title only.

Senator Pope moved that the rules be further waived and House Bill No. 920 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. 920 was read the third time in full.

Upon the passage of House Bill No. 920 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 920 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

MESSAGES FROM THE GOVERNOR

The following Communications from the Governor were received:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

May 14, 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. 452—RELATING TO MIAMI.

Respectfully,

DAN McCARTY,
Governor

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

May 14, 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. B. No. 28—Relating to Chain Stores

S. B. No. 165—Relating to Gainesville

S. B. No. 166—Relating to Gainesville

S. B. No. 167—Relating to Board of Control

S. B. No. 177—Relating to Criminal Appeals

S. B. No. 373—Relating to Duval County

S. B. No. 394—Relating to Pasco County

S. B. No. 411—Relating to Palm Beach County

S. B. No. 509—Relating to Osceola County

Respectfully,

DAN McCARTY,
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,

May 14, 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 concurred in Senate Amendments to—

By Messrs. Ballinger and Atkinson of Leon, and Dowda of Putnam—

H. B. No. 142—A bill to be entitled An Act relating to County Free Public Libraries; amending Chapter 150, Florida Statutes, by adding Section 150.071 thereto, amending Sections 150.06 and 150.08 and repealing Sections 150.09 and 150.10; authorizing municipalities to enter into contract with County Library Boards for assistance in operating municipal libraries; authorizing the acceptance of gifts and bequests by County Library Boards; providing for a free County Library Fund and limiting expenditures therefrom; eliminating necessity for referendum election as a prerequisite to establishment of such libraries.

Which Amendments read as follows—

Amendment No. 1—

In Section 1, line 9, (typewritten bill) after the word "municipality" add the following: "or with any nonprofit library corporation or association"

Amendment No. 2—

In Section 1, (typewritten bill) strike out the words:

"(2) Any municipality, owning a free public library in said county may enter into a contract with the county library board to receive the service of books and technical assistance from the county library upon such terms as may be agreed upon by the county library board and the board of trustees of the municipal library, or the legislative body of the municipality if there be no board of trustees."

and insert in lieu thereof the following:

"(2) Any municipality or any nonprofit library corporation or association owning a free public library in said county may enter into a contract with the county library board to receive the service of books and technical assistance from the county library upon such terms as may be agreed upon by the county library board and the governing body of the library contracting therewith."

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,

May 14, 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 concurred in Senate Amendment to—

By Mr. Elliott of Palm Beach—

H. B. No. 815—A bill to be entitled An Act authorizing certain nonprofit social club to apply for alcoholic beverage club license in all counties of this state having a population of not less than one hundred thirteen thousand (113,000) and not more than one hundred fourteen thousand eight hundred fifty (114,850) inhabitants according to the latest official census, by providing waiver of certain requirements and limitations of Sections 561.20 and 561.34, Florida Statutes, in such counties.

—which amendment reads as follows:

In Section 1, at the end of line 8, after the word "corporation," add the following: "and one nonprofit Veteran of Foreign Wars Post social club corporation".

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,

May 14, 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 concurred in Senate Amendments to—

By Messrs. Elliott and Bollinger of Palm Beach—

H. B. No. 295—A bill to be entitled An Act to amend Chapter 125, Florida Statutes, 1951, relating to powers and duties of county commissioners, by adding a section at the end thereof granting power to the boards of county commissioners of the several counties to make regulations for the government of county parks, bathing beaches, recreation areas and the like, prescribing methods of enforcement and penalties for the violation thereof.

Which Amendments reads as follows:

Amendment No. 1—

In Section 125.46, Subsection (1), line 5, (typewritten bill) after the words: "Bathing Beaches" insert the following: "Waterways"

Amendment No. 2—

At the end of (typewritten bill) add a new section to read as follows:

"This Act shall become effective immediately upon its passage and approval by the Governor or upon becoming a law without such approval."

Amendment No. 3—

In the title, line 7, (typewritten bill) after the words: "Bathing Beaches" insert the following: "Waterways"

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,

May 14, 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 Senator Gautier (13th)—

S. B. No. 753—A bill to be entitled An Act amending Sections 2, 3, 4, 7½, 8, 8½, 10, 11, 12, 18, 19, 23 and 24 of Chapter 23414, Laws of Florida, Special Acts of 1945, entitled: "An Act creating in the City of Miami Beach a system of pension for disability and retirement from service of members of police and fire departments employed by appointment or otherwise in said department in said City, and to provide a fund in said City to be known as the City Pension Fund for Firemen and Policemen and providing further for the creation of a Board of Trustees in said city, prescribing the powers and duties of such board, providing for the payment of certain sums to all persons employed in the fire and police departments in said city as shall have retired and have been retired and their dependents, to further prescribe the qualifications as to who shall be eligible and who shall receive a pension under this Act; providing for the investment and safekeeping of the funds created under this Act; providing for the regulation of the subject of pensions to all persons entitled to receive the same and to provide rules and regulations for the administration of the fund created hereunder; providing for the levy of ad valorem and excise taxes for said pension fund; and providing for the enforcement of this Act; and providing for the submission of said Act to a referendum of the qualified voters of said city"; providing for an increase in the service and disability pension benefits to members, their widows and dependents and to present beneficiaries of pensions; providing for actuarial estimates to be determined by the board; providing for reciprocity and interchange of membership between pension systems in Miami Beach, designating change in table of mortality to be used; providing for refund of members contribution with interest, defining eligibility for membership; providing for the eligibility and mandatory membership of members of the department in the fund; providing for a medical examination of new members to the fund; providing for the repealing of all laws or parts of laws in conflict with this Act.

Proof of Publication Attached.

Also—

By Senator Gautier (13th)—

S. B. No. 752—A bill to be entitled An Act validating, ratifying and confirming the proceedings heretofore adopted by the City of North Miami, Dade County, Florida, in connection with the authorization of \$600,000 public improvement certificates of said City, validating the utilities service tax from the proceeds of which said certificates are to be payable, and the ordinance authorizing such tax, and authorizing the issuance of such certificates.

Proof of Publication Attached.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bills Nos. 753 and 752, contained in the above message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,

May 14, 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 Senator Black—

S. B. No. 646—A bill to be entitled An Act providing for clerk hire or clerical help for the tax assessors in all counties of the State of Florida having a population of not less than 8,970 and not more than 9,000, according to the last official census; providing the funds from which such clerical help shall be paid, and providing the effective date of this Act.

Also—

By Senator Houghton—

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.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bills Nos. 646 and 152, contained in the above message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 14, 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 Senator Gautier (13th)—

S. B. No. 640—A bill to be entitled An Act permitting the amendment of budgets of county boards of public instruction in counties having a population of not less than 350,000 according to the most recent official census.

Also—

By Senator Houghton—

S. B. No. 615—A bill to be entitled An Act to extend the corporate limits of the City of St. Petersburg Beach in Pinellas County, Florida, and to provide a referendum thereon.

Also—

By Senators Gautier (13th) and Ripley—

S. B. No. 436—A bill to be entitled An Act relating to abolishing the office and position of Harbor Master as provided in Chapter 313 and Chapter 314, Florida Statutes, in all counties of Florida having a population of more than 300,000 according to the last official census.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bills Nos. 640, 615 and 436, contained in the above message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 14, 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 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.

Also—

By Senator Carlton—

S. B. No. 672—A bill to be entitled An Act to ratify, validate and confirm the payment of salaries of the several members of the Board of Public Instruction of Hardee County from April 1, 1950 to December 31, 1950, under a Special Act of the Legislature of the State of Florida applicable to Hardee County, and to acquit, discharge and relieve members of said board from April 1, 1950, to December 31, 1950, from all claims of Hardee County and the State of Florida for salaries paid to and received by members of said board during said period of time.

Proof of Publication Attached.

Also—

By Senator Carlton—

S. B. No. 673—A bill to be entitled An Act authorizing the City of Wauchula to adopt and put into effect group insurance or other plan or plans for the protection and benefit of all employees and/or officials of said city; to provide the payment therefor out of funds of City of Wauchula or through deductions from wages, salaries or other moneys due insured.

Proof of Publication Attached.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bills Nos. 668, 672 and 673, contained in the above message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 14, 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 Senator Boyle—

S. B. No. 695—A bill to be entitled An Act to authorize the Board of County Commissioners of Seminole County, Florida, to offer and pay rewards for information leading to the arrest and conviction of any person violating the provisions of any laws of this State prohibiting the dumping of garbage, refuse or rubbish of any kind whatsoever on any public Park, Road, Highway, or private property within said county without the consent of the owner.

Proof of Publication Attached.

Also—

By Senator King—

S. B. No. 693—A bill to be entitled An Act amending the Charter of the City of Lake Alfred, Florida, being Chapter 12958, Special Acts, Laws of Florida of 1927, entitled,

"An Act to abolish the present municipal government of the City of Lake Alfred, in Polk County, Florida; to create and establish a new municipality to be known as the City of Lake Alfred, Polk County, Florida; to define its territorial

boundaries; to provide for its form of government, jurisdiction, powers and privileges, and for the exercise of the same, and to authorize the imposition of penalties for the violation of its ordinances."

So as to grant to the city commission the power to provide more liberal discounts for the payment of taxes prior to the date of delinquency, and so as to change the method of nominating city commissioners by providing for their nomination by petition rather than by caucus as now provided.

Proof of Publication Attached.

Also—

By Senator Pope—

S. B. No. 686—A bill to be entitled An Act authorizing the Board of County Commissioners of St. Johns County, Florida, to provide for local improvements outside the corporate limits of any incorporated city or town; to issue and sell certificates of indebtedness and to use the proceeds thereof to pay the costs of such local improvements in whole or in part; to levy and collect special assessments on land specially benefited including homestead property; and to enforce the lien of such special assessments upon failure of the owners of such land to pay same.

Proof of Publication Attached.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bills Nos. 695, 693 and 686, contained in the above message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 14, 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 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.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 650, 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 14, 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 Senator Gautier (13th)—

S. B. No. 751—A bill to be entitled An Act to approve, ratify and confirm the council-manager charter of the City of North Miami, Dade County, Florida; defining its territorial boundaries; providing for its succession, jurisdiction, powers and privileges and other matters related thereto.

Proof of Publication Attached.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 751, 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 15, 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 Senator Ripley—

S. B. No. 20—A bill to be entitled An Act amending Section 72.21, Florida Statutes, relating to adoption proceedings.

Also—

By Senator King—

S. B. No. 199—A bill to be entitled An Act relating to water hyacinths; amending Section 861.04, Florida Statutes, making it unlawful to place water hyacinths in the territorial waters of the State; and providing a penalty.

Also—

By Senator Ripley—

S. B. No. 130—A bill to be entitled An Act to amend Section 838.02, Florida Statutes of 1949, relating to officer accepting bribe.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bills Nos. 20, 199 and 130, contained in the above message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 15, 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 Senator Boyle—

S. B. No. 197—A bill to be entitled An Act relating to the equipment of motor vehicles with safety glass and prescribing the powers and duties of the department of public safety and the Motor Vehicle Commissioner in administering said Act.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 197, 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 15, 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 "A"—

Committee Substitute for Senate Bill No. 40:

A bill to be entitled An Act invalidating contracts in restraint of trade; authorizing enforcement of certain agreements not to compete for limited time within limited area.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Committee Substitute for Senate Bill No. 40, 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 14, 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 receded from House Amendment No. 2 to:

By Senator Fraser—

S. B. No. 414—A bill to be entitled An Act to provide for the creation of a Baker County Hospital District, and Baker County Hospital Authority, to provide for the appointment of members of said hospital authority and to fix their powers and duties; to provide for the establishment and building, maintenance and operation of a public hospital at Macclenny in Baker County, for the use and benefit of the citizens and residents of Baker County and the extension of hospitalization to patients from adjoining counties and states; to provide for the appropriation of money and the raising of revenue by Baker County for the erection and maintenance of such hospital, by the allocation to such hospital authority of portions of the race track funds which may be received by Baker County; to provide for the levy of ad valorem taxes by said county for the benefit of said hospital, and providing for a local referendum.

Which amendment reads as follows:

House Amendment No. 2—

In Section 13, at the end of the section, of the bill, strike out the period and insert the following in lieu thereof:

(semi-colon) provided, however, that the said Baker County Hospital Authority shall not spend, obligate or contract to spend in excess of fifty thousand dollars for the construction or equipping of any hospital unless the said hospital is erected as a Federal Aid project.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 414, contained in the above message, was read by title together with House Amendment No. 2.

The Senate having previously concurred in House Amendment No. 1, Senate Bill No. 414, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,

May 14, 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. Costin of Gulf—

H. B. No. 806—A bill to be entitled An Act amending Chapter 26981, Laws of Florida, Acts of 1951, relating to allowing the Game and Fresh Water Fish Commission to trade, barter, sell or exchange lands with Gulf County, Florida.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 806, contained in the above message, was read the first time by title only and referred to the Committee on Game and Fisheries.

The following message from the House of Representatives was read:

Tallahassee, Florida,

May 13, 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. Hathaway of Charlotte, Campbell of Okaloosa, Webb of Washington, Mashburn of Bay, Costin of Gulf, Varn of Hernando and Akridge of Brevard—

H. B. No. 422—A bill to be entitled An Act relating to beverage licenses; amending Section 561.29(1), Florida Statutes, prescribing authority of beverage director to revoke or suspend licenses, by providing for immediate restoration of license upon acquittal in criminal case arising from same facts upon which revocation or suspension was based.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 422, contained in the above message, was read the first time by title only and referred to the Committee on Temperance.

The following message from the House of Representatives was read:

Tallahassee, Florida,

May 14, 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. Bollinger of Palm Beach, Okell of Dade and Williams of Seminole—

H. B. No. 393—A bill to be entitled An Act establishing the Florida Commission of Interstate Cooperation to facilitate the cooperation of this State with other units of government and to establish an unpaid commission for that purpose; establishing Senate, House and Governor's committees; providing for the duties, powers and functions of these committees and the commission; directing the Secretary of State to communicate with the Council of State Governments concerning

the establishment of the commission; and setting the effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 393, contained in the above message, was read the first time by title only and referred to the Committee on Governmental Reorganization.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 14, 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. Murray, Surlis and Crowder of Polk, Floyd of Dade and Petersen of Pinellas—

H. B. No. 525—A bill to be entitled An Act creating and providing for the appointment of a constitutional advisory commission to make a study of the Florida Constitution and to report its findings and recommendations for revision thereof to the 1955 Session of the Legislature; specifying the powers and duties of such commission and making an appropriation therefor.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

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

Senator Sturgis moved that the rules be waived and House Bill No. 525 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 14, 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. Bryant of Marion (By request)—

H. B. No. 413—A bill to be entitled An Act relating to appellate transcripts and records; authorizing Circuit Judges to forward original files to Supreme Court.

Also—

By Messrs. Burwell and David of Broward—

H. B. No. 454—A bill to be entitled An Act authorizing places of business of vendors operating package liquor stores for consumption off the premises to operate therein cigarette vending machines.

Also—

By Mr. Fee of St. Lucie—

H. B. No. 459—A bill to be entitled An Act amending

Section 137.03, Florida Statutes, relating to bond of the county tax assessor and surveyor.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 413, contained in the above message, was read the first time by title only.

Senator Beall moved that the rules be waived and House Bill No. 413 be placed on the Calendar of Bills on Second Reading, without reference.

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

And House Bill No. 454, contained in the above message, was read the first time by title only and referred to the Committee on Temperance.

And House Bill No. 459, contained in the above message, was read the first time by title only and referred to the Committee on County Organizations.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 14, 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. Fascell, Floyd and Okell of Dade—

H. B. No. 366—A bill to be entitled An Act to validate certain instruments executed by directors or trustees of dissolved foreign corporations and repealing all laws in conflict herewith.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 366, contained in the above message, was read the first time by title only.

Senator Gautier (13th) moved that the rules be waived and House Bill No. 366 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 14, 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 Salt Water Fisheries—

H. B. No. 1089—A bill to be entitled An Act relating to the conservation of natural resources in the salt waters of the State of Florida; repealing Chapters 373, 374, and 375 and all sections from and including 371.02 through and including Section 371.31, Florida Statutes, relating to such salt water natural resources; enacting a new Chapter 370 relating to such resources; providing for penalties and appropriations.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1089, contained in the above message, was read the first time by title only and referred to the Committee on Game and Fisheries and the Committee on Appropriations, in the order named.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 14, 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. Roberts of Suwannee—

H. B. No. 1205—A bill to be entitled An Act relating to the City Charter of the City of Live Oak, Suwannee County, Florida, amending Section 21 of Chapter 21361, Laws of Florida, 1941, as amended by Section 1 of Chapter 25986, Laws of Florida, 1949; by providing for a run-off election in case no candidate receives a majority vote, and providing for a referendum.

Also—

By Messrs. Morgan, Mahon and Westberry of Duval—

H. B. No. 1206—A bill to be entitled An Act to amend Sections 13, 16, 22, 45 and 88 of Chapter 18623, Laws of Florida, Special Acts of 1937, being "An Act relating to the government of the City of Jacksonville Beach and prescribing the jurisdiction, powers, duties and functions of the City of Jacksonville Beach and all its officers and prescribing a system of taxation for said city and repealing pre-existing laws relating to the government thereof." As heretofore amended by Chapter 19915, Laws of Florida, Special Acts of 1939, and by Chapter 23372, Laws of Florida, Special Acts of 1945, and by Chapter 24627, Laws of Florida, Special Acts of 1947, and by Chapter 25940, Laws of Florida, Special Acts of 1949; relating to the duties and powers of the city clerk, the time for opening and closing of election polls, the registration of electors, appointment of city attorney, and enlarging the powers of the city.

Proof of Publication Attached.

Also—

My Mr. McFarlin of Jackson—

H. B. No. 1209—A bill to be entitled An Act authorizing the City of Marianna in Jackson County, Florida, to acquire property on the Apalachicola River or on the Chattahoochee River for the purpose of construction and maintenance of a port; and declaring the same to be for a municipal purpose.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1205, 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. 1206 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. 1206, 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. 1206 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1206 was read the second time by title only.

Senator Ripley moved that the rules be further waived and House Bill No. 1206 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. 1206 was read the third time in full.

Upon the passage of House Bill No. 1206 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1206 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. 1209 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. 1209, contained in the above message, was read the first time by title only.

Senator Lewis moved that the rules be waived and House Bill No. 1209 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1209 was read the second time by title only.

Senator Lewis moved that the rules be further waived and House Bill No. 1209 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. 1209 was read the third time in full.

Upon the passage of House Bill No. 1209 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1209 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 14, 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. Shepperd and Usina of St. Johns—

H. B. No. 1225—A bill to be entitled An Act amending the charter of the City of St. Augustine, Florida, by granting said city power through its city commission to amend any zoning ordinance of said city without ratification or approval of the registered voters, provided, however, that this Act shall not become effective until such time as a general zoning ordinance has been ratified and approved by a majority of the qualified electors of said city voting thereon.

Proof of Publication Attached.

Also—

By Messrs. Land and Keezel of Orange—

H. B. No. 1226—A bill to be entitled An Act granting the Board of County Commissioners of Orange County the authority to expend public funds through the county surveyor or any registered surveyor for reestablishing and relocating and placing monuments at section corners, quarter section corners and other land corners as established by United States government surveys; requiring notations on recorded plats affected thereby; amending Section 1 and Section 3, Chapter 26079, Acts of 1949.

Proof of Publication Attached.

Also—

By Messrs. Land and Keezel of Orange—

H. B. No. 1227—A bill to be entitled An Act relating to residence requirements of applicants for appointment as members of the police department of the City of Orlando, amending Section 3 of Chapter 22414, Acts of 1943.

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. 1225 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. 1225, contained in the above message, was read the first time by title only.

Senator Pope moved that the rules be waived and House Bill No. 1225 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1225 was read the second time by title only.

Senator Pope moved that the rules be further waived and House Bill No. 1225 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. 1225 was read the third time in full.

Upon the passage of House Bill No. 1225 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1225 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. 1226 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. 1226, 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. 1226 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1226 was read the second time by title only.

Senator Rodgers moved that the rules be further waived and House Bill No. 1226 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. 1226 was read the third time in full.

Upon the passage of House Bill No. 1226 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1226 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. 1227 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. 1227, 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. 1227 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1227 was read the second time by title only.

Senator Rodgers moved that the rules be further waived and House Bill No. 1227 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. 1227 was read the third time in full.

Upon the passage of House Bill No. 1227 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1227 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 14, 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. 1222—A bill to be entitled An Act authorizing and empowering the Board of Commissioners of the City of Tarpon Springs, Florida, under certain conditions to cancel and discharge taxes and improvement assessments levied against lands in the City of Tarpon Springs.

Proof of Publication Attached.

Also—

By Messrs. Moody, Johnson and Gibbons of Hillsborough—

H. B. No. 1224—A bill to be entitled An Act to zone, restrict and prohibit the erection, construction, use or occupancy of any building within the area and territory in Hillsborough County, Florida, described as Parkland estates subdivision, according to map or plat thereof recorded in Plat Book 1, page 156, in the office of the Clerk of the Circuit Court of said County, except the parks and children's playground shown on the plat of said subdivision, for any purpose other than for single family private residential and dwelling purposes; that only one private dwelling house shall be erected, constructed or placed upon or maintained on any of said platted lots in said area or territory, and to prohibit any other use or occupation of said lots; to provide a minimum floor space for each such dwelling house, the kind and quality of materials of which same shall be constructed, the location thereof on said lots, and the use of the land between the building lines shown on said plat and the streets; to prohibit the keeping of livestock and poultry on any lot of said subdivision except household pets properly supervised within said area; to provide for the enforcement of this Act by injunction or other appropriate proceeding by any property owner in said subdivision or by Parkland Estates Civic Club, Inc.; to make the violation of this Act a misdemeanor and provide a penalty therefor; and to permit the development and use of certain lots in said subdivision for church purposes notwithstanding anything herein contained.

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. 1222 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. 1222, 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. 1222 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1222 was read the second time by title only.

Senator Houghton moved that the rules be further waived and House Bill No. 1222 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. 1222 was read the third time in full.

Upon the passage of House Bill No. 1222 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1222 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. 1224 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. 1224, contained in the above message, was read the first time by title only.

Senator Branch moved that the rules be waived and House Bill No. 1224 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1224 was read the second time by title only.

Senator Branch moved that the rules be further waived and House Bill No. 1224 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. 1224 was read the third time in full.

Upon the passage of House Bill No. 1224 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1224 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 14, 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. Andrews of Union—

H. B. No. 1197—A bill to be entitled An Act relating to the disbursement of race track taxes received under the provisions of Chapter 14832, Laws of Florida, Acts of 1931, as amended, and to provide for the apportionment and distri-

bution of all monies paid to Union County, Florida, for the years 1954 and 1955 under said Act as amended.

Proof of Publication Attached.

Also—

By Messrs. Morgan, Mahon and Westberry of Duval—

H. B. No. 1204—A bill to be entitled An Act to amend Sections 3, 12, 19, 20, 25, 36, and 40 of Chapter 18623, Laws of Florida, Special Acts of 1937, being "An Act relating to the government of the City of Jacksonville Beach and prescribing the jurisdiction, powers, duties and functions of the City of Jacksonville Beach and all its officers and prescribing a system of taxation for said city and repealing pre-existing laws relating to the government thereof", as heretofore amended by Chapter 19915, Laws of Florida, Special Acts of 1939, and by Chapter 23372, Laws of Florida, Special Acts of 1945, and by Chapter 24627, Laws of Florida, Special Acts of 1947, and by Chapter 25940, Laws of Florida, Special Acts of 1949; and providing for a referendum election for approval, or disapproval, of the amendments proposed therein relating to the terms of office and salaries of the mayor and members of the city council and city clerk, the election of councilmen from six numerically designated groups, payment of an entrance or qualifying fee by candidates for election, filling of vacancies occurring in elective offices, procedure applicable for removal, discharge, suspension, demotion, reduction in pay, or fine of officers and employees, and creating an employees board of appeal to consider and act upon appeals by affected officers and employees.

—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. 1197 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. 1197, 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. 1197 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1197 was read the second time by title only.

Senator King moved that the rules be further waived and House Bill No. 1197 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. 1197 was read the third time in full.

Upon the passage of House Bill No. 1197 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1197 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 1204, 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. 1204 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1204 was read the second time by title only.

Senator Ripley moved that the rules be further waived and House Bill No. 1204 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. 1204 was read the third time in full.

Upon the passage of House Bill No. 1204 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1204 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 14, 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. Duncan and Boyd of Lake—

H. B. No. 1142—A bill to be entitled An Act authorizing the Board of County Commissioners in all counties having a population of not less than thirty-five thousand (35,000) and not more than thirty-six thousand four hundred (36,400) persons according to the last census, to enter into agreements for Group Insurance for Employees of the Board of County Commissioners and Fee Officers and their Employees; to provide for contributions by the board to the premiums therefor; to do any and all things necessary to provide and carry out such Group Insurance; to deduct periodically from the wages of any employee upon written request of such employee any premium or portion of premium for such insurance; declaring purpose of act to be a county purpose.

Also—

By Messrs. Cobb and Sweeny of Volusia—

H. B. No. 1146—A bill to be entitled An Act relating to municipal corporations amending Section 171.05, Florida Statutes; providing for extending city limits of cities of over ten thousand inhabitants; exempting from the provisions of said Section those cities in counties having a population of not less than 70,000 and not more than 80,000 according to the last official census.

Also—

By Mr. Jernigan of Escambia—

H. B. No. 1151—A bill to be entitled An Act authorizing banks located within all counties of the State of Florida having a population of not less than eighty thousand (80,000) and not more than one hundred twenty thousand (120,000) inhabitants according to the most recent official census, to close on Saturdays of each week and certain holidays.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1142, contained in the above message, was read the first time by title only.

Senator Baker moved that the rules be waived and House Bill No. 1142 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1142 was read the second time by title only.

Senator Baker moved that the rules be further waived and House Bill No. 1142 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. 1142 was read the third time in full.

Upon the passage of House Bill No. 1142 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1142 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 1146, contained in the above message, was read the first time by title only.

Senator Gautier (28th) moved that the rules be waived and House Bill No. 1146 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1146 was read the second time by title only.

Senator Gautier (28th) moved that the rules be further waived and House Bill No. 1146 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. 1146 was read the third time in full.

Upon the passage of House Bill No. 1146 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1146 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 1151, contained in the above message, was read the first time by title only and referred to the Committee on Population.

Senator Gautier (28th) moved that the House of Representatives be requested to return Senate Bill No. 697 to the Senate.

Which was agreed to and it was so ordered.

The following message from the House of Representatives was read:

Tallahassee, Florida,

May 14, 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. 1060—A bill to be entitled An Act amending Chapter 27084, Laws of Florida, Acts of 1951, relating to disposition and use of a certain fund paid from race track funds to the Board of Public Instruction of all counties of this state having a population of not less than 14,500 and not more than 15,000 inhabitants according to the latest official census.

Also—

By Mr. Campbell of Okaloosa—

H. B. No. 1189—A bill to be entitled An Act setting the maximum compensation of the tax assessor, tax collector, clerk of the circuit court and sheriff in counties having a population of not less than 27,000 nor more than 28,000 according to the last official census; repealing certain laws in conflict herewith and providing the effective date.

Also—

By Messrs. Atkinson and Ballinger of Leon—

H. B. No. 1170—A bill to be entitled An Act relating to dogs running at large in all counties of the State of Florida having a population of not less than 51,590 nor more than 52,000, according to the 1950 federal census; providing for the enforcement thereof by the county commission, and giving the county commission of each county authority to make rules and regulations to carry out purposes of this act.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1060, contained in the above message, was read the first time by title only.

Senator Douglas moved that the rules be waived and House Bill No. 1060 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1060 was read the second time by title only.

Senator Douglas moved that the rules be further waived and House Bill No. 1060 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. 1060 was read the third time in full.

Upon the passage of House Bill No. 1060 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1060 passed, title as stated, and the action

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

And House Bill No. 1189, 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. 1189 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1189 was read the second time by title only.

Senator Melvin offered the following amendment to House Bill No. 1189:

In Section 4, lines 1 and 2 (typewritten bill) strike out the words: "This act shall take effect immediately upon becoming a law," and insert in lieu thereof the following: "This act shall be retroactive to January 1, 1953."

Senator Melvin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Melvin also offered the following amendment to House Bill No. 1189:

In title, (typewritten bill) at the end of the title strike the period and insert the following: "of this act shall be retroactive to January 1, 1953."

Senator Melvin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Melvin moved that the rules be further waived and House Bill No. 1189, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1189, as amended, was read the third time in full.

Upon the passage of House Bill No. 1189, as amended, the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1189 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 1170, contained in the above message, was read the first time by title only.

Senator Collins moved that the rules be waived and House Bill No. 1170 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1170 was read the second time by title only.

Senator Collins moved that the rules be further waived and House Bill No. 1170 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. 1170 was read the third time in full.

Upon the passage of House Bill No. 1170 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1170 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 14, 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. McLaren of Pinellas—

H. B. No. 1220—A bill to be entitled: An Act relating to the Town of Redington Beach; authorizing the said town to acquire and construct public improvement facilities as therein defined, and to finance the same as therein defined, and authorizing said town to lay out, grade, pave, or construct streets or other public highways, parks or other public places, gas plants and appropriate system, electric light plans and appropriate system, waterworks and appropriate system, sewer systems (either sanitary or storm), and appropriate disposal or treatment plant or plants, sea walls, jettys, or breakwaters and other improvements: and acquire and construct public improvement facilities as therein defined as undertakings; and to finance any or all of the same in whole or in part, as therein defined, and authorizing said town to borrow money and issue as evidence thereof, general obligation bonds; general obligation bonds secured by pledge of assessments and/or revenues; assessment and/or revenue bonds and to guarantee payment of same as a general obligation of said town and authorizing the levy of ad valorem taxes upon all real or personal property within said town for payment of interest and principal as in the Act specified; and authorizing said town to assess in whole or in part the cost thereof to benefited real property as therein provided: and to pledge such assessments and/or revenues from any revenue producing undertaking, in whole or in part, for payment of assessment or revenue bonds, or as additional security for general obligation bonds as therein provided, and as the Board of Commissioners of such town may determine; providing a lien upon property benefited and assessed: providing for election upon issue of bonds as required by the Constitution of Florida and as therein provided; providing procedure for all the foregoing; repealing Chapter 27846—Laws of Florida 1951 and superseding all laws in conflict with this Act; and providing such Act shall be effective upon approval by the qualified electors of the town of Redington Beach at referendum election as therein specified.

Also—

By Messrs. McLaren, Shaffer and Petersen of Pinellas—

H. B. No. 1221—A bill to be entitled An Act amending Section 15 of Chapter 21598, Acts of 1941, the same being known as the Charter of the City of Tarpon Springs, and entitled, "An Act to abolish the present municipal government of the City of Tarpon Springs in Pinellas County, Florida, and to create, establish and organize a municipality known as the City of Tarpon Springs and to define its territorial boundaries and provide for its government, jurisdiction, power, franchises and privileges, and providing for a referendum." So as to provide the manner and form for the adoption of ordinances by the Board of Commissioners of the City of Tarpon Springs, providing for the posting of, or publishing of ordinances by title only before they become effective.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1220, 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. 1220 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1220 was read the second time by title only.

Senator Houghton moved that the rules be further waived and House Bill No. 1220 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. 1220 was read the third time in full.

Upon the passage of House Bill No. 1220 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1220 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. 1221 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. 1221, 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. 1221 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1221 was read the second time by title only.

Senator Houghton moved that the rules be further waived and House Bill No. 1221 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. 1221 was read the third time in full.

Upon the passage of House Bill No. 1221 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1221 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 14, 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. Costin of Gulf—

H. B. No. 1185—A bill to be entitled An Act relating to all counties having a population of more than 6,700 and less than 7,800 according to latest official census; authorizing the County Commissioners of such counties to resell to original owners lands acquired by such counties for the purpose of conservation, but which are not being used for such purpose or other public purposes.

Also—

By Mr. Campbell of Okaloosa—

H. B. No. 1190—A bill to be entitled An Act to provide for permissive closing of banks, trust companies, or other banking organizations on any week day in counties having a population of not less than 27,000 nor more than 28,000 according to the last official census and providing the effective date of this Act.

Also—

By Mr. Smith of Indian River—

H. B. No. 1082—A bill to be entitled An Act to repeal Chapter 15782, Acts of 1931, entitled: "An Act authorizing the Boards of Public Instruction in all counties in Florida, having a population of more than ten thousand, six hundred and sixty (10,660) and less than twelve thousand (12,000) to reduce millage in special tax school districts."

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1185, 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. 1190, 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. 1082, contained in the above message, was read the first time by title only and referred to the Committee on Population.

The following message from the House of Representatives was read:

Tallahassee, Florida,

May 14, 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. Costin of Gulf—

H. B. No. 1150—A bill to be entitled An Act providing additional salary for county superintendents of public instruction in all counties of this state having a population of not less than seven thousand (7,000) nor more than seven thousand six hundred (7,600) inhabitants according to the latest official census.

Also—

By Mr. Smith of Indian River—

H. B. No. 1083—A bill to be entitled An Act to repeal Chapter 16278, Acts of 1933, entitled: "An Act authorizing the Boards of County Commissioners of counties of the State of Florida having a population of not less than nine thousand, five hundred (9,500) and not more than thirteen thousand (13,000), according to the last United States census, to accept compromise settlement of outstanding tax sale certificates held by the state in such counties, insofar as the county and any and all special or district taxes are concerned, upon payment in full of the principal amount due the state, together with the amount agreed upon to be paid the county; and to accept compromise settlement of omitted taxes due the county upon payment in full of the amount of principal due the state; and to authorize and direct the state comptroller to approve and accept such compromise settlement of taxes."

Also—

By Mr. Andrews of Holmes—

H. B. No. 794—A bill to be entitled An Act authorizing, empowering and directing the State Road Department to expend certain monies on secondary road projects in all counties of Florida having a population of not less than thirteen thousand eight hundred (13,800) and not more than fourteen thousand one hundred (14,100) according to the last preceding Federal or state census.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1150, 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. 1150 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1150 was read the second time by title only.

Senator Tapper moved that the rules be further waived and House Bill No. 1150 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. 1150 was read the third time in full.

Upon the passage of House Bill No. 1150 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1150 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 1083, contained in the above message, was read the first time by title only and referred to the Committee on Population.

And House Bill No. 794, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,

May 14, 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. Roberts of Suwannee—

H. B. No. 1216—A bill to be entitled An Act relating to the city charter of the City of Live Oak, Suwannee County, Florida, amending Sections 9, 24, and 30 of Chapter 21361, Laws of Florida, 1941, and Section 21 of Chapter 21361, Laws of Florida, 1941, as amended by Section 1 of Chapter 25986, Laws of Florida, 1949; by providing for the election of chief of police and city clerk and providing for a referendum.

Also—

By Messrs. Mitts and Sheppard of Lee—

H. B. No. 1219—A bill to be entitled An Act providing that the salary of the Mayor of the City of Fort Myers, Florida, shall be fixed and determined by the City Council of said city except that it shall be not less than the sum of \$200.00 per month; and further providing that the salaries and compensation of all appointive officers and department heads of the city of Fort Myers, Florida, shall be fixed and determined by the City Council of said city and such salaries and compensation may exceed the salary or compensation paid to the Mayor; and providing that this Act is amendatory of the existing charter of the City of Fort Myers, Florida, and repeals all laws or parts of laws in conflict herewith.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1216, 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. 1219 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. 1219, 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. 1219 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1219 was read the second time by title only.

Senator Franklin moved that the rules be further waived and House Bill No. 1219 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. 1219 was read the third time in full.

Upon the passage of House Bill No. 1219 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1219 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 14, 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. McFarlin of Jackson—

H. B. No. 1210—A bill to be entitled An Act to amend Section 7 of Chapter 21368, Laws of Florida, Special Acts of 1941, the same being: "An Act to abolish the present municipal government of the City of Marianna, Jackson County, Florida, and to create, establish and organize a municipality to be known and designated as City of Marianna and to define its territorial boundaries, and to provide for its government, jurisdiction, powers, privileges, franchises and immunities and confirm its title to all city property, and validate all tax assessments and levies heretofore made and prescribing the general powers to be exercised by said city"; the purpose of this Act being to increase and define the territory within the corporate limits of said City of Marianna.

Proof of Publication Attached.

Also—

By Messrs. Moody, Johnson and Gibbons of Hillsborough—

H. B. No. 1212—A bill to be entitled An Act relating to the government, jurisdiction, powers and officers of the City of Tampa, and authorizing the mayor of the city to negotiate contracts, without advertisement for competitive bids, for the repair of any plant, structure, machinery, equipment or facility of the City of Tampa which shall, because of act of God, the public enemy, fire, explosion, or catastrophe of any kind, be damaged to such an extent as to impair or render impossible the essential public service or services furnished, rendered or performed by any such plant, structure, machinery, equipment or facility.

Proof of Publication Attached.

By Messrs. Surles, Crowder and Murray of Polk and Moody, Gibbons and Johnson of Hillsborough—

H. B. No. 1214—A bill to be entitled An Act repealing Chapter 10699 of the Special Laws of Florida 1925 and abolishing the Ideal Farms Drainage District.

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. 1210 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. 1210, contained in the above message, was read the first time by title only.

Senator Lewis moved that the rules be waived and House Bill No. 1210 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1210 was read the second time by title only.

Senator Lewis moved that the rules be further waived and House Bill No. 1210 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. 1210 was read the third time in full.

Upon the passage of House Bill No. 1210 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1210 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. 1212 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. 1212, contained in the above message, was read the first time by title only.

Senator Branch moved that the rules be waived and House Bill No. 1212 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1212 was read the second time by title only.

Senator Branch moved that the rules be further waived and House Bill No. 1212 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. 1212 was read the third time in full.

Upon the passage of House Bill No. 1212 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1212 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. 1214 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. 1214, 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. 1214 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1214 was read the second time by title only.

Senator King moved that the rules be further waived and House Bill No. 1214 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. 1214 was read the third time in full.

Upon the passage of House Bill No. 1214 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1214 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 14, 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. Conner of Bradford—

H. B. No. 879—A bill to be entitled An Act amending Article 5, Section 11 of Chapter 15304, Laws of Florida, Special Acts 1931, being the charter of the City of Lawtey, providing for the filling of vacancies in offices.

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. 879 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. 879, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 14, 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. Conner of Bradford—

H. B. No. 878—A bill to be entitled An Act authorizing the city council of the City of Lawtey, Florida, to fix by ordinance the salaries or other compensation of all officers of the City of Lawtey; and providing that such salaries or compensation may be changed during the term of office of any such officer.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 878 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. 878, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 14, 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. Conner of Bradford—

H. B. No. 881—A bill to be entitled An Act relating to the City of Lawtey, Florida; authorizing, empowering and directing the City Council to pay to O. J. Anders the sum of one dollar (\$1.00) for each and every conviction in the Mayor's Court of the City of Lawtey during the calendar year 1952 as compensation for his services as mayor during said year.

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. 881 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. 881, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,
May 15, 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. Jernigan of Escambia—

H. B. No. 1079—A bill to be entitled An Act relating to all counties having a population of more than one hundred thousand and less than one hundred and thirteen thousand according to the latest official census; prohibiting the operation of boats without mufflers except during races; providing penalty.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 1079, contained in the above message, was read the first time by title only.

Senator Beall moved that the rules be waived and House Bill No. 1079 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1079 was read the second time by title only.

Senator Beall moved that the rules be further waived and House Bill No. 1079 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. 1079 was read the third time in full.

Upon the passage of House Bill No. 1079 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 1079 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

CONSIDERATION OF BILLS AND JOINT RESOLUTIONS ON SECOND READING

S. B. No. 298—A bill to be entitled An Act relating to hunting on lands owned, managed or leased by the State of Florida or the Game and Fresh Water Fish Commission; amending Subsection (2) of Section 372.573, Florida Statutes, by providing a maximum fee for permits for residents and others.

Was taken up in its order.

Senator Hodges moved that the rules be waived and Senate Bill No. 298 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 298 was read the second time by title only.

Senator Sturgis offered the following amendment to Senate Bill No. 298:

Strike the last paragraph and insert in lieu thereof the following: "(2) The director shall charge a fee set by the game and fresh water fish commission and not to exceed five dollars for such permit and the same shall be over and above the license fee for hunting now required by law; provided, that the permit fee to be paid by residents of Levy, Dixie, Taylor and Lafayette counties shall not exceed two dollars for the right to hunt in management areas located in their respective counties."

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hodges moved that the rules be further waived and Senate Bill No. 298, 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. 298, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 298, as amended, the roll was called and the vote was:

Yeas—24.

Mr. President	Bronson	Crary	Franklin
Baker	Carlton	Davis	Fraser
Black	Clarke	Dayton	Gautier (13th)
Branch	Connor	Douglas	Hodges

Houghton	Melvin	Pearce	Ripley
King	Morrow	Pope	Rogells

Nays—3.

Gautier (28th) Rodgers Sturgis

So Senate Bill No. 298 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senate Bill No. 114 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. 316—A bill to be entitled An Act relating to the Crippled Children's Commission; amending Section 391.07, Florida Statutes, by repealing provision requiring juvenile court to determine financial ability of parents to pay for medical care and treatment of indigent crippled children and vesting such determination in the Crippled Children's Commission.

Was taken up in its order.

Senator King moved that the rules be waived and Senate Bill No. 316 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 316 was read the second time by title only.

Senator King moved that the rules be further waived and Senate Bill No. 316 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. 316 was read the third time in full.

Upon the passage of Senate Bill No. 316 the roll was called and the vote was:

Yeas—28.

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

Nays—None.

So Senate Bill No. 316 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Gautier (13th) asked unanimous consent of the Senate to take up and consider House Bill No. 30, out of its order.

Which was agreed to.

H. B. No. 30—A bill to be entitled An Act making the holding, owning, or having in possession of or paying the tax for a Federal Wagering Occupational Tax Stamp prima facie evidence of violation of the Florida laws against gambling.

Was taken up.

Senator Gautier (13th) moved that the rules be waived and House Bill No. 30 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 30 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and House Bill No. 30 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. 30 was read the third time in full.

Upon the passage of House Bill No. 30 the roll was called and the vote was:

Yeas—28.

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

Nays—2.

Houghton Pearce

So House Bill No. 30 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Gautier (13th) withdrew Senate Bill No. 329.

S. B. No. 330—A bill to be entitled An Act abolishing the entry of a nolle prosequi and providing the manner in which criminal prosecutions may be dismissed.

Was taken up in its order.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 330 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 330 was read the second time by title only.

Senator Melvin offered the following amendment to Senate Bill No. 330:

After Section 3 (typewritten bill), add new section designated as Section 3A, as follows:

“Section 3A. This Act shall not relate to proceedings in the County Judge’s Court which exercise criminal trial jurisdiction.”

Senator Melvin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Melvin also offered the following amendment to Senate Bill No. 330:

At the end of the title (typewritten bill), strike out the period, insert a comma and add the following: “and excepting County Judge’s Courts from the provisions hereof.”

Senator Melvin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 330, 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. 330, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 330, as amended, the roll was called and the vote was:

Yeas—12.

Baker	Connor	Gautier (13th)	Morrow
Black	Dayton	Hodges	Pope
Bronson	Franklin	Houghton	Ripley

Nays—19.

Mr. President	Collins	Johnson	Pearce
Beall	Crary	King	Rodgers
Branch	Davis	Lewis	Rogells
Carlton	Douglas	Lindler	Sturgis
Clarke	Gautier (28th)	Melvin	

So Senate Bill No. 330, as amended, failed to pass.

Senator Dayton asked unanimous consent of the Senate to take up and consider House Bill No. 340, out of its order.

Which was agreed to.

H. B. No. 340—A bill to be entitled An Act to amend Section

232.30, Florida Statutes, 1951, relating to medical examination of school children by providing for exemption of any child therefrom whose parents or guardian object on religious grounds.

Was taken up.

Senator Dayton moved that the rules be waived and House Bill No. 340 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 340 was read the second time by title only.

Senator Dayton moved that the rules be further waived and House Bill No. 340 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. 340 was read the third time in full.

Upon the passage of House Bill No. 340 the roll was called and the vote was:

Yeas—26.

Mr. President	Collins	Johnson	Ripley
Baker	Connor	King	Rodgers
Beall	Davis	Leaird	Rogells
Branch	Douglas	Melvin	Sturgis
Bronson	Franklin	Morrow	Tapper
Carlton	Gautier (13th)	Pearce	
Clarke	Hodges	Pope	

Nays—4.

Black Gautier (28th) Houghton Lewis

So House Bill No. 340 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

PAIRING

The following Pair was announced by the Secretary in accordance with Senate Rule 12:

I am paired with Senator Shands on the passage of House Bill No. 340;

If he were present he would vote “No” and I would vote “Aye”.

George C. Dayton
Senator 38th District

By unanimous consent, Senator Dayton withdrew Senate Bill No. 214.

Senator Dayton asked unanimous consent of the Senate to take up and consider House Bill No. 341, out of its order.

Which was agreed to.

H. B. No. 341—A bill to be entitled An Act amending Sub-section 1 of Section 231.09 Florida Statutes, 1951, relating to duties of instructional personnel of the public school system to exempt from certain types of instruction pupils whose parents object to such instruction on religious grounds.

Was taken up.

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

Which was agreed to by a two-thirds vote.

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

Senator Dayton moved that the rules be further waived and House Bill No. 341 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 341 was read the third time in full.

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

Yeas—24.

Mr. President	Collins	Gautier (28th)	Pearce
Baker	Connor	Gautier (13th)	Pope
Beall	Crary	Johnson	Ripley
Branch	Davis	King	Rodgers
Bronson	Franklin	Melvin	Rogells
Carlton	Fraser	Morrow	Sturgis

Nays—4.

Black	Douglas	Houghton	Lewis
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So House Bill No. 341 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

PAIRING

The following Pair was announced by the Secretary in accordance with Senate Rule 12:

I am paired with Senator Shands on the passage of House Bill No. 341;

If he were present he would vote "No" and I would vote "Aye".

George C. Dayton
Senator 38th District

By unanimous consent Senator Dayton withdrew Senate Bill No. 213.

S. B. No. 124—A bill to be entitled An Act relating to education, courses of study, curriculum, textbooks, curriculum committee, public school libraries, and amending Sections 233.01, 233.02, 233.03, 233.04, 233.05, 233.06, 233.10, 233.11, 233.13, 233.14, Subsection (1) of Section 233.16, and Sections 233.17, 233.18, 233.25, 233.26, 233.34, 233.37, and repealing Sections 233.07, 233.08, 233.09 and 233.33, Florida Statutes.

Was taken up in its order.

Senator King moved that the rules be waived and Senate Bill No. 124 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 124 was read the second time by title only.

Senator King moved that the rules be further waived and Senate Bill No. 124 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. 124 was read the third time in full.

Upon the passage of Senate Bill No. 124 the roll was called and the vote was:

Yeas—15.

Baker	Davis	Houghton	Lindler
Black	Franklin	Johnson	Morrow
Collins	Gautier (13th)	King	Sturgis
Connor	Hodges	Lewis	

Nays—17.

Mr. President	Dayton	Melvin	Rogells
Beall	Douglas	Pearce	Tapper
Branch	Fraser	Pope	
Carlton	Gautier (28th)	Ripley	
Clarke	Leaird	Rodgers	

So Senate Bill No. 124 failed to pass.

S. B. No. 383—A bill to be entitled An Act relating to education; amending the first paragraph of Section 236.02(3), Florida Statutes, providing requirements of counties for participation in the Foundation Program Fund by redefining the employment policies for instructional personnel.

Was taken up in its order.

Senator Morrow moved that the rules be waived and Senate Bill No. 383 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 383 was read the second time by title only.

Senator Morrow moved that the rules be further waived and Senate Bill No. 383 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. 383 was read the third time in full.

The Committee on Education offered the following amendment to Senate Bill No. 383:

In Section 1, lines 20, 21, 22 and 23, (typewritten bill) strike out the words and figures: "two hundred (200) days of service, including holidays as authorized by Section 230.23(6) (g), Florida Statutes, for all other members of the instructional staff," and insert in lieu thereof the following: "one hundred and ninety six (196) days of service, including holidays as authorized by Section 230.23 (6) (g), Florida Statutes, exclusive of Christmas vacation period as defined in Section 227.13(22), Florida Statutes, for all other members of the instructional staff,"

Senator Morrow moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Morrow moved that the rules be further waived and Senate Bill No. 383, 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. 383, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 383, as amended, the roll was called and the vote was:

Yeas—27.

Mr. President	Dayton	King	Pope
Baker	Douglas	Leaird	Ripley
Beall	Fraser	Lewis	Rodgers
Black	Gautier (28th)	Lindler	Rogells
Carlton	Hodges	Melvin	Sturgis
Connor	Houghton	Morrow	Tapper
Davis	Johnson	Pearce	

Nays—4.

Clarke	Collins	Franklin	Gautier (13th)
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So Senate Bill No. 383 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator King moved that the rules be waived and the hour of adjournment at this session be fixed at 1:30 o'clock P.M.

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

Senator Branch, Chairman of the Committee on Miscellaneous Legislation, moved that the rules be waived and the Committee on Miscellaneous Legislation be allowed an additional six days to report on Senate Bill No. 630.

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

Senator Franklin moved that the rules be waived and the Senate revert to the consideration of messages from the House of Representatives.

Which was agreed to by a two-thirds vote.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,

May 13, 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 required Constitutional two-thirds vote of all members of the House of Representatives present, the Governor's objections to the contrary notwithstanding—

By Mr. Papy of Monroe—

(1953 Session)

H. B. No. 649 (1953 Session)—An Act to amend Section 1 of Chapter 21230, Laws of Florida, Special Acts of 1941, as amended by Chapter 26039, Laws of Florida, Special Acts of 1949, entitled "An Act to amend Section 1 of Chapter 21230, Laws of Florida, Special Acts of 1941, entitled, 'An Act ratifying and confirming the appointment of the members of the Florida Keys Aqueduct Commission and constituting said commission a body corporate and politic; prescribing and fixing the jurisdiction, powers and duties of said commission and of its officers; authorizing said commission to construct, maintain and operate an aqueduct and water distribution systems for supplying water in the Florida Keys area, embracing the Florida Keys and extending from the mainland to the City of Key West, and authorizing said commission to enter into contracts with the Navy Department of the United States of America to provide for such construction and for such operation and maintenance, and to lease from the city of Key West and to improve and operate the existing water distribution system in said city; ratifying and confirming the contract entered into by and between said commission and the Navy Department under date of March 18, 1941; authorizing said commission to issue negotiable water revenue bonds, payable solely from water revenues, to pay all or part of the cost of such construction; providing for the rights and remedies of the holders of such bonds; providing that no debt of the City of Key West or of the County of Monroe or of the County of Dade shall be incurred in the exercise of any of the powers granted by this Act, and denying the power of taxation in any respect for the payment of such bonds or the interest thereon or for the payment of the cost of maintaining, repairing and operating such aqueduct and such distribution systems; providing for the collection of rates and charges for water furnished sufficient to provide for the payment of the principal and interest of such bonds and for the cost of maintaining repairing and operating such aqueduct and such systems; providing for the execution of a trust indenture or trust agreement, and for the provisions thereof, to secure the payment of such bonds without mortgaging or encumbering such aqueduct or such systems; granting the right of eminent domain to the commission; and authorizing the issuance of water revenue refunding bonds', By ratifying and confirming the appointment of the present members of said commission; providing for the immediate appointment by the Governor of two (2) additional members of said Florida Keys Aqueduct Commission; providing that from and after the appointment and qualification of said additional members, the said Florida Keys Aqueduct Commission shall consist of five (5) members; providing for the appointment of successors to said five (5) members and providing that members of said commission be qualified registered voters of Monroe County, State of Florida; providing that a majority of the members of said commission shall constitute a quorum, and that the concurrence of three members of said commission shall be necessary to affirmative action by the said commission; providing that the members of the commission shall each receive a monthly salary and fixing the amount of such salary, and also providing for reimbursement for actual expenses necessarily incurred in the performance of their duties.", by ratifying and confirming the appointment of the present members of said commission; providing for the election by the commission of successors to members of the commission upon the expiration of the terms of office of members of said commission; providing that any vacancy occurring on the commission due to causes other than the expiration of the term of office of a commissioner shall be filled for the unexpired term through election by the commission of a successor; making members of the commission eligible for re-election to the commission; providing that the commission by a majority vote may remove any member of the commission for inefficiency, neglect of duty or misconduct in office, after notice and hearing at which such member is given opportunity of being heard.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 649 (1953 Regular Session), contained in the above message, was read by title together with the following objections thereto of the Honorable Dan McCarty, Governor of Florida.

STATE OF FLORIDA

EXECUTIVE DEPARTMENT

TALLAHASSEE

May 11, 1953

Hon. C. Farris Bryant
Speaker
House of Representatives
Tallahassee, Florida

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article 3 of the Constitution of this State, I hereby transmit to you, with my objections, House Bill 649, enacted by the Legislature of 1953 and entitled:

"AN ACT to Amend Section 1 of Chapter 21230, Laws of Florida, Special Acts of 1941, as Amended by Chapter 26039, Laws of Florida, Special Acts of 1949, Entitled "AN ACT to Amend Section 1 of Chapter 21230, Laws of Florida, Special Acts of 1941, Entitled, 'AN ACT Ratifying and Confirming the Appointment of the Members of the Florida Keys Aqueduct Commission and Constituting Said Commission a Body Corporate and Politic; Prescribing and Fixing the Jurisdiction, Powers and Duties of Said Commission and of Its Officers; Authorizing Said Commission To Construct, Maintain and Operate an Aqueduct and Water Distribution Systems for Supplying Water in the Florida Keys Area, Embracing the Florida Keys and Extending from the Mainland to the City of Key West, and Authorizing Said Commission to Enter into Contracts with the Navy Department of the United States of America to Provide for Such Construction and for Such Operation and Maintenance, and to Lease from the City of Key West and to Improve and Operate the Existing Water Distribution System in Said City; Ratifying and Confirming the Contract Entered into by and Between Said Commission and the Navy Department Under Date of March 18, 1941; Authorizing Said Commission to Issue Negotiable Water Revenue Bonds, Payable Solely from Water Revenues, to Pay All or Part of the Cost of Such Construction; Providing for the Rights and Remedies of the Holders of Such Bonds; Providing That No Debt of the City of Key West or of the County of Monroe or of the County of Dade Shall be Incurred in the Exercise of Any of the Powers Granted by this Act, and Denying the Power of Taxation in Any Respect for the Payment of Such Bonds or the Interest Thereon or for the Payment of the Cost of Maintaining, Repairing and Operating Such Aqueduct and Such Distribution Systems; Providing for the Collection of Rates and Charges for Water Furnished Sufficient to Provide for the Payment of the Principal and Interest of Such Bonds and for the Cost of Maintaining, Repairing and Operating Such Aqueduct and Such Systems; Providing for the Execution of a Trust Indenture or Trust Agreement, and for the Provisions Thereof, to Secure the Payment of Such Bonds Without Mortgaging or Encumbering Such Aqueduct or Such Systems; Granting the Right of Eminent Domain to the Commission; and Authorizing the Issuance of Water Revenue Refunding Bonds, by Ratifying and Confirming the Appointment of the Present Members of Said Commission; Providing for the Immediate Appointment by the Governor of Two (2) Additional Members of Said Florida Keys Aqueduct Commission; Providing That From and After the Appointment and Qualification of Said Additional Members, the Said Florida Keys Aqueduct Commission Shall Consist of Five (5) Members; Providing for the Appointment of Successors to Said Five (5) Members and Providing That

Members of Said Commission be Qualified Registered voters of Monroe County, State of Florida; Providing That a Majority of the Members of Said Commission Shall Constitute a Quorum, and That the Concurrence of Three Members of Said Commission Shall Be Necessary to Affirmative Action by the Said Commission; Providing That the Members of the Commission Shall Each Receive a Monthly Salary and Fixing the Amount of Such Salary, and Also Providing for Reimbursement for Actual Expenses Necessarily Incurred in the Performance of Their Duties.", by Ratifying and Confirming the Appointment of the Present Members of Said Commission; Providing for the Election by the Commission of Successors to Members of the Commission Upon the Expiration of the Terms of Office of Members of Said Commission; Providing That Any Vacancy Occurring on the Commission Due to Causes Other Than the Expiration of the Term of Office of a Commissioner Shall Be Filled for the Unexpired Term Through Election By the Commission of a Successor; Making Members of the Commission Eligible for Re-election to the Commission; Providing that the Commission By a Majority Vote May Remove Any Member of the Commission for Inefficiency, Neglect of Duty or Misconduct in Office, After Notice and Hearing at Which Such Member is Given Opportunity of Being Heard."

The Florida Keys Aqueduct Commission was created by Chapter 18530, Laws of Florida, Special Acts of 1937. Originally, the Commission consisted of three members appointed by the Governor for terms of 4 years. The Governor was given the power of removal. The Commission was increased to five members by Chapter 26039, Laws of Florida, Special Acts of 1949, likewise appointed by the Governor for terms of 4 years, and the Governor retained the power of removal.

This Bill provides that during the 30 days next preceding the date of expiration of the term of office of any member of the Florida Keys Aqueduct Commission, or as soon thereafter as is convenient, the Commission shall meet and elect a successor to each member of said Commission whose term of office is about to expire, or has recently expired, and such successor member shall be elected for a term of 4 years. It also provides that members of the Commission shall be eligible for re-election to the Commission. It further provides that the Commission, by a majority vote, may remove any member of the Commission for inefficiency, neglect of duty, or misconduct in office.

Section 27, Article 3 of the Constitution provides that "the Legislature shall provide for the election by the people or appointment by the Governor of all state and county officers not otherwise provided for by this Constitution. . . ."

I believe this Bill is unconstitutional in that it provides that membership on the Florida Keys Aqueduct Commission shall be by means other than is clearly provided for by the Constitution. By previous statutes the Florida Keys Aqueduct Commission has been declared to be a body corporate and politic and a public agency of the State of Florida, and is so declared in this Bill, and shall have perpetual succession, and in my opinion the members of the Commission are officers within the purview of Section 27, Article 3 of the Constitution, and shall either be appointed by the Governor or

elected by the people as is therein provided. This Bill does neither, but instead provides that the present Commission shall elect its successors, and its successors in turn shall elect its successors, and so on.

In my opinion, the Bill is objectionable on other grounds. I think it is against sound public policy to allow any Board or Commission of public officials to choose and elect their successors and thereby be self-perpetuating. Not only does this Bill make the Florida Keys Aqueduct Commission self-perpetuating but also provides that the powers of removal of any members of the Commission for inefficiency, neglect of duty or misconduct shall reside in the Commission. Thus the Commission is only answerable to itself for its conduct and operation and is not responsible to the people or any elected official of the people. These provisions of this Bill contravene every principle of good sound government.

For the foregoing reasons, I therefore withhold my approval from House Bill 649, Legislative Session of 1953, and I hereby veto the same.

Respectfully,
DAN McCARTY
Governor

Senator Franklin moved that the rules be waived and the Senate take up and consider House Bill No. 649 (1953 Regular Session).

Which was agreed to by a two-thirds vote.

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

Upon the passage of House Bill No. 649 (1953 Regular Session) the roll was called and the vote was:

Yeas—27.

Mr. President	Davis	Hodges	Pearce
Baker	Dayton	Houghton	Pope
Beall	Douglas	Johnson	Rodgers
Black	Franklin	King	Rogells
Branch	Fraser	Leaird	Sturgis
Carlton	Gautier (28th)	Lindler	Tapper
Clarke	Gautier (13th)	Melvin	

Nays—3.

Collins	Lewis	Ripley
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So House Bill No. 649 (1953 Regular Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Melvin moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 1:29 o'clock P. M., until 11:00 o'clock A. M., Monday, May 18, 1953, pursuant to the Report of the Committee on Rules and Calendar adopted by the Senate on May 14, 1953.