

JOURNAL OF THE SENATE

Thursday, April 27, 1933

The Senate convened at 10:30 A. M. pursuant to adjournment on Wednesday, April 26, 1933.

The President in the Chair.

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

Mr. President; Senators Anderson, Andrews, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis Gomez, Hale, Harrison, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker.—38.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Wednesday, April 26, was corrected as follows:

On page 13, column 2, strike out lines 74 and 75, and insert in lieu thereof the following: "and Senate Bill No. 246 be read a third time in full and put upon its passage."

Also—

On page 15, column 1, strike out last line in said column and lines 1, 2, 3 and 4 in column 2 on said page, and insert in lieu thereof the following:

A bill to be entitled An Act to permit the fishing and taking of fish from the waters of the Santa Fe, Suwannee and Itchtucknee Rivers, and their tributaries in Columbia County, Florida, by means of and with a spear, gig, or similar devices, in addition to the methods now provided and permitted by law, and repealing all laws or parts of laws in conflict therewith.

And as corrected was approved.

REPORTS OF COMMITTEES

Senator F. P. Parker, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 25, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:
Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 357:

A bill to be entitled An Act to designate and establish a State Road in Clay County, Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,
F. P. PARKER,
Chairman of Committee.

And Senate Bill No. 357, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator F. P. Parker, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 26, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:
Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 356:

A bill to be entitled An Act to designate and establish a State Road in Clay County, Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,
F. P. PARKER,
Chairman of Committee.

And Senate Bill No. 356, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator F. P. Parker, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 26, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:
Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 355:

A bill to be entitled An Act to designate and establish a State Road in Clay County, Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,
F. P. PARKER,
Chairman of Committee.

And Senate Bill No. 355, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator F. P. Parker, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 26, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:
Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 336:

A bill to be entitled An Act to amend Chapter 14971, Laws of Florida, in the Acts of 1931, entitled An Act to amend Chapters 13824 and 13826, Acts of 1929, as amending Chapter 12322, Laws of Florida, Acts of 1927, as amending Chapters 10136, 10279, 10269 and 10276, Acts of 1925, as amending Chapter 9310, Acts of 1923, Laws of Florida, being entitled: "An Act to declare, designate and establish certain State roads in the State of Florida, and to provide for the construction of such system of roads by the State Road Department; and authorizing and empowering the State Road Department to construct and maintain said road in such system, An Act to declare, designate and establish a State road in the State road system of Florida and to provide for the construction in such system of highways."

Committee Amendment Suggested:

Amendment No. 1—In line four of Section 2 strike out the figure "2" and insert in lieu thereof the figure "1".

Have had the same under consideration, and recommend that the same, with amendment thereto, do pass.

Very respectfully,
F. P. PARKER,
Chairman of Committee.

And Senate Bill No. 336, contained in the above report, together with committee amendment, was placed on the Calendar of Bills on second reading.

Senator F. P. Parker, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 26, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:
Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 335:

A bill to be entitled An Act declaring, designating and establishing as a State road running from Dade City, Florida, to Zephyr Hills, Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,
F. P. PARKER,
Chairman of Committee.

And Senate Bill No. 335, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator F. P. Parker, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 25, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:
Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 279:

A bill to be entitled An Act requiring the State Road Department to erect and maintain markers and signs for the historical points of interest in the State.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,
F. P. PARKER,
Chairman of Committee.

And Senate Bill No. 279, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator F. P. Parker, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 26, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:
Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 278:

A bill to be entitled An Act providing for screening auto wrecking yards or junk yards located within three hundred feet of a designated highway.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,
F. P. PARKER,
Chairman of Committee.

And Senate Bill No. 278, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator F. P. Parker, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 26, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:
Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 221:

A bill to be entitled An Act to declare, designate and establish a certain State road in Leon County, Florida.

Committee Amendment Suggested:

Strike out all of Section 2 of said Act.

Have had the same under consideration, and recommend that the same, with amendment thereto, do pass.

Very respectfully,
F. P. PARKER,
Chairman of Committee.

And Senate Bill No. 221, contained in the above report, together with committee amendment, was placed on the Calendar of Bills on second reading.

Senator J. B. Stewart, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 26, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:
Your Committee on Judiciary "A", to whom was referred:

Senate Bill No. 274:

A bill to be entitled An Act to amend Sections 2, 5, 18 and 19 of Chapter 14486, Laws of Florida, Acts of 1929, entitled: "An Act providing for depository of sinking funds and delinquent taxes and other moneys for road and bridge indebtedness of the counties and special road and bridge districts of the State or otherwise, authorizing the issuance of refunding bonds by said counties and special road and bridge dis-

tricts, and providing for the creation of a Board of Administration and the disbursement of such funds to pay such indebtedness and the use of any surplus in any county for the construction and maintenance of roads and bridges."

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,
J. B. STEWART,
Chairman of Committee.

And Senate Bill No. 274, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator J. B. Stewart, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:
Your Committee on Judiciary "A", to whom was referred:

Senate Bill No. 367:
A bill to be entitled An Act fixing the fees to be charged by the Sheriffs of the several Counties of the State of Florida in criminal cases, and to amend Chapter 10091, Acts of 1925, Laws of Florida, entitled: "An Act fixing the fees to be charged by the Sheriffs of the several Counties of the State of Florida, and to repeal Chapter 7886, Acts of 1919, Laws of Florida, entitled An Act fixing the compensation of Sheriffs of the several Counties of the State of Florida."

And—
Senate Bill No. 368:
A bill to be entitled An Act fixing the fees to be charged by the Clerks of the several Criminal Courts of Record, the Clerks of the several Circuit Courts and the Clerk of the Court of Record of Escambia County, in criminal cases and to amend Chapter 11893, Acts of 1927, Laws of Florida, entitled: "An Act fixing the fees and compensation to be charged by the Clerk of the various Courts of Record and the Clerks of the Circuit Court, as Recorder."

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,
J. B. STEWART,
Chairman of Committee.

And Senate Bills Nos. 367 and 368, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator J. Turner Butler, Chairman of the Committee on Constitutional Amendments, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:
Your Committee on Constitutional Amendments, to whom was referred:

Committee Substitute for House Joint Resolutions Nos. 60, 134, 138 and 174:

A Joint Resolution proposing an amendment to Article 5 of the Constitution of the State of Florida, providing that the Legislature may by law abolish the offices of Constable and Justice of the Peace in any of the several districts and counties of the State of Florida, fix their territorial jurisdiction and limit their number.

Have had the same under consideration, and report the same without recommendations.

Very respectfully,
J. TURNER BUTLER,
Chairman of Committee.

And Committee Substitute for House Joint Resolutions Nos. 60, 134, 138 and 174, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator J. Turner Butler, Chairman of the Committee on Constitutional Amendments, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:
Your Committee on Constitutional Amendments, to whom was referred:

Senate Joint Resolution No. 56:
A Joint Resolution proposing an amendment to Section 6 of

Article 8 of the Constitution of the State of Florida relating to the election in each County of county officers, their powers, duties and compensations; and for the custody of county funds.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

J. TURNER BUTLER,
Chairman of Committee.

And Senate Joint Resolution No. 56, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator J. Turner Butler, Chairman of the Committee on Constitutional Amendments, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Constitutional Amendments, to whom was referred:

Senate Joint Resolution No. 24:

A Joint Resolution proposing an amendment to Article XIX of the Constitution of the State of Florida heretofore relating to prohibition and by this amendment to relate to the manufacture and sale of alcoholic liquors and beverages in the State of Florida.

Have had the same under consideration, and recommend that the same do not pass.

Very respectfully,

J. TURNER BUTLER,
Chairman of Committee.

And Senate Joint Resolution No. 24, contained in the above report, was placed on the table under the rule.

Senator J. Turner Butler, Chairman of the Committee on Constitutional Amendments, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Constitutional Amendments, to whom was referred:

Senate Joint Resolution No. 83:

A Joint Resolution providing an amendment to Section 1, Article X of the Constitution of the State of Florida, relating to homesteads and exemptions, and providing that no actual homestead shall be subject to State or County taxation.

Have had the same under consideration and report the same without recommendation.

Very respectfully,

J. TURNER BUTLER,
Chairman of Committee.

And Senate Joint Resolution No. 83, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator J. Turner Butler, Chairman of the Committee on Constitutional Amendments, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Constitutional Amendments, to whom was referred:

Senate Joint Resolution No. 347:

A Joint Resolution proposing an amendment to Section 10 of the Declaration of Rights of the Constitution of the State of Florida relating to the trial for capital crime or other felony.

Have had the same under consideration, and recommend that the same do not pass.

Very respectfully,

J. TURNER BUTLER,
Chairman of Committee.

And Senate Joint Resolution No. 347, contained in the above report, was placed on the table under the rule.

Senator J. Turner Butler, Chairman of the Committee on Constitutional Amendments, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Constitutional Amendments, to whom was referred:

Senate Joint Resolution No. 296:

A Joint Resolution proposing to amend Section 24 of Article III of the Constitution of the State of Florida, relating to County and Municipal Governments.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

J. TURNER BUTLER,
Chairman of Committee.

And Senate Joint Resolution No. 296, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator J. Turner Butler, Chairman of the Committee on Constitutional Amendments, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Constitutional Amendments, to whom was referred:

Senate Joint Resolution No. 32:

A Joint Resolution proposing an amendment to Section One, Article IX, of the Constitution of the State of Florida, relative to taxation and finance.

Have had the same under consideration and report the same without recommendation.

Very respectfully,

J. TURNER BUTLER,
Chairman of Committee.

And Senate Joint Resolution No. 32, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator S. L. Holland, Chairman of the Committee on Judiciary "B", submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Judiciary "B", to whom was referred:

Senate Bill No. 350:

A bill to be entitled An Act to amend Section 4269, Revised General Statutes of Florida, 1920 (same being Section 6228 Compiled General Laws of Florida, 1927), relating to proceedings by State Treasurer against insolvent and defaulting insurance companies.

Have had the same under consideration and beg leave to offer as a substitute bill for Senate Bill No. 350 the following:

Committee Substitute for Senate Bill No. 350:

A bill to be entitled An Act to amend Section 4269, Revised General Statutes of Florida, 1920 (same being Section 6228, Compiled General Laws of Florida, 1927), relating to proceedings by State Treasurer against insolvent and defaulting insurance companies.

And recommend that the Committee Substitute for Senate Bill No. 350 do pass.

Very respectfully,

S. L. HOLLAND,
Chairman of Committee.

And Senate Bill No. 350, with the Committee Substitute, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator S. L. Holland, Chairman of the Committee on Judiciary "B", submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Judiciary "B", to whom was referred:

House Bill No. 58:

A bill to be entitled An Act to provide for the taking of reasonable premiums or expenses for surety bonds or other surety in judicial proceedings as costs of the case and repealing all laws in conflict herewith.

Have had the same under consideration and recommend the following amendment:

Committee Amendment:

In Section 1, line 6 (typewritten bill), strike out the word "shall" and insert in lieu thereof the following: "may in the discretion of the judge of the court".

And further recommend that said bill with committee amendment do pass.

Very respectfully,

S. L. HOLLAND,

Chairman of Committee.

And House Bill No. 58, with committee amendment, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator S. L. Holland, Chairman of the Committee on Judiciary "B", submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Judiciary "B", to whom was referred: Senate Bill No. 241:

A bill to be entitled An Act prescribing the qualifications of court reporters and assistant court reporters.

Have had the same under consideration, and recommend that same do not pass.

Very respectfully,

S. L. HOLLAND,
Chairman of Committee.

And Senate Bill No. 241, contained in the above report, was placed on the table under the rule.

Senator S. L. Holland, Chairman of the Committee on Judiciary "B", submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Judiciary "B", to whom was referred: Senate Bill No. 302:

A bill to be entitled An Act fixing the amount of bond required of dealers under the Florida Securities Commission Law of the State of Florida, to-wit: Chapter 14899, Acts of 1931, where such dealers deal solely and exclusively in securities issued by a Public Commission, Board or Officer of the Government of the United States, or of any State, Territory or Insular Possession thereof, or of any municipality located therein, or of the District of Columbia, or of the Dominion of Canada or of any Province thereof.

And—

Senate Bill No. 273:

A bill to be entitled An Act to prevent fraud and deception in the storing, selling, or offering for sale of any liquid fuels, lubricating oils, greases, and other similar products; to prevent the adulteration of liquid fuels, lubricating oils, greases, and other similar products; providing for the enforcement of this Act and penalties for violations of its provisions; providing that it shall be the duty of the Commissioner of Agriculture to enforce the provisions of this Act, and that expenses of enforcement shall be payable out of the General Inspection Fund.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

S. L. HOLLAND,
Chairman of Committee.

And Senate Bills Nos. 302 and 273, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator S. L. Holland, Chairman of the Committee on Judiciary "B", submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Judiciary "B", to whom was referred:

House Bill No. 190:

A bill to be entitled An Act fixing the time for suing out writs of error in criminal cases.

And—

House Bill No. 117:

A bill to be entitled An Act to amend Section 2909 of the Revised General Statutes of Florida of 1920 limiting the time for suing out writs of error.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

S. L. HOLLAND,

Chairman of Committee.

And House Bills Nos. 190 and 117, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator J. M. Mann, Chairman of the Committee on Insurance, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Insurance, to whom was referred:

Senate Bill No. 312:

A bill to be entitled An Act to incorporate Benevolent Mutual Benefit Associations or societies on the assessment plan organized for the purpose of benefitting and protecting members in the case of dismemberment, and to the end of benefitting widows, orphans, heirs, devisees, and estates of deceased members thereof; providing for the method of incorporation of such associations and the regulation and control of such associations as may be incorporated under the terms of this Act, and of those associations or organizations doing a similar business in the State of Florida that desire to be incorporated under the terms of this Act; authorizing the State Treasurer to examine into the solvency and operation of such associations incorporated under the terms of this Act; providing for a valuation of certificates and providing for a reserve fund; providing for general state supervision and control of benevolent mutual benefit associations or societies that may be hereafter operated in the State of Florida, subject to the terms of this Act, on the assessment plan.

Have had the same under consideration and beg leave to offer as a substitute bill for Senate Bill No. 312 the following:

Committee Substitute for Senate Bill No. 312:

A bill to be entitled An Act to provide for the incorporation of benevolent mutual benefit associations or societies on the assessment plan organized for the purpose of benefitting and protecting members in the case of dismemberment, and to the end of benefitting widows, orphans, heirs, devisees, and estates of deceased members thereof; providing for the method of incorporation of such associations and the regulation and control of such associations as may be incorporated under the terms of this Act, and of those associations or organizations doing a similar business in the State of Florida that desire to be incorporated under the terms of this Act; authorizing the State Treasurer to examine into the solvency and operation of such associations incorporated under the terms of this Act; providing for a valuation of certificates and providing for a reserve fund; providing for the payment of all benefits in cash only; providing for general state supervision and control of benevolent mutual benefit associations or societies that may be hereafter operated in the State of Florida, subject to the terms of this Act, on the assessment plan.

And recommend that the Committee Substitute for Senate Bill No. 312 do pass.

Very respectfully,

J. M. MANN,

Chairman of Committee.

And Senate Bill No. 312, with the Committee Substitute, contained in the above report, was placed on the Calendar of Bills on second reading.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senator Turner, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 26, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after 3rd reading and passed as amended.

Senate Bill No. 360:

A bill to be entitled An Act amending the Charter of Miami Shores Village, known as Chapter 15690, Laws of 1931, and

relating further to the jurisdiction, acts, powers and government of said village, and to the construction of this Act; ratifying things done; and repealing inconsistent laws and Chapter 15689.

Amendments:

In Section 4 at the end thereof change the period to a semi-colon and add the following: "provided that this shall not apply to a public utility whose rates and services are subject to regulation by the Florida Railroad Commission."

In Section 5, line 10 (typewritten bill), after the word "underground" insert the following: "when necessary for the public safety".

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

J. W. TURNER,
Chairman of Committee.

And Senate Bill No. 360, contained in the above report, was ordered to be certified to the House of Representatives.

Senator Turner, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 26, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after 3rd reading and passed as amended. Senate Bill No. 110:

A bill to be entitled An Act "relating to the County Commissioners of all Counties having a population of over one hundred fifty-five thousand (155,000) according to the last preceding State or Federal Census, imposing certain duties on them in regard to making up of a budget of road work to be done from year to year; repealing all laws in conflict with this Act and providing for the effective date of same."

Amendment:

In Section 4 at end of section add the following: "but nothing in this Act shall be deemed to modify, alter, affect, or repeal all or any part of Chapter 14678, Laws of Florida, Acts of 1931, entitled:

"An Act to create a County Budget Commission in counties having a population of more than one hundred and fifty thousand by the last preceding State or Federal Census; to prescribe the powers, duties and functions of such County Budget Commission and the qualifications, terms of office and methods of appointment or election of members thereof; and to authorize such County Budget Commission to make and control the budgets of receipts and expenditures of the Board of County Commissioners, Board of Public Instruction, County Welfare Board, Parental Home Board and all other Boards, Commissions and officials of such counties or of taxing districts (except School Districts) situate therein authorized to raise and expend moneys for county or district purposes", as amended by Chapter 15610, Laws of Florida, Acts of 1931, and as further amended by Chapter 15727, Laws of Florida, Acts of 1931."

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

J. W. TURNER,
Chairman of Committee.

And Senate Bill No. 110, contained in the above report, was ordered to be certified to the House of Representatives.

Senator Turner, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after 3rd reading, House amendment concurred in.

Senate Joint Committee Substitute for House Bill No. 114:

A bill to be entitled An Act to repeal Section 5469 of the Revised General Statutes of Florida, (otherwise referred to as Section 7613 of the Compiled General Laws of Florida), defining drinks, beverages or alcoholic liquors, for beverage purpose, as those containing one-half of one per cent of alcohol, or more, and all intoxicating liquors and beverages, whether spirituous, vinous or malt, as within the meaning of the Prohibition Statutes of this State.

House Amendment:

Strike out Section 2 and insert in lieu thereof: This Act shall take effect immediately upon its passage and approval by the Governor or upon its becoming a law without such approval.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

J. W. TURNER,
Chairman of Committee.

And Senate Joint Committee Substitute for House Bill No. 114, contained in the above report, was referred to the Committee on Enrolled Bills.

REPORT OF ENROLLING COMMITTEE

Senator S. W. Anderson, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

Senate Joint Committee Substitute for Senate Bill No. 151:

A bill to be entitled An Act to define alcoholic or intoxicating liquors and beverages, whether spirituous, vinous or malt, or fruit juices, within the meaning of the Statutes of this State; but not to alter existing Statutes regulating the sale of alcohol for medical, scientific or mechanical purposes, and wine for sacramental purposes.

Also—

Senate Bill No. 361:

A bill to be entitled An Act to repeal Chapter 9265, Acts 1923, Laws of Florida (otherwise referred to as Section 7614 of the Compiled General Laws of Florida), the same being An Act amendatory of Section 5470 of the Revised General Statutes of Florida, relating to the proof of the alcoholic content and intoxicating nature of intoxicating liquors and beverages; and to repeal the original Section 5470 of the Revised General Statutes of Florida relating to the proof of the alcoholic content and intoxicating nature of intoxicating liquors and beverages.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

S. W. ANDERSON,
Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The bills contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Senator S. W. Anderson, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

House Bill No. 603:

A bill to be entitled An Act requiring the registration of the electors of Washington County, Florida, in a new set of registration books before being qualified to vote in any general, special or primary election to be held in said County after May 1, 1934; and providing for the furnishing of said books to the Supervisor of Registration of said County; and providing that said books shall be the legal registration books of said County; and providing the times, places and manner of such registration; and providing that all electors once registering in said new primary books shall thereafter be deemed duly registered for all primary elections, and that all electors once registering in said new general election books shall thereafter be deemed to be duly registered for all general and special elections, so long as they reside in the election precinct in which

they so register and their names shall be carried upon such books as electors duly registered for such elections and providing for the compensation of registration officers for services under this Act.

Also—
House Joint Resolution No. 83:
Proposing the amendment of Article XIX of the Constitution of Florida, relating to prohibition.

Also—
House Bill No. 605:
A bill to be entitled An Act to permit the taking and gathering of oysters from the public oyster bars or reefs in Gulf County, Florida, from April 15th, to September 30th, of each year and to permit the sale of same in said County.
Have examined the same and find them correctly enrolled.
The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,
S. W. ANDERSON,
Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The bills and House Joint Resolution contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Senator S. W. Anderson, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:
Your Joint Committee on Enrolled Bills, to whom was referred:

Senate Bill No. 276:
A bill to be entitled An Act to amend Chapter 10847 of the Laws of Florida approved May 9, 1925, entitled: "An Act to amend and re-enact the Charter of the City of Miami, in the County of Dade, and to fix the boundaries and provide for the government, powers and privileges of said City and means for exercising the same; and to authorize the imposition of penalties for the violation of ordinances; and to ratify certain Acts and proceedings of the Commission and of the officers of the City", as amended by subsequent legislation by conferring additional power upon the City of Miami.

Have examined the same and find them correctly enrolled.
The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,
S. W. ANDERSON,
Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The bill contained in the above report was thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Beacham—
Senate Bill No. 385:
A bill to be entitled An Act to authorize contracts to be made by the Board of Commissioners of State Institutions with drainage or conservancy districts providing for the Board of Commissioners of State Institutions to dredge and clean out drainage canals or ditches of such districts and to receive payment therefor either in cash or in credit on taxes or tax certificates due or that may become due by any board or department of the State of Florida on lands in any such districts, and to authorize the Board of Commissioners of State Institutions to select and use such number of state convicts as may be necessary for such work.
Which was read the first time by its title only and referred to the Committee on Drainage.

By Senator Harrison—
Senate Bill No. 386:
A bill to be entitled An Act for the relief of Perry G. Wall. Which was read the first time by its title only and referred to the Committee on Claims.

By Senator MacWilliams—
Senate Bill No. 387:
A bill to be entitled An Act to declare, designate and establish a certain state road in St. Johns County, Florida. Which was read the first time by its title only and referred to the Committee on Public Roads and Highways.

By Senator Butler—
Senate Bill No. 388:
A bill to be entitled An Act to provide for incorporating non-profit corporations; to define their powers; to provide for filing amendments to their Charters; to provide the manner in which all such corporations heretofore organized may re-incorporate under the provisions of this Act; to provide for the manner in which such corporations may be dissolved; to prescribe the filing fees.

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

By Senator Butler—
Senate Bill No. 389:
A bill to be entitled An Act providing for and creating Jury Commissioners in all counties of the State of Florida having a population exceeding 155,000 by the last preceding Federal census, and prescribing their qualifications, method of appointment, powers, duties, functions and official terms, and providing for the selection, listing and procurement of jurors in such counties.

Which was read the first time by its title only and placed on the Calendar of Local Bills on second reading.

By Senator Butler—
Senate Bill No. 390:
A bill to be entitled An Act relating to corporations, letters patent therefor, and amendments to Charters thereof. Which was read the first time by its title only and referred to the Committee on Corporations.

By Senator Butler—
Senate Bill No. 391:
A bill to be entitled An Act relating to Tax Assessments and Collections of Revenue; to provide for assessments of omitted property and re-assessments in case of erroneous or invalid assessments in Counties, Taxing Districts, Cities and Towns, in the State of Florida.
Which was read the first time by its title only and referred to the Committee on Finance and Taxation.

By Senator Butler—
Senate Joint Resolution No. 392:
A Joint Resolution proposing an amendment to Article VIII of the Constitution of the State of Florida relative to Cities and Counties.

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

That the following amendment to Article VIII of the Constitution of the State of Florida relative to cities and counties, to be numbered Section 9 of Article VIII be and the same hereby is agreed to, and shall be submitted to the electors of the State of Florida at the General Election to be held on the first Tuesday after the first Monday in November, A. D. 1934, for ratification or rejection, to-wit:

Section 9. The Legislature shall have power to provide for the consolidation in whole or in part of municipal and county government within the territorial limits of any city or town as the same now exists or may hereafter exist. For such purpose the Legislature may vest in, delegate to and apportion among prescribed municipal or county officers all or any part of the jurisdiction, powers, functions and privileges vested in or delegated to any county or its officers, including district officers or vested in or delegated to any municipality or its officers under the Constitution or Laws of the State. The Legislature may abolish or discontinue at any time the office of any officer of any municipality affected by any such consolidation, and, in any instance where the boundaries of any such municipality and any county are or shall become coterminous, the Legislature may abolish or discontinue at any time the office of any officer of any such county or district in any such county, except that this section shall not empower the Legislature to abolish or discon-

tinue the offices of Clerk of the Circuit Court, Sheriff, County Assessor of Taxes and Tax Collector, but the Legislature in any such county may prescribe the time when and the method by which all or any of such offices shall be filled and the compensation to be paid to the holders thereof from time to time respectively, and may vest in them additional powers and duties, and may combine the offices of County Assessor of Taxes and Tax Collector. The Legislature may confer upon any consolidated government created under this Section the status and any powers, functions and privileges which it might confer upon any municipal corporation, but the status of no county as a political division of the State or its right to representation in the Legislature shall be deemed to be affected by this Section or by any law enacted under it. The Legislature may divide the territory from time to time included in any such consolidated government into zones or districts for purposes of assessment, taxation, administration or local government and may provide a just and reasonable system of taxation for each such zone and district severally. The power of the Legislature to divide such territory into zones or districts shall include the power to prescribe zones or districts within such territory in which shall be applicable the provisions of this Constitution and the General Laws of this State from time to time in force with respect to rural homesteads and with respect to urban homesteads respectively; but no homestead existing at the time when any consolidation under this Section shall become effective shall be reduced in area by virtue of this Section or any law enacted under it. No law authorizing or discontinuing consolidation of any municipal and county government pursuant to this Section shall become operative or effective until it has been ratified and approved by a majority of the qualified electors participating in an election called and held in the county to be affected, but so long as a consolidated government exists under this Section the Legislature may amend or extend the law authorizing the same or the consolidation thereby authorized, without referendum to the qualified voters, unless the Legislative Act providing for consolidation, amendment or extension shall provide for such referendum. This Section shall not be deemed to abrogate or impair Section 8 of this Article or any power of the Legislature at the time of the adoption hereof. Every legislative power or Act authorized by this Section may be exercised or enacted by Special or Local Law.

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

By Senator Futch—
Senate Bill No. 393:

A bill to be entitled An Act establishing as "The Richey-Simpson Memorial Highway," a certain portion of State Road No. 2, in Lake County, Florida.

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

By Senator Futch—
Senate Bill No. 394:

A bill to be entitled An Act providing for the distribution and use of moneys received from the State Treasurer during the year 1933 which is derived from licensed race tracks by counties of the State of Florida having a population of more than 23,150 and less than 23,165 according to the last State or Federal Census.

Which was read the first time by its title only and placed on the Calendar of Local Bills on second reading.

By Senator Futch—
Senate Bill No. 395:

A bill to be entitled An Act to declare, designate and establish a certain State Road.

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

By permission the following Memorial was introduced:

By Senator Rose—
Senate Memorial No. 11:

To the Congress of the United States of America requesting that an appropriation be made to reimburse citrus and vegetable growers of the State of Florida for damages sustained during the campaign for the extermination of the Mediterranean Fruit Fly.

WHEREAS, During the late infestation of certain areas of citrus groves in the State of Florida by the Mediterranean Fruit Fly, drastic regulations were promulgated under Federal direction and supervision, quarantines were proclaimed, citrus fruits and trees and vegetables were destroyed, groves were damaged by injurious sprays, the marketing of citrus fruits

and vegetables was so interfered with as to cause large losses to growers, and other losses were sustained due to lowered qualities of citrus fruits and vegetables resulting from the said regulations; and

WHEREAS, The said infestation was not due to any fault or neglect on the part of the citrus fruit and vegetable growers or the public authorities of the State of Florida; and

WHEREAS, The regulations, quarantines and activities of the agencies of the United States, resulting in the aforesaid damage and loss, were for the protection of growers of fruit and vegetables and property owners throughout the entire Southern half of the United States who might have sustained enormous losses by the continuation and spread of said infestation, from which it appears to this Legislature that the aforesaid actual damages and losses should not be borne by the growers of this State, but should be considered as a National burden, imposed upon the Federal Government in the interest of the general welfare and prosperity of the nation;

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

That the Congress of the United States be, and is hereby respectfully requested to enact legislation, which will provide the means of ascertaining the extent of the damages and losses of the property owners and the citrus and vegetable growers in the State of Florida, resulting from the aforesaid regulations, quarantines and activities of, or under the direction of, Federal agencies, in the control and extermination of the Mediterranean Fruit Fly, and to appropriate such sum of money as may be required to adequately and fairly reimburse said owners and growers for such damages and losses; and

BE IF FURTHER RESOLVED, That the Secretary of State of the State of Florida be requested to furnish copies of this Resolution to the President of the United States, to the Secretary of Agriculture of the United States, and to each of the Senators and Representatives in Congress from the State of Florida.

Which was read the first time in full.

Senator Rose moved that the rules be waived and Senate Memorial No. 11 be read a second time in full.

Which was agreed to by a two thirds vote.

And Senate Memorial No. 11 was read a second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to.

And Senate Memorial No. 11 was adopted.

The following communication from the Governor was received.

STATE OF FLORIDA
EXECUTIVE DEPARTMENT

TALLAHASSEE

April 26, 1933

Honorable T. G. Futch,
President of the Senate,
Tallahassee, Florida.

Sir:

I have the honor to inform you that I have approved the following Memorial which originated in your Honorable Body and have caused the same to be filed in the office of the Secretary of State:

Senate Memorial No. 8 Relating to Palm Valley Bridge.

Respectfully,

DAVE SHOLTZ,

Governor.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was received and read:

Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate,

Sir:

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

Senate Concurrent Resolution No. 9:

WHEREAS, Hon. John F. Dorman, Chief Clerk in the office of the Secretary of State of the State of Florida for thirty-one years, died on the 8th day of May, A. D., 1932; and

WHEREAS, the said John F. Dorman was working at his desk in the office of the Secretary of State on Saturday afternoon when he was stricken and all State offices are customarily closed at noon on Saturday; and,

WHEREAS, the said John F. Dorman was a capable, efficient and faithful employee of the State for many years and rendered valuable service to the State of Florida; and

WHEREAS, the said John F. Dorman was held in high esteem by the officials and employees with whom he was associated, as well as by many members of former legislatures to whom he rendered valuable service, therefore

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

FIRST, that the Legislature of the State of Florida deplors the death of Hon. John F. Dorman, former Chief Clerk in the office of the Secretary of State of the State of Florida.

SECOND, that the Legislature of the State of Florida hereby expresses its appreciation and commendation of the efficient and faithful service of the said John F. Dorman to the State of Florida.

THIRD, that the Legislature of the State of Florida expresses its sympathy to the widow and family of the said John F. Dorman in their bereavement.

FOURTH, that a copy of this Resolution be sent to the family of the deceased, and spread upon the Journals of both Houses.

Very respectfully,
FRANK WEBB,
Chief Clerk House of Representatives.

Also—

The following Message from the House of Representatives was received and read:

Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

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

By Senator Butler—

Senate Concurrent Resolution No. 6:

CONCURRENT RESOLUTION ratifying the proposed amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and Members of Congress and fixing the time of the assembling of Congress.

WHEREAS, the Seventy-second Congress of the United States of America at its first session in both Houses, by a constitutional amendment of two-thirds thereof, has made the following proposition to amend the Constitution of the United States of America in the following words, to-wit:

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and Members of Congress and fixing the time of the assembling of Congress.

RESOLVED by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of said Constitution when ratified by the legislatures of the several States as provided in the Constitution:

Article—

Section 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Section 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

Section 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect

15—S. P.

nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Section 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

Section 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Section 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

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

That the said proposed amendment to the Constitution of the United States of America be and the same is hereby ratified by the Legislature of the State of Florida.

BE IT FURTHER RESOLVED, That certified copies of the foregoing preamble and resolution be immediately forwarded by the Secretary of State of the State of Florida, under the GREAT SEAL, to the President of the United States, the President of the Senate of the United States, and the Speaker of the House of Representatives of the United States.

Very respectfully,
FRANK WEBB,
Chief Clerk House of Representatives.

Senate Concurrent Resolution No. 6, contained in the above Message, was ordered referred to the Committee on Enrolled Bills.

Also—

The following Message from the House of Representatives was received and read:

Tallahassee, Fla., April 27, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

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

By Mr. Albury of Monroe—

House Concurrent Resolution No. 8:

WHEREAS, it has unofficially come to the attention of this Legislature that it is proposed by executive order under the recent Economy Bill passed by the United States Congress, to discontinue the annual field training period for the Florida National Guard, at least during 1933, and reduce the armory drills by at least half the number now authorized, and also to dispense with a large number of regular army officer personnel and eliminate the Officers Reserve Corps and the Citizens Military Training Camps in fact, if not on paper, by so crippling the ability of same to function that the morale of same will be impaired to the destruction of efficiency, and

WHEREAS, the Legislature of the State of Florida believes that the maintenance of an adequate national defense has one of the first claims on government, being one of the five purposes recited in the preamble to the United States Constitution as the reason for agreeing to that document, and is opposed to any of the proposed measures contemplating the elimination of the field training for the National Guard, either temporarily or permanently, as well as to the reduction to any degree, temporarily or permanently of the number of authorized drills for the National Guard, and believes that the present officer personnel of the regular army is needed to properly train the National Guard, ROTC, CMTC and ORC, as well as function as instructors in our schools and is of the opinion that the CMTC serves not only as a means for training the young men but is a relief against unemployment as well for the period covered by such camps each year, now therefore:

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

That the Legislature of the State of Florida most earnestly protests against any of the actions contemplated against our system of National Defense, as recited in this Resolution, and directs that the Secretary of the State forthwith forward by air

mail under the Great Seal of the State of Florida, a copy of this Resolution to our Senators and Representatives in Congress.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Concurrent Resolution No. 8, contained in the above Message, was read the first time in full.

Senator Gomez moved that the rules be waived and House Concurrent Resolution No. 8 be read a second time in full.

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 8 was read a second time in full.

Senator MacWilliams moved that the rules be waived and the further consideration of House Concurrent Resolution No. 8 be informally passed and the resolution retain its place on the Calendar.

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 8 retained its place on the Calendar.

By permission the following Resolution was introduced:

By Senator Shivers—

Senate Concurrent Resolution No. 12:

WHEREAS, the Legislature of the State of Florida by Joint Resolution in 1929 Memorialized Congress, the Federal Bureau of Public Roads and the State Road Department of Florida to use every possible effort to federalize the Gulf Coast Highway, which is legally known as State Roads 10, 15 and 115; and

WHEREAS, the Resolution referred to above has only been partially carried out; and

WHEREAS, the State of Florida and the Counties of the Gulf Coast of Florida have spent approximately Fifteen Million Dollars and the funds of both the State and Counties are now exhausted; and

WHEREAS, all of the Gulf Coast Counties and Cities and Civic Bodies have passed Resolutions setting forth the necessity for continuing the construction of the Gulf Coast Highway in order to relieve the distressing unemployment situation in the Gulf Coast Counties and Cities owing to the serious decline in the oyster, fishing and other businesses peculiar to these Counties and Cities; and

WHEREAS, the State Road System of Florida cannot be properly rounded out and completed nor can the hundreds of millions of dollars invested therein begin to pay a full return on this investment until the Gulf Coast Highway is completed; and

WHEREAS, the construction of the Gulf Coast Highway has been officially declared of Military and Strategic importance to the United States Government; and

WHEREAS, the Public Works Committee now arranging the Public Works Program for President Roosevelt has the authority and power to include in said program the construction of Federal roads; and

WHEREAS, road construction in Florida will provide work for the relief of unemployment both in direct employment and in the manufacture and transportation of Florida road building material,

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

THAT the Public Works Committee of President Roosevelt, the Federal Bureau of Public Works, our Senators and Congressmen in Washington, the Governor of Florida and the State Road Department, are hereby requested to secure the immediate federalization of all of the Gulf Coast Highway and to use every effort at their command to allocate funds to Florida for the immediate construction of the Gulf Coast Highway in this State.

BE IT FURTHER RESOLVED, That a copy of this Resolution be forwarded by the Secretary of the State of Florida, under the Great Seal of the State of Florida in due form to the Congress of the United States, and the several members thereof from Florida, to the Governor of Florida and to the State Road Department.

Which was read the first time in full.

Senator Shivers moved that the rules be waived and Senate Concurrent Resolution No. 12 be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 12 was read a second time in full.

The question was put on the adoption of the resolution.

Which was agreed to.

And Senate Concurrent Resolution No. 12 was adopted.

Senator Butler moved that the rules be waived and the Senate do now take up the consideration of Senate Joint Resolution No. 113 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Joint Resolution No. 113:

A Joint Resolution proposing an amendment to Article VIII of the Constitution of the State of Florida relative to Cities and Counties.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA: That the following amendment to Article VIII of the Constitution of the State of Florida relative to Cities and Counties, to be numbered Section 9 of Said Article VIII, be and the same is hereby agreed to and shall be submitted to the electors of the State at the general election to be held on the first Tuesday after the first Monday in November, A. D., 1934, for ratification or rejection, to-wit:

Section 9. The Legislature shall have power to establish, alter or abolish, a municipal corporation to be known as the City of Jacksonville, extending territorially throughout the present limits of Duval County, in the place of any or all County, District, municipal and local governments, boards, bodies and officers, constitutional or statutory, legislative, executive, judicial, or administrative, and shall prescribe the jurisdiction, powers, duties and functions of such municipal corporation, its legislative, executive, judicial and administrative departments and its boards, bodies and officers; to divide the territory included in such municipality into subordinate districts, and to prescribe a just and reasonable system of taxation for such municipality and districts; and to fix the liability of such municipality and districts. Bonded and other indebtedness existing at the time of the establishment of such municipality, shall not be enforceable against any property not then taxable therefor. A homestead in a rural area of said municipality shall not be limited as if in a City or Town. Such municipality may exercise all the powers of a municipal corporation and shall also be recognized as one of the legal political divisions of the State with the duties and obligations of a County and shall be entitled to all the powers, rights and privileges, including representation in the State Legislature, which would accrue to it if it were a county. All property of Duval County and of the municipalities in said county shall vest in such municipal corporation when established as herein provided. Nothing contained herein shall affect Section 20 of Article III of the Constitution of the State of Florida, except as to such provisions therein as relate to regulating the jurisdiction and duties of any class of officers, to summoning and impanelling grand and petit juries, to assessing and collecting taxes for County purposes and to regulating the fees and compensation of County officers. No legislation under this Section shall be effective until approved at a special election held in such territory for that purpose by a majority of those voting at such special election who were qualified to vote at the last general election preceding such special election.

Was taken up out of its order and read a second time in full.

Senator Butler offered the following amendment to Senate Joint Resolution No. 113:

Strike out all of Section 9 and insert in lieu thereof the following:

Section 9. The Legislature shall have power to establish, alter or abolish, a municipal corporation to be known as the City of Jacksonville, extending territorially throughout the present limits of Duval County, in the place of any or all county, district, municipal and local governments, boards, bodies and officers, constitutional or statutory, legislative, executive, judicial, or administrative, and shall prescribe the jurisdiction, powers, duties and functions of such municipal corporation, its legislative, executive, judicial and administrative departments and its boards, bodies and officers; to divide the territory included in such municipality into subordinate districts, and to prescribe a just and reasonable system of taxation for such municipality and districts; and to fix the liability of such municipality and districts. Bonded and other indebtedness, existing at the time of the establishment of such municipality, shall be enforceable only against property theretofore taxable therefor. The Legislature shall, from time to time, determine what portion of said municipality is a rural area, and a homestead in such rural area shall not be limited as if in a city or town. Such municipality may exercise all the powers of a municipal corporation and shall also be recog-

nized as one of the legal political divisions of the State with the duties and obligations of a county and shall be entitled to all the powers, rights and privileges, including representation in the State Legislature, which would accrue to it if it were a county. All property of Duval County and of the municipalities in said county shall vest in such municipal corporation when established as herein provided. The offices of Clerk of the Circuit Court and Sheriff shall not be abolished but the Legislature may prescribe the time when, and the method by which, such offices shall be filled and the compensation to be paid to such officers and may vest in them additional powers and duties. No county office shall be abolished or consolidated with another office without making provision for the performance of all State duties now or hereafter prescribed by law to be performed by such county officer. Nothing contained herein shall affect Section 20 of Article III of the Constitution of the State of Florida, except as to such provisions therein as relate to regulating the jurisdiction and duties of any class of officers, to summoning and impanelling grand and petit juries, to assessing and collecting taxes for county purposes and to regulating the fees and compensation of county officers. No law authorizing the establishing or abolishing of such municipal corporation pursuant to this Section, shall become operative or effective until approved by a majority of the qualified electors participating in an election held in said County, but so long as such municipal corporation exists under this section the Legislature may amend or extend the law authorizing the same without referendum to the qualified voters unless the legislative act providing for such amendment or extension shall provide for such referendum.

Senator Butler moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Butler moved that the rules be waived and Senate Joint Resolution No. 113, as amended, be read a third time in full.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 113, as amended, was read a third time in full.

Upon the passage of the resolution, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Anderson, Andrews, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis, Gomez, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—35.

Nays—None.

So Senate Joint Resolution No. 113, as amended, passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1933 session of the Florida Legislature, and the action of the Senate was ordered to be certified to the House of Representatives.

Pursuant to the terms of Senate Resolution No. 1, the President announced the designation of Thursday, May 4, 1933, at 3:00 o'clock P. M. for the Memorial Services in honor of the late Senator John J. Swearingen of the 7th District and the late Senator E. M. Johns of the 15th District.

The hour having arrived for the consideration of Senate Bills Nos. 147 and 47, as Special Orders.

Committee Substitute for Senate Bill No. 47:

A bill to be entitled an Act to amend Section 1007, Revised General Statutes, as amended by Chapter 8410, Laws of Florida, Acts of 1921, and by Chapter 10182, Laws of Florida, Acts of 1925, being Section 1281, Compiled General Laws of Florida, 1927, as Amended by Chapter 15625, Laws of Florida, Acts of 1931; and to Amend Section 1010, Revised General Statutes, being Section 1284, Compiled General Laws of Florida, 1927, as Amended by Chapter 15625, Laws of Florida, Acts of 1931; to Amend Section 1011, Revised General Statutes, as Amended by Chapter 8410, Laws of Florida, Acts of 1921, and by Chapter 10182, Laws of Florida, Acts of 1925, being Section 1285, Compiled General Laws of Florida, 1927, as amended by Chapter 15625, Laws of Florida, Acts of 1931; and to amend Section 1012, Revised General Statutes, as Amended by Chapter 8410, Laws of Florida, Acts of 1921, and by Chapter 10182, Laws of Florida, Acts of 1925, being Section 1286, Compiled General Laws of Florida, 1927, and to amend Chapter 14657, Acts of 1931, all of Said Sections Relating to the Operation, Licensing and Taxing of Motor Vehicles, Trailers, Semi-Trailers and Motorcycle Side Cars.

Which was pending amendment on April 26, 1933, was taken up.

The following amendment by Senators Getzen and Sikes was pending adoption.

In Section 3, after line 14 (printed bill), strike out the lines 15 to 70 inclusive and insert in lieu thereof the following:

| | |
|--|----------------------------------|
| Motorcycles—A Series | \$ 5.00 flat |
| Automobiles for private use and small trucks whose net weight is less than 2100 pounds | 5.00 flat |
| Automobiles for private use passenger capacity seven or less whose net weight is not less than 2100 pounds | 10.00 flat |
| Automobiles for hire, under 7 passenger | 1.00 per Cwt. 3.00 per Pass. |
| Automobiles for hire, 7 to 16 passengers | 1.50 per Cwt. 10.00 per Pass. |
| Automobiles for hire, 16 passengers and over | 1.50 per Cwt. 10.00 per Pass. |
| Trucks for private use up to 5000 pounds | .60 per Cwt. |
| Trucks for private use over 5000 pounds | 1.50 per Cwt. |
| Trucks for private use up to 4000 pounds, solid tires | 2.00 per Cwt. |
| Trucks for private use over 4000 pounds, solid tires | 3.50 per Cwt. |
| Trucks for hire, factory rated load capacity, included in gross weight, up to 5000 pounds, gross weight | 1.00 per Cwt. |
| Over 5000 pounds gross weight | 1.50 per Cwt. |
| Hearses, Ambulances | 25.00 flat |
| Dealers Demonstration Tags, sets of three | 15.00 per set |
| For additional dealers demonstration tags above one set | 5.00 each |
| Busses and automobiles of seven passenger capacity or more for hire shall pay at the rate of | 1.50 per Cwt. 10.00 per Pass. |

Trailer and semi-trailers shall take the same fee as provided for busses and passenger cars for hire.

School busses used exclusively for transportation of school children

5.00 flat

Senator Sikes moved the adoption of the amendment.

Upon which a roll call was demanded.

Upon the adoption of the amendment offered by Senators Getzen and Sikes to Committee Substitute for Senate Bill No. 47 the roll was called and the vote was:

Yeas—Mr. President; Senators Bass, Getzen, Harrison, MacWilliams, Mann, Sikes—7.

Nays—Senators Anderson, Andrews, Beacham, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Gillis, Gomez, Hale, Hilburn, Holland, Larson, Lewis, Lundy, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Stewart, Turner, Watson, Whitaker—29.

Which was not agreed to.

Senator MacWilliams offered the following amendment to Committee Substitute for Senate Bill No. 47:

In Section 3, line 2 (typewritten bill), in paragraph designated "Definition" strike out the words: "less fuel and water".

Senator MacWilliams moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senators Shelley and Larson offered the following amendment to Committee Substitute for Senate Bill No. 47:

In Section 3, line 18 (printed bill), strike out the words \$5.00 and insert in lieu thereof the following: \$8.00.

Senator Larson moved the adoption of the amendment.

Which was not agreed to.

Senator Sikes offered the following amendment to Committee Substitute for Senate Bill No. 47:

In Section 3 (printed bill), strike out lines 19 to 23 inclusive and insert in lieu thereof the following: Plain Series, Net weight more than 2000 pounds, \$10.00 flat.

Senator Sikes moved the adoption of the amendment.

Upon which a roll call was demanded.

Upon the adoption of the amendment offered by Senator Sikes to Committee Substitute for Senate Bill No. 47 the roll was called and the vote was:

Yeas—Senators Bass, Black, Getzen, MacWilliams, Mann, Sikes—6.

Nays—Mr. President; Senators Anderson, Andrews, Beacham, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Gomez, Harrison, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Turner, Watson, Whitaker—29.

Which was not agreed to.

Senators Shelley and Larson offered the following amendment to Committee Substitute for Senate Bill No. 47:

In Section 3, line 20 (printed bill), strike out the words \$10.00 and insert in lieu thereof the following: \$12.00.

Senator Larson moved the adoption of the amendment. Which was not agreed to.

Senators Shelley and Larson also offered the following amendment to Committee Substitute for Senate Bill No. 47:

In Section 3, line 23 (printed bill), strike out the words \$15.00 and insert in lieu thereof the following: \$18.00.

Senator Larson moved the adoption of the amendment. Which was not agreed to.

Senator Getzen offered the following amendment to Committee Substitute for Senate Bill No. 47:

In Section 3, line 261 (printed bill), between words Florida, Telephone, add: or anyone using the highways for the transportation of logs, lumber or poles, the nature of which renders conformity with the herein specification impractical.

Senator Getzen moved the adoption of the amendment. Which was not agreed to.

Senator Parker offered the following amendment to Committee Substitute for Senate Bill No. 47:

In Section 3, line 23 (printed bill), end of line 8 and insert in lieu thereof the following: Pick up trucks for private use shall be included in the above schedule according to weight.

Senator Parker moved the adoption of the amendment. Which was agreed to.

And the amendment was adopted.

Senator Parker also offered the following amendment to Committee Substitute for Senate Bill No. 47:

In Section 3, line 25 (printed bill), strike out the figures "4,000" and insert in lieu thereof the following: "5,000".

Senator Parker moved the adoption of the amendment. Which was agreed to.

And the amendment was adopted.

Senator Shelley offered the following amendment to Committee Substitute for Senate Bill No. 47:

In Section 3, line 26 (printed bill), strike out the words Sixty cents (0.60) and insert in lieu thereof the following: Seventy-five cents (0.75).

Senator Shelley moved the adoption of the amendment. Which was not agreed to.

Senator Parker offered the following amendment to Committee Substitute for Senate Bill No. 47:

In Section 3, page 8 (printed bill), strike out lines 27 and 28. Senator Parker moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Shelley offered the following amendment to Committee Substitute for Senate Bill No. 47:

In Section 3, line 38 (printed bill), insert the following: "To and from public free schools."

Senator Shelley moved the adoption of the amendment. Which was agreed to.

And the amendment was adopted.

Senator Gillis moved that the Senate do reconsider the vote by which the foregoing amendment, offered by Senator Shelley, was adopted.

And the motion went over under the rule.

Senator Anderson offered the following amendment to Committee Substitute for Senate Bill No. 47:

In Section 3, line beginning 333 (printed bill), strike out the words: and except those owned and operated by officers and enlisted men of the Army and Navy stationed in Florida to perform duties for the Federal Government.

Senator Anderson moved the adoption of the amendment. Which was agreed to.

And the amendment was adopted.

Senator English offered the following amendment to Committee Substitute for Senate Bill No. 47:

In Section 3, lines 44 and 45 (printed bill), strike out the figures: "1.50 per cwt." and insert in lieu thereof the following: "1.00 per cwt."

Senator English moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator English offered the following amendment to Committee Substitute for Senate Bill No. 47:

In page 13, line 136 (printed bill), after the words "For Hire" insert "Corporations and associations who transport goods, wares and merchandise or other personal property, for its stockholders, shareholders or members, whether cooperative or otherwise shall be included within the definition of "For Hire."

Senator English moved the adoption of the amendment.

Pending the adoption of the amendment, the hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 1:00 o'clock P. M. until 10:30 o'clock A. M. Friday, April 28, 1933.