

JOURNAL OF THE SENATE

Wednesday, May 1, 1935

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Tuesday, April 30, 1935.

The President in the Chair.

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

Mr President; Senators Adams, Bass, Beacham, Beall, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—37.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Tuesday, April 30th, was corrected as follows:

On page 7, column 1, line 19, strike out the figures "1927" and insert in lieu thereof the figures "1937".

And as corrected was approved.

Senator Black was excused from attendance upon the session today.

REPORTS OF COMMITTEES

Senator Bass, Chairman of the Committee on Pensions & Claims, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 1, 1935.

Hon. Wm. C. Hodges,
President of the Senate.

Sir:

Your Committee on Pensions & Claims, to whom was referred:

Senate Bill No. 467:

A bill to be entitled An Act providing that Mrs. Pattie McClellan Dickenson be exempted from the requirement of the Pension Board that she return to the State of Florida before one year has expired since leaving same in order that she may continue to enjoy and draw her pension.

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

Very respectfully,
CLAYTON C. BASS,
Chairman of Committee.

And Senate Bill No. 467, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Bass, Chairman of the Committee on Pensions & Claims, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 1, 1935.

Hon. Wm. C. Hodges,
President of the Senate.

Sir:

Your Committee on Pensions & Claims, to whom was referred:

Senate Bill No. 523:

A bill to be entitled An Act for the relief of Joe Reed of New Warrington, Escambia County, Florida, and to provide for the refunding to him of the sum of sixty-five (\$65.00) dollars, erroneously paid the State of Florida for a license, and making appropriation on account thereof.

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

Very respectfully,
CLAYTON C. BASS,
Chairman of Committee.

And Senate Bill No. 523, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Bass, Chairman of the Committee on Pensions & Claims, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 1, 1935.

Hon. Wm. C. Hodges,
President of the Senate.

Sir:

Your Committee on Pensions & Claims, to whom was referred:

Senate Bill No. 540:

A bill to be entitled An Act for the relief of E. M. Reynolds. Have had the same under consideration, and recommend that the same do pass.

Very respectfully,
CLAYTON C. BASS,
Chairman of Committee.

And Senate Bill No. 540, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Bass, Chairman of the Committee on Pensions & Claims, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 1, 1935.

Hon. Wm. C. Hodges,
President of the Senate.

Sir:

Your Committee on Pensions & Claims, to whom was referred:

Senate Bill No. 483:

A bill to be entitled An Act for the relief of Mrs. Effie Stafford, wife of Calvin A. Stafford and providing appropriation to compensate her for the injury and subsequent illness of her husband, Calvin A. Stafford, a former employee of the Florida State Road Department, who was injured in a truck accident, said truck being operated by an employee of the State Road Department.

Have had the same under consideration, and recommend that the same pass, with the following amendments:

Amendment No. 1: In Section 1, line 1, strike out the words and figures "Five Thousand Dollars (\$5,000.00)" and insert in lieu thereof the following: "Two Thousand Dollars (\$2,000.00)."

Amendment No. 2: In Section 1, line 4, after the name "Stafford" insert "Payable \$50.00 per month."

Amendment No. 3: In Section 1, line 4,, strike out the words: "At the hands of the Florida State Road Department."

Amendment No. 4: In Section 2, line 3, strike out the words "\$5,000.00 Five Thousand Dollars" and insert in lieu thereof the following: "\$50.00 per month until the sum of Two Thousand Dollars has been paid."

Amendment No. 5: In Section 3, strike out all after Section 3.

Amendment No. 6: At the end of Section 3, add Section 4 as follows: "This Act shall take effect immediately upon its approval by the Governor, or upon its becoming a law without such approval."

Very respectfully,
CLAYTON C. BASS,
Chairman of Committee.

And Senate Bill No. 483, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senator Rose, Chairman of the Committee on Finance & Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 1, 1935.

Hon. Wm. C. Hodges,
President of the Senate.

Sir:

Your Committee on Finance & Taxation, to whom was referred:

House Bill No. 163:

A bill to be entitled An Act providing for the creation of each county of a delinquent tax adjustment board, prescribing the powers, and duties of such board; providing for the creation of a delinquent tax adjustment board of appeals and pre-

scribing the powers and duties of such board providing for the compromise and adjustment of tax sales certificates held by the State upon certain conditions.

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

Very respectfully,
 WALTER W. ROSE,
 Chairman of Committee.

And House Bill No. 163, 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., May 1, 1935.

Hon. Wm. C. Hodges,
 President of the Senate.

Sir:
 Your Committee on Engrossed Bills, to whom was referred (with amendments), after second reading.

Senate Bill No. 156:
 A bill to be entitled An Act relating to limiting and regulating the use of all monies derived from gasoline taxes and credited to the account of each of the several counties, or road districts or road and bridge districts by the State Treasurer of the State of Florida, as Ex Officio County Treasurer of such County or Counties.

Amendment No. 1:
 In Section 1, line 8 (typewritten bill), strike out the words: "four and one half" wherever it appears in the bill and insert in lieu thereof the following: "five."

Amendment No. 2:
 In Section one, line 13 (typewritten bill), strike out the words: "five mills" and insert in lieu thereof the following: "ten mills."

Amendment No. 3:
 In Section 1, line 14 (typewritten bill), strike out the word: "or" where it appears between the word "dollar" and the word "of."

Amendment No. 4:
 In Section 1, line 19, (typewritten bill), strike out the words: "four and one half" and insert in lieu thereof the following: "five."

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. 156, contained in the above report, was placed on the Calendar of Bills on third reading.

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

Senate Chamber,
 Tallahassee, Fla., April 30, 1935.

Hon. Wm. C. Hodges,
 President of the Senate.

Sir:
 Your Committee on Engrossed Bills, to whom was referred (with amendment) after second reading.

Senate Bill No. 17:
 A bill to be entitled An Act to prohibit the sale or offering for sale, the transportation, and the preparation, receipt or delivery for transportation or market of any citrus fruit that is immature or otherwise unfit for human consumption; to provide for the enforcement thereof; and to provide penalties for the violation thereof.

Amendment No. 1:
 In Section 11, line 5, (typewritten bill), strike out the words: "Provided, also, that in the event a standard of maturity of grapefruit for cannery purposes shall be fixed by law, and in the further event that grapefruit, upon inspection and testing, may be found at packing houses which fails to pass the maturity standard prescribed by this Act for grapefruit but does pass the standard of maturity prescribed by law for cannery grapefruit, such grapefruit may (in lieu of destruction) be diverted to a cannery to be canned therein, such diversion to be safeguarded by rules and regulations prescribed by the Florida Citrus Commission."

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. 17, contained in the above report, was placed on the Calendar of Bills on third reading.

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

Senate Chamber,
 Tallahassee, Fla., May 1, 1935.

Hon. Wm. C. Hodges,
 President of the Senate.

Sir:
 Your Committee on Engrossed Bills, to whom was referred (with amendments), after third reading.

Senate Bill No. 158:
 A bill to be entitled An Act requiring the filing of a verified statement as to names, and addresses of equitable owners of bonds or debts and amounts of claims held by each, in suits brought by Bondholder Protective Committees, or other agencies, against any political subdivision or taxing district of this State.

Amendment No. 1:
 In Title, line 2, after the word "of" and before the word "equitable" insert the words "legal and."

Amendment No. 2:
 In Section 1, line 14, after the word "are" and before the word "equitable", insert the words "legal and."

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. 158, contained in the above report, was referred to the Committee on Enrolled Bills.

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

Senate Chamber,
 Tallahassee, Fla., May 1, 1935.

Hon. Wm. C. Hodges,
 President of the Senate.

Sir:
 Your Committee on Engrossed Bills, to whom was referred (with amendments), after third reading.

Committee Substitute for Senate Bill No. 269:
 A bill to be entitled An Act to regulate the sale of eggs; to classify eggs; to define the term "dealer"; to require registration by dealers; to require filing of invoices by dealers; to impose an inspection fee; to authorize the Commissioner of Agriculture to promulgate grades and standards and to make rules and regulations for the enforcement of this Act; to provide for proper enforcement thereof and to provide penalties for violation of this Act; and to repeal Chapter 16012, Laws of Florida, Acts of 1933.

Amendment No. 1:
 Strike out Section 2 and insert the following:
 "Section 2. That within the intent and purpose of this Act eggs are classified as:

(a) Cold Storage Eggs, (inserting the state of origin) construed to mean eggs which have been in cold storage and which meet the grades and standards of qualification set up by the Commissioner of Agriculture.

(b) Shipped (inserting state of origin) Eggs, construed to mean eggs produced outside the State of Florida that meet the grades and standards of qualification set up by the Commissioner of Agriculture.

(c) Unclassified (inserting state of origin) Eggs, construed to mean all eggs which have not been in cold storage but which do not meet the grades and standards of qualification set up by the Commissioner of Agriculture.

(d) Processed (inserting state of origin) Eggs, construed to mean eggs which have been shell treated.

(e) Florida Eggs, construed to mean eggs produced in the State of Florida entitled to use the term "Florida" in connection with the advertising or sale of same as such, under the standards therefor set up by the Commissioner of Agriculture."

Amendment No. 2:
 In Section 3, strike out paragraph (c) and insert the following:
 "(c) Or to offer for Sale or sell eggs in bulk (not in cases

or cartons) from any open case, box, basket, or other receptacle holding said eggs in bulk without displaying conspicuously on every such case, box, basket, or other receptacle a placard or heavy cardboard not smaller than seven (7) inches by seven (7) inches in size, on which shall be legibly and plainly printed in letters not smaller than one (1) inch in height, wording showing whether said eggs offered for sale or sold are "Cold Storage Eggs" (inserting the state of origin), "Shipped (inserting the state of origin) Eggs", "Florida Eggs", "Unclassified Eggs" (inserting the State of origin) or "Processed Eggs" (inserting the state of origin), and also stating the grade and standard to which the eggs contained therein conform.

Amendment No. 3:

In Section 7, line 3, after the word: "Section," strike out the figure: "5" and insert the figure "6."

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

Very respectfully,

J. W. TURNER,

Chairman of Committee.

Committee Substitute for Senate Bill No. 269, contained in the above report, was referred to Committee on Enrolled Bills.

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

Senate Chamber,
Tallahassee, Florida, April 30, 1935.

Hon. Wm. C. Hodges,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after third reading—

Senate Bill No. 101:

A bill to be entitled An Act designed to eradicate the "chain-store", "commissary" and "itinerant merchant" evils, declaring an emergency to exist in this State by reason of the spread of these evils and providing regulations for the business of retail merchandising in intrastate commerce in this State to meet this emergency and to eradicate these evils; requiring a permit to sell merchandise at retail, limiting the issuance of such permits to individuals who are bona fide residents of Florida, to partnerships in which all part owners are bona fide residents of Florida and to corporations in which all stock is owned by bona fide residents of Florida, requiring that the charters of all corporations securing such permits shall contain certain provisions and restrictions upon the ownership of stock, the residence of officers, directors and stockholders, and the scope of activity and the authority of such corporations, limiting the issuance of permits to partnerships in which part owners have not as individuals or as members of other partnerships secured a permit, classifying merchandising and limiting the issuance of permits to one for each classification to any one person, firm or corporation, providing for a general merchandising permit and limiting the issuance of such permits to one for any one person, firm or corporation, providing that permits shall not be issued for a business to be conducted in connection with or incidental to any other retail, wholesale or distributing business and that the business to be conducted under any such permit shall be conducted in a store entirely separate from any other store and having no connection with any other store; providing that no permit may be issued for a business which is to be subsidiary to or related in anywise to any mill, mining or manufacturing business, providing that no such permit shall issue to any applicant who is engaged in any combination, conspiracy or agreement with other permittees to buy all or the large majority of his merchandise from one concern or in cooperation with other permittees, providing that no permit shall be issued to any applicant who is to be the agent of any concern whose principal business is that of retail merchandising, providing that no such permit shall be issued to any applicant who is engaged in any combination, conspiracy or agreement with some other person or firm to operate, manage or supervise the business to be conducted, providing that no such permit shall be issued to any applicant who is to purchase all or the large majority of his merchandise from any person or concern whose principal business is that of retail merchandising, providing that no such permit shall be issued if the business for which it is issued or the assets of said business or evidence of interest in said business has been hypothecated to any person or concern whose principal business is that of retail merchandising or to any person or concern in privity to a person or concern whose principal business is that of retail merchandising, providing for the application for the issuance of such permits,

the fees to be paid for such permits, the substance of such permits, and the limits upon such permits, empowering the Comptroller of the State of Florida to enforce and administer these provisions and issue such permits, providing for the annual renewal of such permits, empowering the Comptroller to require information from permittees to determine whether such permits are subject to revocation, requiring that such permits be prominently displayed at the place of business issued for, empowering the Comptroller or the Circuit Court to revoke such permits on grounds enumerated therein, providing remedies for the enforcement of said Act, defining false statements made in securing such permits as perjury and providing penalties upon conviction thereof, defining the sale of merchandise at retail in intrastate commerce without first securing a permit as a misdemeanor and providing penalties upon conviction thereof, excepting from its operation certain services, labor and merchandise under certain circumstances, defining the terms "selling at retail", "retail merchandising" and "merchandise" and including a separability clause and an emergency clause as to effective date.

Amendment No. 1:

In Title, line 1-2 (printed bill), strike out the words: "commissary" and "itinerant merchant".

Amendment No. 2:

In Title, line 11 (printed bill), between the words: "all" and "stock" insert the words: "common and voting".

Amendment No. 3:

In Title, lines 31-33 (printed bill), strike out the words: "providing that no permit may be issued for a business which is to be subsidiary to or related in anywise to any mill, mining or manufacturing business".

Amendment No. 4:

In Section 3, lines 15-17 (printed bill), strike out the words: "but also embrace what is commonly known as the 'commissary evil' and also as the 'itinerant merchant evil'".

Amendment No. 5:

In Section 7, line 2 (printed bill), strike out the word: "July".

And insert in lieu thereof the following: "October".

Amendment No. 6:

Strike out sub-section (p) of Section 8, the same being lines 96 to 101, inclusive, on page 13 of the printed bill.

Amendment No. 7:

In Section 8, line 104 (printed bill), strike out the words: "3.5".

And insert in lieu thereof the following: "3.2".

Amendment No. 8:

In Section 13, line 4 (printed bill), strike out the word: "July".

And insert in lieu thereof the following: "October".

Amendment No. 9:

In Section 15, line 22 (printed bill), add, after the words: "bona fide residents of the State of Florida".

The following: "except as otherwise permitted under the provisions of this Act".

Amendment No. 10:

In Section 15, line 36 (printed bill), insert the following: "If any corporation applying for such a permit shall have outstanding any preferred stock which is held or owned by non-residents of this State, there must also accompany such application a statement disclosing the net value of all common stock outstanding".

Amendment No. 11:

In Section 17, line 4 (printed bill), add the following: "provided, however, that preferred stock in a corporation applying for such a permit may be held and owned by non-residents of this State as provided for elsewhere in this Act".

Amendment No. 12:

In Section 18, Paragraph (a) (printed bill), strike out the words: "That all of its stock must be owned and held by bona fide residents of the State of Florida".

And insert in lieu thereof the following: "That all of its common and voting stock must be owned and held by bona fide residents of the State of Florida, provided, however, that preferred stock bearing no more than six per cent. dividend, non-voting, callable at any dividend period at par, together with accrued dividends, may be held by non-residents of Florida in an amount not to exceed fifty per cent. of the net value of the common stock outstanding.

Amendment No. 13:

In Section 18, Paragraph C (printed bill), strike out the words: "That none of its stock can be owned by, nor hypothecated with, nor held by any other corporation, and that it cannot hold nor own stock in another corporation".

And insert in lieu thereof the following: "That none of its

stock can be owned by, nor held in trust by any other corporation, and that it cannot hold nor own stock in another corporation, provided, however, that this shall not be construed to prevent the hypothecation of the stock of any such corporation to another corporation by the actual owner thereof".

Amendment No. 14:

In Section 20 (printed bill), strike out the whole of Section 20.

Amendment No. 15:

In Section 34, line 5 (printed bill), after the word: "thereof." Insert the following: "nor to printing plants".

Amendment No. 16:

In Section 34, line 10 (printed bill), after the word: "hotels".

Add the following: "nor to merchants leasing stores in hotels not operated more than five months in any year".

Amendment No. 17:

Strike out the period at the end of Section 34, of the printed bill.

Insert in lieu thereof a comma, and add the following: "nor to the sale of fertilizer, fertilizer materials, seeds, insecticides, fungicides, feeds, grain, farm machinery, and other farm equipment and supplies".

Amendment No. 18:

In Section 35, line 11 (printed bill), add after the words: "structures"; "or in the performance of their services".

Amendment No. 19:

Add a new Section, to be numbered "36-A" as follows:

"36-A. Provided, however, that this Act shall not take effect or become effective unless and until it has been submitted to the qualified voters of the State of Florida, at the next occurring Primary or General Election, and unless a majority of such qualified voters at such election shall vote in favor of adoption of this Act; provided further that this Act shall be submitted to said vote of qualified electors but one time. The ballot in such election shall be in the following words and figures:

"Anti Chain Store Act:

.....Yes

.....No".

Amendment No. 20:

Add a new Section to be numbered "36-d" as follows:

"36-d. Provided, any citizen or citizens of the State of Florida, who are and have been engaged in any business or businesses owned solely by citizens of Florida, and who have been engaged in such business or businesses prior to this bill becoming a law, shall not come within the inhibitions of this Act: and may upon establishment of such facts to the satisfaction of the Comptroller, be granted a certificate to such effect, and thereupon be authorized to conduct such business or businesses regardless of the provisions of this Act".

Amendment No. 21:

At the beginning of each Section strike out the Section numbers from 1 to 39 inclusive.

And insert in lieu thereof the following: Numbers 1 to 38 inclusive.

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. 101, contained in the above report, was certified to the House of Representatives.

REPORT OF ENROLLING COMMITTEE

Senator Parker, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 30, 1935.

Hon. Wm. C. Hodges,
President of the Senate.

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

House Bill No. 505:

A bill to be entitled An Act for the cancellation of all delinquent County and municipal taxes and all delinquent special assessments except State taxes against all homesteads situated within the County of Okeechobee, Florida.

Also—

House Bill No. 603:

A bill to be entitled An Act apportioning the monies received

from the State Treasurer by the County Commissioners of Broward County, Florida, which said monies shall be received from the State Treasurer under and by virtue of laws of the State of Florida, to-wit: Senate Bill 361, providing for State Racing Commission, etc., which said bill is an Act of the Legislature of 1931; and providing that monies so received by said County Commissioners shall be paid over to the County Board of Public Instruction for the sole purpose of paying teachers salaries and transportation costs incurred in the current school year that said above mentioned funds are received.

Also—

House Bill No. 527:

A bill to be entitled An Act to abolish Citrus Center Drainage District in Glades County, Florida, and to provide for the disposition of any property or monies belonging to such district, and to repeal Chapter 11443, Laws of 1925, and Chapter 15917, Laws of 1933, creating such district.

Also—

House Concurrent Resolution No. 9:

The State of Florida extends a cordial invitation to the aviation industry as a whole to seriously consider the many advantages offered by this state and assures said industry of our hearty cooperation in developing the industry in all its phases.

Also—

House Concurrent Resolution No. 8:

The Secretary of State recently had published a four page folder representing the State Flag, the State Bird, the State Flower, the Great Seal of the State, and the State Song, and this folder was very much sought after by the school children of the State, therefore the Secretary of State is authorized to have printed an edition of twenty-five thousand (25,000) of these folders for free distribution to the school children of the State and to the general public.

Also—

House Memorial No. 7:

There are five Menhaden Fish Fertilizer plants located in the State of Florida, employing over two thousand citizens, and there is a great amount of Menhaden Fish Scrap and Menhaden Fish Meal being shipped into the United States and into the State of Florida by foreign nations, who, because of cheap labor, can sell their products at a price below the cost of producing them in our State, and unless relief is given, the citizens connected with the Menhaden Fish Industry will be forced out of business, and the Bland Bill in the Congress of the United States provides for a tax on Menhaden Fish Meal and Menhaden Fish Scrap shipped into this country, therefore it is resolved that the Congress of the United States should enact the Bland Bill without further delay.

Also—

House Bill No. 622:

A bill to be entitled An Act to amend Section 7 and Section 17 of Chapter 5368, Laws of Florida, Session of the Legislature of 1903, same being an act to legalize the incorporation of the Town of White Springs, in Hamilton County, Florida, to fix and define the boundaries thereof, to declare the incorporation and ordinances of said town valid and of full force and effect, and to provide for its jurisdiction, powers and privileges, as amended by Chapter 9115, Laws of Florida, of 1921, said amendatory act, being an act amending Sections 2, 7, 40, 43, 46, and 62, of Chapter 5368, Laws of Florida.

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,

F. P. PARKER,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The Bills, Memorial and Concurrent Resolutions 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 Parker, Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 30, 1935.

Hon. Wm. C. Hodges,
President of the Senate.

Sir:

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

Senate Bill No. 324:

A bill to be entitled An Act to amend Section 7067, Compiled General Laws of Florida, 1927, same being Section 1 of Chapter 7391, Act May 28, 1917, of the State of Florida, entitled "An Act, making farm loan bonds issued under the provisions of the Act of Congress called the Federal Farm Loan Act, approved July 17, 1916, lawful investments for all fiduciary and trust funds, and authorizing the acceptance of such bonds as security for all public deposits," as amended by Section 1, Chapter 8538, Acts of 1921 of the State of Florida, entitled "An Act to amend Section 4978 of the Revised General Statutes of Florida, relating to farm loan bonds as lawful investments," so as to provide that all bonds issued by Federal Land Banks and Joint Stock Land Banks, and all debentures issued by Federal Intermediate Credit Banks, pursuant to any Act of the Congress of the United States and/or amendments thereto, and all bonds and obligations fully and unconditionally guaranteed by the United States as to payment of principal and interest, shall be lawful investments for all fiduciary and trust funds, and that such bonds may be accepted as security for all public deposits; and to provide when this Act shall become effective.

Also—

Senate Bill No. 204:

A bill to be entitled An Act to provide a fee for the filing, indexing and recording of any mortgage, or other instrument creating a lien on or conveying or reserving an interest in personal property, or agricultural, horticultural or fruit crops planted, growing or to be planted, grown or raised, or any transfer or assignment thereof to or in favor of the government of the United States, or any department, agency or officer thereof, the Reconstruction Finance Corporation, Land Bank Commissioner, The Federal Farm Mortgage Corporation, any corporation organized under the Act of Congress known as the Farm Credit Act of 1933, and amendments thereto, any corporation organized under the Act of Congress known as the Federal Farm Loan Act, and amendments thereto, or any other corporation, which rediscounts notes or other obligations with, or procures loans from, a Federal Intermediate Credit Bank; to authorize the pasting or otherwise securely fastening of a copy of such instrument, a copy of any transfer or a copy of any assignment thereof in the book provided for that purpose; to provide the effect of such pasting or fastening; and for other purposes, and when this Act shall become effective.

Also—

Senate Bill No. 164:

A bill to be entitled An Act making it unlawful to injure or knowingly to suffer to be injured or to tamper with, meddle with, or interfere with the proper action or just registration of any meter, wire, pipe or fittings or to make or cause to be made any connection with any wire, main, service pipe or other pipe, appliance or appurtenance used for or in connection with the furnishing of electricity, gas or water, and making it unlawful fraudulently to use, waste or suffer to be wasted electricity, gas or water, the measuring or registration of which has been prevented by such injury to tampering or connection with the meter, wire, pipe or other appliances, and making the existence of any connection, wire, conductor, meter alteration or other device effecting the diversion of electricity, gas or water without the same being measured or registered by a meter installed for that purpose or the use or waste of electricity, gas or water, the measurement or registration of which has been prevented by any such connection, wire, conductor, meter alteration or other device prima facie evidence of intent to violate and of the violation of this Act by the person or persons using or receiving the direct benefits from the use of such electricity, gas or water, and fixing the penalty therefor.

Also—

Senate Bill No. 230:

A bill to be entitled An Act providing that a mortgage, executed by a co-operative association, may cover its stock of farm supplies, changing in specifics; providing upon what property the lien of such mortgage shall attach and when

such lien is lost; providing that such mortgage shall not be invalid as to creditors because the mortgager is permitted to retain possession, sell such mortgaged property in the usual course of business, replenish such property from the proceeds of sale and/or apply such proceeds upon the mortgage debt; providing that in all other respects the laws relating to chattel mortgages shall apply to such mortgages; and providing when this Act shall become effective.

Also—

Senate Bill No. 200:

A bill to be entitled An Act to provide for the filing, indexing and recordation of a blank or master form of mortgage or other instrument conveying, transferring or reserving an interest in, or creating a lien on, real and/or personal property; to provide for incorporating by reference the provisions, terms, covenants, conditions, obligations, powers, and other contents, or any of them, set forth in such recorded blank or master form and the effect thereof; to fix the fee for filing, recording, and indexing the same; and to provide when this Act shall become effective.

Also—

Senate Bill No. 202:

A bill to be entitled An Act to limit to seven years the notice given by filing for record any mortgage, or other security instrument creating a lien on or conveying or reserving an interest in personal property, or agricultural, horticultural or fruit crops planted, growing or to be planted, grown or raised; to provide for its application to such instruments heretofore filed or recorded; to provide for the renewal of such notice; to provide for the clerk's fee, and for other purposes, and when this Act shall become effective.

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,

F. P. PARKER,

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.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Parker, Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 30, 1935.

Hon. Wm. C. Hodges,
President of the Senate.

Sir:

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

Senate Bill No. 324:

A bill to be entitled An Act to amend Section 7067, Compiled General Laws of Florida, 1927, same being Section 1 of Chapter 7391, Act May 28, 1917, of the State of Florida, entitled "An Act, making farm loan bonds issued under the provisions of the Act of Congress called the Federal Farm Loan Act, approved July 17, 1916, lawful investments for all fiduciary and trust funds, and authorizing the acceptance of such bonds as security for all public deposits", as amended by Section 1, Chapter 8538, Acts of 1921 of the State of Florida, entitled "An Act to amend Section 4978 of the Revised General Statutes of Florida, relating to Farm Loan Bonds as lawful investments", so as to provide that all bonds issued by Federal Land Banks and Joint Stock Land Banks, and all debentures issued by Federal Intermediate Credit Banks, pursuant to any Act of the Congress of the United States and/or amendments thereto, and all bonds and obligations fully and unconditionally guaranteed by the United States as to payment of principal and interest, shall be lawful investments for all fiduciary and trust funds, and that such bonds may be accepted as security for all public deposits; and to provide when this Act shall become effective.

Also—

Senate Bill No. 204:

A bill to be entitled An Act to provide a fee for the filing,

indexing and recording of any mortgage, or other instrument creating a lien on or conveying or reserving an interest in personal property, or agricultural, horticultural or fruit crops planted, growing or to be planted, grown or raised, or any transfer or assignment thereof to or in favor of the government of the United States, or any department, agency or officer thereof, the Reconstruction Finance Corporation, Land Bank Commissioner, The Federal Farm Mortgage Corporation, any corporation organized under the Act of Congress known as the Farm Credit Act of 1933, and amendments thereto, any Corporation organized under the Act of Congress known as the Federal Farm Loan Act, and amendments thereto, or any other Corporation which rediscounts notes or other obligations with, or procures loans from, a Federal Intermediate Credit Bank; to authorize the pasting or otherwise securely fastening of a copy of such instrument, a copy of any transfer or a copy of any assignment thereof in the book provided for that purpose; to provide the effect of such pasting or fastening; and for other purposes, and when this Act shall become effective.

Also—
Senate Bill No. 164:

A bill to be entitled An Act making it unlawful to injure or knowingly to suffer to be injured or to tamper with, meddle with, or interfere with the proper action or just registration of any meter, wire, pipe or fittings to make or cause to be made any connection with any wire, main, service pipe or other pipe, appliance or appurtenance used for or in connection with the furnishing of electricity, gas or water, and making it unlawful fraudulently to use, waste or suffer to be wasted electricity, gas or water, the measuring or registration of which has been prevented by such injury to tampering or connection with the meter, wire, pipe or other appliances, and making the existence of any connection, wire, conductor, meter alteration or other device effecting the diversion of electricity, gas or water without the same being measured or registered by a meter installed for that purpose or the use or waste of electricity, gas or water, the measurement or registration of which has been prevented by any such connection, wire, conductor, meter alteration or other device prima facie evidence of intent to violate and of the violation of this Act by the person or persons using or receiving the direct benefits from the use of such electricity, gas or water, and fixing the penalty therefor.

Also—
Senate Bill No. 230:

A bill to be entitled An Act providing that a mortgage, executed by a co-operative association, may cover its stock of farm supplies, changing in specifics; providing upon what property the lien of such mortgage shall attach and when such lien is lost; providing that such mortgage shall not be invalid as to creditors because the mortgagor is permitted to retain possession, sell such mortgaged property in the usual course of business, replenish such property from the proceeds of sale and/or apply such proceeds upon the mortgage debt; providing that in all other respects the laws relating to chattel mortgages shall apply to such mortgages; and providing when this Act shall become effective.

Also—
Senate Bill No. 200:

A bill to be entitled An Act to provide for the filing, indexing and recordation of a blank or master form of mortgage or other instrument conveying, transferring or reserving an interest in, or creating a lien on, real and/or personal property; to provide for incorporating by reference the provisions, terms, covenants, conditions, obligations, powers, and other contents, or any of them, set forth in such recorded blank or master form and the effect thereof; to fix the fee for filing, recording and indexing the same; and to provide when this Act shall become effective.

Also—
Senate Bill No. 202:

A bill to be entitled An Act to limit to seven years the notice given by filing for record any mortgage, or other security instrument creating a lien on or conveying or reserving an interest in personal property, or agricultural, horticultural or fruit crops planted, growing or to be planted, grown or raised; to provide for its application to such instruments heretofore filed or recorded; to provide for the renewal of such notice; to provide for the clerk's fee, and for other purposes, and when this Act shall become effective.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Very respectfully,

F. P. PARKER,
Chairman of the Joint Committee on Enrolled Bills
on the Part of Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Butler—
Senate Bill No. 543:

A bill to be entitled An Act relating to the road and bridge fund of the several counties of the State of Florida, prescribing the maximum tax levy for road and bridge purposes, describing the uses to which such fund may be applied, repealing Section 1604 of the Revised General Statutes of Florida 1920 and all laws and parts of laws in conflict herewith.

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

By Senators Beall and Gomez—
Senate Bill No. 544:

A bill to be entitled An Act to provide for the investigation and study of wages of women and minors employed in trade and industry in the State of Florida; and for the determination and establishment of minimum fair wage standards for such workers; and for the purpose of preventing unfair and oppressive exploitation of such workers; and for other purposes.

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

By Senators Beall and Gomez—
Senate Bill No. 545:

A bill to be entitled An Act regulating wages and hours of service; providing for an eight (8) hour day and a minimum weekly wage in certain businesses; and providing a penalty for any violation of such regulations.

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

By Senator Parker—
Senate Bill No. 546:

A bill to be entitled An Act legalizing the taking of fresh water fish with gigs and nets during certain months of the year in counties having a population of not less than four thousand three hundred (4,300) and not more than four thousand four hundred (4,400) based upon the Federal census of 1930.

Which was read the first time by title only.

Senator Parker asked unanimous consent of the Senate to take up and consider Senate Bill No. 546 at this time.

Which was agreed to.

Senator Parker moved that the rules be waived and Senate Bill No. 546 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 546 was read the second time by title only.

Senator Parker moved that the rules be further waived and Senate Bill No. 546 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. 546 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Butler, Clark, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—37.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Tillman:
Senate Bill No. 547:

A bill to be entitled An Act to amend Section 2522 of the Revised General Statutes of Florida 1920, also known as Section 3944, Compiled General Laws of Florida, 1927, relating to checks, coupons or other devices issued in payment for labor, and providing that violation of said Section shall be a misdemeanor, and providing a penalty therefor.

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

By Senator Watson—
Senate Bill No. 548:

A bill to be entitled An Act "to regulate and control and make unlawful the use or sale of fireworks and like devices except under certain conditions".

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

By Senator Watson—
Senate Bill No. 549:

A bill to be entitled An Act to regulate the sale of second-hand or used school books in the State of Florida.

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

By Senator Watson—
Senate Bill No. 550:

A bill to be entitled An Act to regulate the sale and dealing in of second-hand or used bicycles.

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

By Senator Watson—
Senate Bill No. 551:

A bill to be entitled An Act "to regulate the sale, dealing in and the use and operation of air rifles, air guns, toy pistols and like devices when operated and capable of discharging any projectile or firing any explosive, and the further regulation of similar toy devices."

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

By Senator Watson—
Senate Bill No. 552:

A bill to be entitled An Act to prohibit the purchase of junk, or second-hand articles, fruit, or other thing of value, from minors.

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

By Senator Sweger—
Senate Bill No. 553:

A bill to be entitled An Act legalizing the taking of certain fish with gigs, seines, nets or otherwise in the several counties in the State of Florida, having a population of not less than 28,880, and not more than 30,000, inhabitants, according to the last preceding Federal census.

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

By Senator Butler—
Senate Bill No. 554:

A bill to be entitled An Act amending Section 30 of Chapter 14764, Laws of Florida, Acts of 1931, entitled: "An Act providing for the supervision and regulation of persons, firms, corporations and associations owning, controlling, operating or managing motor vehicles used in the business of transporting persons or property for compensation over the public highways of the State; providing for regulations of safety and proper operation affecting the use of said highways and the preservation thereof; defining auto transportation companies and providing supervision and regulation thereof by the Railroad Commission of the State of Florida, and providing for the enforcement of the provisions of this act, and for the punishment of violations thereof and imposing a mileage tax and providing for the disposition of the revenue raised by the same; and providing certain exemptions; and repealing all acts inconsistent with the provisions of this Act" providing that persons, firms or corporations operating motor vehicles over and upon state road number seventy-eight and the territory adjacent to said State road within a radius of ten miles thereof shall be exempted from the provisions of said act and from commission jurisdiction and control.

Which was read the first time by title only and referred to the Committees on Motor Vehicles and Transportation & Traffic, jointly.

By Senator Tillman—
Senate Bill No. 555:

A bill to be entitled An Act creating a Board of Public Instruction consisting of five members for each county of the State of Florida having a population of not less than one hundred and forty-five thousand (145,000) nor more than one hundred and fifty-five thousand (155,000) according to the

last preceding Federal census; providing for the nomination and election of members of such boards; providing for the appointment by the Governor of additional members of such boards to serve thereon with incumbent members of Boards of Public Instruction affected by this Act; prescribing certain duties and compensation of such boards of Public Instruction and members thereof; confirming powers, duties and properties now vested in existing Boards of Public Instruction affected by this act in Boards created by this act; and repealing all laws and parts of laws in conflict herewith.

Which was read the first time by title only.

Senator Tillman asked unanimous consent of the Senate to take up and consider Senate Bill No. 555 at this time.

Which was agreed to.

Senator Tillman moved that the rules be waived and Senate Bill No. 555 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 555 was read the second time by title only.

Senator Tillman moved that the rules be further waived and Senate Bill No. 555 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. 555 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—37.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Lewis—
Senate Bill No. 556:

A bill to be entitled An Act granting a pension to Mrs. Leasey L. T. Holland of Grand Ridge, Florida.

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

By Senators Turner and Shelley—
Senate Bill No. 557:

A bill to be entitled An Act relating to forest protection; to authorize the establishment and organization of forest protection districts and to prescribe the powers and duties of the Florida Board of Forestry, the State Forester and Forest Fire Wardens in connection therewith; and to regulate and control fires therein; to prescribe the duties of members of road construction and maintenance crews and road contractors and sub-contractors and their employees in relation to fires on and along the rights of way of State, county and public roads and to prescribe the duties of the State Road Department, the County Commissioners and County Highway Departments in relation thereto; to make it unlawful to burn, or cause to be burned or set fire to or cause to be set fire to, any forest, grass, woods, wild lands or marshes, or to permit fires to escape or to leave camp or warming fires unextinguished; to authorize the Florida Board of Forestry to enforce the provisions of this Act and all fire laws of the State and to appoint forest fire wardens to assist in such enforcement; to fix the powers and duties of such forest fire wardens, and to require any able bodied male person between the ages of eighteen and fifty years to assist them under certain circumstances; to authorize the Florida Board of Forestry to offer and pay rewards for the arrest and conviction of persons violating the provisions of this Act; to provide penalties for violations of this Act and to provide civil liability for damages caused by such violations; and to repeal Section 5284, Revised General Statutes of Florida, 1920, and Sections 1 and 2 of Chapter 12,024, Laws of Florida, Acts of 1927, relating to burning or setting fire to wild forests, lands, woods or marshes.

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

By Senators Turner and Shelley—
Senate Bill No. 558:

A bill to be entitled An Act to declare the establishment and/or maintenance of county forest fire control units to be county purposes; to authorize the Boards of County Commissioners to establish and/or maintain county forest fire con-

trol units after a referendum; to authorize the said Boards of County Commissioners to enter into agreements with the Florida Board of Forestry for the establishment and/or maintenance of county fire control units; to declare the powers of the Boards of County Commissioners in relation thereto and to levy a tax therefor; to authorize the State Board of Forestry to cooperate and to enter into agreements to carry out the purposes of this Act and to expend funds therefor; to provide the manner for discontinuing operations as prescribed hereunder; to validate, legalize and confirm the acts and proceedings, contracts and agreements of any Board of County Commissioners now carrying on a program of forest fire control, and to authorize the continuance thereof; to provide for the repeal of all laws and parts of laws in conflict herewith and for the repeal of Chapter 16,021, Laws of Florida, Acts of 1933.

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

By Senators Turner and Shelley—
Senate Bill No. 559:

A bill to be entitled An Act authorizing the Florida Board of Forestry to establish the "Florida Park Service," and to establish, develop, and maintain a system of State Parks, and authorizing the County Commissioners to purchase, acquire and maintain parks, and repealing all laws in conflict herewith.

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

By Senators Turner and Shelley—
Senate Bill No. 560:

A bill to be entitled An Act to be known as the Auxiliary State Forest Act; to create auxiliary state forests to be under the supervision of the Florida State Board of Forestry; to provide for placing privately owned lands in such forests by deed to the trustees of the internal improvement fund; for contracting reconveyance of and the reconveyance of the same to the grantor or his assignee under certain conditions; for fire protection and forest management of such forests under the supervision of the Florida Board of Forestry; for the sale and disposal of such forests; for the harvesting of products of such forests under certain conditions and restrictions; for assessment of forest fees, yield taxes, and other fees; for the payment and collection thereof; for distribution and use of the moneys collected; for a method of accounting, adjusting, and paying tax liens under certain conditions; for foreclosure of tax liens under certain conditions; for disposal of certain lands held by or acquired by the Trustees of the Internal Improvement Fund of the State; and for repealing inconsistent laws.

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

By Senators Turner and Shelley—
Senate Bill No. 561:

A bill to be entitled An Act authorizing the Florida Board of Forestry to accept gifts, donations or contributions of land and subject to restrictions to acquire by lease or purchase, lands for State forests or State parks; and providing the manner in which funds may be applied to such purposes; and providing for the custody and control of all such lands by said board; and providing that such lands may be sold by said board with the concurrence of the Governor and Trustees of the Internal Improvement Fund; and authorizing the said Board to make rules and regulations with respect to the purposes of this Act, and repealing all laws and parts of laws in conflict herewith; and making an appropriation to assist in carrying out the purposes of this Act; and designating the Florida State Board of Forestry to cooperate with the United States Secretary of Agriculture and other agencies for land and forest preservation and development.

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

By Senators Turner and Shelley—
Senate Bill No. 562:

A bill to be entitled An Act to require courses of instruction covering the conservation of natural resources in the high schools and the higher State educational institutions; requiring that all persons preparing to be teachers be required to take courses in natural resources and nature study; requiring the teaching of nature study in at least two of the elementary grades in the public schools; requiring the State Superintendent of Public Instruction to make arrangements for carrying out the provisions of Sections 2 and 3 of this Act; and requir-

ing the State Superintendent of Public Instruction and the various departments of the State Government concerned with the conservation of natural resources to cooperate in the preparation of text books and other suitable material to facilitate instruction of the subject.

Which was read the first time by title only and referred to the Committees on Forestry and Education, jointly.

By Senator Adams—
Senate Bill No. 563:

A bill to be entitled An Act relating to and concerning taxation, imposing a tax upon all corporations, firms and individuals receiving payment for electricity for light, heat or power, and for natural or manufactured gas for light, heat or power and for the use of telephones and for the sending of telegrams and telegraph messages or engaged in any such business; providing the method of collecting said tax and penalty for the failure to pay the same.

Which was read the first time by title only and referred to the Committees on Finance & Taxation and Public Utilities, jointly.

By Senator Smith (29th)—
Senate Bill No. 564:

A bill to be entitled An Act to amend Section 1 of Chapter 16201, Acts of 1933, Laws of Florida, relating to the designation and establishment of a State road in Clay County, Florida.

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

By Senator Gomez—
Senate Bill No. 565:

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

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

By Senator Adams—
Senate Bill No. 566:

A bill to be entitled An Act to amend Section 2416 of the Revised General Statutes of Florida 1920, being Section 3826 of the Compiled General Laws of Florida of 1927, fixing the standard of cotton seed meal manufactured, imported, transported, distributed, stored, sold, kept or offered for sale in or into the State of Florida, and prescribing the minimum nitrogen content thereof.

Which was read the first time by title only and referred to the Committee on Agriculture & Live Stock.

By Senators Harper, Shelley and Smith (14th)—
Senate Bill No. 567:

A bill to be entitled An Act to provide fire protection to the forests of Florida; to designate the means to be employed; to empower the State Forestry Service to carry out the provisions of this Act, and to make appropriation therefor.

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

By Senator Butler—
Senate Bill No. 568:

A bill to be entitled An Act for the relief of J. E. Madigan, to reimburse him for doctor and hospital expenses on account of an automobile accident suffered on June 30th, 1933, while in performance of duty as traveling auditor for the State Comptroller.

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

By Senators Holland, Parrish and Watson—
Senate Bill No. 569:

A bill to be entitled An Act to protect the consumer against inferior bakery products and against misleading weights and sizes; to promote increased employment and better working conditions; to eliminate destructive trade practices in the bakery business; to define and regulate the manufacture and sale of bakery products; to name the commissioner of agriculture as administrator and fix his duties and authority and provide for the appointment of an assistant administrator, inspectors and other necessary employees and provide for their salaries; to create an advisory control board and provide for its election, duties and authority; to provide for the licensing of bakeries, both wholesale and retail; to divide the State into districts for administrative purposes; to provide for the keeping of certain records; to fix minimum ingredients and standardize bread sizes and weights; to permit the promulgation of minimum prices; to provide for assessments to defray cost of administration of this Act; to provide penalties for the viola-

tion of the terms hereof, and declaring an emergency.

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

By Senators Touchton, Smith (14th), Smith (29th), Clarke, Beacham and Pannill—
Senate Bill No. 570:

A bill to be entitled An Act to regulate "finance Companies," defining such companies, to require a permit from such companies, prescribing a tax upon their transactions, placing the regulations and administration hereof in the hands of the Comptroller and prescribing penalties for violations.

Which was read the first time by title only and referred to the Committees on Banking & Building & Loans and Corporations, jointly.

By Senator Turner—

Senate Bill No. 571:

A bill to be entitled An Act granting a pension to Mrs. Martha Oliver of Levy County.

WHEREAS, It is shown by the records of North Carolina that Nathaniel Green Oliver or (N. G. Oliver), who is one and the same identical person, enlisted in Greensboro, North Carolina and became a member of Company E, 32 Regiment, North Carolina Volunteers, Captain C. C. Cole, Commanding, and that he, Nathaniel Green Oliver or (N. G. Oliver), who is one and the same identical person, died April 6, 1917 in Patrick County, Virginia, and,

WHEREAS, He inter-married with Martha Oliver, who is now his widow, on January 1, 1872, in Stokes County, North Carolina, and,

WHEREAS, Married Martha Oliver, who has been an actual citizen and resident of the State of Florida and Levy County for the past eight years, THEREFORE

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

Senator Savage moved that Senate Bill No. 525 be withdrawn from the Calendar of Local Bills on second reading and referred to the Committee on Game & Fisheries.

Which was agreed to and it was so ordered.

The motion made by Senator Futch on April 27, 1935, that the Senate reconsider the vote by which the Senate receded from the following amendment to:

House Bill No. 54:

A bill to be entitled An Act extending the time for the payment of maturities in interest and principal or other forms of indebtedness for which any political subdivision or municipality or taxing district is liable.

Which amendment reads as follows:

In (typewritten bill), strike out Section 2 and insert in lieu thereof the following: Section 2. That this Act is passed under the police power of the State and should be liberally construed by the Courts with a view of carrying out the purposes of this Act.

Was taken up in its order.

The question was put.

Which was agreed to.

And the Senate reconsidered the vote by which the Senate receded from the foregoing amendment to House Bill No. 54.

The question recurred on the motion previously made by Senator Beacham that the Senate recede from the foregoing amendment to House Bill No. 54.

Which was not agreed to.

And the Senate refused to recede from the foregoing Senate amendment to House Bill No. 54.

Senator Beacham moved that the Speaker of the House of Representatives be requested to appoint a conference committee on the part of the House to confer with a like committee on the part of the Senate to adjust the differences on House Bill No. 54.

Which was agreed to and it was so ordered.

The motion made by Senator Gomez on April 27, 1935, to reconsider the vote by which Senate Bill No. 139 passed the Senate on April 27, 1935:

Senate Bill No. 139:

A bill to be entitled An Act providing for an allowance in the form of a pension to W. M. Holloway, and making an appropriation to take care of such an allowance or pension.

Was taken up.

The question was put.

Upon which a roll call was demanded.

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

Yeas—Senators Adams, Bass, Beacham, Beall, Clarke, Futch, Gillis, Gomez, Harper, Lundy, McArthur, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Raulerson, Rose, Savage, Smith (14th), Smith (29th), Sweger, Tervin, Touchton, Turner, Watson—27.

Nays—Mr. President; Senators Butler, Holland, Lewis, McKenzie, Parrish, Shelley, Shivers, Sikes, Tillman—10.

Which was agreed to.

And the Senate reconsidered the vote by which Senate Bill No. 139 passed the Senate.

The question recurred on the passage of the bill.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Butler, Gillis, Gomez, Holland, Lewis, Lundy, McKenzie, Parrish, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Tillman—15.

Nays—Senators Adams, Bass, Beacham, Beall, Clarke, Futch, Harper, McArthur, MacWilliams, Mann, Murphy, Pannill, Parker, Raulerson, Rose, Savage, Sweger, Tervin, Touchton, Turner—Watson—21.

So the bill failed to pass.

Senate Bill No. 16:

A bill to be entitled An Act to stabilize and protect the citrus industry of the State of Florida and to promote the general welfare of such industry and of the State of Florida; to create a State Citrus Commission of the State of Florida to be known as "Florida Citrus Commission"; to provide for the appointment and payment of expenses of the members of such commission and to prescribe the power, duties and functions of such commission and the qualifications and terms of office of members thereof; to create seven citrus districts to be numbered one to seven; to provide for the adoption by said commission of rules, regulations and orders necessary and proper for an effective administration and enforcement of this Act; to protect and enhance the reputation of Florida citrus fruit in domestic and foreign markets; to regulate the inspection, grading and marking of citrus fruit; to prohibit the shipping of citrus fruit in violation of this Act; to prescribe the powers and duties of the Commissioner of Agriculture of the State of Florida in the enforcement of this Act; to provide for judicial review of protests made in connection with any rules, regulations or orders adopted pursuant to this Act; to provide for the levy and collection of assessments and the disbursement thereof; to provide for inspection and inspection services; and to provide penalties for violations of the provisions of this Act and any rule, regulation or order promulgated thereunder.

Was taken up in its order, having been read the second time in full on April 30, 1935.

Senator Holland moved that the rules be waived and the Senate do now reconsider the vote by which the following amendment to Senate Bill No. 16 was adopted on April 30, 1935:

Section "3-A" as follows:

"Section 3-A. The Governor of the State of Florida shall call a meeting of the citrus growers of each of the districts hereinafter referred to, within thirty (30) days after this Act becomes a law. Said notice shall state the place, day and hour that said meeting in each of said districts shall be held. At said meeting in each of said districts, citrus growers attending the same shall nominate three persons, with the qualifications provided for in this Act, as commissioners for the district in which they are nominated, and from the three nominated the Governor shall select the commissioner to serve in said district, provided that the Governor shall have the authority to call for additional nominations if he, for any reason, does not desire to appoint either of the three first nominated in either of said districts, and in event of calling for additional nominations, the Governor shall call a meeting of the growers in the district in which said additional nominations are requested said notice calling said meeting shall specify the place, day and hour at which said meeting is to be held.

In the nomination of said commissioners, each grower shall be entitled to one (1) vote for each box of citrus fruit grown by such grower in 1934; the amount of fruit grown by each grower shall be determined by the estimate made through the United States Department of Agriculture, which estimate was made in order to enable the Control Committee that was appointed by the Secretary of Agriculture to better perform their duties. This estimate shall be used as aforesaid, if available. If not available then the amount of fruit so grown by each grower shall be determined from a sworn statement to be made

by each grower, which sworn statement shall be accepted by those conducting the meeting or election, nominating said commissioners, as being true.

When growers of each district assemble in pursuance of the call to be made by the Governor as aforesaid, they shall organize by electing a permanent Chairman and Secretary for said meeting, and they then shall adopt such rules as may be necessary to enable each citrus grower to vote his choice on the basis herein provided.

Immediately after said meeting or election, the names of those nominated shall immediately be certified by the Chairman and Secretary to the Governor of the State of Florida.

The Governor of the State of Florida, from time to time, shall have the power and authority, in the manner hereinbefore set forth, to call for nominations from the growers of the various districts for the purpose of filling any vacancy in the office of any district commissioner.

Which was agreed to by a two-thirds vote.

And the Senate reconsidered the vote by which the foregoing amendment to Senate Bill No. 16 was adopted.

By unanimous consent Senator Murphy withdrew the foregoing amendment to Senate Bill No. 16.

And Senate Bill No. 16, as amended, was referred to the Committee on Engrossed Bills.

Senate Bill No. 18:

A bill to be entitled An Act to conserve and promote the prosperity and welfare of the Florida citrus industry and of the State of Florida by promoting the sale of oranges produced in Florida through the conducting of a publicity advertising and sales promotion campaign to increase the consumption of such oranges; to levy and impose an excise tax on oranges produced in Florida and to provide for the collection thereof; to create an orange advertising fund; to vest the administration of this Act in the Florida Citrus Commission and to provide for the powers, duties and authority of said Commission hereunder; and to provide penalties for violations of this Act.

Was taken up in its order, having been read the second time in full on April 30, 1935.

Senator Parrish moved that the rules be waived and the Senate do now reconsider the vote by which the following amendment to Senate Bill No. 18 was adopted on April 30, 1935:

(Typewritten bill), strike out previous section providing for effective date, and insert in lieu thereof the following: "This Act shall not take effect or become effective unless and until it has been submitted to the qualified voters of the State of Florida, residing in the counties of Polk, Orange, Lake, Hillsborough, Volusia, Brevard, Highlands, Marion, Pinellas, Hardee, DeSoto, Indian River, Dade, Manatee, Seminole, St. Lucie, Putnam and St. Johns, at the next occurring Primary or General Election, and unless a majority of such qualified electors in said election, and unless a majority of such qualified electors in said counties at such election shall vote in favor of the adoption of this Act, provided, that this Act shall not apply to or be in effect in any of said counties unless at the aforesaid election a majority of the qualified voters in such counties vote in favor of its adoption. The ballot in such elections shall be in the following words and figures:"

Citrus Tax bill on Oranges.

— YES.
— NO.

Senator MacWilliams moved the adoption of the amendment.

Pending the adoption of the amendment offered by Senators MacWilliams and Nordman, Senator Tillman offered the following substitute amendment to Senate Bill No. 18:

Amend Section 25 so as to make the same read as follows: "Section 25. This Act shall not be effective in any County of the State of Florida until the same is approved by a majority of the qualified electors of all such counties affected. Within sixty (60) days after this Act becomes a law, the County Commissioners of Hillsborough, Pinellas, Manatee, Citrus, Sumter, Lake, Hernando, Pasco, Alachua, Putnam, St. Johns, Flagler, Volusia, Marion, Levy, Seminole, Orange, Osceola, Brevard, Indian River, St. Lucie, Martin, Palm Beach, Broward, Dade, Sarasota, Hardee, Highlands, Okeechobee, Glades, DeSoto, Charlotte, Lee, Hendry, Collier, Monroe and Polk Counties, Florida, are hereby commanded to call an election in each of said counties for the purpose of permitting qualified electors in each of said counties to decide and pass upon whether or not

this law shall be effective in all such counties affected, and the Board of County Commissioners of each of said counties shall cause the Clerk thereof to give notice of said election, by publishing same once each week for four consecutive weeks in one or more newspapers in circulation in said county. All elections ordered or held under this Act shall be held within ninety (90) days after the passage of this Act; and the inspectors and other officers holding said elections shall be appointed and qualified as in cases of general elections, and they shall count the votes cast and make due return of the same to the County Commissioners of the respective counties without delay; and the County Commissioners shall canvass the returns and declare the result and cause the same to be recorded as provided in the general law concerning elections so far as applicable. That for such election the Registration Books in each county shall be opened on the 10th day (if said 10th day be Sunday or holiday, then on the next day not a Sunday or holiday) after said election is ordered and called, and shall remain open for a period of ten (10) days for additional registrations of persons qualified for registration not already registered; and the electors voting at such election shall have the same qualifications for and prerequisite to voting in elections as under the general election laws. The County Commissioners of the respective counties shall cause to be prepared a ballot substantially in the following form:

() FOR ratification and adoption of Senate Bill No. 18, known as the Florida Orange Advertising Act.

() AGAINST ratification and adoption of Senate Bill No. 18, known as the Florida Orange Advertising Act.

Each elector shall vote his choice, either for or against the adoption or ratification of this Act, by making a cross mark to the left of his choice. If at said election held in the counties aforesaid a majority of all the electors of all of said counties voting on the question of ratification or rejection of this Act, shall vote against such ratification and adoption, then this Act shall become null and void and shall not be effective; but if a majority of all of the electors in all the counties voting on the question of the ratification or rejection of this Act, shall vote for such ratification and adoption, then in such event, such Act shall become effective in all the counties holding said elections. The County Commissioners within five (5) days after the date of said election, shall immediately certify the result of the same to the Secretary of State, and the said returns from the respective counties shall be canvassed and the result announced, as now provided for the canvassing and announcing of returns of general elections.

Which was agreed to by a two-thirds vote.

And the Senate reconsidered the vote by which the foregoing amendment to Senate Bill No. 18 was adopted.

By unanimous consent Senator Tillman withdrew the foregoing amendment.

Senator Tillman offered the following amendment to Senate Bill No. 18:

In Section 6, line 1 (typewritten bill), strike out the words: after the word "imposed" add: Until July 1, 1937.

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

Senator Tillman also offered the following amendment to Senate Bill No. 18:

In Section 6, line 2, (typewritten bill), strike out the word: "two" and insert in lieu thereof the following: "one".

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

Senator Tervin offered the following amendment to Senate Bill No. 18:

Add new Section 8-A: The tax unpaid by this bill shall be paid out of any sum charged by the packers of such fruit and insert in lieu thereof the following: and shall not be charged to the grower.

Senator Tervin moved the adoption of the amendment. Upon which a roll call was demanded.

Upon the adoption of the amendment the roll was called and the vote was:

Yeas—Senators Beacham, Harper, Lewis, Murphy, Nordman, Parker, Savage, Smith (14th), Smith (29th), Tervin, Tillman—11.

Nays—Mr. President; Senators Adams, Bass, Futch, Gomez, Holland, Lundy, McArthur, McKenzie, MacWilliams, Mann, Pannill, Parrish, Raulerson, Rose, Shelley, Sikes, Touchton, Turner, Watson—20.

So the amendment failed of adoption.

And Senate Bill No. 18, as amended, was referred to the Committee on Engrossed Bills.

Senate Bills Nos. 256 and 87 were taken up in their order and the consideration of same was informally passed.

Senator Butler moved that a committee be appointed to escort Honorable Edgar W. Waybright, former member of the Senate from the 18th Senatorial District, to a seat on the rostrum of the Senate.

Which was agreed to.

And the President appointed Senators Butler, Beall and Adams as the committee.

Senate Bill No. 86:

A bill to be entitled An Act relating to the State Live Stock Sanitary Board, and prescribing the powers and duties of said Board with respect to the employment of a State Veterinarian as an employe of said Board, and with respect to said Board fixing the powers, duties and compensation of such State Veterinarian as an employe of said Board, and with respect to combating and treating contagious, infectious and communicable diseases of live stock or domestic animals, and defining live stock or domestic animals, and defining contagious, infectious or communicable diseases of live stock or domestic animals, and authorizing the State Live Stock Sanitary Board to examine or test any live stock or domestic animals under quarantine for contagious, infectious or communicable diseases and making it unlawful for any person, firm or corporation knowingly or willfully to move or to allow to stray or drift into the State of Florida any live stock or domestic animals which are affected with contagious, infectious or communicable diseases, and authorizing the State Live Stock Sanitary Board to promulgate rules and regulations concerning the introduction of live stock or domestic animals into the State of Florida, and making it unlawful to manufacture for sale, sell, or offer for sale in Florida any biological product intended for diagnostic or therapeutic purposes with animals, except upon written permission from the State Live Stock Sanitary Board, unless such product is officially approved by the United States Bureau of Animal Industry, and making it unlawful for any person to inject or otherwise to administer to any live stock of domestic animal in Florida that is producing, or that is to be used as food for man, any virus or other substance containing pathogenic or disease producing germs of a kind that is virulent for man or for animals, except upon permission to do so from the State Live Stock Sanitary Board, and repealing all laws and parts of laws in conflict herewith, and expressly repealing Chapter 13892, Laws of Florida, Acts of 1929.

Was taken up in its order, having been read the third time in full on April 24, 1935, pending roll call.

By unanimous consent, the following amendment was offered by Senator Gillis to Senate Bill No. 86:

At the end of Section 1, insert the following: "Wherever by the terms or provisions of Chapter 9201, Laws of Florida, Acts of 1923, rights, powers, privileges or duties are vested in or prescribed for the State Veterinarian or the Secretary of the State Live Stock Sanitary Board, such rights, powers, privileges and duties shall be deemed to be vested in and prescribed for, and shall be exercised by, the State Live Stock Sanitary Board"

Senator Gillis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Butler, Clarke, Gillis, Gomez, Harper, Holland, Lundy, McKenzie, MacWilliams, Mann, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Sikes, Smith (14th), Tillman, Touchton, Turner, Watson—27.

Nays—Senators Beall, Futch, Shelley, Shivers, Smith (29th), Sweger—6.

So the bill passed, as amended, and was referred to the Committee on Engrossed Bills.

Senate Bill No. 147:

A bill to be entitled An Act to amend Section 14 of Chapter 8415, Laws of Florida, Acts of 1921, as amended by Section 6 of Chapter 12285, Laws of Florida, Acts of 1927, relating to

the definition of the practice of medicine and exempting certain persons from the provisions of said Chapter 8415, Laws of Florida, Acts of 1921, as amended.

Was taken up in its order, having been read the third time in full on April 30, 1935, pending roll call.

By unanimous consent, the following amendment was offered by Senator Beall to Senate Bill No. 147:

In Section 14, line 35 (typewritten bill), add the words: "or registered nursing staff, or qualified anesthetists, or X-ray operator".

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Butler, Clarke, Futch, Harper, Holland, Lundy, McKenzie, MacWilliams, Mann, Murphy, Nordman, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (29th), Sweger, Tervin, Touchton, Turner, Watson—30.

Nays—None.

So the bill passed, as amended, and was referred to the Committee on Engrossed Bills.

Senate Bills Nos. 266, 295 and 350 were taken up in their order and the consideration of same was informally passed.

Senate Joint Resolution No. 7:

A Joint Resolution proposing an amendment to Article IX of the Constitution relating to taxation.

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

That the following amendment to the Constitution of the State of Florida, relating to an overall limitation upon the power to levy and collect ad valorem taxes, to be known as Section 15 of Article IX, be, and the same is hereby, agreed to, and shall be submitted to the Electors of the State at the General Election of Representatives in 1936, for approval or rejection.

Section 15. The total levy of taxes for all purposes of the State, county, town, city and other taxing districts shall not exceed twenty mills on the dollar, notwithstanding any power heretofore possessed or exercised under or consistent with this Constitution, which levy may be apportioned by a general law applicable to the state and every such political subdivision thereof, or the Legislature may provide by such law, the manner and means by which such apportionment shall be made. Levies for the payment or refunding of valid debts and obligations heretofore incurred and required by then existing law to be paid by levies of ad valorem taxes shall not be affected hereby.

"That this amendment shall become effective January 1, 1938, as to taxes for the year 1938 and subsequent taxes."

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

Pending roll call Senator Beacham moved that the hour of adjournment be extended thirty (30) minutes.

Which was not agreed to.

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

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Butler, Gillis, Gomez, Harper, Holland, Lundy, McArthur, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Shelley Shivers, Sikes, Smith (14th), Tervin, Tillman, Touchton, Watson—29.

Nays—Senators Clarke, Futch, Lewis, McKenzie, Savage, Smith (29th), Sweger, Turner—8.

So Senate Joint Resolution No. 7 passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1935 session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Raulerson withdrew Senate Bill No. 362.

Senator Nordman moved that Senate Bill No. 135 be withdrawn from the Calendar of Bills on second reading and recommended to the Committee on Insurance.

Which was agreed to and it was so ordered.

Senator Adams moved that the hour of adjournment be extended five (5) minutes.

Which was agreed to and it was so ordered.

Senate Joint Resolution No. 286:

A Joint Resolution proposing the amendment of Section 7 of Article X of the Constitution, relating to the exemption of homesteads from taxation.

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

That the following amendment of Section 7 of Article X of the Constitution of the State of Florida relating to the exemption of homesteads from taxation, be, and the same is hereby, agreed to, and shall be submitted to the electors of the State at the General Election of Representatives in 1936, for approval or rejection; that is to say, that the said Section 7 of Article X of the Constitution be amended so as to read as follows:

Every person who has the legal or beneficial title in equity to real property in this State and who resides thereon and in good faith makes the same his or her permanent home, or the permanent home of another or others legally or naturally dependent upon said person, shall be entitled to an exemption as provided in Section 1 of Article X of this Constitution from all taxation, except for assessments for special benefits, up to the assessed valuation of Five Thousand Dollars on the said home and contiguous real property. Said title may be held by the entireties, jointly, or in common with others, and said exemption may be apportioned among such of the owners as shall reside thereon, as their respective interests shall appear, but no such exemption of more than Five Thousand Dollars shall be allowed to any one person or on any one dwelling house, nor shall the amount of the exemption allowed any person exceed the proportionate assessed valuation

based on the interest owned by such person. The Legislature shall prescribe appropriate and reasonable laws regulating the manner of establishing the right to said exemption.

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

Upon the passage of Senate Joint Resolution No. 286 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Pannill, Parker, Raulerson, Rose, Shelley, Shivers, Sikes, Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—32.

Nays—None.

So Senate Joint Resolution No. 286 passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1935 session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Adams withdrew Senate Bill No. 513.

Senator Futch moved that the rules be waived and when the Senate adjourns today it adjourn to reconvene at 10:30 o'clock A. M., Thursday, May 2, 1935.

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

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:05 o'clock P. M., until 10:30 o'clock A. M., Thursday, May 2, 1935.