

JOURNAL OF THE SENATE

Monday, April 26, 1937

The Senate convened at 3:00 o'clock P. M. pursuant to adjournment on Friday, April 23, 1937.

The President in the Chair.

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

Mr. President; Senators Adams, Beacham, Beall, Black, Butler, Clarke, Coulter, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, McKenzie, Murphy, Nordman, Parker, Parrish, Rose, Savage, Sharit, Smith, Sweger, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—37.

A quorum present.

Senator Mapoles was excused from attendance upon the Session today.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of the Senate of April 13, 1937, was corrected as follows:

On page 12, column 2, line 53, strike out "In Section 13, page 9," and insert in lieu thereof the following:

"Strike out Section XIII."

And as corrected was approved.

The Journal of April 23, 1937, was corrected as follows:

Page 23, column 1, between lines 24 and 25, insert: "Which was agreed to and it was so ordered."

Also—

On page 23, column 1, line 67, strike out the words "the roll was called and the vote was:" and insert in lieu thereof the following: "which reads as follows:

A Joint Resolution proposing to amend Section six of Article nine of the Constitution of the State of Florida, relating to State, county, district, and to municipal bonded indebtedness.

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

That Section six of Article nine of the Constitution of the State of Florida relating to State, county district and municipal bonded indebtedness be and the same is hereby amended, and as amended, is agreed to, and hereby submitted to the electors of the State of Florida at the next General Election to be held on the first Tuesday after the first Monday in 1938 for ratification or rejection.

Said Section six of Article nine of the Constitution of the State of Florida, shall read as follows:

"Section Six. The Legislature shall have power to provide for the issuing of said bonds only for the purpose of repelling invasion, of suppressing insurrection, and the counties, districts or municipalities of the State of Florida shall have power to issue bonds only after the same shall have been approved by a majority of the votes cast in an election in which a majority of the freeholders who are qualified electors, residing in said counties, districts or municipalities shall participate, to be held in the manner to be prescribed by law, but the provisions of this law shall not apply to the refunding of bonds issued exclusively for the purpose of refunding of the bonds or interest thereon of such counties, districts or municipalities; and provided further that the bonded debt of any county, township, school, district, municipal corporation or political division or subdivision of this State, shall never exceed twelve per centum of the assessed value of all taxable property therein; said bonded debt shall include both general obligation, special assessment bonds and certificates of indebtedness."

The roll was called and the vote was:

And as corrected was approved.

REPORTS OF COMMITTEES

Senator Tillman, Chairman of the Committee on Finance and Taxation, submitted the following report:
Senate Chamber,
Tallahassee, Fla., April 22, 1937.

Hon. D. Stuart Gillis,
President of the Senate.

Sir:

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

Senate Bill No. 241:

A bill to be entitled An Act to amend Section 1 of Chapter 15787, Laws of Florida, Acts of 1931, relating to levying and imposing an Excise Tax on documents to raise revenue for the support of the State Government.

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

Very respectfully,

H. C. TILLMAN,
Chairman of Committee.

An Senate Bill No. 241, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Tillman, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 22, 1937.

Hon. D. Stuart Gillis,
President of the Senate.

Sir:

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

Senate Bill No. 222:

A bill to be entitled An Act to exempt property of religious and charitable institutions from taxes.

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

Very respectfully,

H. C. TILLMAN,
Chairman of Committee.

And Senate Bill No. 222, contained in the above report, was laid on the table.

Senator Tillman, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 22, 1937.

Hon. D. Stuart Gillis,
President of the Senate.

Sir:

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

Senate Bill No. 253:

A bill to be entitled An Act providing for the recovery of certain costs and expenses incurred by the State of Florida in foreclosing delinquent tax sale certificates pursuant to Chapter 14572, Laws of Florida, Acts of 1929 Legislature.

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

Very respectfully,

H. C. TILLMAN,
Chairman of Committee.

And Senate Bill No. 253, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Tillman, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 22, 1937.

Hon. D. Stuart Gillis,
President of the Senate.

Sir:

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

Senate Bill No. 215:

A bill to be entitled An Act to repeal Chapter 16789, Laws of Florida, Acts of 1935, entitled "An Act for the promotion and encouragement of aviation; exempting aviation motor fuel of 78 Octane number (A. S. T. M. Method D-357-33T) rating or higher from the payment of any excise taxes levied by the State of Florida and repealing all laws in conflict herewith."

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

Very respectfully,
H. C. TILLMAN,
Chairman of Committee.

And Senate Bill No. 215, contained in the above report, was laid on the table.

Senator Tillman, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 23, 1937.

Hon. D. Stuart Gillis,
President of the Senate.

Sir:

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

Senate Bill No. 6:

A bill to be entitled An Act to provide for the cancellation of all Tax Sale Certificates issued to the State of Florida for unpaid taxes assessed on real estate for each year prior to the year 1927 which are now held by the State.

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

Very respectfully,
H. C. TILLMAN,
Chairman of Committee.

And Senate Bill No. 6, contained in the above report, was laid on the table.

Senator Beall, Chairman of the Committee on Appropriations, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 26, 1937.

Hon. D. Stuart Gillis,
President of the Senate.

Sir:

Your Committee on Appropriations, to whom was referred:

Senate Bill No. 405:

A bill to be entitled An Act to provide for the acquiring of additional lands adjacent to the monument erected near St. Joseph's Bay under the provisions of Chapter 8481, Acts of 1921, and to declare such additional lands with the lands on which the monument stands, to be a State Park and to provide for the care and upkeep of the same, and to make an annual appropriation to pay the expense thereof.

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

Very respectfully,
PHILIP D. BEALL,
Chairman of Committee.

And Senate Bill No. 405, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Beall, Chairman of the Committee on Appropriations, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 26, 1937.

Hon. D. Stuart Gillis,
President of the Senate.

Sir:

Your Committee on Appropriations, to whom was referred:

Senate Bill No. 406:

A bill to be entitled An Act to authorize the Board of Com-

missioners of State Institutions to repair and have additional names cut on the monument near Port St. Joe, Florida, the same being a monument to the birthplace of the Constitution and Government of Florida erected under provisions of Chapter 8481, Acts of 1921, and making appropriation therefor.

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

Very respectfully,
PHILIP D. BEALL,
Chairman of Committee.

And Senate Bill No. 406, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Beall, Chairman of the Committee on Appropriations, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 26, 1937.

Hon. D. Stuart Gillis,
President of the Senate.

Sir:

Your Committee on Appropriations, to whom was referred:

Senate Bill No. 407:

A bill to be entitled An Act to provide for and authorize the holding of an exposition and festival at Port St. Joe, Florida, in the year 1938 celebrating the one hundredth anniversary of the date of the adoption of the first Constitution of the State of Florida at what was then St. Joseph, located at or near the present location of the City of Port St. Joe, Florida, and to make appropriation therefor.

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

Very respectfully,
PHILIP D. BEALL,
Chairman of Committee.

And Senate Bill No. 407, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Sharit, Chairman of the Committee on Game and Fisheries, submitted the following report:

Senate Chamber,
Tallahassee, April 22, 1937.

Hon. D. Stuart Gillis,
President of the Senate.

Sir:

Your Committee on Game and Fisheries, to whom was referred:

Senate Bill No. 134:

A bill to be entitled An Act to authorize the Commission of Game and Fresh Water Fish of the State of Florida to fix seasons and bag limits on any species of game, fur-bearing animals, or fresh water fish in the State of Florida. All such powers to be within the open season limits, and under the penalties and fixed license fees prescribed by law.

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

Amendment No. 1:

After Section 6, add as Section 7 the following:

"Section 7. It is hereby provided in this Act that the Board of County Commissioners of any county may at their discretion over-rule in their own county any Act or regulation of the Commission of Game and Fresh Water Fish promulgated under the powers vested in the commission by this Act."

Amendment No. 2:

Strike out the word and figure "Section 7" and insert in lieu thereof the word and figure "Section 8."

Amendment No. 3:

Strike out the word and figure "Section 8" and insert in lieu thereof the word and figure "Section 9."

Amendment No. 4:

Strike out the word and figure "Section 9" and insert in lieu thereof the word and figure "Section 10."

Very respectfully,
J. L. SHARIT,
Chairman of Committee.

And Senate Bill No. 134, contained in the above report,

together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senator McArthur, Chairman of the Committee on Forestry, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 23, 1937.

Hon. D. Stuart Gillis,
President of the Senate.

Sir:

Your Committee on Forestry, to whom was referred:

Senate Bill No. 90:

A bill to be entitled An Act to amend Section 3, Chapter 17025, Laws of Florida, Acts of 1935, 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 with this Act.

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

Very respectfully,
A. G. McARTHUR,
Chairman of Committee.

And Senate Bill No. 90, contained in the above report, was placed on the Calendar of Bills on second reading.

REPORT OF COMMITTEE ON ENGROSSED BILLS

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

Senate Chamber,
Tallahassee, Fla., April 24, 1937.

Hon. D. Stuart Gillis,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments), after third reading Senate Joint Resolution No. 118:

A Joint Resolution proposing to amend Section six of article nine of the Constitution of the State of Florida, relating to State, county, district, and to municipal bonded indebtedness.

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

Very respectfully,
S. A. HINELY,
Chairman of Committee.

And Senate Joint Resolution No. 118, contained in the above report, was ordered certified to the House of Representatives.

REPORT OF ENROLLING COMMITTEE

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

Senate Chamber,
Tallahassee, Fla., April 26, 1937.

Hon. D. Stuart Gillis,
President of the Senate.

Sir:

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

House Bill No. 551:

A bill to be entitled An Act to postpone the sale of tax sale certificates until after the first Monday in July, 1937.

Have examined the same and find it 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,
H. S. McKENZIE,
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.

Senator McKenzie moved that a committee be appointed

to escort Honorable S. J. Hilburn, former member of the Senate from the 26th Senatorial District, to a seat on the rostrum of the Senate.

Which was agreed to.

And the President appointed Senators McKenzie, Savage and Hinely as the committee.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Beacham—

Senate Bill No. 418:

A bill to be entitled An Act creating a Delinquent Tax Adjustment Board in each county and providing for the organization thereof; authorizing said board to adjust or compromise with the owner of real estate located in the county that has been sold for State and county taxes, all State and county tax sale certificates held by the State against such real estate and issued by virtue of any sale for State and county taxes assessed for 1936 or any previous years, prescribing the form of applications for relief under this Act; and fixing the fee of the Clerk of the Circuit Court for the redemption, or assignment of, adjusted, or compromised tax sale certificates.

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

By Senator Graham—

Senate Bill No. 419:

A bill to be entitled An Act providing for and regulating the drawing of grand juries and petit juries in term time and in vacation, the organization thereof, the length of service of jurors, the duties of the Clerks of Courts relative thereto, and the repeal of Sections 4455, 4456, 4457, 4458, 4459, 4460 and 4461 Compiled General Laws of Florida of 1927, Sections 2777, 2778, 2779, 2780, 2781, 2782 and 2784 Revised General Statutes of Florida of 1920, and Chapter 12068, Laws of Florida of 1927, and Chapter 13675, Laws of Florida of 1929.

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

By Senator Graham—

Senate Bill No. 420:

A bill to be entitled An Act providing for the classification and grading of avocados and regulating the sale of same; providing for the marking or imprinting of certain matters thereon and relating to the purchase, handling, sale and accounting of sales of avocados sold in the State of Florida, to prevent fraud and deception therein; to provide for the licensing and bonding of avocado wholesalers; to prescribe certain powers and duties of the Commissioner of Agriculture of the State of Florida in the administration and enforcement of this Act; to provide for certain charges, fees and assessments and the collection thereof; the appointment and duties of certain inspectors and the salaries thereof, and to prescribe and provide certain penalties for the violation of the provisions of this Act and any rule, regulation or order promulgated thereunder.

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

By Senator Tillman—

Senate Bill No. 421:

A bill to be entitled An Act to grant a pension to Mrs. Josephine Gavin of Hillsborough County, Florida.

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

By Senator Tillman—

Senate Bill No. 422:

A bill to be entitled An Act to amend Section 11 of Chapter 15533, Laws of Florida 1931, entitled: "An Act regulating all municipal elections held in the City of Tampa, Florida; creating a Board of Elections for the City of Tampa, Florida, to conduct, hold, and regulate all municipal elections, including primary elections, held in said city; fixing the number of the members of said board and their term of office; naming the members of the first board and fixing their terms of office; prescribing the qualifications, duties, powers, compensation, and method of election of the members of said board; prescribing the duties and powers of said board; providing for and regulating electors and elections in said city; defining political parties in said city; providing for the nomination of all candidates for all elective municipal offices in said city

by all political parties in said city; and repealing all laws and all parts of laws in conflict with this Act" so as to provide for the election of the members of said board by the people and to provide a method for filling vacancies in said board.

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

By Senator Tillman—
Senate Bill No. 423:

A bill to be entitled An Act regulating the sale and erection of cemetery memorials in the State of Florida, providing for the licensing of dealers and agents engaged in said business; providing for the enforcement of this Act by the Secretary of State; imposing a penalty for the violation of this Act; and for all other purposes incident thereto.

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

By Senator Tillman—
Senate Bill No. 424:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of each and every county in the State of Florida to condemn buildings and residences and other structures which are obsolete and which have become dangerous to the public, or, as a fire hazard, to declare the same a nuisance, and to sell, tear down or destroy them; and providing notice to the owner of said property of an investigation which shall be made by the Board of County Commissioners with reference thereto and the manner and form of said investigation, the method of carrying out the results and findings of said board with regard thereto, and providing penalties and a method of appeal incident thereto.

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

By Senator Tillman—
Senate Bill No. 425:

A bill to be entitled An Act to amend Section 926, Revised General Statutes of Florida, 1920, relating to license tax upon merchants, druggists and storekeepers.

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

By Senator Tillman—
Senate Bill No. 426:

A bill to be entitled An Act to prohibit suit-clubs, and other schemes and devices for distributing money, suits, wearing-apparel or other property or services by lot, chance, drawing or hazard, and prescribing a penalty for the violation thereof.

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

By Senator Tillman—
Senate Bill No. 427:

A bill to be entitled An Act making unlawful certain discriminations in price, in services or facilities furnished, or in payment for services or facilities to be rendered, in connection with the sale of commodities in the course of trade or commerce, and providing certain remedies for violation.

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

By Senator Tillman—
Senate Bill No. 428:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of any county of the State of Florida to offer and pay rewards for information leading to the apprehension and conviction of persons charged with the commission of a felony or felonies in such county.

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

By Senator Tillman—
Senate Bill No. 429:

A bill to be entitled An Act authorizing and giving power to the cities and towns of the State of Florida, through their governing bodies, such as City Commissions, City Councils and Boards of Aldermen, and to counties of the State of Florida, through their Board of County Commissioners, to regulate rates of electricity and gas for illumination, fuel and

power, whether private, public or commercial and to prescribe the means and method of exercising such power.

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

By the Committee on Appropriations—
Senate Bill No. 430:

A bill to be entitled An Act making appropriations for the salaries of officers and employees of the State and for the current operating expenses of the Departments and Branches of the State Government for the annual periods, beginning July 1, 1937, and July 1, 1938.

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

By Senator Wynn—
Senate Bill No. 431:

A bill to be entitled An Act to amend Section 18, Chapter 16774, Laws of Florida, 1935, regulating and taxing the manufacture, distribution and sale of beverages containing more than one per centum of alcohol, creating and providing for a State Beverage Department, providing penalties for the violation thereof and repealing certain laws concerning said beverages so as to provide for the appropriation of all funds thereunder not otherwise appropriated by said Act to the payment of old age assistance and/or old age pensions.

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

By Senator Tervin—
Senate Bill No. 432:

A bill to be entitled An Act to cancel, in so far as the Legislature has Authority to Cancel, all Tax Sale Certificates now owned by the State of Florida which cover Homestead Property and prescribing the duty of the owner of the property and the duty of the Clerk of the Circuit Court of each county in connection therewith.

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

By Senator Holland—
Senate Joint Resolution No. 433:

A Joint Resolution proposing an amendment to Article IV of the Constitution of the State of Florida relative to the Executive Department.

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

That the following amendment to Article IV of the Constitution of the State of Florida relative to the Executive Department, to be numbered Section 30 of said Article IV, 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. 1938, for ratification or rejection, to-wit:

Section 30. The control, management, restoration, conservation and regulation of game, non-game birds, fresh-water fish and fur bearing animals of the State, together with the hatcheries, sanctuaries, refuges, reservations and all other property now owned or used for said purposes or hereafter acquired for said purposes and the acquisition and establishment of the same, and the administration of the laws now or hereafter pertaining thereto, shall be vested in a Commission to be known as the Game and Fresh Water Fish Commission to consist of five members to be appointed by the Governor, one from each Congressional District of the State as now defined and limited. No person shall be appointed a member of the Commission unless he shall be well informed on the subject of wild life, conservation and restoration.

The members of the Game and Fresh Water Fish Commission at the time when this amendment becomes effective shall compose the Game and Fresh Water Fish Commission, hereby created, and shall serve as such for the balance of the terms for which they were respectively appointed. Vacancies on the Commission shall be filled by appointment by the Governor within thirty (30) days from the date of such vacancy. On failure of the Governor to fill the vacancy within thirty (30) days, the remaining commissioners shall fill the vacancy for the unexpired term. Upon the expiration of the term of each of the members of the Game and Fresh Water Fish Commission in office at the time this amendment becomes effective or of their successors appointed to serve for

an unexpired term, a successor shall be appointed and qualified for a term of five years, which term of five years shall thereafter be the term of each member of said commission. All vacancies occurring by limitation of terms before the general election of 1938 shall be filled as now provided by law.

In case any member of the commission shall change his domicile from the Congressional District from which he is appointed except for the performance of his official duties at Tallahassee, his office shall become vacant, and the Governor shall fill the vacancy by appointment of another member from such District.

The members of the Commission shall receive no compensation for their services as members thereof. Each Commissioner shall be entitled to reimbursement for actual and necessary traveling and necessary expenses and disbursements incurred or made by him in discharge of his official duties, to be paid from the State Game Fund, (but not to exceed in any one year the amount provided by law).

Said Commission shall have the power to acquire by purchase, gift, or otherwise, all property necessary, useful or convenient for use of the Commission in the exercise of any powers as may be vested in it from time to time by law.

An Executive Secretary shall be appointed by the Commission, and such Executive Secretary shall, with the approval of the Commission appoint such assistants and other employees as may reasonably be necessary.

The Commission shall determine the qualifications of the Executive Secretary, all assistants and employees. (No commissioner shall be eligible for such appointment or employment.) The salaries of the Executive Secretary, of the assistants and employees shall be such as shall be fixed by law.

The fees, monies, or funds arising from the operation and transactions of the Commission and arising from the application and the administration of the laws relating to game, non-game birds, fresh-water fish and fur-bearing animals, their conservation and their restoration, and from the sale of property used for said purposes, shall constitute the State Game Fund and shall be used and expended by said Commission for the control, management, restoration, conservation and regulation of the game, non-game birds, fresh-water fish and fur-bearing animals and wild life resources of the State, including the purchase or other acquisition of property for said purposes, and for the administration of the laws pertaining thereto and for no other purpose.

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

By Senator Holland—

Senate Bill No. 434:

A bill to be entitled An Act defining the duties of the Clerks of the Circuit Court, Tax Assessors and Tax Collectors of the several counties in the State of Florida, with respect to taxes on lands as to which the owners have availed themselves of the privileges conferred by the terms of Chapter 16252, Laws of Florida, Acts of 1933, as amended by Chapter 17400, of the Laws of Florida, Acts of 1935, and Chapter 17403, Laws of Florida, Acts of 1935.

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

By Senator Adams—

Senate Bill No. 435:

A bill to be entitled An Act for the relief of M. L. Horton and his wife, Helen Horton, and providing an appropriation to compensate them for the loss of their son, Madison Horton, who was killed while on duty and while acting within the scope of his employment as an employee of the State Road Department of Florida.

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

By Senator Tervin—

Senate Bill No. 436:

A bill to be entitled An Act relating to Commissions of County Assessors of Taxes assessing special taxes and special tax district taxes in certain counties of the State of Florida and providing for the relief of such tax assessors of all liability for the payment of commissions received for the assessments of special taxes and special tax districts taxes in counties having a population of not less than twenty-three

thousand and fifty and not more than twenty-three thousand five hundred according to the State Census for the year nineteen hundred and thirty-five.

The following proof of publication was attached to Senate Bill No. 436 when it was introduced in the Senate:

NOTICE OF SPECIAL LEGISLATION

Notice is hereby given that application will be made to the Florida Legislature 1937 for the introduction and passage of a special law applying alone to Manatee County, Florida, the substance of which is as follows:

"An Act relating to commissions of the County Assessor of taxes assessing special taxes and special tax district taxes and fixing his compensation at 1½ per cent upon the amount of special district taxes assessed subject to the same limitations and deductions as commissions are allowed and paid for assessing the general county taxes, said commissions to be payable from the special taxes or special tax district taxes collected and to be audited and paid by the Board of County Commissioners or by the governing or administrative board or commission of such districts as the case may be; and to relieve the County Tax Assessor from liability for the payment to the county of commissions received for the assessment of special taxes and special tax district taxes which may have heretofore been received by the tax assessor and to repeal all laws and parts of laws that may conflict with the provisions of this Act."

This special law will be introduced into the legislature of the State of Florida, Session 1937 at some date more than thirty days after the publication of this notice in the Palmetto News, a newspaper of general circulation published in Manatee County, Florida.

STATE OF FLORIDA) COUNTY OF MANATEE)

Before me the undersigned authority personally appeared A. M. C. Russell, who under oath does solemnly swear that he has acknowledged all matters stated herein, that he is the owner and publisher of the Palmetto News, a newspaper of general circulation published in Manatee County, Florida; that a notice stating the substance of a contemplated law or proposed bill relating to, "An Act relating to commissions of the County Assessor of Taxes assessing Special Taxes and Special Tax District Taxes and fixing his compensation at 1½ per cent upon the amount of Special District Taxes assessed subject to the same limitations and deductions as commissions are allowed and paid for assessing the General County Taxes, said commissions to be payable from the Special Taxes or Special Tax District Taxes collected and to be audited and paid by the Board of County Commissioners or by the Governing or Administrative Board or Commission of such districts as the case may be; and to relieve the County Tax Assessor from liability for the payment to the county of commissions received for the assessment of Special Taxes and Special Tax District Taxes which may have heretofore been received by the Tax Assessor and to repeal all laws and parts of laws that may conflict with the provisions of this Act," has been published at least thirty days prior to this date by being printed in the issues of March 18, 1937, of the Palmetto News, a newspaper published in Manatee County, Florida, where the matter or thing to be affected by the contemplated law is situated; that a copy of the notice that has been published as aforesaid to the proposed bill or contemplated law, and such copy of the notice so attached is heretofore made a part of this affidavit.

A. M. C. RUSSELL.

Sworn to and subscribed before me this the 19th of April, A. D. 1937.

MRS. L. T. BARBER,

Notary Public, State of Florida at Large.

My commission expires April 1, 1939.

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

By Senator Kelly—

Senate Bill No. 437:

A bill to be entitled An Act permitting corporations delinquent in payment of capital stock tax and which by reason of over-capitalization can make satisfactory showing to the Secretary of State of such over-capitalization, to reinstate and pay up all back taxes on the basis of actual valuation of outstanding capital stock, and those corporations which have been wholly inactive during the period capital stock tax was

collectable and are in delinquent status, to reinstate upon certain conditions upon payment of one year's back taxes.

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

By Senators Adams and Beacham—

Senate Bill No. 438:

A bill to be entitled An Act for the relief of Juanita Hughes of Jasper, Hamilton County, Florida.

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

By Senator Kendrick—

Senate Bill No. 439:

A bill to be entitled An Act relating to the maintenance and working of State convicts and providing for the discontinuance of the use of State convicts in the working and maintenance of State roads, under the direction of the State Road Department or otherwise, and providing how this Act shall be carried into effect.

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

By Senators Kendrick and Beall—

Senate Bill No. 440:

A bill to be entitled An Act to describe, define and officially name a system of coordinates for designing the positions of points on the surface of the earth within the State of Florida; and to legalize descriptions of land boundary lines and corners in terms thereof.

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

By Senators Kendrick and Holland—

Senate Bill No. 441:

A bill to be entitled An Act to create a Department of Archeology and making suitable appropriations for the carrying on of all archeological survey work in the State of Florida.

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

By Senator Kendrick (By Request)—

Senate Bill No. 442:

A bill to be entitled An Act making appropriations for the construction, operation and maintenance of an industrial experiment station to be operated for the advancement and improvement of the industries of Florida.

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

By Senators Kendrick and Beall—

Senate Bill No. 443:

A bill to be entitled An Act defining and regulating the practice of professional engineering in Florida and defining a professional engineer; providing for the registration of professional engineers; creating and establishing the "Florida State Board of Engineer Examiners" and providing for the appointment of members composing said board; defining the qualifications of the members of and the duties of said board; providing for expenses of said board and for the organization and the holding of meetings and for the keeping of records of said board; defining violations of this Act; providing procedure for determining violations and prescribing penalties therefor; defining exemptions from the provisions of this Act; providing in reference to engineers from other states; providing for branches of professional engineering and for classifications of professional engineers; providing for registration and examination fees and defining qualifications for registration; providing for the holding of examinations and the issuance of Certificates of Registration and for the revoking Certificates so issued; providing for appeal against the action of said board; providing for receiving, accounting for, and disbursing monies by said board; and repealing all laws or parts of laws in conflict with this Act.

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

By Senators Adams, Parker, Sharit and Savage—

Senate Bill No. 444:

A bill to be entitled An Act to provide for old age assistance throughout the State of Florida and in all political sub-divisions of the State of Florida; and, to provide for financial

participation by the State of Florida in providing funds for the payment of old age assistance; and, providing for the designation of a single State agency, to-wit: The Florida Industrial Commission, to administer old age assistance and to supervise the administration thereof; and, providing for the granting to any individual whose claim for old age assistance is denied an opportunity for a fair hearing before such State agency; and, providing for the methods of the administration of this old age assistance plan; and, providing that such State agency will make such reports in such form and containing such information as the Social Security Board or any other agency or instrumentality of the United States of America may from time to time require, and to comply with such provisions as said Social Security Board or any other agency or instrumentality of the United States of America may from time to time find necessary to assure the correctness and verification of such reports; and, further providing that if the State of Florida, or any of its political sub-divisions collects from the estate of any recipient of old age assistance any amount with respect to old age assistance furnished him or her under this law, or plan, one-half of the net amount so collected shall be promptly paid to the United States; and designating and imposing the conditions of eligibility for old age assistance under this Act and plan; and, providing for the administration of this Act, and authorizing and requiring the Board of County Commissioners of the several counties of Florida to aid in the administration of this Act.

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

By Senator Holland—

Senate Bill No. 445:

A bill to be entitled An Act authorizing the Board of County Commissioners of Polk County, Florida, to levy a tax upon all the taxable property in Polk County, Florida, to be collected in the same manner as all other taxes are collected, not to exceed three and one-half mills on the dollar for the purpose of maintaining the county hospital and farm for the indigent sick and for paupers as operated by said county under authority of Chapter 9575, Laws of Florida, 1923.

The following proof of publication was attached to Senate Bill No. 445 when it was introduced in the Senate:

Notice of intention to apply for the passage of a special or local bill by the Legislature of the State of Florida at its regular Session in 1937.

TO WHOM IT MAY CONCERN:

Notice is hereby given of the intention to apply for the passage of a special or local bill by the Legislature of the State of Florida at its regular Session in 1937, the substance of which contemplated Law shall be, An Act authorizing the Board of County Commissioners of Polk County, Florida, to levy a tax upon all the taxable property in Polk County, Florida, to be collected in the same manner as all other taxes are collected, not to exceed three and one-half mills on the dollar for the purpose of maintaining the County Hospital and Farm for the indigent sick and for paupers as operated by said county under authority of Chapter 9575, Laws of Florida, 1923.

Given at Bartow, Polk County, Florida, this 19th day of March, A. D. 1937.

BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY FLORIDA.

By JAS. W. FOLEY,
Chairman.

(Mar. 23)

(SEAL)

AFFIDAVIT OF PUBLICATION
THE POLK COUNTY RECORD

STATE OF FLORIDA,)

) ss

COUNTY OF POLK)

On this day personally appeared before me ROY T. GAL-LEMORE, to me well known, who, being by me first duly sworn, deposes and says that he is publisher of the Polk County Record, a newspaper of general circulation published in the City of Bartow in the County of Polk and State of Florida, and that he has made publication of the notice of intention to apply for the passage of a special or local bill by the Legislature of the State of Florida, (a copy of which is hereto attached), for 1 consecutive week, as required by law, embracing issues of March 23, 1937.

Affiant further says that the above named newspaper has

been continuously published once each week in Polk County, Florida, for more than one year immediately preceding the first publication of said notice and was during all of such time and now is entered as second class mail matter in the United States Post Office in Bartow, Polk County, Florida, and that said newspaper has been published in accordance with the requirements of Senate Bill No. 58 passed by the Legislature of the State of Florida in 1931 and approved May 20, 1931.

Signed ROY T. GALLEMORE,
Publisher.

Sworn to and subscribed before me, this 24th day of March, 1937.

CLEONE FRAZIER,
Notary Public.
My commission expires July 30, 1938.

(SEAL)

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Milton D. Wilson who on oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to An Act authorizing the Board of County Commissioners of Polk County, Florida, to levy a tax upon all the taxable property in Polk County, Florida, to be collected in the same manner as all other taxes are collected, not to exceed three and one-half mills on the dollar for the purpose of maintaining the County Hospital and Farm for the indigent sick and for paupers as operated by said county under authority of Chapter 9575, Laws of Florida, 1923, has been published at least thirty days prior to this date, by being printed in the issue of the twenty-third day of March, A. D. 1937, of The Polk County Record, a newspaper published in Polk County, Florida, where the matter or thing to be effected by the contemplated law is situated; that a copy of the notice that has been published as aforesaid and also this affidavit of proof of publication are attached to the proposed bill or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

MILTON D. WILSON.

Sworn to and subscribed before me this 24th of April, A. D. 1937.

EDNA OVERSTREET,
Notary Public, State of Florida at Large.
My Commission Expires Nov. 7, 1940.

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

By Senator Holland—
Senate Bill No. 446:

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

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

By Senators Holland and Tillman—
Senate Bill No. 447:

A bill to be entitled An Act to extend State Road No. 30 as designated in Chapter 10269, Laws of Florida of 1925.

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

By Senator Dugger—
Senate Bill No. 448:

A bill to be entitled An Act relating to the distribution and expenditure of monies derived from gasoline taxes placed to the credit of the several counties of the State of Florida having a population of not less than seven thousand one hundred and fifty (7,150) and not more than seven thousand two hundred (7,200) according to the State Census of 1935, conferring certain powers, authority, and duties upon the State Board of Administration and the State Treasurer with reference thereto, and prescribing the purpose for which such monies shall be expended.

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

By Senator McKenzie—
Senate Bill No. 449:

A bill to be entitled An Act to provide for the cancellation of all tax sale certificates issued to the State of Florida for

unpaid taxes assessed on real estate for each year prior to the year 1933 which are now held by the State, with provisos; and, providing that taxes levied subsequent to the year 1932 by the State and County for the payment of interest and for a sinking fund on bonds or for the payment of any other past due obligations, may be paid with bonds at par; and, providing for the tax collectors or other officers receiving such bonds, interest coupons and/or other obligations, to have proper credit therefor.

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

By Senators Sweger and Tervin—
Senate Bill No. 450:

A bill to be entitled An Act to amend Sections 1, 3 and 4 of Chapter 17276 of the Laws of Florida, Acts of 1935, being an act amendatory of Chapter 14832 of the Laws of Florida, Acts of 1931, being an act to provide for a State Racing Commission; to prescribe its powers and duties, and to fix the compensation of its members; to provide for holding referendum and recall elections in any county to determine whether racing shall be permitted or continued therein; to provide for licensing and taxing such racing and apportioning the monies derived therefrom among the several counties of the State; to provide for and regulate the making of pari mutuel pools within the enclosure of licensed race tracks; providing certain penalties for the violation of this Act, and for other purposes related thereto.

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

By Senator Nordman—
Senate Bill No. 451:

A bill to be entitled An Act relating to and regulating insurance agents and solicitors; to provide for the examination and licensing of such insurance agents and solicitors; fixing the fees to be paid therefor and the appropriation thereof; to provide for the suspension, or revocation of such licenses and the procedure thereunder; to make it unlawful for engaging in the business of an insurance agent or solicitor without having first procured a license; to prescribe qualification of an insurance agent or solicitor, and for the powers and duties of the State Treasurer or Insurance Commissioner in determining same, and prescribing certain additional qualifications of agents in cities and towns having certain populations; to require the payment of certain license taxes and qualification fees; to provide for the expense of the administration of this Act; to prohibit insurers from effecting contracts of insurance, or giving compensation therefor except to duly licensed agents under this Act; to provide penalties for the violation of the provisions of this Act; to amend Section 1, Chapter 17069, Laws of Florida, Acts of 1935; to amend Section 2 of Chapter 17069, Laws of Florida, Acts of 1935; to amend Section 5 of Chapter 14741, Laws of Florida, Acts of 1931; which said Sections of said Acts to be amended relate to the subject matter hereinabove set forth; and to repeal all laws in conflict herewith.

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

By Senator Beacham—
Senate Bill No. 452:

A bill to be entitled An Act to amend Chapter 7388 of the Laws of Florida, Acts of 1917, being "An Act to provide for and encourage the creation and incorporation of associations, not for profit to conduct and operate public fairs and expositions for the benefit and development of the agricultural, horticultural, live stock and other resources of Florida, and to state the powers, privileges and exemptions thereof," by amending that part of Section 1 of said Act, appearing as Section 4519 of the Revised General Statutes of Florida, by providing that the proposed charter shall be submitted to and approved by the Board of County Commissioners; and by amending Section 6 of said Act, appearing as Section 4524 of the Revised General Statutes of Florida, by providing that the Treasurer or similar officer of every association organized under the provisions of this Act shall give a good and sufficient bond.

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

By Senator Beacham—
Senate Bill No. 453:

A bill to be entitled An Act providing that every person, firm or corporation engaged in the business of traveling shows, exhibitions, and amusement enterprises including carnivals, vaudeville, minstrels, rodeos, theatrical, games or tests of skill, riding devices, dramatic repertoire and all other shows or amusements operating in tents or temporary structures whether covered or uncovered, shall pay the license tax provided in Section 972, Revised General Statutes of Florida, as amended by Section 1, Chapter 9322 of the Laws of Florida, Acts of 1923; and providing for the designation of the main show of such traveling shows, exhibitions or amusement enterprises for the purpose hereof; and defining certain riding devices, concessions and side shows and providing for the payment of a side show license tax thereon.

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

By Senator Beacham—
Senate Bill No. 454:

A bill to be entitled An Act to provide that whenever, under the Laws of Florida, any traveling show, exhibition or amusement enterprise is required to pay a license tax graduated or scaled in accordance with the population of a municipality, such tax shall be computed upon the basis of the population of the municipality having the largest population, any portion of which is within five miles of such show, exhibition or enterprise.

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

By Senator Beacham—
Senate Bill No. 455:

A bill to be entitled An Act providing that every person, firm or corporation engaged in the business of traveling shows, exhibitions, or amusement enterprises, including (without in any manner limiting the general terms) circuses, carnivals, vaudeville, minstrels, rodeos, theatricals, games or tests of skill, riding devices, dramatic repertoire or other shows and amusements operating in tents or temporary structures whether covered or uncovered, shall obtain a permit from the comptroller of the State of Florida before engaging in such business.

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

By Senator Beacham—
Senate Bill No. 456:

A bill to be entitled An Act to amend Chapter 7388 of the Laws of Florida, Acts of 1917, being an act "to provide for and encourage the creation and incorporation of associations, not for profit to conduct and operate public fairs and exhibitions for the benefit and development of the agricultural, horticultural, live stock and other resources of Florida, and to state the powers, privileges and exemptions thereof;" by adding additional sections thereto, to be known as Sections 10, 11, 12 and 13 of said Act; Section 10 to provide that no person, firm or corporation engaged in the business of traveling shows, exhibitions, or amusement enterprises operating within the grounds of, and in connection with, any fair, association incorporated under the provisions of this Act, shall be exempt from the payment of any license tax now or hereafter provided by law; and appropriating an amount equal to the total amount of State and county license taxes collected from any licensee hereunder to the association in connection with which and on the grounds of whom such licensee shall operate: Section 11 to provide that associations organized under the provisions of this Act shall hold only one such fair or exhibition in each calendar year; Section 12 to provide that any person, firm or corporation operating any traveling shows, exhibitions or amusement enterprises within one mile of any such fair or exhibition incorporated under the provisions of this Act, when not operating in connection with such fair or exposition, shall pay a license tax of \$1,000 per day, and Section 13 to provide that the provisions of this Act shall be liberally construed to the end that subterfuge, excuses and ruses for the evasion of any lawful tax may be eliminated.

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

Senator Beall moved that Senate Bill No. 430 be made a

Special and Continuing Order for consideration by the Senate at 11:30 o'clock A. M., Thursday, April 29, 1937.
Which was agreed to and it was so ordered.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Fla., April 26, 1937.

Hon. D. Stuart Gillis,
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. 8:

A Resolution authorizing the President of the Senate and the Speaker of the House of Representatives to employ an expert to check and verify printing bills.

WHEREAS, the Legislature finds it necessary in the orderly transaction of its business to require a lot of printing done, which must be done promptly in order to meet the needs of the Legislature, and the cost of which printing amounts to a large sum of money; and

WHEREAS, the Board of Commissioners of State Institutions, the agency which executed the contract for the Legislative printing has unanimously recommended the employment of an expert for the purpose of checking and verifying the bills for Legislative printing and have recommended Mr. Ray W. Robie as competent to fill this position, therefore

Be it Resolved by the Florida Senate, the House of Representatives concurring, that the President of the Senate and the Speaker of the House of Representatives be and are hereby authorized to employ Ray W. Robie, or some other fit and competent person to check and verify all printing bills for each House; such person so employed shall receive the same compensation as other attaches, and one-half of such compensation shall be paid by the Senate and one-half by the House of Representatives.

Very respectfully,

J. A. CAWTHON,

Chief Clerk House of Representatives.

And Senate Concurrent Resolution No. 8, contained in the above message, was referred to the Committee on Enrolled Bills.

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

Tallahassee, Fla., April 26, 1937.

Hon. D. Stuart Gillis,
President of the Senate.
Sir:

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

Senate Bill No. 341:

A bill to be entitled An Act relating to the drainage and reclamation of certain lands in Putnam County, Florida; establishing a drainage district to be known as Florahome Drainage District; creating a board of drainage commissioners and prescribing its powers and duties; establishing a drainage system by the cutting of canals and constructing and maintaining canals and levees for the purpose of drainage; levying a drainage tax; relating to the assessment of land to be drained and benefitted; the collection of necessary funds by assessments of benefits and taxation of lands within said drainage district for the drainage and improvement of said lands, and for the exercise of the right of eminent domain; repeal Chapter 6927, Acts of 1911, Laws of Florida, Chapter 7093, Acts of 1915, Laws of Florida, Chapter 12488, Acts of 1927, Laws of Florida and Chapter 14331, Acts of 1929, Laws of Florida; vesting in the Board of Drainage Commissioners created hereby all the money, right, title, interest, claims, demands, actions, choses in actions or anything of value that belong to the Florahome drainage district heretofore created by the aforementioned acts and providing for the payment of all just claims and debts against said Florahome Drainage District created by the aforementioned acts.

Proof of publication attached.

Very respectfully,

J. A. CAWTHON,

Chief Clerk House of Representatives.

And Senate Bill No. 341, contained in the above message, was referred to the Committee on Enrolled Bills.

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

Tallahassee, Fla., April 26, 1937.

Hon. D. Stuart Gillis,
President of the Senate.

Sir:

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

Senate Bill No. 137:

A bill to be entitled An Act to amend Sections 8, 10, 15, 26, 44, 49, 53, 57, 83, 105 and 140 of Chapter 15401, Laws of Florida, Acts of 1931, the same being An Act entitled: "An Act to abolish the present Municipal Government of the Town of Ormond, in Volusia County, Florida, and to create, establish and organize a municipality to be known and designated as the City of Ormond, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges."

Also has passed—

Senate Bill No. 138:

A bill to be entitled An Act to ratify, validate, confirm and legalize all proceedings heretofore taken by the City of Ormond, Volusia County, Florida, in the General Municipal Election of said city held on the 6th day of April, A. D. 1937, and to ratify, validate, confirm, legalize and declare elected all persons elected to office at said election.

Very respectfully,

J. A. CAWTHON,

Chief Clerk House of Representatives.

And Senate Bills Nos. 137 and 138, contained in the above message, were referred to the Committee on Enrolled Bills.

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

Tallahassee, Fla., April 26, 1937.

Hon. D. Stuart Gillis,
President of the Senate.

Sir:

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

House Concurrent Resolution No. 7:

Regarding crime and criminals in Florida; requesting the Governor to appoint a Committee of Citizens to study the crime problem; outlining the duties and functions of said committee; and providing for a report of its findings and recommendations.

WHEREAS, society bears an unjust burden because of the activities of the criminal element; and

WHEREAS, if this burden is to be removed society itself must formulate a different and better program for dealing with crime, and

WHEREAS, under our present system, in addition to the injury from the commission of crime, the criminal is imprisoned, and society must pay for his keep, and the criminal's family is often thrown upon charities supported by society; and

WHEREAS this condition should be remedied, and it is reasonable to assume that this problem is capable of a practical solution;

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

That the Honorable Fred P. Cone, Governor of Florida, is hereby respectfully requested to name within 30 days after the adoption of these resolutions a committee of not more than fifteen citizens, chosen from business, professional and social groups, and that it shall be the duty of said committee to study crime and crime prevention, our penal system, to recommend methods for making prisoners self-sustaining and provide a sustenance for their dependents; to recommend practical changes in our penal system that society may be relieved of the burden it now bears because of crime and the punishment of criminals, and to suggest other practical reforms on this subject.

BE IT FURTHER RESOLVED that said committee shall elect its own chairman and secretary, and shall report its

findings and recommendations to the 1939 session of the Legislature of Florida.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

J. A. CAWTHON,

Chief Clerk House of Representatives.

And House Concurrent Resolution No. 7, contained in the above message, was read the first time in full and placed on the Calendar without reference.

VETOED BILLS OF 1935 SESSION

Senate Bill No. 1011 (1935 Session) was taken up in its order and the consideration of same was informally passed.

SENATE BILLS ON THIRD READING

Senate Bills Nos. 159 and 161 were taken up in their order and the consideration of same was informally passed.

Senate Joint Resolution No. 97 was taken up in its order and the consideration of same was informally passed.

By Senator Kanner—

Senate Joint Resolution No. 84:

A Joint Resolution proposing an amendment to Section 18 of Article III of the Constitution of the State of Florida relating to the legislative department by providing for a referendum upon Acts of the Legislature in certain cases.

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

That the following amendment to Section 18 of Article III of the Constitution of the State of Florida relating to the legislative department be and the same is hereby agreed to and shall be submitted to the qualified electors of the State of Florida for ratification or rejection at the next general election to be held in November, 1938. That is to say that Section 18 of Article III of the Constitution of the State of Florida be amended so as to read as follows: "Section 18. No law shall take effect until sixty days from the final adjournment of the session of the Legislature at which it may have been enacted, unless otherwise specially provided in such law. Upon the presentation to the Secretary of State within ninety days after the final adjournment of the Legislature of a petition signed by registered voters equal in number to ten per cent (10%) of all the votes cast for all candidates for Governor at the last preceding general election at which a Governor was elected, asking that any Act or Section or part of any Act of the Legislature passed at the Session just adjourned be submitted to the electors for their approval or rejection, the Secretary of State shall submit to the electors for their approval or rejection such Act, or Section or part of such Act, at the next succeeding general election occurring at any time subsequent to thirty days after the filing of said petition or at any special election which may be called by the Governor, in his discretion, prior to such regular election, and no such Act or Section or part of such Act shall continue in effect after the holding of the referendum thereon unless the same shall be approved by a majority of the qualified electors voting thereon at the taking of such referendum. In the case of local or special laws a like referendum shall be ordered upon a petition of like character signed by twenty-five per cent of registered voters in the locality or territory affected by such special or local Act. No referendum petition filed against any Act or any Section or part of any Act providing for tax levies or the levy of assessments or tolls shall be delayed from going into effect by virtue of the filing of said referendum petition unless the Legislature shall in and by said Act so provide pending the taking of the vote upon ratification or rejection of said Act at the referendum election by this amended Section provided for. Nothing in this Section shall prevent the Legislature from altering, amending or repealing any Act after it has been ratified or approved at said referendum election, nor from re-enacting said Act in whole or in part at any subsequent Session should the same have been disapproved by the electors."

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

Pending roll call, Senator Kanner moved that the rules be waived and the further consideration of Senate Joint Resolution No. 84 be informally passed, retaining its place on the Calendar of Bills on third reading.

Which was not agreed to.

Pending roll call, Senator Kanner moved that Senate Joint

Resolution No. 84 be recommitted to the Committee on Constitutional Amendments.

Which was not agreed to.

The question recurred on the adoption of Senate Joint Resolution No. 84.

Upon the adoption of Senate Joint Resolution No. 84 the roll was called and the vote was:

Yeas—Senators Beacham, Gomez, Graham, Kanner, Parrish, Rose, Tillman—7.

Nays—Mr. President; Senators Adams, Beall, Black, Butler, Clarke, Coulter, Dame, Dugger, Harper, Hinely, Hodges, Holland, Johns, Kelly, Kendrick, McArthur, McKenzie, Murphy, Nordman, Parker, Sharit, Smith, Sweger, Tervin, Touchton, Walker, Westbrook, Wynn—29.

So Senate Joint Resolution No. 84 failed to pass.

Senate Joint Resolution No. 89:

A Joint Resolution proposing the amendment of Section 2 of Article IX of the Constitution, abolishing ad valorem taxation for State purposes.

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

That the following amendment to Section 2 of Article IX of the Constitution of the State of Florida, relating to taxation and abolishing ad valorem taxes for State purposes, 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 1938, for approval or rejection; that is to say, that the said Section 2 of Article IX be amended so as to read as follows:

Section 2. The Legislature shall provide for raising revenue sufficient to defray the expenses of the State for each fiscal year, but the Legislature shall not make or authorize any levy of taxes upon real or personal property, except intangible property, or upon the ownership thereof, for said purpose.

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

By unanimous consent, Senator Rose offered the following amendment to Senate Joint Resolution No. 89:

In title, line 1 (typewritten), strike out the words "of Section 2" and insert after the word Constitution, the following: "to be known as Section 15 of Article IX."

Senator Rose moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent, Senator Rose also offered the following amendment to Senate Joint Resolution No. 89:

In Preamble, line 1 (typewritten bill), strike out the words "to Section 2" and insert in line 2 after Florida, the following: "to be known as Section 15 of Article IX."

Senator Rose moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent, Senator Rose also offered the following amendment to Senate Joint Resolution No. 89:

In Preamble, line 6 (typewritten bill), strike out the words "2" and insert in lieu thereof the following "15."

Senator Rose moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent, Senator Rose also offered the following amendment to Senate Joint Resolution No. 89:

In Preamble, line 7 (typewritten bill), strike out the words "be amended so as to."

Senator Rose moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent, Senator Rose also offered the following amendment to Senate Joint Resolution No. 89:

In Amendment (typewritten bill), strike out All of Section 2 and insert in lieu thereof the following: "Section 15. The Legislature shall not make or authorize any levy of taxes upon real or personal property, except intangible property, or upon the ownership thereof, for state purposes."

Senator Rose moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Upon the passage of Senate Joint Resolution No. 89, as amended, which reads as follows:

A Joint Resolution proposing the amendment of Article IX of the Constitution, to be known as Section 15 of Article IX, abolishing ad valorem taxation for State purposes.

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

That the following amendment of Article IX of the Constitution of the State of Florida, to be known as Section 15 of Article IX, relating to taxation and abolishing ad valorem taxes for State purposes, 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 1938, for approval or rejection; that is to say, that the said Section 15 of Article IX read as follows:

SECTION 15. The Legislature shall not make or authorize any levy of taxes upon real or personal property, except intangible property, or upon the ownership thereof, for state purposes.

The roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beall, Black, Butler, Coulter, Dame, Gomez, Graham, Harper, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, McKenzie, Murphy, Nordman, Parker, Parrish, Rose, Sharit, Smith, Sweger, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—32.

Nays—Clarke, Dugger, Hinely—3.

So Senate Joint Resolution No. 89, as amended, passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1937 Session of the Florida Legislature, and was referred to the Committee on Engrossed Bills.

Senate Joint Resolutions Nos. 116 and 196 were taken up in their order and the consideration of same was informally passed.

Senate Bill No. 57:

A bill to be entitled An Act authorizing the Governor, Comptroller and Treasurer of the State of Florida, to exchange bonds held, owned or acquired by virtue of Section 146 of the Revised General Statutes of Florida, 1927, the same being Section 176 of the Compiled General Laws of Florida, 1920, as amended by Section 2, of Chapter 14653, Laws of Florida, 1931, for refunding bonds, provided it is first determined that it is to the best interest of State to accept such refunding bonds.

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

By unanimous consent, Senator Kelly offered the following amendment to Senate Bill No. 57:

In Section 1, line 13 (typewritten bill) strike out the figures 1927 and insert in lieu thereof the following: 1920.

Senator Kelly moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent, Senator Kelly also offered the following amendment to Senate Bill No. 57:

In Section 1, line 14 (typewritten bill), strike out the figures 1920 and insert in lieu thereof the following: 1927.

Senator Kelly moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent, Senator Kelly also offered the following amendment to Senate Bill No. 57:

In Title, line 5 (typewritten bill), strike out the figures 1927 and insert in lieu thereof the following: 1920.

Senator Kelly moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator Kelly also offered the following amendment to Senate Bill No. 57:

In Title, line 6 (typewritten bill) strike out the figures 1920 and insert in lieu thereof the following: 1927.

Senator Kelly moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

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

Yeas—Mr. President; Senators Beall, Black, Butler, Clarke, Dame, Dugger, Gomez, Graham, Harper, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, McKenzie, Murphy, Parker, Parrish, Rose, Sharit, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—29.

Nays—None.

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

Senate Bill No. 79:

A bill to be entitled An Act to provide for the payment of premiums on fidelity bonds of State officers and employees.

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

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

Yeas—Mr. President; Senators Beall, Black, Butler, Clarke, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, McKenzie, Murphy, Parker, Parrish, Rose, Sharit, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—30.

Nays—None.

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

Senate Bill No. 25:

A bill to be entitled An Act to amend Section 696, the Revised General Statutes of 1920, also known as Section 896 of the Compiled General Laws of Florida 1927, so as to provide a basis of valuation of stocks of goods, wares and merchandise for taxation purposes.

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

By unanimous consent, Senator Tillman offered the following amendment to Senate Bill No. 25:

In Section 1, line 19 (typewritten bill), after the word "assessed" insert the following: for the purpose of taxation by the State, counties, cities, villages, towns, and taxing districts.

Senator Tillman moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

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

Yeas—Mr. President; Senators Beall, Black, Butler, Dame, Graham, Harper, Hodges, Holland, Kanner, Kelly, Kendrick, McArthur, McKenzie, Nordman, Parker, Parrish, Rose, Sharit, Tervin, Tillman, Touchton, Westbrook, Wynn—24.

Nays—Clarke, Dugger, Gomez, Hinely, Johns—5.

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

Senate Bill No. 105:

A bill to be entitled An Act to amend Section 2463 of the Revised General Statutes of Florida, (1920) as amended by Chapter 8540 of Acts of 1921, Chapter 9303 of Acts of 1923, Chapter 10202 of Acts of 1925, Chapter 12194 of Acts of 1927, Chapter 13758 of Acts of 1929, Chapter 14820 of Acts of 1931, and Chapter 16101 of Acts of 1933, relating to duties of pilots commission, examination, licensing, appointment and number of pilots.

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

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

Yeas—Mr. President; Senators Beall, Black, Clarke, Coulter, Dame, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, McKenzie, Murphy, Nordman, Parker, Parrish, Rose, Sharit, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—30.

Nays—None.

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

SENATE BILLS ON SECOND READING

Senate Bill No. 177:

A bill to be entitled An Act to provide for the keeping of

personnel records by the Comptroller of the State of Florida on all State officials or employees of the State or any agency of the State; to provide that a personnel record of each State official and employee shall be a condition precedent to payment of salary or wage; and to provide how the personnel record shall be prepared and maintained.

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

Senator Savage offered the following amendment to Senate Bill No. 177:

In Section 1, line 3, (typewritten bill) after the word "Florida," insert the following: "On and after July 1, 1937."

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Savage also offered the following amendment to Senate Bill No. 177:

In Section 1, line 7 (typewritten bill), after the word "remuneration" insert the words "travel expenses and/or subsistence."

Senator Savage moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beall offered the following amendment to Senate Bill No. 177:

In Section 5 (typewritten bill), after the last line, add the following: (B) The administration and the enforcement of this Act shall be the duty of the Comptroller or his duly appointed agents and for that purpose he is hereby directed, authorized and empowered to make, promulgate and enforce such reasonable rules and regulations as he may deem necessary or expedient for the strict enforcement of the provisions of this Act.

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

And Senate Bill No. 177, as amended, was referred to the Committee on Engrossed Bills.

Senate Bill No. 178:

A bill to be entitled An Act to require the Comptroller of the State of Florida to keep an accumulative monthly record of salaries and travel expenses and/or subsistence paid each State officer or employee, whether paid from State funds or partly from State funds and/or from funds other than State funds; to require that any State officer or employee receiving part of his salary and/or travel expenses and/or subsistence from other than State funds to report same to the Comptroller; to provide a penalty for failure to so report; and to provide for publishing each fiscal year a list of all State officials and employees of the State of Florida, or any agency of the State of Florida, showing title of position held, amount of salary received from all sources and travel expenses and/or subsistence received from all sources during the said fiscal year.

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

Senator Westbrook moved that the rules be waived and the further consideration of Senate Bill No. 178 be informally passed, the bill retaining its place on the Calendar of Bills on second reading.

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

The hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 5:00 o'clock P. M. until 11:00 o'clock A. M., Tuesday, April 27, 1937.