

JOURNAL OF THE SENATE

Tuesday, May 30, 1939

The Senate convened at 10:00 o'clock A. M., pursuant to adjournment on Monday, May 29, 1939.

The President in the Chair.

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

Mr. President: Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horn, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—38.

A quorum present.

Prayer by the Chaplain.

The Journal of May 27, 1939, was further corrected as follows:

On page 13, column 2, in line 33 from the top of the page, before the word "Bill" insert the word "House."

Also—

On page 14, column 1, in line 3 from the top of the page, before the word "Bill" insert the word "House."

And as further corrected was approved.

The reading and correction of the Journal of May 29, 1939, was deferred.

REPORTS OF COMMITTEES

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

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

Senate Bill No. 279:

A bill to be entitled An Act to provide for the regulation, supervision and control of the production, processing, bottling, transportation, storage, distribution and sale of milk, cream and milk products, including regulation of prices, and for this purpose to create a Milk Commission, defining its jurisdiction, powers and duties; to declare that an emergency exists and is continuing; to provide for the appointment, suspension, removal, compensation, costs and expenses of such Commission and the members thereof, officers, agents, administrators and employees thereof; to provide for licensing of producers, producer-distributors, distributors and milk dealers; to provide for the raising of funds through license fees and other charges for the administration of this Act; to provide for the disposition of the revenue collected hereunder, and to impose penalties for violation of the provisions of this Act; to provide for the legal succession by this Commission herein created of the Milk Board established by Chapter 18,022, Laws of Florida, Acts of 1937.

Have examined the same and find same 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.

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 Holland, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following bill:

Senate Bill No. 401:

A bill to be entitled An Act to amend Section 5 of Chapter 16774, Laws of Florida, 1935, entitled: "An Act 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 penal-

ties for the violation of this Act and repealing existing laws concerning said beverages."

And recommends that Senate Committee Substitute for Senate Bill No. 401, entitled:

An Act to amend Section 5 of Chapter 16774, Laws of Florida, 1935, entitled: "An Act 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 of this Act and repealing existing laws concerning said beverages."

Be substituted for said Senate Bill No. 401, and that Senate Committee Substitute for Senate Bill No. 401 do pass.

And Senate Bill No. 401, together with Committee Substitute therefor, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Westbrook, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following bill and reports the same without recommendation.

Senate Bill No. 1146:

A bill to be entitled An Act to fix the salary of certain employees of the State Road Department.

And Senate Bill No. 1146, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Westbrook, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following bill and reports the same without recommendation.

House Bill No. 1508:

A bill to be entitled An Act providing for the appointment and prescribing the duties, powers and compensation of a Special Investigator to assist the State Attorney in the detection, prosecution and punishment of crime in each Judicial Circuit of the State of Florida having four (4) Counties, in neither of which Counties is there a Criminal Court of Record or the Court of Record in and for Escambia County, and which includes a County having a population of more than 50,000 people according to the last preceding State census.

And House Bill No. 1508, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Westbrook, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following bill and recommends that the same do pass:

Senate Bill No. 849:

A bill to be entitled An Act making an appropriation to provide for the construction of a draw bridge at McIntyre, Florida, along the route of the Intercoastal Canal System from Corpus Christi, Texas, to some point along the Western Coast of Florida.

And Senate Bill No. 849, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Westbrook, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following bill and recommends that the same do pass.

Senate Bill No. 714:

A bill to be entitled An Act requesting the Governor of the State of Florida to continue to participate in the Southern Governor's Conference and appropriating for the purpose of enabling the State of Florida to share in the expenses of said Southern Governor's conference, as the governor in his discretion may deem advisable, a sum not exceeding seven thousand five hundred dollars (\$7,500.00) annually for two years out of any funds in the State Treasury not otherwise appropriated.

And Senate Bill No. 714, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Coulter, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following bills and recommends that the same do pass:

Senate Bill No. 675:

A bill to be entitled An Act for the relief of James A. Henderson, and authorizing the State Road Department to pay the said James A. Henderson for injuries sustained by him while assisting one of its employees in the performance of his duties.

Senate Bill No. 952:

A bill to be entitled An Act for the relief of Lee Rawls, and authorizing the State Road Department to pay the said Lew Rawls for injuries sustained by him while assisting one of its employees in the performance of his duties.

And Senate Bills Nos. 675 and 952, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Coulter, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following bills and recommends that the same do pass:

House Bill No. 1260:

A bill to be entitled An Act granting a pension to Mrs. Vester Culverson of Wakulla County, Florida.

House Bill No. 193:

A bill to be entitled An Act providing for the relief of Mrs. Dale E. Noyes, as guardian of Rosalee Malphurs, a minor; providing for the manner of payment; providing for the repeal of all laws in conflict herewith, and providing when this Act shall become effective.

House Bill No. 510:

A bill to be entitled An Act granting a pension to H. W. Beaty of Dade County, Florida.

House Bill No. 539:

A bill to be entitled An Act for the relief of Mrs. Ola Denton of Gulf County, Florida.

And House Bills Nos. 1260, 193, 510 and 539, contained in the above report, were placed on the Calendar of Bills on second reading.

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

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

Senate Bill No. 111:

A bill to be entitled An Act for relief of T. Lawrence Williams, a citizen of Lee County, Florida, and providing an appropriation for injuries and damages, sustained by him by reason of an accident with truck belonging to and being operated by the State Road Department, and providing for the payment of same.

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

And Senate Bill No. 111, contained in the above report, was ordered certified to the House of Representatives.

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

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

Senate Bill No. 130:

A bill to be entitled An Act for the relief of Fred O. Eberhardt of Tallahassee, Leon County, Florida.

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

And Senate Bill No. 130, contained in the above report, was ordered certified to the House of Representatives.

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

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

Senate Bill No. 296:

A bill to be entitled An Act for the relief of S. A. Guilfoyle of St. Petersburg, Pinellas County, Florida.

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

And Senate Bill No. 296, contained in the above report, was ordered certified to the House of Representatives.

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

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

Senate Bill No. 560:

A bill to be entitled An Act for the relief of Mrs. Rebecca Green, and providing appropriation for injuries and damages sustained by the loss of her husband, J. Bascom Green, whose death on February 20, 1928, was caused by the caving in the walls of a clay pit while he was at work for the State Road Department of the State of Florida.

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

And Senate Bill No. 560, contained in the above report, was certified to the House of Representatives.

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

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

Senate Bill No. 444:

A bill to be entitled An Act for the relief of the M. F. Comer Bridge and Foundation Company.

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

And Senate Bill No. 444, contained in the above report, was ordered certified to the House of Representatives.

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

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

Senate Bill No. 1082:

A bill to be entitled An Act authorizing and empowering the Boards of County Commissioners of counties having a population of not less than 22,000 and not more than 23,043, according to the last State or Federal census, to sell at public or private sale bonds or coupons taken in payment of taxes under the Futch Act, or held pursuant thereto by the County Commissioners or Clerk of the Circuit Court of any such counties, granting to said boards the authority and power to accept refunding obligations therewith with authority to make concessions and compromises in regard thereto, and authorizing and empowering the State Board of Administration to purchase or discharge any such bonds or coupons which it could purchase or discharge had the same not been taken in for taxes.

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

And Senate Bill No. 1082, contained in the above report, was ordered certified to the House of Representatives.

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

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

House Concurrent Resolution No. 15:

A Concurrent Resolution extending to the National Townsend Clubs an invitation to hold their 1940 National Convention in the State of Florida.

House Bill No. 498:

A bill to be entitled An Act making it unlawful to fish, or cause to be fished, or use, or cause to be used, any drag nets, haul seines, gill nets, or other nets, except common cast nets used for the purpose of catching bait, in that part of Martin County, Florida, located within the territory bounded by a circle two miles in diameter, the center of which circle is located in the middle of the St. Lucie Inlet, and/or in any creeks emptying into the north or south fork of the St. Lucie River in Martin County, Florida; and provided that this Act shall not in any manner affect or repeal the provisions of Chapter 18683 of the Acts of the Legislature of Florida for the year 1937, which said Act regulates net

fishing in the waters of Hobe Sound, Florida; providing that certain prohibited area be defined with posts, signs or markers by the Board of County Commissioners, but a failure to do so shall be no excuse or defense to any prosecution hereunder; making it unlawful to dump foul or refuse fish so as to cause a nuisance; making it lawful to fish, or cause to be fished in salt waters of Martin County by use of haul seines, drag nets or gill nets, excepting waters prohibited by this Act; regulating the size of mesh and length of such seines and nets, and providing penalty for violation of any of the provisions of this Act, and for a referendum election in order for this Act to become in effect, and limiting the duration of this Act.

House Bill No. 1449:

A bill to be entitled An Act to establish a game, bird and wild life sanctuary and preserve in a certain area in Dade County, Florida, and providing for a referendum.

House Bill No. 1406:

A bill to be entitled An Act to amend Section 1 of Chapter 14899, Laws of Florida, Acts of 1931, as amended by Section 1 of Chapter 17253, Laws of Florida, Acts of 1935, and to amend Section 5 of Chapter 14899, Laws of Florida, Acts of 1931, as amended by Section 4 of Chapter 17253, Laws of Florida, Acts of 1935, said Chapter 14899, Laws of Florida, Acts of 1931, being "An Act regulating the sale of securities and to make uniform the law relating thereto, and to repeal statutes which are inconsistent herewith," and to further amend said Chapter 14899, Laws of Florida, Acts of 1931, by adding thereto a new Section to be designated Section 15½, the same relating to the appointment of examiners to conduct investigations and hearings and providing for the compulsory attendance of witnesses and production of books and records.

House Concurrent Resolution No. 13:

A Resolution concerning Charlotte County, Florida.

House Bill No. 1736:

A bill to be entitled An Act granting to Lee County, Florida, the authority to acquire, establish, construct, expand, own, lease, control, equip, improve, maintain, operate, regulate and police airports and declaring the acquirement and operation of airports to be a public and county purpose; declaring and providing the manner of paying the cost of acquiring, establishing, constructing, expanding, equipping, and improving airports; and declaring the intent and purpose of this Act.

House Bill No. 1533:

A bill to be entitled An Act to cancel all outstanding Everglades Drainage District certificates of tax sale and all outstanding Naranja Drainage District certificates of tax sale affecting certain portions of Homestead Park in Dade County, Florida.

House Bill No. 1500:

A bill to be entitled An Act making it unlawful to fish or cause to be fished, any net excepting a common cast net within a radius of two miles from the center of any inlet lying in any County of the State of Florida having a population of not less than Five Thousand (5,000), and not more than Fifty-four Hundred (5,400) according to the State census of 1935; providing that the violation of this Act shall be a misdemeanor; and providing for the repeal of all laws in conflict herewith and for the effective date of this Act.

House Bill No. 902:

A bill to be entitled An Act relating to the interest and sinking funds of bonds authorized to be issued under Chapter 15772, Laws of Florida, Acts of 1931, known as the General Refunding Act of 1931; granting additional and supplementary authority and power to units authorizing the issuance of bonds thereunder concerning the levying of taxes and appropriation, reappropriation or earmarking of moneys or revenues in connection with said interest and sinking funds; providing the mode of exercise of such authority and power and the effect of such exercise; imposing duties upon all persons and officials handling such moneys or revenues; limiting the use of such moneys or revenues and making the same immune from certain suits, levies, writs or other process; and validating and confirming certain levies, appropriations, reappropriations or earmarkings heretofore made.

House Bill No. 843:

A bill to be entitled An Act forbidding the sale of intoxicating liquors, other than malt beverages of legal alcoholic content, by the drink, except within the building which is the address of the person or corporation holding license to sell such intoxicating liquors, and forbidding the practice known as curb or drive-in service with respect to such intoxicating liquors; forbidding the consumption thereof at curb or drive-in stands; except within the building which is the address of the person, firm, or corporation holding a license for the sale of such intoxicating liquors and providing penalties for the violation hereof.

House Bill No. 1501:

A bill to be entitled An Act authorizing the County Commissioners in Counties having a population of not less than Five Thousand (5,000) and not more than Fifty-four Hundred (5,400) according to the State census of 1935, to sell or dispose of real estate owned by said County and not used for County purposes; providing for the repeal of all laws in conflict herewith and for the effective date of this Act.

House Bill No. 1534:

A bill to be entitled An Act authorizing and empowering Boards of County Commissioners in all Counties of the State of Florida having a population of not less than 180,000 according to the last preceding State or Federal census to acquire, construct, own and operate public auditoriums; to establish and collect reasonable rentals and fees for the use of the same; subject to the approval of the voters, to issue bonds to pay for the same; to levy taxes to pay the interest and principal of such bonds; to maintain, repair, alter or reconstruct the same; to provide rules and regulations for the operation and management of same; to cooperate with agencies of the Government of the United States and with municipalities in the acquisition, control and operation of said public auditoriums; or, with or without such cooperation, to acquire, control and operate such public auditoriums in any manner allowed by law, on a self-liquidating basis; defining the term "public auditorium"; and declaring the exercise by said Boards of County Commissioners of the powers herein granted to be a lawful County purpose.

House Bill No. 1597:

A bill to be entitled An Act requiring the Clerk of the Circuit Court of Volusia County, Florida, to collect matured interest coupons received by him in payment of delinquent taxes and to deliver to the respective governing boards of taxing units in said county, for cancellation, uncollected obligations of such units to the extent of credits of such units for delinquent taxes paid with such obligations, authorizing the investment of interest and sinking funds of each taxing unit in said county in obligations of other taxing units so held by said Clerk, providing for the distribution of funds received by said Clerk from the collection or sale of obligations received in payment of taxes between the Board of County Commissioners and the Board of Public Instruction of said County, authorizing said boards to receive such funds and to expend the same for any general county or county school purpose in addition to regular budgeted appropriations and providing compensation for said Clerk for services rendered by him hereunder.

House Bill No. 1178:

A bill to be entitled An Act relating to public education, providing for an annual appropriation to the county school fund of a sum equal to one hundred dollars for each instruction unit for the school year ending June 30, 1940 and for the school year ending June 30, 1941, to be apportioned as prescribed by law; directing how the money shall be used and declaring that the appropriation is supplemental and in addition to all other appropriations to the County school fund.

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

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

House Bill No. 497:

A bill to be entitled An Act for the relief of Mrs. Rhoda Ellis and making and appropriation to compensate her for the loss of her son, S. J. Ellis, who was killed by a shot fired from a machine gun by members of the Florida National Guard.

House Bill No. 830:

A bill to be entitled An Act to make an appropriation for

the establishment by the Board of Control of the State of Florida of a branch experimental station in Hardee County, Florida, under the provisions of Chapter 18562, Laws of Florida, Acts of 1937.

House Bill No. 944:

A bill to be entitled An Act to prohibit the importing into the State of Florida of citrus fruit and citrus juice produced and canned in other States and Countries and shipping the same out of the State of Florida as Florida citrus fruit and prescribing penalties for violation of this Act.

House Bill No. 976:

A bill to be entitled An Act to amend Chapter 18,144, Laws of Florida, approved June 10, 1937, entitled "An Act to declare the necessity of establishing 'Soil Conservation District'; to engage in conserving soil resources and preventing and controlling soil erosion; to establish the State Soil Conservation Committee, and to define its powers and duties; to provide for the establishment of soil conservation district; to define the powers and duties of soil conservation districts, and to provide for the exercise of such powers, including the power to acquire property by purchase, gift, and otherwise; to empower such districts to adopt programs and regulations for the discontinuances of land-use practices contributing to soil wastage and soil erosion, and the adoption and carrying out of soil-conserving land-use practices, and to provide for the enforcement of such programs and regulations; to provide for the establishment of boards of adjustment in connection with land-use regulations, and to define their functions and powers; to provide for discontinuance of such soil conservation districts, and for other purposes", to create a state soil conservation board and to prescribe its powers and duties and for other purposes.

House Bill No. 1015:

A bill to be entitled An Act granting a Confederate Pension to J. Hance Osteen, of Gilchrist County, Florida.

House Bill No. 23:

A bill to be entitled An Act to fix the annual salaries of the official court reporters of the State of Florida.

House Bill No. 584:

A bill to be entitled An Act providing for limited surety companies, the rights, powers, privileges, duties, obligations and liabilities of such companies and authorizing such limited surety companies to become sureties upon any bonds in judicial proceeding, whether civil or criminal, and to become surety or grantor upon bonds, obligations, contracts and agreements where the amount of such bond or other obligations shall not exceed five hundred (\$500.00) dollars; providing for the issuance and revocation of a certificate of authority and for the duties of certain State and county officers; providing for an adequate deposit of bonds or other securities with the State Treasurer and for licenses and taxes; providing penalties for violations of said Act.

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

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

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

Senate Bill No. 40:

A bill to be entitled An Act to amend Section 2935, Revised General Statutes of Florida, 1920 (being Section 4655, Compiled General Laws of Florida, 1927) relating to adverse possession under color of title by providing therein that the said land so occupied adversely shall be within one year after the entry by such adverse owner returned for taxation and all taxes subsequently assessed against the same duly paid.

Senate Bill No. 92:

A bill to be entitled An Act extending State Road 199 in Palm Beach and Martin Counties.

Senate Bill No. 95:

A bill to be entitled An Act to amend Section 2936, Revised General Statutes of Florida, 1920 (being Section 4656, Compiled General Laws of Florida, 1927) relating to adverse possession without color of title by providing therein that the

said land so occupied adversely shall be within one year after the entry by such adverse owner returned for taxation and all taxes subsequently assessed against the same duly paid.

Senate Bill No. 144:

An bill to be entitled An Act providing for the reimbursement for lawful costs legally adjudged against and paid by any County in all lunacy proceedings and criminal prosecutions against State convicts imprisoned at the State prison at Raiford and in all habeas corpus cases brought to test the legality of the imprisonment of State convicts imprisoned at the State Prison Farm at Raiford; providing the manner of making requisition for and the refund thereof from the State Treasury.

Senate Bill No. 235:

A bill to be entitled An Act to designate and provide for the completion and maintenance of a State road from the point on Road (10), where intersected by Road No. (175), to the Apalachicola Bay and the Gulf of Mexico, said road to be and to be known as a part of Road No. (175), of the highway system of the State of Florida.

Senate Bill No. 247:

A bill to be entitled An Act designating and establishing a State Road to be known as State Road 8-A, extending from State Road 2 at Leesburg via Haines City, Avon Park, Moore Haven to Clewiston.

Senate Bill No. 305:

A bill to be entitled An Act designating and establishing a State Road to be known as State Road 5-S. E., extending from State Road 15 at Crystal River, via Inverness, Floral City, Istachatta, Croom, Triley, Dade City, Richland, Kathleen, Lakeland, Bartow, Fort Meade, Avon Park, Sebring, Bassenger, Okeechobee and Indian Town to West Palm Beach.

Senate Bill No. 320:

A bill to be entitled An Act to declare, designate, and establish a certain State Road in Lafayette and Dixie Counties, Florida.

Senate Bill No. 361:

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

Senate Bill No. 363:

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

Senate Bill No. 365:

A bill to be entitled An Act to extend State Road No. 61 as designated in Chapter 10269 Laws of Florida of 1925.

Senate Bill No. 383:

A bill to be entitled An Act to amend Section 1 of Chapter 13826, Acts of 1929, entitled "An Act to declare, designate and establish a certain State Road in Baker County, Florida."

Senate Bill No. 384:

A bill to be entitled An Act to extend State Road 154 in Baker County.

Senate Bill No. 464:

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

Senate Bill No. 471:

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

Senate Bill No. 493:

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

Senate I ! No. 494:

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

Senate Bill No. 495:

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

Senate Bill No. 522:

A bill to be entitled An Act to amend An Act entitled "An Act to establish a municipality to be known as the Town of Manalapan, in Palm Beach County, Florida; and to define its territorial boundaries and to provide for its government and to prescribe its jurisdiction and powers," approved June 26, 1931.

Senate Bill No. 534:

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

Senate Bill No. 535:

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

Senate Bill No. 536:

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

Senate Bill No. 537:

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

Senate Bill No. 538:

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

Senate Bill No. 539:

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

Senate Bill No. 721:

A bill to be entitled An Act relating to the creation of a commission to be known as the Stephen Foster Memorial Commission, and providing for the appointment of the members thereof and fixing their term of office and defining their powers and duties, and providing for an appropriation.

Senate Bill No. 765:

A bill to be entitled An Act fixing and determining the salaries, compensation, and traveling expenses of the Members of the Board of County Commissioners for Counties of the State of Florida having a population of not less than 17,000, nor more than 17,500, according to the last State census.

Senate Bill No. 809:

A bill to be entitled An Act to provide for the distribution of any money or moneys which may be allocated to Citrus County as the result of any Act of the Legislature of the State of Florida, taxing any amusement; providing that said moneys shall be set up in a special fund and providing the purposes for which said moneys shall be expended.

Senate Bill No. 816:

A bill to be entitled An Act relating to Dade Drainage District, a Drainage District organized and existing under the Laws of Florida, and embracing lands within Dade and Broward Counties; amending Sections Two (2), Six (6), and Seven (7) of Chapter 9417, Laws of Florida, special Acts of 1923, relating to the term of office of the Supervisors of said district, the method of filling any vacancy in the office of supervisor, and the time of meetings of land-owners to be held for the purpose of electing supervisors; and providing that the present Members of the Board of Supervisors of said district shall continue in office until the meeting of the landowners of said district to be held in August, 1939, and until the election and qualification of their successors in office; and repealing all laws or parts of laws in conflict with this Act.

Senate Bill No. 8

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Manatee County, Florida, to sell, assign, hypothecate and/or cancel any and all bonds, coupons and other evidences of public debt heretofore or hereafter taken in and now held under the Fitch Act, which is Chapter 16,252 of the Acts of the Florida Legislature, 1933, and to use all or any part of the same to pay any debt of said county; also clarifying the procedure to be followed in connection with handling such bonds and coupons.

Senate Bill No. 825:

A bill to be entitled An Act authorizing and empowering the

Board of County Commissioners of Manatee County, Florida, and the Board of Public Instruction for said County to make an adjustment and settlement of all charges and claims, each against the other, in said County, and to exchange and cancel securities in pursuance of such settlement and adjustment, and authorizing the said Boards to adjust and settle all outstanding differences between them, whether the same exist by reason of bonded debt, open account, or otherwise.

Senate Bill No. 838:

A bill to be entitled An Act validating, ratifying and confirming a resolution providing for the issuance by Walton County Bridge Authority of Bridge Revenue Bonds for the purpose of financing the construction of a Bridge and Causeway across the eastern waters of Choctawhatchee Bay and validating, ratifying and confirming the issuance of such bonds.

Senate Bill No. 839:

A bill to be entitled An Act canceling tax certificates Nos. 717, 718 and 719, dated July 3, 1933, and certificates Nos. 3713, 3714 and 3715, dated June 4, 1934, held by the State of Florida for unpaid State and County taxes upon certain real estate situated in Citrus County, Florida, and now owned by Citrus County, Florida, and in this described, and canceling all State and County taxes assessed against said real property and exempting said real property from State and County taxes, so long as the same are owned by Citrus County, Florida.

Senate Bill No. 840:

A bill to be entitled An Act canceling all municipal taxes and paving held by the City of Inverness, Florida, for unpaid municipal taxes and paving upon certain real estate situated in the City of Inverness, Florida, and now owned by Citrus County, Florida, and in this Act described, and exempting said real estate from municipal taxes so long as the same is owned by Citrus County, Florida.

Senate Bill No. 845:

A bill to be entitled An Act to amend Section 3 of Chapter 14104, Laws of Florida, 1929, the same being, "An Act authorizing and empowering the Board of County Commissioners of Hillsborough County, Florida, to establish a park of that part of Bayside Boulevard situate in the County of Hillsborough and running from the city limits of the City of Tampa to Gandy Boulevard, and to authorize and empower the Board of County Commissioners of Hillsborough County, Florida, to expend a sum not exceeding twenty-five hundred dollars (\$2,500.) annually in beautifying the said park, out of the general funds of the said County," so as to direct the Board of Commissioners of Hillsborough County, Florida, to expend the sum authorized in said Act.

Senate Bill No. 847:

A bill to be entitled An Act providing for the payment of \$5.00 per month to each Councilman of the City of Port Tampa, Florida, provided he attends the regular Council meeting each month; making it the duty of the City Council to appropriate a sufficient sum in each annual budget to carry out the provisions of this Act; repealing all laws and parts of laws in conflict herewith, and providing for a referendum on said Act.

Senate Bill No. 848:

A bill to be entitled An Act to amend Section 1 Article 2; Section 1 Article 3; Section 1 Article 5; Section 1 Article 6; Section 1 Article 7; all of Chapter 5084, Laws of Florida, 1901, the same being An Act entitled "An Act to amend the City Charter of the City of Port Tampa," and providing for a referendum on said Act.

Senate Bill No. 850:

A bill to be entitled An Act to repeal Chapter 16448, Laws of Florida, Acts of 1933, being "An Act to prohibit the use of steel traps for trapping purposes in Hamilton County, Florida, and placing penalties for the violation of this Act."

Senate Bill No. 851:

A bill to be entitled An Act to repeal Chapter 10602, Laws of Florida, Acts of 1925, being "An Act to prohibit the trapping of wild game in Hamilton County, Florida."

Senate Bill No. 853:

A bill to be entitled An Act to establish the boundaries of the City of Clermont in Lake County, Florida.

Senate Bill No. 863:

A bill to be entitled An Act providing for and relating to the eradication of the Southern Cattle Fever Tick by dipping or otherwise in Counties having a population of not less than 15,550, nor more than 16,800 persons, according to the 1935 State census.

Senate Bill No. 940:

A bill to be entitled An Act to abolish the present municipal government of the Town of Pomona, in the County of Putnam, State of Florida, and to establish, organize and constitute a municipality to be known and designated as the Town of Pomona; to define its territorial boundaries; to provide for its jurisdiction, powers and privileges, and for the exercise of same.

Senate Bill No. 943:

A bill to be entitled An Act authorizing Pinellas County, Florida through its Board of County Commissioners to develop Mullet Key and authorizing the construction and financing of a bridge and causeway or other physical connection from the mainland to Mullet Key and other projects in connection therewith; prescribing the mode of procedure for and regulating the issuance and sale of bonds and other obligations to finance such projects; providing for the payment of such bonds and other obligations and authorizing agreements with the holders of bonds and such other obligations.

Senate Bill No. 944:

A bill to be entitled An Act creating a port authority for Pinellas County, Florida designating its members; defining its rights, duties, authority; and prescribing the method of financing ports and other matters incidental to the main purpose.

Senate Bill No. 945:

A bill to be entitled An Act dispensing with the requirement of publishing a list of qualified electors by the supervisor of registration in all counties of the State of Florida having a population of not less than 60,000 and not more than 80,000 according to the last official State census of the State of Florida and repealing the laws in conflict therewith.

Senate Bill No. 998:

A bill to be entitled An Act to declare certain rivers in the State of Florida to be fresh water from source to mouth, to regulate fishing in such rivers or taking of fish from such rivers and to repeal all laws in conflict herewith.

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

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

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

Senate Bill No. 2:

A bill to be entitled An Act to require any railroad company or railroad corporation operating or doing business in the State of Florida to grant to any regular or part time employee who shall be elected or appointed to any Federal, State, County or Municipal office or position, a leave of absence for such period of time that such employee holds or occupies such office or position, without loss of, impairment or prejudice to the seniority rank of such employee; to provide for actions for damages by any such employee against such railroad company or railroad corporation for salaries or wages lost by reason of reinstatement of such employee upon the termination of such service or Federal, State, County or Municipal office or position; and to provide penalties for the violation thereof.

Senate Bill No. 151:

A bill to be entitled An Act granting pension to Mrs. Mary J. Fulgham of Florida.

Senate Bill No. 153:

A bill to be entitled An Act granting a pension to Annie Lee Jackson, of Marion County, Florida.

Senate Bill No. 154:

A bill to be entitled An Act granting a pension to Mrs. Kate Dodson of Marion County, Florida.

Senate Bill No. 263:

A bill to be entitled An Act to aid the prevention of blindness, to require certain duties of those in attendance at any childbirth, and to provide a penalty for the violation of this Act.

Senate Bill No. 359:

A bill to be entitled An Act granting a pension to Mrs. Evelyn Kline, of Marion County, Florida.

Senate Bill No. 376:

A bill to be entitled An Act granting a pension to Mrs. Sallie A. Perkins, Tallahassee, Florida.

Senate Bill No. 528:

A bill to be entitled An Act amending Section 5987, Revised General Statutes of Florida, 1920, relating to the compensation of the Prosecuting Attorney for the County Court.

Senate Bill No. 541:

A bill to be entitled An Act to amend Section 1 of Chapter 17976, Acts of 1937, entitled An Act relating to the guardianship of weak-minded and physically incapacitated persons by the appointment of a curator to take charge of their property, and, if necessary, a guardian to take charge of their persons, prescribing the form of petition, notice of hearing and procedure with reference to making said appointment, powers and duties of curator and guardian, discharge of curator and of guardian, appointed under the provisions of this Act, effect of the decree of appointment and provisions for safeguarding the property and interests of said weak-minded or physically incapacitated persons.

Senate Bill No. 581:

A bill to be entitled An Act to amend Sections 1 and 4 of Chapter 17903, Laws of Florida, Acts of 1937, being An Act entitled: "An Act to appropriate \$87,760 for the further expenses of the Everglades National Park Commission, created by Act of the Legislature, Chapter 13887, May 25, 1929, as amended by Chapter 16966, Acts of 1935."

Senate Bill No. 736:

A bill to be entitled An Act for the relief of the Union Congregational Church of West Palm Beach, Palm Beach County, Florida; providing for the cancellation of certain City of West Palm Beach taxes upon the property of said church and for other purposes.

Senate Bill No. 810:

A bill to be entitled An Act to create and establish a new municipality to be known as the Town of Boca Ceiga in Pinellas County, Florida, and to fix the boundaries and provide for the government, powers, and privileges of said town and means for exercising the same; and to authorize the imposition of penalties for the violation of ordinances.

Senate Bill No. 819:

A bill to be entitled An Act to authorize and require the Board of Administration of the State of Florida to deliver certain bonds to the Board of Public Instruction for the County of Sumter, State of Florida:

Senate Bill No. 820:

A bill to be entitled An Act to authorize and require the Board of Administration of the State of Florida to deliver to the Board of Public Instruction for the County of Sumter, State of Florida, a certain note now held by said Board for the use of Sumter County, Florida.

Senate Bill No. 821:

A bill to be entitled An Act authorizing and requiring the Clerk of the Circuit Court of Sumter County, Florida, to cancel and deliver to the Board of Public Instruction for the County of Sumter, State of Florida, all of the bonds of any Special Tax School District in said county which are now held by said Clerk under the provisions of the Futch Act.

Senate Bill No. 962:

A bill to be entitled An Act abolishing the Board of bond trustees of Union County, Florida, as created by Chapter 11259, Laws of Florida, 1925, or by any other law, and investing the Board of County Commissioners of Union County, Florida, with all of the powers and duties and privileges now exercised by or imposed upon said Board of Bond trustees, and vesting the title to all property now held in the name of the said board of bond trustees of Union County.

Florida, in the Board of County Commissioners of Union County, Florida, and providing for a referendum.

Senate Bill No. 973:

A bill to be entitled An Act to provide for the payment by Escambia County, Florida, for certain advertising and advertising services rendered to Escambia County, Florida, by the News-Journal Company, Inc.; providing for a budget item to cover same and an appropriation therefor if necessary.

Senate Bill No. 974:

A bill to be entitled An Act to provide for the payment by Escambia County, Florida, for certain advertising and advertising services rendered to Escambia County, Florida, by the Metropolis Company; providing for a budget item to cover same and an appropriation therefor if necessary.

Senate Bill No. 977:

A bill to be entitled An Act making it unlawful to take or attempt to take any fish from the waters of Pellicer Creek within St. Johns and Flagler Counties, Florida, in any manner, method or device except hook and line, rod and reel, bob, spinner or troll, and making the possession of nets, seines, traps, gigs, dynamite or similar devices in or upon the waters of said creek unlawful, and limiting the number of fish that may be caught in said creek in any one day, and providing that any person violating any of the provisions of said Act shall be guilty of a misdemeanor.

Senate Bill No. 978:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of St. Johns County, Florida, to levy and ad valorem tax of not exceeding two and one-half mills on the dollar on all taxable real and personal property within the limits of said St. Johns County, to be expended for advertising and publicity purpose of said County.

Senate Bill No. 980:

A bill to be entitled An Act authorizing and empowering the governing body of Hillsborough County, Florida, to purchase lands to be used for airport purposes: to make it lawful for said County to deed said land to the government of the United States or any branch thereof as an aid to said government for any national defense purposes or for any purpose of training or other legal purpose: to give said County authorities the same powers for the purposes herein stated that is conferred on counties by Chapter 17,708, Laws of Florida, 1937, and to give said County the powers conferred in said Chapter to aid the United States government which are given in said Chapter to counties for their own use and to prescribe methods and regulations carrying this Act into effect.

Senate Bill No. 983:

A bill to be entitled An Act ratifying and validating all Acts and proceedings of the City of Tampa, Florida, its officers and its Board of Representatives, since the 4th day of November, 1931, except any such Acts and proceedings which are now in litigation.

Senate Bill No. 984:

A bill to be entitled An Act creating a special taxing district in Hillsborough County composed of all that territory lying in County Commissioners District Number Two and all that part of the County Commissioners Districts Numbers One and Three lying West of the Range Line which divides Range 19 East and Range 20 East; empowering the Board of County Commissioners to acquire property within said District for an Army air base and dedicate same to the United States; authorizing the levy of a tax within said District; authorizing the borrowing of money and the issuance of bond or other obligations to carry out the purposes of said Act; providing for a referendum election within the District to make said Act effective; and containing a statement of general purposes in the preamble of said Act.

Senate Bill No. 985:

A bill to be entitled An Act authorizing the City of Tampa, Florida, to appropriate money for the purpose of refunding any money which it may have collected on license taxes pursuant to ordinance Number 597-A, adopted on the 7th day of October, 1936, and amended by ordinance Number 602-A on the 10th day of November, 1936, and pursuant to ordinance Number 598-A, adopted on the 7th day of October, 1936, and amended by ordinance Number 603-A, on the 10th day of November,

1936, and pursuant to ordinance Number 604-A, adopted on the 19th day of November, 1936, which ordinances were adopted to raise money to pay commitment of said City of Tampa to the Works Progress Administration of the United States of America; and authorizing the City of Tampa, Florida, to levy taxes, excise or ad valorem taxes, or both, as may be provided by ordinance, for the purpose of raising such moneys.

Senate Bill No. 987:

A bill to be entitled An Act for the relief of Cook's Sanatorium, Inc., a corporation not for profit organized and existing under the laws of the State of Florida: on account of tax certificates and tax liens against property owned by said corporation and on which is located and operated said hospital, and for relief on account of present and future assessments for taxation, tax certificates and tax liens against said property.

Senate Bill No. 993:

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 four 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.

Senate Bill No. 999:

A bill to be entitled An Act authorizing and directing the Board of County Commissioners of Sumter County, Florida, to levy and collect an annual tax on all property in said County for the payment of outstanding indebtedness incurred in the construction of school buildings or in making necessary repairs to present buildings: providing for the expending of the funds derived from such tax: and setting the time during which such tax shall be levied and collected.

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

The following report of the Committee on Rules and Calendar was received and read:

May 29, 1939.

Hon. J. Turner Butler,
President of the Senate,
Senate Chamber

Sir:

Your Committee on Rules and Calendar recommends that immediately following the General Appropriation Bill that the following Bills shall be considered in chronological order:

House Bill 202—Relating to Dade Memorial Park.

House Bill 1031—Relating to retired Supreme Court Justices.

Senate Bill 285—Relating to Salary Supt. State Prison Farm.

Senate Bill 463—Relating Salary for Governor.

Senate Bill 497—Relating to Veterans Scholarships, etc.

Senate Bill 614—Relating to Salary of Railroad Commissioners.

Senate Bill 814—Relating to Audit of Ringling Brothers.

Senate Bill 439—Relating to State Marketing Board.

House Bill 1065—Relating to State Treas. Office—Operation Florida Unemployment Act.

Committee Sub. for H. B. 59, etc.—Relating to Drivers' License and State Highway Patrol.

Excepting therefrom the special orders as to Supreme Court Justices salary and Constitutional Amendments.

Respectfully submitted,

A. O. KANNER,

Chairman, Committee on Rules and Calendar.

Senator Kanner moved the adoption of the foregoing Report.

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

Senator Kelly (16th) moved that the rules be waived and

the Senate do now take up and consider Senate Bills Nos. 561, 563 and 564, out of their order.

Which was not agreed to.

Senator Adams moved that House Bill No. 729 be recalled from the Committee on Appropriations and placed on the Calendar of Bills on second reading.

Which was agreed to and it was so ordered.

Senator Beall moved that Senate Bill No. 948 be recalled from the Committee on Forestry and placed on the Calendar of Bills on second reading.

Which was agreed to and it was so ordered.

UNFINISHED BUSINESS

House Bill No. 1583:

A bill to be entitled An Act making appropriations for the salaries of the 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, 1939, and July 1, 1940.

Was taken up having been read the second time in full on May 29, 1939, and pending amendment.

Senator Westbrook offered the following amendment to House Bill No. 1583:

In Section 1, line 8, Page 8 (printed bill), strike out the figures 16,900.00 and insert in lieu thereof the following: 6,600.00.

Senator Westbrook moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Parrish offered the following amendment to House Bill No. 1583:

On Page 91, (printed bill), Lines 3, 4 and 5, strike out all three lines, and insert in lieu thereof the following: Salaries \$6,300.

Senator Parrish moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hodges offered the following amendment to House Bill No. 1583:

In Section 1, after line 6 (printed bill), and insert for renovation, repairs and installation with equipment of old House Chamber so it can be used by the State Library Board—\$10,000.00 (Biennium).

Senator Hodges moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Parrish offered the following amendment to House Bill No. 1583:

On Page 9 of (printed bill), On line 6 strike out \$2,500, and insert in lieu thereof the following: \$3,700.

Senator Parrish moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Westbrook offered the following amendment to House Bill No. 1583:

On Page 10, lines 17, 18, 19 (printed bill) strike out the following:

Salaries	\$53,160.00
Necessary and Regular	\$58,350.00
Emergencies and Contingencies	\$11,000.00

and insert in lieu thereof the following:

Salaries	\$10,000.00
Necessary and Regular	\$10,000.00
Emergencies and Contingencies	\$5,000.00

Senator Westbrook moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hodges offered the following amendment to House Bill No. 1583:

In Section 1, page 11 (printed bill) insert the following after line 20:

20½ Equipment	4,000.00
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Senator Hodges moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Beall, Wilson and Whitaker offered the following amendment to House Bill No. 1583:

In Section 1, page 11 (printed bill), line 22, strike out the figures \$62,000.00, and insert in lieu thereof the following: \$75,000.00.

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Holland offered the following amendment to House Bill No. 1583:

In Section 1, page 12 (printed bill), between lines 13 and 14, insert the following: "State's share for support of the Council of State Governments \$1,000.00."

Senator Holland moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Dugger offered the following amendment to House Bill No. 1583:

Page 13, line 16 (printed bill), strike out the words: Six Hundred Dollars (\$600.00), and insert in lieu thereof the following: Nine Hundred Dollars (\$900.00).

Senator Dugger moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Westbrook offered the following amendment to House Bill No. 1583:

In Section 1 page 13 (printed bill), between lines 18 and 19 insert new line to read as follows:

Royal Palm State Park, \$2,000.00.

Senator Westbrook moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hodges offered the following amendment to House Bill No. 1583:

In Section 1, after line 18, page 13 (printed bill), and insert a line as 18¾ Natural Bridge Monument and Park, 1200 1st year—600 2nd year.

Senator Hodges moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Westbrook offered the following amendment to House Bill No. 1853:

In Section 1, line 2, page 14 (printed bill), add the following (If further funds are needed, they are to be taken from emergency fund provided for Governor).

Senator Westbrook moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Graham offered the following amendment to House Bill No. 1583:

On Page 14, line 14 (printed bill), strike out the figures 37,702.00, and insert in lieu thereof the following: 39,702.00.

Senator Graham moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johns offered the following amendment to House Bill No. 1583:

In Section 1, after line 7, page 15 (printed bill), add the following, line 7A—For additional guards \$10,000.00.

Senator Johns moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johns also offered the following amendment to House Bill No. 1583:

In Section 1, after line 7, page 15 (printed bill), Add the following: 7-B Raise salaries in lower brackets \$5,000.00.

Senator Johns moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Hodges and Black offered the following amendment to House Bill No. 1583:

In Section 4, line 14, page 17 (printed bill), after word "Act" and before the word "shall" insert the following: from the moneys appropriated herein.

Senator Hodges moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Hodges and Black also offered the following amendment to House Bill No. 1583:

In Section 5, page 18, line 1 (printed bill), after the words "Board or Commission" and before the word "as" insert the following: "from the moneys appropriated herein"

Senator Hodges moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Hodges and Black also offered the following amendment to House Bill No. 1583:

In Section 11-A (printed bill), strike out Section 11-A down to the word "where" on line 12 and amend the balance of the section to read as follows: "where the salary of any officer or employee of the State has not been changed by any Act"

out of the Legislature of 1939, the appropriation for salaries respecting such officer or employee shall control the salary or compensation to be paid such officer or employee

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

Senator Black offered the following amendment to House Bill No. 1583:

In Section 1, page 15, line 8 (printed bill), strike out the figures: \$4,000.00 and insert in lieu thereof the following: \$4,500.00.

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

Senator Ward offered the following amendment to House Bill No. 1583:

In Section 1, Page 2 (printed bill), at bottom of page add following: "24. Remodeling old beef cattle barn for laboratory and equipment \$12,000"

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

Senator Gillis offered the following amendment to House Bill No. 1583:

Page 15, between lines 20 and 21 on page 15 add a line 20½ as follows: For employment of additional veterinarians, \$5,000.00.

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

Senator Hodges now presiding.

Senator Westbrook moved that the rules be further waived and House Bill No. 1583, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1583, as amended, was read the third time in full.

Upon the passage of House Bill No. 1583, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beall, Black, Dame, Dye, Gillis, Graham, Hinely, Hodges, Holland, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Walker, Ward, Westbrook, Whitaker, Wilson—27.

Nays—Senators Clarke, Coulter, Dugger, Johns, Lindler, Rose, Savage—7.

So House Bill No. 1583 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

Senator Beall moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 948, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 948:

A bill to be entitled An Act to designate and establish a State Park in Escambia County, Florida, to be known as Rauscher Park; to provide for the conveyance of certain lands now owned by Escambia County to the Board of Commissioners of State Institutions for use of said park; to provide for the acceptance of title to other lands adjacent thereto by the Board of Commissioners of State Institutions upon the acquisition thereof by Escambia County, Florida, for such park; and to make an appropriation for the care, development, beautification, upkeep and maintenance of said park.

Was taken up.

Senator Beall moved that the rules be waived and Senate Bill No. 948 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 948 was read the second time by title only.

Senator Beall offered the following amendment to Senate Bill No. 948:

In Section 3, (typewritten bill) strike out all of Section 3. Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beall moved that the rules be further waived and Senate Bill No. 948, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 948, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 948, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Clarke, Dame, Dugger, Dye, Gillis, Graham, Hinely, Hodges, Holland, Horne, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Murphy, Parker, Price, Savage, Sharit, Walker, Whitaker, Wilson—29.

Nays—None.

So Senate Bill No. 948 passed, as amended, and was referred to the Committee on Engrossed Bills.

Pursuant to the motion made by Senator Gillis on May 17, 1939, and the hour having arrived, the Senate took up the consideration of all Joint Resolutions having a favorable report by the Committee on Constitutional Amendments appearing on the Senate Calendar.

Senate Joint Resolution No. 69:

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 1940, 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 no ad valorem levy upon real or personal property, except intangible property, shall hereafter be made for any State purpose whatsoever.

Was taken up and read the second time in full.

Senator Rose offered the following amendment to Senate Joint Resolution No. 69:

In Section 2, strike out the entire section which reads as follows: "The Legislature shall provide for raising revenue sufficient to defray the expenses of the State for each fiscal year, but no ad valorem levy upon real or personal property, except intangible property, shall hereafter be made for any State purpose whatsoever" and insert in lieu thereof the following: "The Legislature shall provide for raising revenue sufficient to defray the expenses of the State, including State appropriations for the benefit of the uniform system of free public schools provided in accordance with Article XII of the Constitution, and of the State institutions of higher learning, for each fiscal year, and also a sufficient sum to pay the principal and interest of the existing indebtedness of the State; but after December 31st, A. D. 1940, no levy of ad valorem taxes upon real or personal property except intangible property, shall be made for any State purpose whatsoever; and Section 6 of Article XII be, and the same is hereby repealed."

Senator Rose moved the adoption of the amendment.

Pending adoption of the amendment offered by Senator Rose to Senate Joint Resolution No. 69, the hour of adjournment having arrived a point of order was called and the Senate took a recess at 1:00 o'clock P. M., until 2:30 o'clock, P. M., this day.

AFTERNOON SESSION

The Senate reconvened at 2:30 o'clock P. M., pursuant to recess order.

The President in the Chair.

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

Mr. President: Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

A quorum present.

By permission the following Reports of Committees were received and filed:

REPORTS OF COMMITTEES

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

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

House Bill No. 1778:

A bill to be entitled An Act authorizing the Broward County Port Authority to grant to the holders of any of its obligations the right to the appointment of a receiver in event of default thereon; to define the powers which may be conferred upon such receiver; to repeal all laws and parts of laws in conflict with this Act and to provide when this Act shall take effect.

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.

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 Hodges, Chairman of the Committee on Public Utilities, reported that the Committee had carefully considered the following bill and recommends that the same do pass, with Committee amendments:

Senate Bill No. 823:

A bill to be entitled An Act to authorize the Board of County Commissioners of Manatee County, Florida, to grant franchises in unincorporated communities in said County to persons, firms or corporations applying therefor for the purpose of installing, operating and maintaining a waterworks system or waterworks systems in such unincorporated communities, and providing that said franchises may be either exclusive or non-exclusive, and providing further that such franchises shall not be granted for a period of exceeding thirty (30) years, and providing further method of the purchase of any system or systems by such taxing community in the event it should thereafter become incorporated.

Which amendments are as follows:

No. 1. In Section 1, line 7, strike out the words "may be exclusive or" and insert the following: "shall be"

No. 2. In Section 2, lines 4 and 5, strike out the words "whether an exclusive or non-exclusive franchise is desired."

No. 3. In Section 2, at the end of Section 2, strike period (.), insert semi-colon (;) and add the following: "provided no application shall be granted until after 28 days' notice shall have been given of the time and place of a public hearing on the application by publication once each week, and until same shall have been consented to in writing by the owners of 80% of the property in the area involved, which persons shall also consist of 60% of the owners."

No. 4. In Section 3, at the end of Section 3, strike period (.), insert a semi-colon (;) and add the following: "every grantee shall enter into a corporate surety bond to be approved by the Board of County Commissioners in such sum as may be fixed by the Board, said sum to be not less than \$2,000.00, guaranteeing performance of the conditions of said franchise, which conditions shall in every case require constant service and supply of water approved by State Board of Health, in quantity sufficient to supply household and sanitary purposes."

And Senate Bill No. 823, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senator Parker, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following bills and recommends that the same do pass:

House Bill No. 300:

A bill to be entitled An Act to amend Section 3 of Chapter 16249, Laws of Florida, Acts of 1933, relating to hunting and

discharging of fire-arms within half mile of State Road Number 27, commonly known as Tamiami Trail; in order to provide greater protection for the public traveling along the Tamiami Trail and to clarify the present law relating to hunting and discharging of fire-arms along said road.

House Bill No. 1745:

A bill to be entitled An Act to re-designate and re-establish State Road 77-A

And House Bills Nos. 300 and 1745, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Parker, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following bills and recommends that the same do pass.

Senate Bill No. 656:

A bill to be entitled An Act to declare and designate as the "W. H. Boswell Bridge" a certain bridge on the Withlacoochee River and State Road Number 36.

Senate Bill No. 757:

A bill to be entitled An Act to extend State Road 37 in the Town of Milton, Santa Rosa County, Florida.

Senate Bill No. 803:

A bill to be entitled An Act to extend State Road 1 in the Town of Milton, Santa Rosa County, Florida.

Senate Bill No. 804:

A bill to be entitled An Act to extend State Road 190 in the Town of Milton, Santa Rosa County, Florida.

Senate Bill No. 1078:

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

And Senate Bills Nos. 656, 757, 803, 804 and 1078, contained in the above report, were placed on the Calendar of Bills on second reading.

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

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

Senate Bill No. 948:

A bill to be entitled An Act to designate and establish a State Park in Escambia County, Florida, to be known as Rauscher Park; to provide for the conveyance of certain lands now owned by Escambia County to the Board of Commissioners of State Institutions for use of said park; to provide for the acceptance of title to other lands adjacent thereto by the Board of Commissioners of State Institutions upon the acquisition thereof by Escambia County, Florida, for such park; and to make an appropriation for the care, development, beautification, upkeep and maintenance of said park.

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

And Senate Bill No. 948, contained in the above report, was certified to the House of Representatives.

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

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

Senate Bill No. 941:

A bill to be entitled An Act authorizing the County Board of Public Instruction in counties having a population of not less than 100,000 and not more than 170,000 according to the last preceding State or Federal census, to enter into agreements for group insurance for the teachers of their respective counties, and providing for contributions by said Boards of Public Instruction to the premium, and providing for the said boards to enter into such agreements and to perform all things necessary in carrying out such a plan of group insurance only when a majority of the teachers of such County may vote in favor of such plan.

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

And Senate Bill No. 941, contained in the above report, was referred to the Committee on Enrolled Bills.

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

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

Senate Bill No. 279:

A bill to be entitled An Act to provide for the regulation, supervision and control of the production, processing, bottling, transportation, storage, distribution and sale of milk, cream and milk products, including regulation of prices, and for this purpose to create a milk commission, defining its jurisdiction, powers and duties; to declare that an emergency exists and is continuing; to provide for the appointment, suspension, removal, compensation, costs and expenses of such commission and the members thereof, officers, agents, administrators and employees thereof; to provide for licensing of producers, producer-distributors, distributors and milk dealers; to provide for the raising of funds through license fees and other charges for the administration of this Act; to provide for the disposition of the revenue collected hereunder, and to impose penalties for violation of the provisions of this Act; to provide for the legal succession by this commission herein created of the Milk Board established by Chapter 18022, Laws of Florida, Acts of 1937.

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

Senator Dye moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 823, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 823:

A bill to be entitled An Act to authorize the Board of County Commissioners of Manatee County, Florida, to grant franchises in unincorporated communities in said county to persons, firms or corporations applying therefor for the purpose of installing, operating and maintaining a waterworks system or waterworks systems in such unincorporated communities, and providing that said franchises may be either exclusive or non-exclusive, and providing further that such franchises shall not be granted for a period of exceeding (30) years. And providing further method of the purchase of any such system or systems by such taxing community in the event it should hereafter become incorporated.

Was taken up.

Senator Dye moved that the rules be waived and Senate Bill No. 823 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 823 was read the second time by title only.

Senator Dye offered the following amendment to Senate Bill No. 823:

In line 9 of the title, strike out the word "may be exclusive or," and insert the following: "shall be"

Senator Dye moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Public Utilities offered the following amendment to Senate Bill No. 823:

In Section 1, line 7, strike out the words "may be exclusive or" and insert the following: "shall be".

Senator Dye moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Public Utilities also offered the following amendment to Senate Bill No. 823:

In Section 2, lines 4 & 5, strike out the words "whether an exclusive or non exclusive franchise is derised".

Senator Dye moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Public Utilities also offered the following amendment to Senate Bill No. 823:

In Section 2, at the end of Section 2 strike out period (.), insert semi-colon (;) and add the following: "provided no application shall be granted until after 28 days' notice shall have been given of the time and place of a public hearing on the application by publication once each week, and until same shall have been consented to in writing by the owners of 80% of the property in the area involved, which persons shall also consist of 60% of the owners."

Senator Dye moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Public Utilities also offered the following amendment to Senate Bill No. 823:

In Section 3, at the end of Section 3, strike period (.), insert a semicolon (;) and add the following: "every grantee shall enter into a corporate surety bond to be approved by the Board of County Commissioners in such sum as may be fixed by the Board, said sum to be not less than \$2,000,-000.00 guaranteeing performance of the conditions of said franchise, which conditions shall in every case require constant service and supply of water approved by State Board of Health, in quantity sufficient to supply household and sanitary purposes."

Senator Dye moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Dye moved that the rules be further waived and Senate Bill No. 823, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 823, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 823, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 823 passed, as amended, and was referred to the Committee on Engrossed Bills.

Senator Beall moved that the rules be waived and the Senate do now revert to the Introduction of Bills and Joint Resolutions.

Which was agreed to by a two-thirds vote.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Whitaker—

Senate Bill 1168:

A bill to be entitled An Act authorizing the Board of County Commissioners of Hillsborough County, Florida, to waive all accrued penalties, interest, and fees on assessments made under authority of Chapter 9470, Acts of 1923, and establishing an interest rate on the balance due from August 1, 1939.

The following proof of publication was attached to Senate Bill No. 1168 when it was introduced in the Senate:

NOTICE

NOTICE IS HEREBY GIVEN That after thirty days from the publication of this notice there will be introduced at the Legislature of Florida for the Session 1939:

A bill to authorize the Board of County Commissioners of Hillsborough County, Florida, to waive all penalties, interest and fees on assessments made under authority of Chapter 9470, Acts of 1923, provided the principal balance due is paid in full, and to provide an interest charge of 7% per annum on the unpaid balances on all such assessments beginning August 1st, 1939.

V. H. OSBORN.

(4)-26 (1t)—No. 3452

PUBLISHER'S AFFIDAVIT

STATE OF FLORIDA)
) ss.
COUNTY OF HILLSBOROUGH)

Before me, the undersigned authority, this day personally appeared W. J. Placie, who by me being first duly sworn according to law, deposes and says that he is the Publisher of The EVENING NEWS, a newspaper of general circulation and published at Tampa, in said County of Hillsborough, State of Florida, and that a full, true and correct copy of which said publication is hereto attached, was published in said newspaper in its issues of April 26, 1939.

Affiant further says that the above named newspaper has been continuously published once each week in said County

of Hillsborough, State of 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 at Tampa, Hillsborough County, Florida, thereby conforming to the requirements of Senate Bill No. 58, the same being an Act of the 1931 Legislature of the State of Florida in reference to publication of such notices and court processes, approved May 20, 1931.

W. J. PLACIE.

(Seal)

Sworn to and subscribed before me this 26th day of April, A. D. 1939.

LUCILE TRICE CARTER,

Notary Public, State of Florida at Large

My Commission Expires August 16, 1941.

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 1168 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1168 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 1168 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. 1168 was read the third time in full.

Upon the passage of Senate Bill No. 1168 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 1168 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By the Committee on Finance and Taxation—

Senate Bill No. 1169:

A bill to be entitled An Act to amend Section 10 of Chapter 18015, Laws of Florida, 1937: Entitled: "An Act regulating and taxing the manufacture, distribution and sale of beverages containing more than one percentum of alcohol by weight, amending Sections 7 and 9 of Chapter 16774 of the Acts of 1935, entitled "An Act regulating and taxing the manufacture, distribution and sale of beverages containing more than one percentum of alcohol, creating and providing for a State Beverage Department, providing penalties for the violation of this Act and repealing existing laws concerning said beverages." Providing for additional supervisors of the beverage department: providing for the expense of the beverage department: appropriating the monies collected under the beverage laws and providing penalties for the violation of this Act.

Which was read the first time by title only.

Senator Holland moved that Senate Bill No. 1169 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

By Senator Dye—

Senate Bill No. 1170:

A bill to be entitled An Act to memorialize the construction of the first golf course in the United States and to appropriate funds for that purpose.

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

By Senator Wilson—

Senate Bill No. 1171:

A bill to be entitled An Act creating a Board of Medical Technicians and Examiners for the State of Florida; providing for the qualifications, terms of office and appointment of members thereof; prescribing the powers and duties of said board; defining the terms "medical technician" and "registered medical technician"; providing for the registration of medical technicians and empowering the board to annul and revoke such registration; providing for the collection of regis-

tration fees and appropriating the proceeds thereof; declaring it to be unlawful to operate clinical laboratories except as herein provided; and prescribing penalties for the violation of the provisions of this Act.

Which was read the first time by title only.

Senator Wilson moved that Senate Bill No. 1171 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

By Senator Mapoles—

Senate Bill No. 1172:

A bill to be entitled An Act to abolish the present municipal corporation of Jay, Santa Rosa County, Florida, and to create, establish and organize a municipality to be named the Town of Jay, situated in Santa Rosa County, Florida, and to define its boundaries and to authorize it to provide for its government, jurisdiction, powers, financing and privileges; and to authorize the levy, assessment and collection of taxes for municipal purposes and to provide for the adjustment, levy, assessment and collection of all taxes legally required to be levied, assessed and collected to pay all the obligations of the Town of Jay upon all property of every kind situated within the limits of the said Town of Jay, Florida.

The following proof of publication was attached to Senate Bill No. 1172 when it was introduced in the Senate:

NOTICE OF INTENTION TO APPLY FOR PASSAGE OF LOCAL LEGISLATION.

Notice is hereby given to the citizens of Santa Rosa County, of the State of Florida, of intention to apply to the Legislature of the State of Florida at its 1939 Session for the passage of a local law, the substance of which is as follows:

An Act to abolish the present municipality of the Town of Jay in Santa Rosa County, Florida; to create and establish a new municipality to be known as the Town of Jay, in Santa Rosa County, Florida; to legalize and validate the ordinances of said Town of Jay and official acts thereunder and adopt the same as the ordinances of the said Town of Jay; and to fix and provide the territorial limits, jurisdiction and powers of the municipality and its officers.

Given at Jay, Florida, this the 26th day of April, 1939.

T. J. NICHOLAS
O. M. WOLFE
S. R. JOYNER
J. R. ROBERTS
J. P. KENT
R. C. WAGONER
J. L. ABBOTT
W. J. McCURDY

542—Apr. 27, May 4, 11, 18

PROOF OF PUBLICATION

Milton, Fla., May 27, 1939.

T. Franklin West,
Milton, Fla.

To The Milton Gazette, Dr.

STATE OF FLORIDA)
SANTA ROSA COUNTY)

Before the undersigned, Clerk of the Circuit Court in and for Santa Rosa County, Florida, personally appeared D. R. Read, who being duly sworn, says upon oath that he is the publisher of The Milton Gazette, a newspaper published in the Town of Milton, County of Santa Rosa, State of Florida; that said newspaper was being published on the 27th day of April, 1939, and had been continuously printed and published at least once each week, and had been entered as second-class matter in the Milton Post Office in Santa Rosa County, Florida, for a period of more than one year next preceding the first insertion of said notice, hereto attached, in said paper; that said newspaper has been published in accordance with the laws of the State of Florida and particularly the Act of the Legislature of the State of Florida, approved May 20th, 1931, and that the notice in re: Proposed Local Legislation, a true copy of which is hereto attached, was published in the said newspaper once a week for the full term and period of 4 consecutive weeks, beginning on the 27th day of April, 1939, the other dates being as follows: May 4, 11, 18, 1939.

(Seal)

D. R. READ, Publisher.

Sworn to and subscribed before me this 27th day of May, 1939.

W. L. JOHNSON,
County Judge.

Which was read the first time by title only.

Senator Mapoles moved that the rules be waived and Senate Bill No. 1172 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1172 was read the second time by title only.

Senator Mapoles moved that the rules be further waived and Senate Bill No. 1172 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. 1172 was read the third time in full.

Upon the passage of Senate Bill No. 1172 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 1172 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Coulter—

Senate Bill No. 1173:

A bill to be entitled An Act to declare, designate and establish as a part of the State Road system, the following road in Levy county, named and known by the Board of County Commissioners of Levy County, Florida.

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

By Senator Beall—

Senate Bill No. 1174:

A bill to be entitled An Act to authorize and empower the Board of County Commissioners of all counties of the State of Florida having a population of not less than 54,000 nor more than 58,000 according to the last preceding census of the State of Florida, to pay from the General Revenue fund of said counties not to exceed the sum of \$760.00 to any contractor engaged in the construction of any bridge across any inter-coastal canal in said county to reimburse said contractor for damage to said bridge by reason of collision therewith by any vessel being operated in said canal, provided that the owners or operators of said vessel shall pay to said contractor a like sum.

Which was read the first time by title only.

Senator Beall moved that the rules be waived and Senate Bill No. 1174 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1174 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 1174 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. 1174 was read the third time in full.

Upon the passage of Senate Bill No. 1174 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 1174 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Beacham—

Senate Bill No. 1175:

A bill to be entitled An Act to provide for the creation of a Board of Civil Service in and for the City of West Palm Beach in Palm Beach County, Florida, a municipal corporation under the laws of the State of Florida; to provide for the appointment, election and disqualification of

the Members of said Board and their term of office; to fix the powers and duties of said Board; to provide who shall be members of the Civil Service and the manner in which members of said city may become members of the Civil Service; to provide for the compensation, rights, privileges, duties and obligations of said members; to regulate the employment and the discharge of all officers and employees of said city; to provide for the procedure for trial of the members of the Civil Service and for the summoning of witnesses; to declare a failure to respond to a subpoena to be unlawful and to fix a penalty therefor; providing that this Act shall be cumulative and supplemental to all special and general laws providing for Civil Service in said city; and to provide for a referendum.

Which was read the first time by title only.

Senator Beacham moved that the rules be waived and Senate Bill No. 1175 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1175 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 1175 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. 1175 was read the third time in full.

Upon the passage of Senate Bill No. 1175 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 1175 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Hinely—

Senate Bill No. 1176:

A bill to be entitled An Act to declare, designate and establish as a part of the State Road System an extension of Road 77, commencing at Road 5-A running as near north as practical to the intersection of Road 112.

Which was read the first time by title only.

Senator Hinely moved that the rules be waived and Senate Bill No. 1176 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1176 was read the second time by title only.

Senator Hinely moved that the rules be further waived and Senate Bill No. 1176 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. 1176 was read the third time in full.

Upon the passage of Senate Bill No. 1176 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Rose, Walker, Ward, Westbrook, Whitaker, Wilson—35.

Nays—None.

So Senate Bill No. 1176 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Horne—

Senate Bill No. 1177:

A bill to be entitled An Act for the relief of Van H. Priest, Madison, Florida, providing for the refund of chain store license tax wrongfully paid by him.

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

By Senator Hodges—

Senate Bill No. 1178:

A bill to be entitled An Act to designate and establish a

certain State road in Leon County, Florida.

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

By Senators Dame, Adams, Lindler, Savage, Gideons, Murphy, Kanner, Holland and Beacham—

Senate Bill No. 1179:

A bill to be entitled An Act providing that parts of State Road 50, State Road 2, State Road 5, and State Road 5 S.E. shall form a part of a highway extending from Augusta, Georgia, Alma, Georgia, and Homerville, Georgia, to West Palm Beach, Florida, to be known as "Pioneer Trail Memorial Highway."

Which was read the first time by title only.

Senator Dame moved that the rules be waived and Senate Bill No. 1179 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1179 was read the second time by title only.

Senator Dame moved that the rules be further waived and Senate Bill No. 1179 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. 1179 was read the third time in full.

Upon the passage of Senate Bill No. 1179 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Murphy, Parker, Parrish, Rose, Walker, Whitaker, Wilson—31.

Nays—Senator Ward—1.

So Senate Bill No. 1179 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senators Beacham, Graham, Kanner, Murphy and Ward—

Senate Bill No. 1180:

A bill to be entitled An Act relating to Everglades Drainage District; authorizing the issuance of bonds for the purpose of refunding the existing indebtedness of said Everglades Drainage District and providing procedure therefor; providing for the appointment of a receiver for said district upon default in the payment of such refunding bonds or interest coupons appurtenant thereto; authorizing said district to comply with or avail itself of the provisions of the Federal Municipal Bankruptcy Act and other Acts of the Congress of the United States, having for their purpose the refunding of indebtedness of any drainage district; amending Section 11, of Chapter 17,902, Laws of Florida, Acts of 1937, relating to the redemption of lands from tax sale certificates or other tax liens of said district; to provide that prior to or coincidental with the refunding of the present indebtedness of the Everglades Drainage District there shall be a determination and assessment of the benefits heretofore and hereafter accruing to the lands and properties in said district from the works thereof, and providing for the payment and discharge of the benefits so assessed and determined and allowing the use of refunding bonds for such purpose, and, repealing all laws, or parts of laws, in conflict with this Act.

The following proof of publication was attached to Senate Bill No. 1180 when it was introduced in the Senate:

NOTICE OF INTENTION TO APPLY FOR PASSAGE OF SPECIAL OR LOCAL LEGISLATION

NOTICE IS HEREBY GIVEN That at the session of the Legislature of the State of Florida which convened on April 4, 1939, application will be made for the passage of special or local legislation the substance of which will be as follows:

An Act amending Sections Two (2) and Seventy (70) of Chapter 14717, Laws of Florida, Acts of 1931, relating to Everglades Drainage District, as amended; amending Sections Nine (9), Eleven (11) and Twelve (12) of Chapter 17902, Laws of Florida, Acts of 1937, relating to Everglades Drainage District; authorizing the issuance of bonds for the purpose of refunding the existing indebtedness of said Everglades Drainage District and providing procedure therefor, and, repealing all laws or parts of laws in conflict with this Act.

DATED This 18th day of April, 1939.

**BOARD OF COMMISSIONERS OF
EVERGLADES DRAINAGE DISTRICT,**

By J. H. Franklin,
Chairman.

PROOF OF PUBLICATION OF NOTICE

STATE OF FLORIDA)
COUNTY OF LEON)

BEFORE ME, the undersigned authority, personally appeared J. H. Franklin, 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 relating to Everglades Drainage District; authorizing the issuance of bonds for the purpose of refunding the existing indebtedness of said Everglades Drainage District and providing procedure therefor; providing for the appointment of a receiver for said district upon default in the payment of such refunding bonds or interest coupons appurtenant thereto; authorizing said district to comply with or avail itself of the provisions of the Federal municipal bankruptcy act and other acts of the Congress of the United States, having for their purpose the refunding of indebtedness of any drainage district; amending Section 11 of Chapter 17902, Laws of Florida, Acts of 1937, relating to the redemption of lands from tax sale certificates or other tax liens of said district; to provide that prior to or coincidental with the refunding of the present indebtedness of the Everglades Drainage District there shall be a determination and assessment of the benefits heretofore and hereafter accruing to the lands and properties in said district from the works thereof, and providing for the payment and discharge of the benefits so assessed and determined and allowing the use of refunding bonds for such purpose, and, repealing all laws, or parts of laws, in conflict with this Act, has been published at least thirty (30) days prior to this date by being printed in newspapers published in the counties in which Everglades Drainage District lies, to-wit:

"Ft. Lauderdale Daily News," published in Broward County, publication made April 19, 1939;

"The Collier County News," published in Collier County, publication made April 27, 1939;

"The Miami Daily News," published in Dade County, publication made April 19, 1939;

"Glades County Democrat," published in Glades County, publication made April 21, 1939;

"The Clewiston News," published in Hendry County, publication made April 21, 1939;

"Scenic Highlands Sun," published in Highlands County, publication made April 22, 1939;

"The Stuart News," published in Martin County, publication made April 20, 1939;

"The Key West Citizen," published in Monroe County publication made April 20, 1939;

"The Okeechobee News," published in Okeechobee County, publication made April 21, 1939;

"The Palm Beach Times," published in Palm Beach County, publication made April 19, 1939;

"Fort Pierce News-Tribune," published in St. Lucie County, publication made April 19, 1939;

That a copy of the notice that has been published as aforesaid and also this affidavit of proof of publication is 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.

J. H. FRANKLIN.

(Seal)

Sworn to and subscribed before me this 30th day of May, 1939.

MABEL I. LEE,

Notary Public, State of Florida at Large
My Commission Expires Jan. 24, 1942.

Which was read the first time by title only.

Senator Beacham moved that the rules be waived and Senate Bill No. 1180 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1180 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 1180 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. 1180 was read the third time in full.

Upon the passage of Senate Bill No. 1180 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 1180 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johns—

Senate Bill No. 1181:

A bill to be entitled An Act to authorize the Board of County Commissioners and the Board of Public Instruction, in counties having a population of not less than 8800 and not more than 8845 inhabitants according to the State census to annually pay over in their discretion such portion as they may annually determine of the moneys by such Boards received from the State Treasurer under authority of Chapter 4832, Acts of 1931, commonly known as the race track law, and all laws amendatory thereof, to the County Board of Bond Trustees.

Which was read the first time by title only.

Senator Johns moved that the rules be waived and Senate Bill No. 1181 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1181 was read the second time by title only.

Senator Johns moved that the rules be further waived and Senate Bill No. 1181 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. 1181 was read the third time in full.

Upon the passage of Senate Bill No. 1181 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 1181 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Beacham and Graham—

Senate Bill No. 1182:

A bill to be entitled An Act providing that all refined or granulated sugar offered for sale, resale or delivery direct to the consumer shall be packed in sealed, sanitary packages or containers; designating the Commissioner of Agriculture to enforce this Act, and providing a penalty for a violation of the provisions hereof.

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

By Senator Dye—

Senate Bill No. 1183:

A bill to be entitled An Act to provide for the refunding to R. O. Swindal of Gillette, Manatee County, Florida, the sum of \$648.04, being damages sustained by him for the complete destruction of sugar cane under order of the State Plant Board of Florida.

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

Senator Murphy moved that a committee be appointed to escort Mr. and Mrs. J. W. Pepper, parents of United States Senator Claude Pepper, to seats on the rostrum.

Which was agreed to.

The President appointed Senators Murphy, Beacham and

Kanner as the committee.

Senator Beall moved that the rules be waived and the Senate do now take up and consider House Bill No. 1632, out of its order.

Which was agreed to by a two-thirds vote.

House Bill No. 1632:

A bill to be entitled An Act relating to the City of Pensacola, Florida, providing that certain provisions of Senate Bill No. 78, entitled "An Act imposing an additional tax upon gasoline or other like products of petroleum; providing for reports of sales of such commodities to the Comptroller of the State of Florida; providing for the disposition of the money derived from such taxes and the apportionment thereof to the General Revenue Fund of the State, and to the County, School Fund; providing that the gasoline inspection laws of the State of Florida shall apply to this Act; prohibiting the levy and collection by municipalities and other political subdivisions of gasoline taxes; providing for the enforcement of this Act, and penalties for violation hereof and providing that this Act is an emergency revenue measure and shall be of no force and effect from and after July 1, 1941," passed by the 1939 Session of the Florida Legislature, which prohibits municipalities from levying and collecting an excise tax measured or computed by the sale, purchase, storage, distribution, use, consumption, or other disposition of gasoline or other like products of petroleum, with certain limitations shall not apply to the City of Pensacola, Florida; and providing that this Act shall expire July 1, 1941.

Was taken up.

Senator Beall moved that the rules be waived and House Bill No. 1632 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1632 was read the second time by title only.

Senator Beall moved that the rules be further waived and House Bill No. 1632 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1632 was read the third time in full.

Upon the passage of House Bill No. 1632 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So House Bill No. 1632 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Whitaker moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 571, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 751:

A bill to be entitled An Act amending Chapter 17164 Laws of Florida of 1935 as amended by Chapter 18058 Laws of Florida of 1937 fixing the amounts, terms and conditions for the payment of pensions to the members and the widows and children of deceased members of the fire and police departments in all cities having a population of not less than 55,000 nor more than 118,000 according to the last State or Federal census.

Was taken up.

Senator Whitaker moved that the rules be waived and Senate Bill No. 751 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 751 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 751 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. 751 was read the third time in full.

Upon the passage of Senate Bill No. 751 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall,

Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 751 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Mapoles moved that Senate Bill No. 372 be recalled from the House of Representatives.

Which was agreed to and it was so ordered.

UNFINISHED BUSINESS

Senate Joint Resolution No. 69:

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 1940, 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 no ad valorem levy upon real or personal property, except intangible property, shall hereafter be made for any State purpose whatsoever.

Which was pending amendment at the hour of recess having been read the second time in full this day, was taken up.

Consideration of the following amendment offered by Senator Rose to Senate Joint Resolution No. 69:

In Section 2 (typewritten bill), strike out the entire section which reads as follows: "The Legislature shall provide for raising revenue sufficient to defray the expenses of the State for each fiscal year, but no ad valorem levy upon real or personal property, except intangible property, shall hereafter be made for any State purpose whatsoever" and insert in lieu thereof the following: "The Legislature shall provide for raising revenue sufficient to defray the expenses of the State, including State appropriations for the benefit of the uniform system of free public schools provided in accordance with Article XII of the Constitution, and of the State Institutions of higher learning, for each fiscal year and also a sufficient sum to pay the principal and interest of the existing indebtedness of the State; but after December 31st, A. D. 1940, no levy of ad valorem taxes upon real or personal property except intangible property, shall be made for any State purpose whatsoever; and Section 6 of Article XII be, and the same is hereby repealed."

Which was pending adoption at the hour of recess this day, was resumed, Senator Rose having moved the adoption thereof.

Which was agreed to and the amendment was adopted.

Senator Rose moved that the rules be waived and Senate Joint Resolution No. 69, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 69, as amended, was read the third time in full as follows:

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 1940, 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, including State appropriations for the benefit of the uniform system of free public schools provided in accordance with Article XII of the Constitution, and of the State institutions of higher learning, for each fiscal year, and also a sufficient sum to pay the principal and interest of the existing indebtedness of the State; but after December 31st, A. D. 1940, no levy of ad valorem taxes upon real or personal property except intangible property, shall be made for any State purpose whatsoever; and Section 6 of Article XII be, and the same is hereby repealed.

Upon the passage of Senate Joint Resolution No. 69, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Black, Coulter, Dame, Dye, Gillis, Gideons, Graham, Hodges, Holland, Johns, Kanner, Kelly (11th), Kendrick, McKenzie, Parker, Parrish, Rose, Sharit, Walker, Ward, Westbrook—24.

Nays—Senators Beall, Clarke, Duggar, Horne, Kelly (16th), Lewis, Lindler, Murphy, Whitaker, Wilson—10.

So Senate Joint Resolution No. 69, as amended, passed by the required Constitutional three-fifth vote of all members elected to the Senate for the 1939 Session of the Florida Legislature, and the Joint Resolution was referred to the Committee on Engrossed Bills.

Senator Ward, in calling to the attention of the Senate the fact that today is Memorial Day, asked that the Senate take due recognition of that fact, and moved that the address of President Abraham Lincoln delivered at Gettysburg be spread upon the pages of the Journal of the Senate.

Which was agreed to and it was ordered.

GETTYSBURG SPEECH

Fourscore and seven years ago, our fathers brought forth on this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal. Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field as a final resting-place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this. But in a larger sense we cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it far above our poor power to add or detract. The world will little note, nor long remember, what we say here, but it can never forget what they did here. It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us,—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion,—that we here highly resolve that these dead shall not have died in vain,—that this nation, under God, shall have a new birth of freedom,—and that government of the people, by the people, for the people, shall not perish from the earth.

Senator Kanner moved that a committee be appointed to escort Honorable Howard Rowton, State Adjutant of the Florida Department of the American Legion, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Kanner, McKenzie and Kelly (11th) as the committee.

Mr. Rowton was duly escorted to the rostrum and after being introduced presented a portrait of General John J. Pershing to the Senate on behalf of the Florida Department of the American Legion.

The President accepted the portrait of General John J. Pershing for and on behalf of the Senate with appreciation.

Senate Joint Resolution No. 57:

A JOINT RESOLUTION OF THE HOUSE OF REPRESENTATIVES AND OF THE SENATE OF THE LEGISLATURE OF THE STATE OF FLORIDA PROPOSING THE AMENDMENT OF SECTION 3 OF ARTICLE 7 OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO THE APPORTIONMENT OF SENATORS AND REPRESENTATIVES OF THE STATE LEGISLATURE:

Be it Resolved by the Legislature of the State of Florida:

That the following amendment of Section 3 of Article 7 of the Constitution of the State of Florida relating to the appor-

tionment of Senators and Representatives of the Legislature of the State of Florida 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 1940 for approval or rejection. That is to say, that the said Section 3 of Article 7 of the Constitution of the State of Florida be amended so as to read as follows:

Section 3. Immediately upon the adoption of this amendment the State shall consist of 44 senatorial districts, which shall be composed each of the counties mentioned and named after the several numbers as follows, to-wit:

- First District—Santa Rosa County and Okaloosa County.
- Second District—Escambia County.
- Third District—Walton County and Holmes County.
- Fourth District—Jackson County.
- Fifth District—Liberty County, Franklin County and Wakulla County.
- Sixth District—Gadsden County.
- Seventh District—Duval County.
- Eighth District—Leon County.
- Ninth District—Hernando County and Citrus County.
- Tenth District—Madison County.
- Eleventh District—Pinellas County.
- Twelfth District—Taylor County, Lafayette County and Dixie County.
- Thirteenth District—Dade County.
- Fourteenth District—Columbia County.
- Fifteenth District—Bradford County and Union County.
- Sixteenth District—Nassau County.
- Seventeenth District—Suwannee County.
- Eighteenth District—Duval County.
- Nineteenth District—Orange County.
- Twentieth District—Marion County.
- Twenty-first District—Levy County.
- Twenty-second District—Jefferson County.
- Twenty-third District—Lake County.
- Twenty-fourth District—Lee County, Collier County and Hendry County.
- Twenty-fifth District—Washington County, Bay County, Calhoun County and Gulf County.
- Twenty-sixth District—Putnam County.
- Twenty-seventh District—DeSoto County and Hardee County.
- Twenty-eighth District—Volusia County.
- Twenty-ninth District—Clay County and Baker County.
- Thirtieth District—Hamilton County.
- Thirty-first District—St. Johns County and Flagler County.
- Thirty-second District—Alachua County and Gilchrist County.
- Thirty-third District—St. Lucie County, Indian River County and Martin County.
- Thirty-fourth District—Hillsborough County.
- Thirty-fifth District—Palm Beach County.
- Thirty-sixth District—Sarasota County and Charlotte County.
- Thirty-seventh District—Brevard County.
- Thirty-eighth District—Pasco County and Sumter County.
- Thirty-ninth District—Monroe County.
- Fortieth District—Highlands County and Glades County.
- Forty-first District—Osceola County and Okeechobee County.
- Forty-second District—Broward County.
- Forty-third District—Manatee County.
- Forty-fourth District—Seminole County.

Senators for the new districts herein created shall be elected at a special election to be called in the manner provided by law. Provided however, that all senators holding over or elected at the general election of 1940, each shall be deemed and held to be the senator representing the senatorial district embracing the county in which he resides; whether such district shall be hereby or heretofore created; and provided he shall not have in the meantime removed his place of residence from such senatorial district; and all vacancies occurring in the Senate from any new or old district named herein by virtue of this amendment, shall be filled by a special election, which shall be called and held in the form and manner provided by law.

The senatorial district herein named shall continue to exist as named until the Legislative session of 1945.

The Legislature that shall meet in regular session A. D. 1945, and those that shall meet every ten years thereafter, shall apportion the representation in the Senate and shall provide for 44 senatorial districts, such districts to be as nearly equal in population as practicable, but no county shall be di-

vided in making such apportionment, and each district shall have one senator; and, at the same time, the Legislature shall also apportion the Representatives in the House of Representatives and shall allow three (3) Representatives to each of the five most populous counties, and two (2) Representatives to each of the next most populous counties and one (1) Representative to each of the remaining counties of the State at the time of such appointment. Should the Legislature fail to apportion the representation in the Senate and in the House of Representatives, at any regular session of the Legislature at any times designated, it shall be the duty of the Legislature or Legislatures succeeding such regular session of the Legislatures, either in special or regular session, to apportion the representation in the Senate and in the House of Representatives as herein provided. The preceding regular Federal or regular State Census, which ever shall have been taken nearest any apportionment of Representatives in the Senate and in the House of Representatives, shall control in making any such apportionment. In the event of the Legislature shall fail to reapportion the representation in the Legislature as required by this amendment, the Governor shall (within thirty days after the adjournment of the regular session) call the Legislature together in extraordinary session to consider the question of reapportionment and such extraordinary session of the Legislature is hereby mandatorily required to reapportion the representation as required by this amendment before its adjournment (and such extraordinary session so called for reapportionment shall not be limited to expire at the end of twenty days or at all until reapportionment is effected, and shall consider no business other than such reapportionment).

Was taken up and read the second time in full.

Senator Dye offered the following amendment to Senate Joint Resolution No. 57:

In Section 1, line 55 (typewritten bill), after the words "Thirty-sixth District," strike "Sarasota County and Charlotte County"; and insert in lieu thereof the following: "Manatee County."

Senator Dye moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Dye also offered the following amendment to Senate Joint Resolution No. 57:

In Section 1, line 66 (typewritten bill), after the words "Forty-third District," strike "Manatee County"; and insert in lieu thereof the following: "Sarasota County and Charlotte County."

Senator Dye moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sharit offered the following amendment to Senate Joint Resolution No. 57:

In Section 3, lines 37 and 38, after the words "Bay County" (typewritten bill), strike out the words: Calhoun County and Gulf County.

Senator Sharit moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sharit also offered the following amendment to Senate Joint Resolution No. 57:

In Section 3 (typewritten bill), after line 65 and following the words "Forty-fourth District, Seminole County" insert a new line as follows: Forty-fifth District—Calhoun County and Gulf County.

Senator Sharit moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sharit also offered the following amendment to Senate Joint Resolution No. 57:

In Section 3, line 2 (typewritten bill), strike out the figure: 44; and insert in lieu thereof the following: 45.

Senator Sharit moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Horne offered the following amendment to Senate Joint Resolution No. 57:

In Section 3, line 12, page 3 (typewritten bill), after the word "Practicable" insert the following: "in the discretion of the Legislature"

Senator Horne moved the adoption of the amendment.

Upon which a roll call was demanded.

Upon the adoption of the amendment offered by Senator Horne to Senate Joint Resolution No. 57, the roll was called and the vote was:

Yeas—Senators Adams, Beall, Black, Clarke, Coulter, Dame,

Dugger, Gideons, Hinely, Hodges, Horne, Johns, Kelly (16th), Kendrick, Lewis, McKenzie, Price, Whitaker, Wilson—19.

Nays—Mr. President; Senators Beacham, Dye, Gillis, Graham, Holland, Kanner, Kelly (11th), Lindler, Mapoles, Murphy, Parker, Parrish, Rose, Sharit, Walker, Ward, Westbrook—18.

Which was agreed to and the amendment was adopted.

Senator Dame offered the following amendment to Senate Joint Resolution No. 57:

In Section 3, line 16 (typewritten bill), strike out the words: After the words "Hernando County"; strike the words "and Citrus County"

Senator Dame moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hodges moved that the rules be waived and the hour of adjournment be extended until the completion of the amendments to Senate Joint Resolution No. 57.

Which was agreed to by a two-thirds vote.

Senator Dame also offered the following amendment to Senate Joint Resolution No. 57:

In Section 3 (typewritten bill) after line 67 add the following "46th District, Citrus County"

Senator Dame moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hodges moved that the rules be waived and Senate Joint Resolution No. 57, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 57, as amended, which reads as follows, was read the third time in full:

A JOINT RESOLUTION OF THE HOUSE OF REPRESENTATIVES AND OF THE SENATE OF THE LEGISLATURE OF THE STATE OF FLORIDA PROPOSING THE AMENDMENT OF SECTION 3 OF ARTICLE 7 OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO THE APPORTIONMENT OF SENATORS AND REPRESENTATIVES OF THE STATE LEGISLATURE:

Be it resolved by the Legislature of the State of Florida:

That the following amendment of Section 3 of Article 7 of the Constitution of the State of Florida relating to the apportionment of Senators and Representatives of the Legislature of the State of Florida 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 1940 for approval or rejection. That is to say, that the said Section 3 of Article 7 of the Constitution of the State of Florida be amended so as read as follows:

Section 3. Immediately upon the adoption of this amendment, the State shall consist of 45 senatorial districts, which shall be composed each of the counties mentioned and named after the several numbers as follows, to-wit:

- First District—Santa Rosa County and Okaloosa County.
- Second District—Escambia County.
- Third District—Walton County and Holmes County.
- Fourth District—Jackson County.
- Fifth District—Liberty County, Franklin County and Wakulla County.
- Sixth District—Gadsden County.
- Seventh District—Polk County.
- Eighth District—Leon County.
- Ninth District—Hernando County.
- Tenth District—Madison County.
- Eleventh District—Pinellas County.
- Twelfth District—Taylor County, Lafayette County, and Dixie County.
- Thirteenth District—Dade County.
- Fourteenth District—Columbia County.
- Fifteenth District—Bradford County and Union County.
- Sixteenth District—Nassau County.
- Seventeenth District—Suwannee County.
- Eighteenth District—Duval County.
- Nineteenth District—Orange County.
- Twentieth District—Marion County.
- Twenty-first District—Levy County.
- Twenty-second District—Jefferson County.
- Twenty-third District—Lake County.
- Twenty-fourth District—Lee County, Collier County, and Hendry County.
- Twenty-fifth District—Washington County and Bay County.

Twenty-sixth District—Putnam County.

Twenty-seventh District—DeSoto County, and Hardee County.

Twenty-eighth District—Volusia County.

Twenty-ninth District—Clay County and Baker County.

Thirtieth District—Hamilton County.

Thirty-first District—St. Johns County and Flagler County.

Thirty-second District—Alachua County and Gilchrist County.

Thirty-third District—St. Lucie County, Indian River County and Martin County.

Thirty-fourth District—Hillsborough County.

Thirty-fifth District—Palm Beach County.

Thirty-sixth District—Manatee County.

Thirty-seventh District—Brevard County.

Thirty-eighth District—Pasco County and Sumter County.

Thirty-ninth District—Monroe County.

Fortieth District—Highlands County and Glades County.

Forty-first District—Osceola County and Okeechobee County.

Forty-second District—Broward County.

Forty-third District—Sarasota County and Charlotte County.

Forty-fourth District—Seminole County.

Forty-fifth District—Calhoun County and Gulf County.

Forty-sixth District—Citrus County.

Senators for the new districts herein created shall be elected at a special election to be called in the manner provided by law. Provided, however, that all Senators holding over, or elected at the general election of 1940, each shall be deemed and held to be the Senator representing the Senatorial District embracing the County in which he resides; whether such district shall be hereby or heretofore created; and provided he shall not have in the meantime removed his place of residence from such Senatorial District; and all vacancies occurring in the Senate from any new or old district named herein, by virtue of this amendment, shall be filled by a special election, which shall be called and held in the form and manner provided by law.

The Senatorial Districts herein named shall continue to exist as named until the Legislative session of 1945.

The Legislature that shall meet in regular session A. D. 1945, and those that shall meet every ten years thereafter, shall apportion the representation in the Senate and shall provide for 45 Senatorial Districts, such districts to be as nearly equal in population as practicable in the discretion of the Legislature but no County shall be divided in making such apportionment, and each district shall have one Senator; and, at the same time, the Legislature shall also apportion the Representation in the House of Representatives, and shall allow three (3) Representatives to each of the five most populous counties, and two (2) Representatives to each of the next eighteen more populous counties, and one Representative to each of the remaining counties of the State at the time of such apportionment. Should the Legislature fail to apportion the Representation in the Senate and in the House of Representatives, at any regular session of the Legislature at any of the times herein designated, it shall be the duty of the Legislature or Legislatures succeeding such regular session of the Legislature, either in special or regular session, to apportion the Representation in the Senate and in the House of Representatives as herein provided. The preceding regular Federal or regular State census, whichever shall have been taken nearest any apportionment of Representatives in the Senate and in the House of Representatives, shall control in making any such apportionment. In the event the Legislature shall fail to reapportion the representation in the Legislature as required by this amendment, the Governor shall (within thirty days after the adjournment of the regular session), call the Legislature together in extraordinary session to consider the question of reapportionment and such extraordinary session of the Legislature is hereby mandatorily required to reapportion the representation as required by this amendment before its adjournment (and such extraordinary session so called for reapportionment shall not be limited to expire at the end of twenty days or at all, until reapportionment is effected, and shall consider no business other than such reapportionment).

Pending roll call on the passage of Senate Joint Resolution No. 57, as amended, the hour of adjournment having arrived a point of order was called and the Senate took a recess at 5:08 o'clock P. M., until 8:00 o'clock P. M., this day.

NIGHT SESSION

The Senate reconvened at 8:00 o'clock, P. M., pursuant to

recess order.

The President in the Chair.

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

Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—38.

A quorum present.

By permission the following Reports of Committees were received and filed:

REPORTS OF COMMITTEES

Senator Dye, Chairman of the Committee on Cities and Towns, reported that the Committee had carefully considered the following bill, and recommends that the same do pass, with Committee amendments.

House Bill No. 1244:

A bill to be entitled An Act providing for the financing by counties, cities and towns of certain self-liquidating projects without the incurring of indebtedness or the levy of taxes; providing for the purchase, construction, improvement, extension, betterment, repair, operation and maintenance of toll bridges and causeways by counties and waterworks systems, and electric lighting and power systems and gas plant systems and harbor and port facilities by cities and towns; authorizing the issuance of revenue bonds, certificates or debentures of counties, cities and towns, payable solely from earnings, to pay the cost of such projects; providing that no debt of any such county, city or town shall be incurred in the exercise of any of the powers granted by this Act, and that no county, city or town shall have the power to levy taxes for the payment of such revenue bonds, certificates or debentures; providing for the collection of rates, fees, rentals and tolls for the payment of such revenue bonds, certificates or debentures and for the cost of maintenance repair and operation of such projects; providing for the execution of trust agreements to secure the payment of such revenue bonds, certificate or debentures without mortgaging or encumbering any such projects; and authorizing the issuance of revenue refunding bonds, certificates or debentures, and providing that such revenue bonds shall be considered as eligible to secure deposits in State banks within the State of Florida.

Which amendments are as follows:

- No. 1. In sub-paragraph C of Section 2, before the word "project" insert the words "self-liquidating."
- No. 2. In sub-paragraph D of Section 2, before the word "project" insert the words "self-liquidating."
- No. 3. In Section 3, sub-section (a), line 6, strike out the "period" and add the following: "Providing, however, that no unit shall construct or acquire any self-liquidating project hereby authorized to be constructed or acquired, if a project of similar character is actually being operated by any person, firm, municipality or private corporation in such unit or territory immediately adjacent thereto, unless such person, firm, municipality or private corporation consents to such construction or acquisition."
- No. 4. At end of Section 15, strike the period, add a semi-colon and add the following: "Provided that no provision of this Act shall apply to any counties of this State having a population of not less than 53,000 nor more than 53,900, according to the last State or Federal census, nor to any municipality in any such county."
- No. 5. By adding the following Section at the end of the Act: "None of the provisions of this bill shall in anywise affect or repeal Senate Bills Nos. 570, 571 and 572, enacted at the 1939 session which have been signed by the Governor and are now on file with the Secretary of State."

And House Bill No. 1124, contained in the above report, together with Committee amendments thereto, was placed on the Calendar of Bills on second reading.

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

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

Senate Joint Resolution No. 69:

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

Have carefully examined same, and find same correctly

engrossed, and return same herewith.

And Senate Joint Resolution No. 69, contained in the above report, was ordered certified to the House of Representatives.

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

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

Senate Bill No. 823:

A bill to be entitled An Act to authorize the Board of County Commissioners of Manatee County, Florida, to grant franchises in unincorporated communities in said county to persons, firms or corporations applying therefor for the purpose of installing, operating and maintaining a waterworks system of waterworks systems in such unincorporated communities, and providing that said franchises shall be non-exclusive, and providing further that such franchises shall not be granted for a period of exceeding thirty (30) years. And providing further method of the purchase of any such system or systems by such taxing community in the event it should hereafter become incorporated.

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

And Senate Bill No. 823, contained in the above report, was certified to the House of Representatives.

Senator Whitaker moved that House Bills Nos. 605 and 616 be recalled from the Committee on Banking and Building and Loans and placed on the Calendar of Bills on second reading.

Which was agreed to and it was so ordered.

Senator Whitaker moved that House Bill No. 617 be recalled from the Committee on Judiciary "C" and placed on the Calendar of Bills on second reading.

Which was agreed to and it was so ordered.

Senator Dame moved that Senate Bill No. 656 be recalled from the Committee on Public Roads and Highways and placed on the Calendar of Bills on second reading.

Which was agreed to and it was so ordered.

UNFINISHED BUSINESS

Senate Joint Resolution No. 57:

A JOINT RESOLUTION OF THE HOUSE OF REPRESENTATIVES AND OF THE SENATE OF THE LEGISLATURE OF THE STATE OF FLORIDA PROPOSING THE AMENDMENT OF SECTION 3 OF ARTICLE 7 OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO THE APPOINTMENT OF SENATORS AND REPRESENTATIVES OF THE STATE LEGISLATURE:

Be it resolved by the Legislature of the State of Florida:

That the following amendment of Section 3 of Article 7 of the Constitution of the State of Florida relating to the apportionment of Senators and Representatives of the Legislature of the State of Florida 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 1940 for approval or rejection. That is to say, that the said Section 3 of Article 7 of the Constitution of the State of Florida be amended so as read as follows:

Section 3. Immediately upon the adoption of this amendment, the State shall consist of 45 senatorial districts, which shall be composed each of the counties mentioned and named after the several numbers as follows, to-wit:

- First District—Santa Rosa County and Okaloosa County.
- Second District—Escambia County.
- Third District—Walton County and Holmes County.
- Fourth District—Jackson County.
- Fifth District—Liberty County, Franklin County and Wakulla County.
- Sixth District—Gadsden County.
- Seventh District—Polk County.
- Eighth District—Leon County.
- Ninth District—Hernando County.
- Tenth District—Madison County.
- Eleventh District—Pinellas County.
- Twelfth District—Taylor County, Lafayette County, and Dixie County.
- Thirteenth District—Dade County.
- Fourteenth District—Columbia County.
- Fifteenth District—Bradford County and Union County.
- Sixteenth District—Nassau County.
- Seventeenth District—Suwannee County.
- Eighteenth District—Duval County.

Nineteenth District—Orange County.
 Twentieth District—Marion County.
 Twenty-first District—Levy County.
 Twenty-second District—Jefferson County.
 Twenty-third District—Lake County.
 Twenty-fourth District—Lee County, Collier County, and Hendry County.
 Twenty-fifth District—Washington County and Bay County.
 Twenty-sixth District—Putnam County.
 Twenty-seventh District—DeSoto County and Hardee County.
 Twenty-eighth District—Volusia County.
 Twenty-ninth District—Clay County and Baker County.
 Thirtieth District—Hamilton County.
 Thirty-first District—St. Johns County and Flagler County.
 Thirty-second District—Alachua County and Gilchrist County.
 Thirty-third District—St. Lucie County, Indian River County and Martin County.
 Thirty-fourth District—Hillsborough County.
 Thirty-fifth District—Palm Beach County.
 Thirty-sixth District—Manatee County.
 Thirty-seventh District—Brevard County.
 Thirty-eighth District—Pasco County and Sumter County.
 Thirty-ninth District—Monroe County.
 Fortieth District—Highlands County and Glades County.
 Forty-first District—Osceola County and Okeechobee County.
 Forty-second District—Broward County.
 Forty-third District—Sarasota County and Charlotte County.
 Forty-fourth District—Seminole County.
 Forty-fifth District—Calhoun County and Gulf County.
 Forty-sixth District—Citrus County.

Senators for the new districts herein created shall be elected at a special election to be called in the manner provided by law. Provided, however, that all Senators holding over, or elected at the general election of 1940, each shall be deemed and held to be the Senator representing the Senatorial District embracing the County in which he resides; whether such district shall be hereby or heretofore created; and provided he shall not have in the meantime removed his place of residence from such Senatorial District; and all vacancies occurring in the Senate from any new or old district named herein, by virtue of this amendment, shall be filled by a special election, which shall be called and held in the form and manner provided by law.

The Senatorial Districts herein named shall continue to exist as named until the Legislative session of 1945.

The Legislature that shall meet in regular session A. D. 1945, and those that shall meet every ten years thereafter, shall apportion the representation in the Senate and shall provide for 45 Senatorial Districts, such districts to be as nearly equal in population as practicable in the discretion of the Legislature but no County shall be divided in making such apportionment, and each district shall have one Senator; and, at the same time, the Legislature shall also apportion the Representation in the House of Representatives, and shall allow three (3) Representatives to each of the five most populous counties, and two (2) Representatives to each of the next eighteen more populous counties, and one Representative to each of the remaining counties of the State at the time of such apportionment. Should the Legislature fail to apportion the Representation in the Senate and in the House of Representatives, at any regular session of the Legislature at any of the times herein designated, it shall be the duty of the Legislature or Legislatures succeeding such regular session of the Legislature, either in special or regular session, to apportion the Representation in the Senate and in the House of Representatives as herein provided. The preceding regular Federal or regular State census, whichever shall have been taken nearest any apportionment of Representatives in the Senate and in the House of Representatives, shall control in making any such apportionment. In the event the Legislature shall fail to reapportion the representation in the Legislature as required by this amendment, the Governor shall (within thirty days after the adjournment of the regular session), call the Legislature together in extraordinary session to consider the question of reapportionment and such extraordinary session of the Legislature is hereby mandatorily required to reapportion the representation as required by this amendment before its adjournment (and such extraordinary session so called for reapportionment shall not be limited to expire at the end of twenty days or at all, until reapportionment is effected, and shall consider no business other than such reapportionment).

Which was pending roll call at the hour of recess, having been read the third time in full, this day, was taken up.

By unanimous consent Senator Hodges offered the following amendment to Senate Joint Resolution No. 57:

In Section 3, line 2 (typewritten bill), strike out the figures 45 (on line 2) and insert in lieu thereof the following: 46

Senator Hodges moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator Hodges also offered the following amendment to Senate Joint Resolution No. 57:

In Section 3, 4th paragraph (typewritten bill), (on line 2), make the figures read 46 on the 4th line of said paragraph.

Senator Hodges moved the adoption of the amendment.

Upon which a roll call was demanded.

Upon the adoption of the amendment offered by Senator Hodges to Senate Joint Resolution No. 57, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Clarke, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Horne, Kanner, Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parrish, Price, Rose, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—31.

Nays—Senators Black, Coulter, Savage—3.

Which was agreed to and the amendment was adopted.

Upon the passage of Senate Joint Resolution No. 57, as amended, which reads as follows:

A JOINT RESOLUTION OF THE HOUSE OF REPRESENTATIVES AND OF THE SENATE OF THE LEGISLATURE OF THE STATE OF FLORIDA PROPOSING THE AMENDMENT OF SECTION 3 OF ARTICLE 7 OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO THE APPORTIONMENT OF SENATORS AND REPRESENTATIVES OF THE STATE LEGISLATURE:

Be it resolved by the Legislature of the State of Florida:

That the following amendment of Section 3 of Article 7 of the Constitution of the State of Florida relating to the apportionment of Senators and Representatives of the Legislature of the State of Florida 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 1946 for approval or rejection. That is to say, that the said Section 3 of Article 7 of the Constitution of the State of Florida be amended so as read as follows:

Section 3. Immediately upon the adoption of this amendment, the State shall consist of 46 senatorial districts, which shall be composed each of the counties mentioned and named after the several numbers as follows, to-wit:

First District—Santa Rosa County and Okaloosa County.
 Second District—Escambia County.
 Third District—Walton County and Holmes County.
 Fourth District—Jackson County.
 Fifth District—Liberty County, Franklin County and Wakulla County.
 Sixth District—Gadsden County.
 Seventh District—Polk County.
 Eighth District—Leon County.
 Ninth District—Hernando County.
 Tenth District—Madison County.
 Eleventh District—Pinellas County.
 Twelfth District—Taylor County, Lafayette County, and Dixie County.
 Thirteenth District—Dade County.
 Fourteenth District—Columbia County.
 Fifteenth District—Bradford County and Union County.
 Sixteenth District—Nassau County.
 Seventeenth District—Suwannee County.
 Eighteenth District—Duval County.
 Nineteenth District—Orange County.
 Twentieth District—Marion County.
 Twenty-first District—Levy County.
 Twenty-second District—Jefferson County.
 Twenty-third District—Lake County.
 Twenty-fourth District—Lee County, Collier County, and Hendry County.
 Twenty-fifth District—Washington County and Bay County.
 Twenty-sixth District—Putnam County.
 Twenty-seventh District—DeSoto County and Hardee County.
 Twenty-eighth District—Volusia County.
 Twenty-ninth District—Clay County and Baker County.
 Thirtieth District—Hamilton County.

Thirty-first District—St. Johns County and Flagler County.
 Thirty-second District—Alachua County and Gilchrist County.
 Thirty-third District—St. Lucie County, Indian River County and Martin County.
 Thirty-fourth District—Hillsborough County.
 Thirty-fifth District—Palm Beach County.
 Thirty-sixth District—Manatee County.
 Thirty-seventh District—Brevard County.
 Thirty-eighth District—Pasco County and Sumter County.
 Thirty-ninth District—Monroe County.
 Fortieth District—Highlands County and Glades County.
 Forty-first District—Osceola County and Okeechobee County.
 Forty-second District—Broward County.
 Forty-third District—Sarasota County and Charlotte County.
 Forty-fourth District—Seminole County.
 Forty-fifth District—Calhoun County and Gulf County.
 Forty-sixth District—Citrus County.

Senators for the new districts herein created shall be elected at a special election to be called in the manner provided by law. Provided, however, that all Senators holding over, or elected at the general election of 1940, each shall be deemed and held to be the Senator representing the Senatorial District embracing the County in which he resides; whether such district shall be hereby or heretofore created; and provided he shall not have in the meantime removed his place of residence from such Senatorial District; and all vacancies occurring in the Senate from any new or old district named herein, by virtue of this amendment, shall be filled by a special election, which shall be called and held in the form and manner provided by law.

The Senatorial Districts herein named shall continue to exist as named until the Legislative session of 1945.

The Legislature that shall meet in regular session A. D. 1945, and those that shall meet every ten years thereafter, shall apportion the representation in the Senate and shall provide for 46 Senatorial Districts, such districts to be as nearly equal in population as practicable in the discretion of the Legislature but no County shall be divided in making such apportionment, and each district shall have one Senator; and, at the same time, the Legislature shall also apportion the Representation in the House of Representatives, and shall allow three (3) Representatives to each of the five most populous counties, and two (2) Representatives to each of the next eighteen more populous counties, and one Representative to each of the remaining counties of the State at the time of such apportionment. Should the Legislature fail to apportion the Representation in the Senate and in the House of Representatives, at any regular session of the Legislature at any of the times herein designated, it shall be the duty of the Legislature or Legislatures succeeding such regular session of the Legislature, either in special or regular session, to apportion the Representation in the Senate and in the House of Representatives as herein provided. The preceding regular Federal or regular State census, whichever shall have been taken nearest any apportionment of Representatives in the Senate and in the House of Representatives, shall control in making any such apportionment. In the event the Legislature shall fail to reapportion the representation in the Legislature as required by this amendment, the Governor shall (within thirty days after the adjournment of the regular session), call the Legislature together in extraordinary session to consider the question of reapportionment and such extraordinary session of the Legislature is hereby mandatorily required to reapportion the representation as required by this amendment before its adjournment (and such extraordinary session so called for reapportionment shall not be limited to expire at the end of twenty days or at all, until reapportionment is effected, and shall consider no business other than such reapportionment).

The roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Dame, Gideons, Graham Hodges, Holland, Kanner, Kendrick, McKenzie, Parrish, Price, Rose, Westbrook, Whitaker—16.

Nays—Senators Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Hinely, Horne, Johns, Kelly (11th), Kelly (16th), Lewis, Lindler, Mapoles, Parker, Sharit, Walker, Ward, Wilson—20.

So Senate Joint Resolution No. 57, as amended, failed to pass.

The following explanations of vote on Senate Joint Resolution No. 57 were filed with the Secretary:

I vote "No" on Senate Joint Resolution No. 57. I believe a

fair and just apportionment should be made of the Senate as required under our existing Constitutional provisions. I do not believe that the membership should be increased to 46, in an evasion of the Present Law.

DAVID ELMER WARD.

I vote "No" on Senate Joint Resolution No. 57, because I believe that readjustment of Senators should be based on present number of Senators redistributed according to population and should not be based on an increase of Senators, by geographical arrangement only, hence I vote against the form of apportionment and not against the principle of a just mandatory reapportionment by law as required by existing Constitutional provisions.

DEWEY A. DYE.

Senator Kanner moved that the rules be waived and the Senate do now revert to the consideration of Messages from the House of Representatives.

Which was agreed to by a two-thirds vote.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida,
 May 29, 1939.

Hon. J. Turner Butler,
 President of the Senate.

Sir:

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

By Senators Kanner and Holland—

Senate Bill No. 78:

A bill to be entitled An Act imposing an additional tax upon gasoline or other like products of petroleum; providing for reports of sales of such commodities to the comptroller of the State of Florida; providing for the disposition of the moneys derived from such taxes, and the apportionment thereof to the General Revenue Fund of the State, and to the County School Fund; providing that the gasoline inspection laws of the State of Florida shall apply to this Act; prohibiting the levy and collection by municipalities and other political subdivisions of gasoline taxes; providing for the enforcement of this Act, and penalties for violation hereof and providing that this Act is an emergency revenue measure and shall be of no force and effect from and after July 1, 1941.

Very respectfully,

BEN H. FUQUA,
 Chief Clerk House of Representatives.

And Senate Bill No. 78, 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, Florida,
 May 29, 1939.

Hon. J. Turner Butler,
 President of the Senate.

Sir:

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

By Senator Hinely—

Senate Concurrent Resolution No. 20:

WHEREAS, the Federal Art, Historical Records, Music, Theatre, and Writers' Projects, agencies of the Works Progress Administration hereinafter to be known as the Federal Arts Projects, have greatly enriched the culture and lives of the people of Florida by the creation of paintings, sculpture, and murals for public buildings and exhibitions; by the compilation of indexes of thousands of invaluable but hitherto neglected historical records in the State; by the wide-scale production of all types of musical program throughout the State; by the low-cost production of hundreds of plays, puppet shows, and other theatrical performances for Florida audiences; and by the writing and publication of volumes of history, travel, folklore, school readers, and agricultural booklets; all of which has contributed toward raising the cultural level of the Florida population; and

WHEREAS, the Federal Arts Projects supply a necessary source of income to hundreds of unemployed artists, white collar workers, musicians, actors, and writers who would become a burden to the communities in which they live and to themselves if the Federal Arts Projects were to cease operations in this State after June 30, 1939; and

WHEREAS, the Federal Arts Projects are engaged in a long-term program of cultural service at no cost to the State of Florida: Therefore, be it

RESOLVED, that the Legislature of the State of Florida heartily endorses the purposes and accomplishments of the Federal Arts Projects, and urges the Florida Delegation to the Congress of the United States to support the continuance of the Federal Arts Projects after June 30, 1939, as agencies of the Works Progress Administration.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Concurrent Resolution No. 20, 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, Florida,
May 29, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

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

By the Committee on Cities and Towns—

Senate Bill No. 345:

A bill to be entitled An Act creating and establishing in certain incorporated municipalities in the State of Florida, a police civil service commission; providing for the selection of the personnel of such commissions; and providing for the rules, funds compensations, powers and duties of such commissioners; providing that all vacancies in all police departments shall be filled by merit examination; providing for the grading, inspection, and regrading of all merit examination papers; providing for removal and suspension of police officers; and providing for appeals from all removals, fines, suspension, or examinations; and providing for no change in civil service in those municipalities now having civil service commissions.

Also has indefinitely postponed:

By Senator Ward—

Senate Bill No. 969:

A bill to be entitled An Act validating, ratifying and confirming certain Special Tax School District bonds in certain counties in this State; authorizing the sale and issuance thereof and the levy of a sufficient tax for the payment of the principal and interest on such bonds.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

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

Tallahassee, Florida,
May 27, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, with amendment:

By Senator Beacham—

Senate Bill No. 578:

A bill to be entitled An Act relating to the requirements to do business in the State of insurance companies transacting the business of fidelity and surety; and to permit such companies to make cash deposits as a condition to the doing of such a business in Florida.

Which amendment reads as follows:

Add a new section at the end of Section 1, to be known as Section 1-A, to read as follows: "Said cash deposit shall be liable to the same extent as securities deposited with State Treasurer and subject to like procedure in case of default or insolvency, except, to sale as is provided in Section 1 of Chapter 16248, Laws of Florida, Acts of 1933."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA,
Chief Clerk House of Representatives.

And Senate Bill No. 578, contained in the above message, was read by title together with the House amendment thereto.

Senator Beacham moved that the Senate do concur in the House Amendment to Senate Bill No. 578.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 578.

And Senate Bill No. 578, as amended, was referred to the Committee on Engrossed Bills and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida,
May 27, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, with amendment:

By Senator Whitaker—

Senate Bill No. 18:

A bill to be entitled An Act to regulate private employment agencies; setting forth definitions; requiring licenses and fees for such licenses; requiring the filing of bonds; providing the procedure for filing of claims; providing for the form and contents of licenses; providing for revocation and suspension of licenses; requiring schedule of fees to be charged applicants to be posted; prescribing duties of private employment agencies; setting forth penalties for violations and providing for financing and enforcement of the provisions hereof.

Which amendment reads as follows:

In Section 2, at the end of the section, add the following:

"(c) That it shall be unlawful for any employment agency to run a nurses registry or to furnish nurses for the care of the sick or maimed unless said agency is owned, operated or a one-half interest is operated by a Florida State registered nurse who has resided in said county for a period of five years or more.

(d) That it shall be unlawful for any individual or institution to operate a registry or listing for nurses with or without fees or consideration unless licensed by the State. All calls must come through a duly licensed bureau or registry and a public posting in all registries of all nurses on call and nurses on duty.

(e) That all placements with employers in the State of Florida shall be made by and through a duly organized and legal agency of the State of Florida and that placements so made shall be certified to by a certificate of said agency."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

Senate Bill No. 18, contained in the above message, was read by title together with the House amendment thereto.

Senator Whitaker moved that the Senate do concur in the House Amendment to Senate Bill No. 18.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 18.

And Senate Bill No. 18, as amended, was referred to the Committee on Engrossed Bills and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida,
May 30, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

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

By Senator Coulter—

Senate Bill No. 312:

A bill to be entitled An Act authorizing the use of State prisoners for the improvement, conservation and reforestation of lands owned by the State of Florida; authorizing the trustees of the internal improvement fund and the Board of Commissioners of State Institutions to enter into such arrange-

ments as may be deemed advisable in relation thereto.

Very respectfully,
BEN H. FUQUA.

Chief Clerk House of Representatives

And Senate Bill No. 312, 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, Florida,
May 30, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

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

By Senator Kendrick—
Senate Bill No. 693:

A bill to be entitled An Act making an appropriation to be used as sponsor's contribution to match Federal funds for the construction of buildings at the Florida School for the Deaf and the Blind.

Very respectfully,
BEN H. FUQUA.

Chief Clerk House of Representatives.

And Senate Bill No. 693, 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, Florida,
May 27, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed with amendment:

By Senator Parrish—
Senate Bill No. 222:

A bill to be entitled An Act to amend Section 5 of Chapter 15911, Laws of Florida, Acts of 1933, entitled An Act defining and regulating the practice of chiropody, providing for the examination and licensing of chiropodists, providing for exemption from this Act, creating a Board of Chiropody Examiners, providing penalties for the violation of this Act, repealing laws in conflict herewith and fixing the date upon which this Act becomes effective.

Which amendment reads as follows:

In Section 1, line 11, strike out the word "approved" and insert the following: "prescribed"

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA.

Chief Clerk House of Representatives.

And Senate Bill No. 222, contained in the above message, was read by title together with the House Amendment thereto.

Senator Parrish moved that the Senate do not concur in the House Amendment to Senate Bill No. 222.

Which was agreed to and the Senate refused to concur in the House Amendment to Senate Bill No. 222.

Senator Parrish moved that the House of Representatives be requested to recede from the House Amendment to Senate Bill No. 222.

Which was agreed to and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida,
May 30, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

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

By the Committee on State Institutions—
Senate Bill No. 445:

A bill to be entitled An Act authorizing autopsies on deceased patients of the Florida State Hospital and prescribing the conditions on which such autopsies may be held and performed.

Very respectfully,
BEN H. FUQUA.

Chief Clerk House of Representatives.

And Senate Bill No. 445, 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, Florida,
May 30, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

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

By Senator Dame—
Senate Bill No. 787:

A bill to be entitled An Act to amend Section 697 of the Revised General Statutes of Florida, 1920 (Section 897, C. G. L.) as amended by Chapter 18312, Acts of 1937, relating to the exemption of property from taxation and matters in relation thereto.

Very respectfully,
BEN H. FUQUA.

Chief Clerk House of Representatives.

And Senate Bill No. 787, 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, Florida,
May 30, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

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

By Senators Beacham, Westbrook, Kelly (11th) and Sharit—
Senate Concurrent Resolution No. 19:

A CONCURRENT RESOLUTION PROVIDING FOR THE CONTINUANCE OF THE COMMITTEE ON THE ROAD PROGRAM OF FLORIDA IN ORDER TO PERMIT IT TO COMPLETE THE WORK OUTLINED FOR THE PERFORMANCE PURSUANT TO SENATE CONCURRENT RESOLUTION NO. 10, ADOPTED AT 1937 SESSION OF THE FLORIDA LEGISLATURE, PRESCRIBING SAID COMMITTEE'S MEMBERSHIP, POWERS AND DUTIES, AND MAKING AN APPROPRIATION FOR SUCH CONTINUANCE.

WHEREAS, the Committee on the Road Program of Florida has submitted its report to this Legislature, and has advised that the work outlined to be performed by the Committee, and the programs to be recommended, are so comprehensive in extent and detail that additional time is necessary to complete the same; and

WHEREAS, it is deemed advisable that the work of said Committee should be continued, and that report of its investigations and deliberations be made to the 1941 Legislature;

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

SECTION 1. That the Committee on the Road Program of Florida be, and it is hereby authorized to continue its studies and investigations as outlined in Senate Concurrent Resolution No. 10, with the same powers and duties, except that it shall file its final report at the 1941 Session of the Florida Legislature.

SECTION 2. That the Committee shall hereafter consist of eleven members, viz: The Chairman of the Road Department, who shall be the Chairman of the Committee; five members of the Senate, consisting of the President of the Senate and four members who shall be appointed by the President of the Senate so that there will be one member from each Congressional District; and five members of the House, consisting of the Speaker of the House and four members who shall be appointed by the Speaker of the House, so that there will be one member from each Congressional District.

SECTION 3. The Committee shall have authority to employ such assistance clerical or otherwise, as is deemed by

it necessary. The members of the committee shall serve without salary, but they shall be reimbursed for actual expenses incurred as is approved by the Committee and certified as approved by the Chairman.

SECTION 4. There is hereby appropriated out of the State Road License Fund the sum of \$10,000.00 to be used for the purpose of this resolution as hereinabove set out, and the total expenditures of the Committee as such are expressly limited to that amount.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Concurrent Resolution No. 19, 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, Florida,
May 30, 1939.

Hon. J. Turner Butler,
President of the Senate,
Sir:

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

By Senator Dugger—
Senate Bill No. 214:

A bill to be entitled An Act permitting companies and corporations authorized and qualified to do an insurance business under the laws relating to sick and funeral benefit insurance who have paid up capital of Fifty thousand (\$50,000.00) dollars to issue or assume on any one life or risk, policies, contracts or agreements, wherein the death benefits may equal but not exceed Five hundred (\$500.00) dollars.

Also—

By Senator Dugger—
Senate Bill No. 218:

A bill to be entitled An Act requiring companies and corporations doing an insurance business under the sick and funeral benefit laws, to set aside and maintain for the protection of policies issued after the passage of this Act, the same reserve required of life insurance companies for the protection of similar policies and requiring said companies and corporations to set aside and maintain reserve at the rate of not less than twenty per cent per year until full reserve is set aside to protect policies which are in force at the time this Act takes effect, and providing for annual valuation of policies by Insurance Commissioner.

Also—

By Senator Dugger—
Senate Bill No. 219:

A bill to be entitled An Act defining companies and corporations engaged in the business of issuing life or annuity contracts, including combined life, health and accident contracts, which hold reserves for the fulfillment of its contracts of more than fifty per centum of its total reserve fund or such other reserve as may be required under any law or regulation of the United States of America now or hereafter in force to be life insurance companies.

Also—

By Senators Wilson, Beall, Beacham, Lewis, Rose, Kelly (16th), Horne, Black and Adams—
Senate Bill No. 603:

A bill to be entitled An Act making an appropriation for a portion of the cost of constructing certain buildings and additions at the Florida State Hospital at Chattahoochee, Florida, to supplement a Federal grant of a portion of the amount necessary to construct said buildings and additions.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bills Nos. 214, 218, 219 and 603, 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, Florida,
May 30, 1939.

Hon. J. Turner Butler,
President of the Senate,
Sir:

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

By Senator Holland—
Senate Bill No. 846:

A bill to be entitled An Act to amend Section 13 of Chapter 16981, Laws of Florida, Acts of 1935, as amended by Chapter 17729, Laws of Florida, Acts of 1937, Entitled "An Act to confer certain powers upon the State Board of Control including the powers to purchase, lease, construct, better and equip buildings for and to make other improvements to institutions under its jurisdiction, and for such purpose and upon certain conditions to borrow money and accept grants from any Federal agency; to provide for the re-payment of such loans from the proceeds of the projects constructed with the money borrowed, and to provide for the issuance of revenue certificates for the re-payment of the money borrowed, and protecting the State of Florida against the incurring of indebtedness in such manner inconsistent with the Constitution of Florida and conferring upon said Board of Control and members thereof the powers to carry out the provisions of this Act; and to provide for the repeal of all laws inconsistent herewith" by extending the time allowed for borrowing money and issuing revenue certificates to December 31, 1941.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bill No. 846, 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, Florida,
May 30, 1939.

Hon. J. Turner Butler,
President of the Senate,
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed with amendments:

By Senators Hinely and Adams—
Senate Bill No. 472:

A bill to be entitled An Act making an appropriation for conducting research and demonstration work on bright or flue-cured tobaccos in the State of Florida. Whereas the bright or flue-cured tobacco industry is one of Florida's new and most important industries, and Whereas it is important to the State of Florida that her tobacco farmers have advantage of the best scientific information and help in all phases of growing and handling of their tobacco; particularly the control of Blue Mold and other major problems, and Whereas it is deemed necessary and desirable that monies be made available for conducting research and demonstration work for and with bright tobacco farmers, and Whereas such work is considered of great importance to the entire State of Florida and her citizens.

Which amendments read as follows:

House Amendment No. 1:

In Section 1, line 1, strike out the figures \$15,000.00 and insert the following: \$10,000.00.

House Amendment No. 2:

In Section 3, line 7, strike out the figures \$15,000.00 and insert the following: \$10,000.00

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bill No. 472, contained in the above message, was read by title together with House Amendments thereto.

Senator Hinely moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 472.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 472.

Senator Hinely moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 472.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 472.

And Senate Bill No. 472, as amended, was referred to the Committee on Engrossed Bills and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida,
May 30, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives refuses to recede from House Amendments 1 through 10 to—

Senate Bill No. 372:

A bill to be entitled An Act making an appropriation of Eight thousand (\$8,000.00) dollars, to each of eight counties of the State of Florida, viz: Escambia, Santa Rosa, Walton, Okaloosa, Bay, Gulf, Franklin and Wakulla, in order to be able to secure any Federal or United States funds that may be appropriated for the control and elimination of the Dog Fly pest in said counties; providing for a method of repayment of the appropriation by the State of Florida; and setting up methods for the enforcement of this Act.

Which amendments read as follows:

House Amendment No. 1—

In Section 3, strike out Section 3, and insert the following:

Section 3. The Comptroller of the State of Florida shall retain and repay to the Fund from which such funds are appropriated, out of each of the counties' named in Section No. 1 hereof State Racing Fund, \$1,000.00 per year from each participating county's share of said fund, the first payment to be retained by the Comptroller beginning fiscal year July 1st, 1940.

House Amendment No. 2—

In Section 1, lines 1 and 2, strike out the words and figures: "Eight thousand (\$8,000.00) dollars"; and insert the following: Five thousand (\$5,000.00) dollars.

House Amendment No. 3—

In Section 2, lines 1 and 2, strike out the words and figures: Eight thousand (\$8,000.00) dollars; and insert the following: Five thousand (\$5,000.00) dollars.

House Amendment No. 4.

In Title, lines 1 and 2, strike out the words and figures: Eight thousand (\$8,000.00); and insert the following: Five thousand (\$5,000.00).

House Amendment No. 5—

In Title, line 5, strike out the word "Gulf."

House Amendment No. 6—

In Section 1, line 3, strike out the word "Gulf."

House Amendment No. 7—

In Section 1, line 4 (printed bill), strike out the word: Franklin.

House Amendment No. 8—

In Section 5, line 5 (printed bill), strike out the word: Eight.

House Amendment No. 9—

In Title, line 5 (printed bill, strike out the word: Franklin.

House Amendment No. 10—

In Title, line 3, strike out the word: Eight; and insert the following: Six.

Very respectfully,
BEN H. FUQUA.

Chief Clerk House of Representatives

And Senate Bill No. 372, contained in the above message, was read by title together with House amendments thereto

Senator Mapoles moved that the Senate do now concur in House Amendment No. 1 to Senate Bill No. 372.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 372.

Senator Mapoles moved that the Senate do now concur in House Amendment No. 2 to Senate Bill No. 372.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 372.

Senator Mapoles moved that the Senate do now concur in House Amendment No. 3 to Senate Bill No. 372.

Which was agreed to and the Senate concurred in House Amendment No. 3 to Senate Bill No. 372.

Senator Mapoles moved that the Senate do now concur in House Amendment No. 4 to Senate Bill No. 372.

Which was agreed to and the Senate concurred in House Amendment No. 4 to Senate Bill No. 372.

Senator Mapoles moved that the Senate do now concur in House Amendment No. 5 to Senate Bill No. 372.

Which was agreed to and the Senate concurred in House Amendment No. 5 to Senate Bill No. 372.

Senator Mapoles moved that the Senate do now concur in House Amendment No. 6 to Senate Bill No. 372.

Which was agreed to and the Senate concurred in House Amendment No. 6 to Senate Bill No. 372.

Senator Mapoles moved that the Senate do now concur in House Amendment No. 7 to Senate Bill No. 372.

Which was agreed to and the Senate concurred in House Amendment No. 7 to Senate Bill No. 372.

Senator Mapoles moved that the Senate do now concur in House Amendment No. 8 to Senate Bill No. 372.

Which was agreed to and the Senate concurred in House Amendment No. 8 to Senate Bill No. 372.

Senator Mapoles moved that the Senate do now concur in House Amendment No. 9 to Senate Bill No. 372.

Which was agreed to and the Senate concurred in House Amendment No. 9 to Senate Bill No. 372.

Senator Mapoles moved that the Senate do now concur in House Amendment No. 10 to Senate Bill No. 372.

Which was agreed to and the Senate concurred in House Amendment No. 10 to Senate Bill No. 372.

And Senate Bill No. 372, as amended, was referred to the Committee on Engrossed Bills and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida,
May 29, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, by the required Constitutional two-thirds vote of all members of the House of Representatives present, the Governor's objections to the contrary notwithstanding:

Senate Bill No. 666 of the 1939 Session:

A bill to be entitled An Act to amend the Charter of the City of Auburndale, Polk County, Florida, relating to and regulating municipal elections in the City of Auburndale, Polk County Florida; prescribing the qualifications of such voters in such elections and providing for the registration of such voters; prescribing an oath to be taken by those desiring to register; providing for the challenging of voters and prescribing an oath for challenged voters; providing for the examination under oath of any person desiring to vote at any such election; prescribing the duties of the election officers; prescribing the manner of holding elections, counting the ballots and canvassing the returns of such elections and recounting the ballots used therein; and authorizing ordinances prohibiting the making falsely of any oath or statement under oath provided for by this Act and prohibiting the voting in any such election of any person not qualified to vote therein and providing penalties for the violation of such ordinances and making each provision hereof an independent provision.

Proof of Publication attached.

Very respectfully,
BEN H. FUQUA,
Chief Clerk House of Representatives.

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

Tallahassee, Florida,
May 29, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

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

Committee Substitute for House Bill No. 579:

A bill to be entitled An Act to prescribe the maximum weight, width, length and height of certain motor vehicles operated on the public highways of the State of Florida, and relating to the operation of motor vehicles, and placing a maintenance tax thereon.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Committee Substitute for House Bill No. 579, contained in the above message, was read the first time by title only.

Senator Parrish moved that the rules be waived and Committee Substitute for House Bill No. 579 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Bill No. 579 was read the second time by title only.

Senator Parrish offered the following amendment to Committee Substitute for House Bill No. 579:

In Section 7, 2nd paragraph, lines 2 and 3 (typewritten bill), strike out the words: "hereinabove set forth"; and insert in lieu thereof the following: "above set forth in this section."

Senator Parrish moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Parrish moved that the rules be further waived and Committee Substitute for House Bill No. 579, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Bill No. 579, as amended, was read the third time in full.

Pending roll call on Committee Substitute for House Bill No. 579, as amended, Senator Hodges moved that the hour of adjournment be extended until the final disposition of Committee Substitute for House Bill No. 579, as amended.

Which was agreed to and it was so ordered.

Upon the passage of Committee Substitute for House Bill No. 579, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Beacham, Black, Coulter, Dye, Gideons, Holland, Johns, Kanner, Kelly (11th), Lewis, McKenzie, Murphy, Parrish, Rose, Walker, Westbrook, Whitaker—18.

Nays—Senators Adams, Beall, Clarke, Dugger, Gillis, Hodges, Horne, Kelly (16th), Kendrick, Lindler, Parker, Sharit—12.

So Committee Substitute for House Bill No. 579 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

Senator Kanner moved that the rules be waived and the Senate do now take up and consider House Bill No. 1638, out of its order.

Which was agreed to by a two-thirds vote.

House Bill No. 1638:

A bill to be entitled An Act affecting the government of the City of Jacksonville and creating the office of municipal registration officer; providing for his appointment, compensation and duties, and providing for the registration of the qualified electors of said city and amending the Charter of the City of Jacksonville so as to comply herewith.

Was taken up.

Senator Kanner moved that the rules be waived and House Bill No. 1638 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1638 was read the second time by title only.

Senator Kanner offered the following amendment to House Bill No. 1638:

At the end of Section 3 add the following paragraph:

The foregoing Section shall not be construed to govern the registration of freeholders for freeholder elections.

Senator Kanner moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Kanner also offered the following amendment to House Bill No. 1638:

Strike out all of Section 4.

Senator Kanner moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Kanner also offered the following amendment to House Bill No. 1638:

Strike all of Section 5.

Senator Kanner moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Kanner moved that the rules be further waived and House Bill No. 1638, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1638, as amended, was read the third time in full.

Upon the passage of House Bill No. 1638, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—38.

Nays—None.

So House Bill No. 1638 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 10:07 o'clock, P. M., until 10:00 o'clock, A. M., Wednesday, May 31, 1939.