

# JOURNAL OF THE SENATE

Wednesday, April 23, 1941

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Tuesday, April 22, 1941.

The President in the Chair.

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

Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanar, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Monday, April 21, 1941, was further corrected as follows:

On page 3, column 2, line 17 from the bottom of the page, strike out the name "Dye" at the beginning of the line.

And as further corrected was approved.

The Journal of Tuesday, April 22, 1941, was corrected as follows:

On page 2, column 1, line 28 from the bottom of the page, strike out the words, "together with Committee Amendments thereto."

Also—

On page 8, column 1, line 22 from the top of the page, strike out the word "Senate" and insert in lieu thereof the word "House."

And as corrected was approved.

## REPORTS OF COMMITTEES

Senate Chamber  
Tallahassee, Fla., April 22, 1941.

Senator Cliett, Chairman of the Committee on Cities and Towns, reported that the Committee had carefully considered the following bills and recommends that they pass—

Senate Bill No. 220:

A bill to be entitled An Act to amend Sections 19 and 20 of Chapter 17,186, Laws of Florida, 1935, entitled: "An Act creating a Civil Service for the members of the Police and Fire Departments of any City or Town of the State of Florida not having a population of more than 125,000, according to the last preceding State or Federal census, adopting its provisions, and creating a Civil Service Board for said City or Town, defining its memberships, power and duties, designating the members of the Police and Fire Departments who are within the terms of said Act; defining certain terms of said Act; providing for a referendum, and when said Act shall take effect, and other matters in regard thereto."

Senate Bill No. 229:

A bill to be entitled An Act authorizing, empowering and directing the State of Florida, through the Trustees of the Internal Improvement Fund, to sell to any municipality any lands which were municipally owned prior to being vested in the State of Florida, pursuant to Chapter 18296, Acts of 1937; providing for proof by the Clerk of the Circuit Court in the respective Counties showing municipal ownership at the time of requesting conveyance to said municipality by the State of Florida.

Very respectfully,  
WM. CLIETT,  
Chairman of Committee.

And Senate Bills Nos. 220 and 229, contained in the above report, were placed on the Calendar of Bills on second reading.

Senate Chamber  
Tallahassee, Fla., April 23, 1941.

Senator Lewis, Chairman of the Committee on Judiciary "B," reported that the Committee had carefully considered the following bills and recommends that they pass—

Senate Bill No. 153:

A bill to be entitled An Act to prohibit the sale, offering or exposing the sale of fireworks; defining fireworks and to regulate the manner of using fireworks, and to provide penalties for the violation of the provisions of this act.

Senate Bill No. 44:

A bill to be entitled An Act amending Section 5472 Revised General Statutes (Section 7616 Compiled General Laws) relating to intoxicated persons.

Very Respectfully,  
AMOS LEWIS,  
Chairman.

And Senate Bills Nos. 153 and 44, contained in the above report, were placed on the Calendar of Bills on second reading.

Senate Chamber  
Tallahassee, Fla., April 22, 1941.

Senator Price, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following bill and recommends that the same pass.

Senate Bill No. 74:

A bill to be entitled An Act to require all persons licensed to practice chiropractic in the State of Florida to renew annually their licenses with the State Board of Chiropractic Examiners; to provide for the conditions upon which renewal of licenses shall be issued and requirements prerequisite to the granting of such renewal of licenses; to provide for notice to be given licenses under said board of the provisions and requirements of this Act; to provide for the forfeiture of licenses to practice chiropractic in the State of Florida for failure to comply with the provisions of this Act, and to prescribe requirements for the restoration of such forfeited licenses.

Very Respectfully,  
HUBERT A. PRICE,  
Chairman.

And Senate Bill No. 74, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber  
Tallahassee, Fla., April 22, 1941.

Senator Price, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following bill and recommend that the same does not pass.

Senate Bill No. 37:

A bill to be entitled An Act creating a State Board of Naturopathic Medical Examiners, providing for their appointment, compensation, powers and duties; providing for examining and licensing doctors of Naturopathy, and/or Naturopathic Physicians, recording of licenses, registration of doctors of Naturopathy, and/or Naturopathic Physicians and the revocation of licenses under certain conditions; to define Naturopathic medicine and Naturopathy and to authorize and regulate the practice of Naturopathic medicine and Naturopathy by Naturopathic Physicians and to provide for the issuance to holders of licenses heretofore issued new licenses or certificates under this Act and to provide penalties for the violation of this Act.

Very Respectfully,  
HUBERT A. PRICE,  
Chairman.

And Senate Bill No. 37, contained in the above report, was laid on the table.

Senate Chamber  
Tallahassee, Fla., April 22, 1941.

Senator Adams, Chairman of the Committee on Forestry and Parks, reported that the Committee had carefully considered the following bills and recommends that they pass.

Senate Bill No. 119:

A bill to be entitled An Act to authorize the Florida Board of Forestry to charge for the use of State Parks, to provide for the disposition of all monies so collected and authorizing said board to manage and invest any funds by it received in trust.

## Senate Bill No. 121:

A bill to be entitled An Act to authorize the Florida Board of Forestry to dedicate State Park lands for public use.

## Senate Bill No. 122:

A bill to be entitled An Act empowering Counties, Cities, Towns or School Districts to acquire, protect, reforest, manage and utilize lands for forest and related purposes.

## Senate Bill No. 124:

A bill to be entitled An Act conferring the power of eminent domain of the Florida Board of Forestry and prescribing the method by which such power shall be exercised.

## Senate Bill No. 125:

A bill to be entitled An Act to change the name of the "Florida Board of Forestry" to the name of "Florida Board of Forestry and Parks."

## Senate Bill No. 126:

A bill to be entitled An Act amending Section 3 of Chapter 17025, Laws of Florida, Acts of 1935, by authorizing the Florida Board of Forestry to employ a director and other employees for the "Florida Park Service," to prescribe the qualifications, duties and compensation of such director and other employees.

Very respectfully,

J. FRANK ADAMS,

Chairman Committee on Forestry and Parks.

And Senate Bills Nos. 119, 121, 22, 124, 125 and 126 contained in the above report, were placed on the Calendar of Bills on second reading.

Senate Chamber  
Tallahassee, Fla., April 23, 1941.

Senator Johnson, Chairman of the Committee on Temperance, reported that the Committee had carefully considered the following bill and recommends that the same pass—

## Senate Bill No. 167:

A bill to be entitled An Act to further regulate and tax the manufacture, distribution and sale of beverages containing more than one per centum of alcohol, by amending Section 5 of Chapter 16,774 Laws of Florida of 1935; said Chapter 16,774 being 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," and providing penalties for the violation of this Act.

Very respectfully,

D. M. JOHNSON,  
Chairman of Committee.

And Senate Bill No. 167 having been referred to the Committee on Finance and Taxation, the following report was filed—

Senate Chamber  
Tallahassee, Fla., April 23, 1941.

Senator Horne, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following bill and recommends that the same pass—

## Senate Bill No. 167:

A bill to be entitled An Act to further regulate and tax the manufacture, distribution and sale of beverages containing more than one per centum of alcohol, by amending Section 5 of Chapter 16,774, Laws of Florida of 1935; said Chapter 16,774 being 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," and providing penalties for the violation of this Act.

Very respectfully,

R. C. HORNE,  
Chairman of Committee.

And Senate Bill No. 167, contained in the above report was placed on the Calendar of Bills on second reading.

Senator Beall, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber  
Tallahassee, Fla., April 22, 1941.

Hon. John R. Beacham,  
President of the Senate.  
Sir:

Your Committee on Judiciary "A", to whom was referred: Senate Bill No. 165:

A bill to be entitled An Act to provide for assistance to blind voters in marking ballots or using voting machines.

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

## Senate Amendment No. 1:

Section 1, line 3: Strike out all the words after the word "Florida," and insert in lieu thereof the following: "In any election, General or Primary, National, State, County or Municipal, or any question legally submitted, whether a nomination, election, or determination of a question relating to referendum, initiative, constitutional amendment or convention or otherwise, but who by reason of permanent blindness or other deficiencies of their eyes, cannot see how to mark the ballot, or operate a voting machine to express his or her vote, may be allowed, upon their request to the election officials in charge of the polling place, and upon submitting satisfactory proof of their inability to see, to the election officials, the assistance of some person of their own choice, in the marking of ballots or in voting by the use of machines."

Very respectfully,

PHILIP D. BEALL,  
Chairman of Committee.

And Senate Bill No. 165, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on second reading.

Senate Chamber  
Tallahassee, Fla., April 23, 1941.

Senator Shepherd, Chairman of the Committee on Transportation and Traffic, reported that the Committee had carefully considered the following bill and recommends that the same pass—

## Senate Bill No. 182:

A bill to be entitled An Act to prohibit, as a measure of public safety, standing or walking, or hiring another to stand or walk in a public street or highway to distribute advertising information to any vehicle of another or occupant thereof; and to provide a penalty for the violation of this Act.

Very respectfully,

JURANT T. SHEPHERD,  
Chairman of Committee.

And Senate Bill No. 182, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber  
Tallahassee, Fla., April 23, 1941.

Senator Shepherd, Chairman of the Committee on Transportation and Traffic, reported that the Committee had carefully considered the following bill and recommends that the same pass—

## Senate Bill No. 190:

A bill to be entitled An Act to relieve Railroad Companies from the duty of complying with the installation and maintenance of sign boards and crossing signs at grade crossings as required by Section 4529, Revised General Statutes of Florida, 1920 (being Section 6592, Compiled General Laws of Florida, 1927) and Chapter 12222, Laws of Florida, Acts of 1927, being Section 1325, Compiled General Laws of Florida, 1927, where any such railroad has or may hereafter install a grade crossing signal of the automatic flashlight type which is approved by the Association of American Railroads and by the Federal Public Roads Administration.

Very respectfully,

JURANT T. SHEPHERD,  
Chairman of Committee.

And Senate Bill No. 190, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber,  
Tallahassee, Fla., April 22, 1941.

Senator Cooley, Chairman of the Committee on Welfare, reported that the Committee had carefully considered the following Bills and recommend that the same pass.

## Senate Bill No. 46:

A bill to be entitled An Act to amend Section 16 of Chapter 18285, Laws of Florida, 1937, as amended, by adding thereto a subsection authorizing the State Welfare Board in its discretion to sell any personal property that it may acquire or have acquired by way of donation, gift, contribution, bequest or

devise from any person, persons or organizations; directing that all moneys derived from such sale be transmitted to the State Treasury to be credited to the State Welfare Board; authorizing the use by the State Welfare Board of any moneys realized from such sales; declaring the intention of the legislature in connection therewith; regulating the withdrawal of such moneys and appropriating such moneys to the use of the State Welfare Board in addition to other funds which have been or may otherwise be appropriated for public aid and social welfare purposes; repealing all laws in conflict herewith; and providing for the effective date hereof.

Senate Bill No. 50—

A bill to be entitled An Act to amend Section 17, Chapter 18285, Laws of Florida, 1937, as amended, by raising the maximum monthly old age assistance benefits payable under said Act from thirty (\$30.00) dollars to forty (\$40.00) dollars.

Very Respectfully,  
THOMAS H. COOLEY,  
Chairman.

And Senate Bills Nos. 46 and 50, contained in the above report, were placed on the Calendar of Bills on second reading.

Senate Chamber,  
Tallahassee, Fla., April 22, 1941.

Senator Cooley, Chairman of the Committee on Welfare, reported that the Committee had carefully considered the following bill and recommends that the same pass, with Committee Amendments:

Senate Bill No. 62:

A bill to be entitled An Act to amend Section 10 of Chapter 18285, Laws of Florida, 1937, as amended, by substituting therefore an amended Section 10, providing that the State Welfare Board, and each District Board, subject to the provisions of Section 2 of said Chapter 18285, Laws of Florida, 1937, as amended, shall hire its own employees, prescribe their duties, and fix their salaries; that all appointments made by the several district boards under the terms of said Act shall be subject to the approval of the State Welfare Board; stating that it shall be the policy of each district board in selecting and the State Board in approving such selections to have such district board employees selected from the district where such employees are to serve where such are available and qualified; prohibiting federal, state and county or municipal officers from serving as a state or district board member, officer or employee; requiring the State Board to establish a merit system covering all state and district personnel engaged in the administration of said Act; giving the State Board authority to establish, promulgate and enforce necessary rules and regulations in connection with the maintenance of such merit system; allowing the State Board to exempt from the operation of such merit system certain specified board members or employees; and providing for the exemption from additional examination of any person who, has received a permanent appointment under the merit system established by the State Welfare Board and in existence as of the effective date of this Act; repealing all laws in conflict herewith; and providing for the effective date hereof.

Which amendments are as follows:

Senate Amendment No. 1:

In the title, line 17, typewritten bill, after the word "such" strike the word "an" and insert in lieu thereof the word "are."

Senate Amendment No. 2:

In Section 1, Sub-Section B, line 11, (typewritten bill), at the beginning of the line, strike the words "a permanent" and insert in lieu thereof the word "an."

Very Respectfully,  
THOMAS H. COOLEY,  
Chairman.

And Senate Bill No. 62, 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:

Senate Chamber,  
Tallahassee, Fla., April 23, 1941.

Hon. John R. Beacham,  
President of the Senate.  
Sir:

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

Senate Bill No. 133:

A bill to be entitled An Act providing for a salary of One Hundred and Fifty (\$150.00) Dollars per month for the Mayor of the City of St. Petersburg and salary of One Hundred (\$100.00) Dollars per month for each Councilman of said City; providing that no other compensation shall be paid to said officers for the performance of their duties as Mayor and Councilmen; providing that provisions be made annually in the appropriation ordinance of the City of St. Petersburg to provide funds for the payment of said salaries; repealing all laws or parts of laws in conflict herewith and providing for the ratification or rejection of this Act by the electorate of the City of St. Petersburg; and other matters in relation thereto.

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

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

And Senate Bill No. 133, contained in the above report, was referred to the Committee on Enrolled Bills.

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

Senate Chamber,  
Tallahassee, Fla., April 23, 1941.

Hon. John R. Beacham,  
President of the Senate.  
Sir:

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

Senate Bill No. 157:

A bill to be entitled An Act Authorizing and Empowering the Boards of Public Instruction in Counties having a Population of not Less than 100,000 and not More than 200,000, According to the Last Federal Census, to Borrow Funds to Pay Teachers' Salaries and Transportation Costs During the Last Two Weeks of the Nine Months' School Term in an Emergency as Defined Herein, and Providing that such Boards May Pledge as Security for Such Loan Bonds and Coupons Which Were Taken in Payment of Delinquent Taxes and in Tax Adjustments Pursuant to the Provisions of Chapter 16252, Laws of Florida, Acts of 1933, as Amended by Chapter 17400, Laws of Florida, Acts of 1935, and Which Bonds and Coupons Are Now the Property of and in the Possession of Such Boards Pursuant to Chapter 19372, Laws of Florida, Acts of 1939, or other Provisions of Law; Restricting Such Pledge to Times of Emergency and Defining Emergency; Limiting the Period of Obligations so Incurred by such Boards; and Repealing All Laws and Parts of Laws in Conflict Herewith.

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

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

And Senate Bill No. 157, contained in the above report, was referred to the Committee on Enrolled Bill.

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

Senate Chamber,  
Tallahassee, Fla., April 23, 1941.

Hon. John R. Beacham,  
President of the Senate.  
Sir:

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

Senate Bill No. 92:

A bill to be entitled An Act to Define and to Regulate the Practice of Dentistry and Dental Hygiene in the State of Florida, and to Provide Penalties for the Violation of Any of the Provisions of This Act.

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

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

And Senate Bill No. 92, contained in the above report, was referred to the Committee on Enrolled Bills.

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

Senate Chamber,  
Tallahassee, Fla., April 23, 1941.

Hon. John R. Beacham,  
President of the Senate.

Sir:

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

Senate Bill No. 156:

A bill to be entitled An Act Relating to State Officers: Prohibiting such Officers from Becoming Candidates for other Offices During Their Terms of Office without Resigning Therefrom at Least Ninety Days before the Primary Election: Rendering Said Officers Thereafter Ineligible to Appointment or Election to Any State Office During the Term for Which Originally Elected or Appointed: And Further Defining State Offices and State Officers.

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

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

And Senate Bill No. 156, contained in the above report, was referred to the Committee on Enrolled Bills.

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

Senate Chamber,  
Tallahassee, Fla., April 23, 1941.

Hon. John R. Beacham,  
President of the Senate.

Sir:

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

Senate Bill No. 25:

A bill to be entitled An Act Relating to City and Town Streets and Roads, or Portions Thereof, Viaducts and Bridges, that Constitute the Route of Connection Between or Extension of State Roads in the State Highway System; Declaring that Such Serve a State Purpose; Providing for Their Designation by the State Road Department; Authorizing and Requiring the State Road Department to Maintain and Repair Such Streets and Roads Under its Supervision and Control, and to Construct and Reconstruct Such Streets and Roads Under Certain Conditions, and Authorizing it to Exercise Certain Powers with Respect to Same; and Repealing all Laws in Conflict Herewith.

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

Very respectfully,  
A. P. DRUMMOND,  
Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

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

Senator Drummond, chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1941.

Hon. John R. Beacham,  
President of the Senate.

Sir:

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

House Bill No. 120:

A bill to be entitled An Act providing for the registration and licensing of manufacturers, factory branches and factory representatives of motor vehicles; setting forth reasons for the denial, suspension or revocation of licenses; providing for the denial, suspension or revocation of such licenses; authorizing the motor vehicle commissioner to make rules and regulations, and providing for the enforcement of this Act and penalties for the violation thereof.

Also—

House Bill No. 121:

A bill to be entitled An Act providing for the recording in the office of the Motor Vehicle Commissioner of a sworn notice of all liens for purchase money or as security for debts on motor vehicles; providing that no such lien shall be enforceable as against creditors or subsequent purchasers without notice unless such notice has been recorded in such office; authorizing the Motor Vehicle Commissioner to make rules and regulations for the enforcement of this Act and prepare forms and books for such recording; providing the amount of fees to be charged; providing for the cancellation of such liens upon payment and penalties for failure to cancel such liens upon payment; and repealing all laws in conflict except Chapter 4918, Acts of 1901, known as Section 7866 C. G. L. 1927, and Section 5663, Revised General Statutes.

Also—

House Bill No. 122:

A bill to be entitled An Act providing that no Motor Vehicle shall be offered for sale, sold or exchanged which has been in Taxi Cab, U-Drive-It or For Hire Service unless the Certificate of Title has stamped upon it that such motor vehicle has been in such service and unless a notice is also affixed to the windshield of such Motor Vehicle that it has been in such service, and providing penalties for the violation hereof.

Have examined the same and find them correctly enrolled.

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

Very respectfully,  
A. P. DRUMMOND,  
Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

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

Senator Drummond, chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1941.

Hon. John R. Beacham,  
President of the Senate.

Sir:

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

House Bill No. 4:

A bill to be entitled An Act to declare valid and legal the establishment and organization of Housing Authorities in the State of Florida under the provisions of the Housing Authorities Law, and all contracts, bonds, notes, agreements, obligations and undertakings of such Housing Authorities, and all proceedings, Acts and things heretofore undertaken, performed or done with reference thereto.

Also—

House Bill No. 5:

A bill to be entitled An Act to authorize Housing Authorities to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national-defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize Housing Authorities to cooperate with or act as Agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell certain projects to the Federal Government; to authorize public bodies to assist such projects of Housing Authorities and of the Federal Government; to make obligations issued for such projects of Housing Authorities legal investments and security for deposits; and to declare valid all bonds, notes and obligations of Housing Authorities issued for projects heretofore undertaken to assure the availability of safe and sanitary dwellings for persons engaged in national-defense activities.

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Also—

House Bill No. 6:

A bill to be entitled An Act relating to Rural Housing, to create Housing Authorities for Counties and to provide for the organization of such Authorities, to authorize the creation and organization of Regional Housing Authorities by groups of Counties, define the powers, duties and area of operation of such Housing Authorities, to provide for the appointment of Commissioners of such Housing Authorities and to authorize such Housing Authorities to provide housing for farmers of low income and to provide that the provisions of Chapter 17,981, Laws of Florida, Acts of 1937, entitled "An Act to declare the necessity of creating public bodies corporate and politic to be known as Housing Authorities to undertake slum clearance and projects to provide dwelling accommodations for persons of low income; to create such Housing Authorities in cities having a population of more than 5,000; to define the powers and duties of Housing Authorities and to provide for the exercise of such powers, including acquiring property, borrowing money, issuing debentures and other obligations, and giving security therefor; to provide that Housing Authorities may obtain validation of their obligations and proceedings; and to confer remedies on obligee of Housing Authorities," as amended by Chapter 19,510, Laws of Florida, Acts of 1939, shall apply to this Act except when in conflict herewith.

Also—

House Bill No. 287:

A bill to be entitled An Act amending Section 3 of Chapter 17981, Laws of Florida, Acts of 1937, entitled "An Act to declare the necessity of creating public bodies corporate and politic to be known as Housing Authorities to undertake slum clearance and project to provide dwelling accommodations for persons of low income; to create such Housing Authorities in cities having a population of more than 5,000; to define the powers and duties of Housing Authorities and to provide for the exercise of such powers, including acquiring property, borrowing money, issuing debentures and other obligations, and giving security thereof; to provide that Housing Authorities may obtain validation of their obligations and proceedings; and to confer remedies on obligees of Housing Authorities" so as to redefine city as meaning any city of the State having a population of more than 2,500.

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

Very respectfully,

A. P. DRUMMOND,

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

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

MESSAGES FROM THE GOVERNOR

The following Message from the Governor was received:

State of Florida  
EXECUTIVE DEPARTMENT  
Tallahassee

April 22, 1941.

Honorable John R. Beacham,  
President of the Senate,  
Tallahassee, Florida.

Sir:

I have the honor to inform you that I have today caused the following Resolution, which originated in your Honorable Body, to be filed in the office of the Secretary of State, same having been approved by me today:

Senate Concurrent Resolution No. 2 relating to Honorable Claude Pepper.

Respectfully yours,

SPESSARD L. HOLLAND,

Governor.

SLH/awb

State of Florida  
EXECUTIVE DEPARTMENT  
Tallahassee

April 23rd, 1941.

Honorable John R. Beacham,  
President of the Senate,  
Tallahassee, Florida.

Sir:

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

Senate Concurrent Resolution No. 4 relating to Eastern Air Lines, Inc.

Senate Concurrent Resolution No. 5 relating to Statute Revision.

Respectfully yours,  
SPESSARD L. HOLLAND,

Governor.

SLH/bm

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senators Adams (25th), Johnson, Cooley, Shuler, Maddox, Clarke, Smith, Taylor, Perdue—

Senate Bill No. 235:

A bill to be entitled An Act amending Section 5491 of the Revised General Statutes of Florida of 1920, now Section 7649, Compiled General Laws of Florida of 1927, by providing that said Act shall not apply to theaters in which moving pictures are shown.

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

By Senators Beall, Perdue, King, Cooley, Clarke, Shepherd, McKenzie, Maddox, Butler, Lewis, Folks, Ward, Horne, Kelly, Johnson, Shuler, Collins, Lindler—

Senate Bill No. 236:

A bill to be entitled An Act to provide State Public Safety; to that end to create the State Department of Public Safety; to prescribe its membership, duties, powers and authority; to provide for the division of such department, for the employees thereof, and duties and compensation; to provide for the license of chauffeurs and other operators of motor vehicles as herein defined; to provide for the suspension, cancellation and revocation of such licenses; to provide for certain liabilities, penalties and punishment for violations of this Act; to provide for the selection and compensation of the personnel of the division of State Highway Patrol of said department and their duties; to provide for other matters in connection with public safety; and making certain funds available for the purpose of carrying out the provisions hereof; and repeal Chapter 19551, Laws of Florida, Acts of 1939, relating to the State Department of Public Safety; to provide for the examination of applicants.

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

By Senator Shepherd—

Senate Bill No. 237:

A bill to be entitled An Act prohibiting in St. Johns County, Florida, the pursuing, taking, hunting or killing of any fox squirrel at any time in said county for a period of five years, commencing with the 1941-1942 open season and ending with the beginning of the 1946-1947 open season, and providing that any person violating same shall be guilty of a misdemeanor and repealing all laws in conflict herewith.

The following proof of publication was attached to Senate Bill No. 237 when it was introduced in the Senate:

THE ST. AUGUSTINE OBSERVER

St. Augustine, St. Johns County, Florida

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS. )

Before the undersigned authority personally appeared J. H. Turner who on oath says that he is editor of the St. Augustine Observer, a weekly newspaper published at St. Augustine, in St. Johns County, Florida; that the attached copy of advertisement, being a Notice of Proposed Legislation—in the matter of prohibiting the taking, hunting or killing of any fox squirrel for a period of five years in the Court, was published in said newspaper in the issues of March 13, 1941.

Affiant further says that the said St. Augustine Observer is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore

been continuously published in said St. Johns County, Florida, each week, and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 3rd day of April, A. D. 1941.

J. H. TURNER,  
Editor.

OTIS E. BARNES,

Notary Public, State of Florida at Large.  
(Seal)

My commission expires January 14, 1942.

#### NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that there will be introduced at this term of the State Legislature, the following contemplated law, the substance of which is as follows:

An Act prohibiting in St. Johns County, Florida, the pursuing, taking, hunting, or killing of any fox squirrel at any time in said county for a period of five years, commencing with the 1941-1942 open season and ending with the beginning of the 1946-1947 open season, and providing that any person violating same shall be guilty of a misdemeanor and repealing all laws in conflict herewith.

St. Johns County Sportsmen's League.

M 13.

Which was read the first time by title only.

Senator Shepherd moved that the rules be waived and Senate Bill No. 237 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 237 was read the second time by title only.

Senator Shepherd moved that the rules be further waived and Senate Bill No. 237 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. 237 was read the third time in full.

Upon the passage of Senate Bill No. 237 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

Nays—None.

So Senate Bill No. 237 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 Shuler—

Senate Bill No. 238:

A bill to be entitled An Act designating and establishing as a part of the State Road system of Florida certain roads in Franklin County leading into and connecting with State Highway Number 10 in said county.

Which was read the first time by title only.

Senator Shuler moved that the rules be waived and Senate Bill No. 238 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 238 was read the second time by title only.

Senator Shuler moved that the rules be further waived and Senate Bill No. 238 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. 238 was read the third time in full.

Upon the passage of Senate Bill No. 238 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, Mc-

Kenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

Nays—None.

So Senate Bill No. 238 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 Graham—

Senate Bill No. 239:

A bill to be entitled An Act granting to the Boards of County Commissioners of counties having a population of not less than 267,000 according to the last preceding State or Federal census, full authority to suspend for reasonable periods of time, in their discretion and to revoke the licenses of licensees under the Beverage Act of 1935, following the same procedure, for the same causes and under the same limitations as the Director of the Beverage Department is authorized by Section 1, Chapter 16774, Acts of 1935, Section 3, Chapter 18015, Acts of 1937, and Section 1-A, Chapter 19301, Acts of 1939, to suspend and to revoke the licenses of said licensees.

Which was read the first time by title only.

Senator Graham moved that the rules be waived and Senate Bill No. 239 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 239 was read the second time by title only.

Senator Graham moved that the rules be further waived and Senate Bill No. 239 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. 239 was read the third time in full.

Upon the passage of Senate Bill No. 239 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

Nays—None.

So Senate Bill No. 239 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 Graham—

Senate Bill No. 240:

A bill to be entitled An Act to repeal Chapter 17917, Laws of Florida, Act of 1937, same being an Act relating to the salt water fishing in the State of Florida in tidal waters and other territorial waters of the State of Florida and providing a license tax on all boats, vessels, schooners or launches operating and/or plying in the tidal and salt waters or other waters under the control of the State Board of Conservation of the State of Florida, and providing an additional tax on aliens or non-residents who own such boats, vessels, schooners or launches, and defining such aliens or non-residents, and providing penalties for violation of same.

Which was read for the first time by title only and referred to the Committee on Game and Fisheries.

By Senator Perdue—

Senate Bill No. 241:

A bill to be entitled An Act providing that any person catching fish within any of the salt waters of any County in the State of Florida having a population of not less than twelve thousand nine hundred (12,900) and not more than thirteen thousand (13,000) according to the last Federal census, shall have a right to sell such fish to anyone desiring to buy such fish.

Which was read the first time by title only.

Senator Perdue moved that the rules be waived and Senate Bill No. 241 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 241 was read the second time by title only.

Senator Perdue moved that the rules be further waived and Senate Bill No. 241 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. 241 was read the third time in full.

Upon the passage of Senate Bill No. 241 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

Nays—None.

So Senate Bill No. 241 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 King, Cooley, Cliett, Shuler, Ward, Shands, Adams (30th), Kelly, Housholder, Folks, Johnson, Gideons—  
Senate Bill No. 242:

A bill to be entitled An Act to Amend Chapter 18,402, Acts of 1937, Approved June 9, 1937, as Amended by Chapter 19,637 of the Acts of 1939, and Known as the Florida Unemployment Compensation Law, by Providing for a Revision of the Formula for the Payment of Benefits; by Providing for Experience Rating; by Excluding Certain Employments from the Definition of Employment; by Providing for the Protection of the Rights of Persons called into Military Service; by Providing for the Payment of Contributions by Employers liable for any Federal Tax Against which credit may be taken for such Contribution; by Simplifying the Benefit Payment Procedures; by Clarifying Certain Terms and Provisions of said Law; by Making Additional Provisions for the Better Enforcement of said Law and Collection of Contributions; by Reducing the Interest Rate for Delinquent Contributions and Providing a Penalty for Failure to file Reports; by Providing Transition Provisions; and in so Doing to Amend Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 18, and 19, and to Repeal Sections 23½, of said "Florida Unemployment Compensation Law" Being: "An Act providing for relief from involuntary unemployment; providing a system of unemployment compensation in the State of Florida; declaring the public policy of the State of Florida; providing for the administration of the Act by the Florida Industrial Commission; defining and providing for the functions, duties and powers of the Florida Industrial Commission in the administration of this Act; providing for an unemployment compensation fund by the levying of certain contributions on all employers of eight or more persons with certain designated exemptions and providing for the collection appropriation, deposit, distribution and disbursement of the contributions and other monies which may be collected pursuant to this Act; defining conditions of eligibility for and regulating benefits; providing for the payment of unemployment benefits and establishing a procedure for the settlement and review of benefit claims; permitting reciprocal agreements or arrangements with the Federal Government or the other states of the Union; providing for the establishment of state employment offices and for the administration of all such offices as a division of the Florida Industrial Commission; providing for an Unemployment Compensation Division in the Florida Industrial Commission; providing for an Unemployment Compensation Administration Fund; providing penalties for the violation of this Act; providing for all the terms, conditions, requirements, limitations and prohibitions under which the said system of unemployment compensation shall be created and administered and the Unemployment Compensation Fund shall be collected, administered and disbursed; providing for the election and termination of coverage; providing for the creation of Advisory Councils; reserving right of amendment and repeal; and providing for the repeal of Chapter 12,270, Laws of Florida, Acts of 1935, being

"An Act creating the State Employment Board, fixing the number thereof, and the manner of appointment, authorizing said Board to employ certain personnel, providing for the compensation and expenses thereof and appropriating funds therefor and appointing said board as State agency to receive the benefits of the Wagner-Peyser Act and providing for reports to be made by said Board." As Amended by:

"An Act to amend Chapter 18,402, Acts of 1937, by making necessary provisions for correlating the operation of said law with the operation of the Federal Railroad Unemployment Insurance Act, approved June 25, 1938, and for cooperating with, and otherwise complying with the terms of, said Railroad Unemployment Insurance Act; by providing for transfer of certain funds from the Florida account in the Unemployment Trust Fund to the Federal Railroad Unemployment Insurance Account; by providing for reciprocal agreements with other State or Federal Unemployment Insurance Acts; by clarifying the terms and provisions of said law; by making appropria-

tions for the maintenance of the Florida State Employment Service; by providing for a study of experience rating of employers; by simplifying the benefit payment provisions thereunder; by providing for optional guaranteed employment plan; by making additional provisions for the better enforcement of the law and the collection of contributions; by making transition provisions from the 'old' to the 'new' benefit payment formula; and in so doing to amend Sections 3, 4, 5, 6, 8, 10, 11, 12, 13, 14, 15, 16, 19, of said 'Florida Unemployment Compensation Law' "

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

Senator Rose moved that a committee be appointed to escort the Honorable Charles O. Andrews, United States Senator from Florida, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Rose, Butler and Housholder as the committee.

By Senator Butler—  
Senate Bill No. 243:

A bill to be entitled An Act Providing for the Voluntary Resignation and Retirement of Certain Elective Officers in Towns in the State of Florida, Under Certain Conditions, with pay, and Providing When This Law shall take Effect.

Which was read the first time by title only.

Senator Butler moved that the rules be waived and Senate Bill No. 243 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 243 was read the second time by title only.

Senator Butler moved that the rules be further waived and Senate Bill No. 243 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. 243 was read the third time in full.

Upon the passage of Senate Bill No. 243 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

Nays—None.

So Senate Bill No. 243, 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 Perdue—

Senate Bill No. 244:

A bill to be entitled An Act to Redesignate and Reestablish State Road No. 77-A.

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

By Senators Shuler, Price and Adams (25th)—

Senate Bill No. 245:

A bill to be entitled An Act to Designate as Depositories of Published State Documents the General Libraries of Colleges and Universities in this state offering courses leading to a Baccalaureate degree.

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

By Senator Collins—

Senate Bill No. 246:

A bill to be entitled An Act to provide for the Enlargement, Alteration, Repair, Equipment and Furnishing of the South Wing of the Capitol, and Making an Appropriation for such Purposes.

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

By Senator Drummond—

Senate Bill No. 247:

A bill to be entitled An Act Allowing, as a Claim against the State of Florida, the Amount Due to W. R. Faircloth, Tax Collector of Holmes County, Florida, for loss of compensation in consequence of his suspension from office by the Governor

of the State of Florida under Section 15 of Article IV of the Constitution of the State of Florida, and Providing for the payment of said Claim.

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

By Senator Kelly—  
Senate Bill No. 248:

A bill to be entitled An Act to amend Section 2 of Chapter 17917, Laws of Florida, Acts of 1937, entitled "An Act relating to the salt water fishing in the State of Florida in tidal waters and other territorial waters of the State of Florida and providing a license tax on all boats, vessels, schooners or launches operating and/or plying in the tidal and salt waters or other waters under the control of the State Board of Conservation of the State of Florida, and providing an additional tax on aliens or non-residents who own such boats, vessels, schooners or launches, and defining such aliens or non-residents, and providing penalties for violation of same," by adding to said Section 2 a proviso that certain small boats shall be considered as operating equipment and shall not be subject to the payment of a non-resident license tax as therein provided.

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

By Senator Kelly—  
Senate Bill No. 249:

A bill to be entitled An Act to amend Chapter 17112, Laws of Florida, Acts of 1935, entitled "An Act to limit to seven years the notice given by filing for record any mortgage, or other security instrument creating a lien on or conveying or reserving an interest in personal property, or agricultural, horticultural or fruit crops planted, growing or to be planted, grown or raised; to provide for its application to such instruments heretofore filed or recorded; to provide for the renewal of such notice; to provide for the Clerk's fee, and for other purposes, and when this Act shall become effective," by adding thereto a separate Section to be known as Section 5, and by changing the numbers of the present Sections 5, 6 and 7 to be numbered respectively 6, 7 and 8.

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

By Senator Folks—  
Senate Bill No. 250:

A bill to be entitled An Act to provide for the payment to all the citizens of the State of Florida who have reached the age of 60 years and who have been a resident of the State for five years and whose yearly income does not exceed \$600.00 a year a pension of not to exceed \$60.00 per month, and to provide revenue for that purpose.

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

By Senator Ward, King, and Cliett—  
Senate Bill No. 251:

A bill to be entitled An Act to amend Sections 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 22, and 24, and to repeal Sections 7 and 8 of Chapter 6488, Laws of Florida, Acts of 1913, as amended by Chapter 6918, Laws of Florida, Acts of 1915, being an Act to regulate the employment of minor children in the State of Florida, and to provide penalties for violations thereof; creating the office of State Labor Inspector and defining the duties and compensation of such officer.

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

By Senator Kelly—  
Senate Bill No. 252:

A bill to be entitled An Act relating to railroads and railroad equipment, and to require all companies, corporations or associations operating railroads in the State of Florida to equip all switches leading off from the mainline, and all tracks designated as mainlines with switch lights or reflector lights, and warning boards to be placed at certain distances from such switches and stations to be governed by standard railroad rules in regard to the lights and warning boards.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Fla., April 23, 1941.

Hon. John R. Beacham,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House of Representatives has appointed Messrs. Holt, McLane and Perry as a Conference Committee on the part of the House to confer with a like committee on the part of the Senate to adjust the differences existing between the Senate and the House of Representatives on

House Bill No. 28:

A bill to be entitled An Act to promote national and state defense by preventing sabotage; to that end to protect property by making criminal certain entries on, injuries to, interferences with and defective workmanship in connection with, property, and attempts, solicitations, and conspiracies to commit such acts; to restrict witnesses' privileges against self-incrimination in proceedings; to provide for questioning and detaining suspected persons; to authorize the closing of, and the restricting of the use of, certain highways; to provide that this act shall not be construed to impair the rights of labor; to suspend inconsistent acts and parts of acts; to prescribe penalties for violations of this Act; providing that this Act shall be in effect until May 15, 1945, and thereafter when the United States is at war.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

Senator Whitaker moved that the President appoint a committee on the part of the Senate to confer with the committee appointed by the Speaker of the House of Representatives to adjust the differences between the two Houses on the Senate Amendment to House Bill No. 28.

Which was agreed to.

And the President appointed Senators Whitaker, Beall and Wilson as the committee on the part of the Senate.

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

Tallahassee, Fla., April 23, 1941.

Hon. John R. Beacham,  
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—

Senate Bill No. 157:

A bill to be entitled An Act authorizing and empowering the Boards of Public Instruction in counties having a population of not less than 100,000 and not more than 200,000, according to the last federal census, to borrow funds to pay teachers' salaries and transportation costs during the last two weeks of the nine months' school term in an emergency as defined herein, and providing that such boards may pledge as security for such loan bonds and coupons which were taken in payment of delinquent taxes, and in tax adjustments pursuant to the provisions of Chapter 16252, Laws of Florida, Acts of 1933, as amended by Chapter 17400, Laws of Florida, Acts of 1935, and which bonds and coupons are now the property of and in possession of such boards pursuant to Chapter 19372, Laws of Florida, Acts of 1939, or other provisions of law; restricting such pledge to times of emergency and defining emergency; limiting the period of obligations so incurred by such boards; and repealing all laws and parts of laws in conflict herewith.

Which amendment reads as follows:

In Section 4, lines 3 and 4, strike out the words "directed and required."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bill No. 157, contained in the above message was read by title, together with House Amendment thereto.

Senator Whitaker moved that the Senate do concur in the House Amendment to Senate Bill No. 157.

Which was agreed to.

And the Senate concurred in the House Amendment to Senate Bill No. 157.

And Senate Bill No. 157, as amended, was referred to the Committee on Engrossed Bills.

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April 23, 1941

JOURNAL OF THE SENATE

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

Tallahassee, Fla., April 23, 1941.

Hon. John R. Beacham,  
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—

Senate Bill No. 133:

A bill to be entitled An Act providing for a salary of One Hundred and Fifty (\$150.00) Dollars per month for the Mayor of the City of St. Petersburg and salary of One Hundred (\$100.00) Dollars per month for each District Councilman of said City; providing that no other compensation shall be paid to said officers for the performance of their duties as Mayor and District Councilmen; providing that provisions be made annually in the appropriation ordinance of the City of St. Petersburg to provide funds for the payment of said salaries; repealing all laws or parts of laws in conflict herewith and providing for the ratification or rejection of this Act by the electorate of the City of St. Petersburg; and other matters in relation thereto.

Which amendments read as follows:

Amendment No. 1:

Strike out the word "district" wherever it occurs in the body of the bill.

Amendment No. 2:

In the title of the bill, strike out the word "district" wherever it appears.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bill No. 133, contained in the above message, was read by title, together with House Amendments thereto.

Senator Taylor moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 133.

Which was agreed to.

And the Senate concurred in House Amendment No. 1 to Senate Bill No. 133.

Senator Taylor moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 133.

Which was agreed to.

And the Senate concurred in House Amendment No. 2 to Senate Bill No. 133.

And Senate Bill No. 133, as amended, was referred to the Committee on Engrossed Bills.

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

Tallahassee, Florida,  
April 23, 1941.

Hon. John R. Beacham,  
President of the Senate,

Sir:

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

Senate Bill No. 7:

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, 1943.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bill No. 7, contained in the above message, was read by title and referred to the Committee on Enrolled Bills.

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

Tallahassee, Florida,  
April 23, 1941.

Hon. John R. Beacham,  
President of the Senate.

Sir:

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

House Bill No. 305:

A bill to be entitled An Act assenting to and accepting the provisions of An Act of Congress approved July 11, A. D. 1916, and all amendments thereto, the same being entitled, "An Act to provide that the United States Government shall aid the States in the construction of Rural Post Roads, and for other purposes," and providing for the apportionment and appropriation of funds to meet the same.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 305, contained in the above message, was read the first time by title only and referred to the Committee on Public Roads and Highways and the Committee on Appropriations, jointly.

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

Tallahassee, Fla.,  
April 23, 1941.

Hon. John R. Beacham,  
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 three-fifths vote of all members elected to the House of Representatives for the 1941 Session of the Florida Legislature—

House Joint Resolution No. 115:

A Joint Resolution proposing an amendment to Article IX of the Constitution of Florida relating to taxation and finance by adding thereto an additional section, to be known as Section 15, specially forbidding the adjustment, compromise or cancellation of any State, County or District tax which has been legally assessed and levied.

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

That the following amendment to Article IX of the Constitution of Florida relating to taxation and finance by adding thereto an additional Section, to be known as Section 15 of said Article IX, specially forbidding the adjustment, compromise or cancellation of any State, County or District tax which has been legally assessed and levied, is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the next general election to be held in 1942, as follows:

"Section 15. No State, County or District tax which has been legally assessed and levied shall ever be adjusted, compromised or cancelled unless provision be made for such compromise adjustment or cancellation by act of the Legislature approved by a vote of two-thirds of all the members of each House, provided that municipal corporations and drainage districts are expressly exempted herefrom."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Joint Resolution No. 115, contained in the above message, was read the first time in full and referred to the Committee on Constitutional Amendments.

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

Tallahassee, Fla.,  
April 23, 1941.

Hon. John R. Beacham,  
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 three-fifths vote of all members elected to the House of Representatives for the 1941 Session of the Florida Legislature—

House Joint Resolution No. 164:

A Joint Resolution proposing an Amendment to Article VIII of the Constitution of Florida adding thereto an additional Section permitting the Governing Body of a Municipality to divide a municipality into Special Assessment Districts and to allow issue of bonds and/or assessment certificates under certain conditions.

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

Section 1. That the following amendment to Article VIII of the Constitution of the State of Florida relating to counties and cities by adding thereto an additional Section to be known as Section 11 of Article VIII, specifically applicable to powers of municipalities, is hereby agreed to and shall be submitted to the Electors of the State of Florida for ratification or rejection at the next general election to be held in 1942, as follows:

"Section 11. The governing body of any municipality may divide any municipality into Special Assessment Districts under the following conditions:

- (a) To build, repair, or improve, streets, sidewalks, water mains, sewage systems, drainage systems, and storm sewers;
- (b) To establish parks and play grounds.

Said improvements or any one of them, shall be considered as special benefits, and upon a majority vote of the registered voters, who are freeholders residing within said special assessment district the municipality may issue bonds, and/or special assessment certificates, payable from revenue or special assessment tax collections from said special assessment district only to cover the cost thereof."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Joint Resolution No. 164, contained in the above message, was read the first time in full and referred to the Committee on Constitutional Amendments.

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

Tallahassee, Florida,  
April 23, 1941.

Hon. John R. Beacham,  
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 on April 22, 1941, the Governor's objections to the contrary notwithstanding—

House Bill No. 1712: (1939 Session)

An Act granting to the City Commission of the City of Hollywood, a Municipal Corporation of Florida, the power and authority to levy and assess occupational license taxes upon businesses, privileges, occupations and professions, carried on or engaged in within the corporate limits of said city; and granting to said city commission the power and authority to classify and define such businesses, privileges, occupations and professions for the purpose of such license taxes, and the classification and definition, and the amount thereof, shall not be dependent upon, affected, altered or modified by any general States statutes.

And respectfully requests the concurrence of the Senate therein.

Very Respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

Senator Whitaker moved that the rules be waived and the Senate take up and consider House Bill No. 1712 (1939 Session), out of its order, at this time.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 1712 (1939 Session) was taken up and read by title, together with the following objections of the Governor, thereto.

State of Florida  
EXECUTIVE DEPARTMENT  
Tallahassee

June 8th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, House Bill No. 1712, entitled:

"An Act granting to the City Commission of the City of Hollywood, a municipal corporation of Florida, the power and authority to levy and assess occupational license taxes upon businesses, privileges, occupations and professions, carried on or engaged in within the corporate limits of said city; and granting to said City Commission the power and authority to classify and define such businesses, privileges, occupations and professions for the purpose of such license taxes, and the classification and definition, and the amount thereof, shall not be dependent upon, affected, altered or modified by any general State statutes."

This bill tends to give the corporate city of Hollywood, Florida, power and authority to levy and assess occupational license taxes upon businesses, privileges, occupations and professions within the corporate limits of the said city.

It grants to the city commission the power and authority to classify and define, license and permit as businesses, privileges, occupations and professions, practices prohibited by general State law or statute.

The bill allows the City Commission to pick out and license other businesses not allowed by the State law to be licensed and it gives them the right to license any gambling device such as slot machines, marble machines or other forms of gambling, now prohibited by the general laws of the State of Florida and the bill could be further construed so as to modify any general State law from prohibiting businesses, privileges, occupations and professions not allowed in any other city or town in the State.

For the foregoing reasons, I veto this bill.

Respectfully submitted,  
(Signed) FRED P. CONE,  
Governor.

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

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

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Housholder, Johnson, Kanner, Kelly, King, Lewis, Maddox, Maines, McKenzie, Parker, Perdue, Price, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—35.

Nays—None.

So House Bill No. 1712 (1939 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Fla.,  
April 23, 1941.

Hon. John R. Beacham,  
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 on April 22, 1941, the Governor's objections to the contrary notwithstanding—

House Bill No. 1715 (1939 Session):

An Act to prohibit and make it unlawful for live stock to run or roam at large within Broward County, Florida; to provide for the impounding and sale of said live stock when found running or roaming at large in violation of this Act; to provide for the recovery of damages suffered by persons or prop-

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erty by reason thereof; and to repeal all Acts or parts of Acts inconsistent with this Act.

And respectfully requests the concurrence of the Senate therein.

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

Senator Whitaker moved that the rules be waived and the Senate take up and consider House Bill No. 1715 (1939 Session), out of its order, at this time.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 1715 (1939 Session) was taken up and read by title, together with the following objections of the Governor, thereto.

State of Florida  
EXECUTIVE DEPARTMENT  
Tallahassee

June 7, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.  
Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, House Bill No. 1715, entitled:

"An Act to prohibit and make it unlawful for live stock to run or roam at large within Broward County, Florida; to provide for the impounding and sale of said live stock when found running or roaming at large in violation of this Act; to provide for the recovery of damages suffered to persons or property by reason thereof; and to repeal all Acts or parts Acts inconsistent with this Act."

This bill tends to prohibit the running or roaming at large of live stock anywhere in Broward County and provides a lien upon any live stock found to be running at large in the County, such as cattle, hogs, horses, mules, goats, sheep or other grazing live stock and also provides that all of said live stock is liable for damages to any property in Broward County, whether said live stock, cattle, hogs, horses, mules, goats or sheep are owned by people in or outside of Broward County, without providing for any fence to be placed around Broward County to protect live stock owners in adjoining counties who have no law for fencing their live stock and who have the right to let their cattle, hogs, horses, mules, goats and sheep run at large.

The fact that the live stock, cattle, hogs, horses, mules, goats and sheep could go across the line into Broward County without a fence being provided, would be an injustice to owners in adjoining counties and this bill would give them the right to take property and assess damages without due process of law.

The bill provides for no referendum and it is not known whether the people in that section who have live stock are in favor of it, therefore, I veto H. B. 1715, passed by the 1939 Session of the Legislature.

Respectfully submitted,  
(Signed) FRED P. CONE,  
Governor.

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

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

Yeas—Mr. President; Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie Parker, Price, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—35.

Nays—Perdue—1.

So House Bill No. 1715 (1939 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

VETO MESSAGES

Senate Bill No. 444 (1939 Session):  
"A bill to be entitled An Act for the relief of the M. F. Comer Bridge and Foundation Company."

Was taken up in its order and read by title, together with the following objections thereto of the Honorable Fred P. Cone, former Governor of Florida:

State of Florida  
EXECUTIVE DEPARTMENT  
Tallahassee

June 6, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.  
Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 444, entitled:

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

The FERA, upon which this claim is based, was a Federal and not a State Agency and the State of Florida could not be held responsible for hurricanes or things caused by an Act of God, no more than it could be, had the barge in question been destroyed by an earthquake. Under the decision of the Supreme Court, the State of Florida is not liable for an Act of God.

The FERA expended approximately \$5,000 raising this barge and rebuilding it for the M. F. Comer Bridge and Foundation Company after the storm, besides it paid this Company \$27.00 a day as rental for the period of time used in rebuilding the barge, which amounted to \$7,779.55.

The M. F. Comer Bridge and Foundation Company introduced in Congress a claim for this barge, which was not allowed and this company has tried at every session of the Legislature since to get a bill through and it has been unsuccessful until the present time.

The State Welfare Board has investigated every phase of this claim and can find no foundation for the payment of same and if there was any responsibility at all, it was a liability of the United States Government and not the State of Florida. I, therefore, veto this bill.

Respectfully submitted,  
FRED P. CONE,  
Governor.

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

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

Yeas—Mr. President; Adams (25th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, McKenzie, Price, Rose, Shands, Shuler, Smith, Taylor, Whitaker, Wilson—31.

Nays—Folks, Maines, Perdue, Shepherd, Ward—5.

So the bill passed by the required Constitutional two-thirds vote of all the members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 849 (1939 Session) was taken up in its order and the consideration thereof was informally passed.

Senate Bill No. 26 was taken up in its order, pending roll call, and the consideration thereof was informally passed.

SENATE BILLS ON SECOND READING

Senate Bill No. 53 was taken up in its order and the consideration thereof was informally passed.

Senate Bill No. 8:

A bill to be entitled An Act granting leaves of absence to officers and employees of the State of Florida and of the several counties, municipalities and political subdivisions of the State of Florida, who serve in the active military service of the United States of America; and prescribing the terms and conditions of such leaves of absence, and return to civil duty.

Was taken up in its order.

Senator Kanner moved that the rules be waived and Senate Bill No. 8 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 8 was read the second time by title only.

Senator Kanner moved that the rules be further waived and Senate Bill No. 8 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. 8 was read the third time in full.

Upon the passage of Senate Bill No. 8 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

Nays—None.

So Senate Bill No. 8 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 Adams (30th) moved that Senate Bill No. 101 be recalled from the Committee on Judiciary "A".

Which was agreed to and it was so ordered.

By unanimous consent Senator Adams (30th) withdrew Senate Bill No. 101.

Senator Cooley moved that Senate Bill No. 49 be recalled from the Committee on Judiciary "A".

Which was agreed to and it was so ordered.

By unanimous consent Senator Cooley withdrew Senate Bill No. 49.

Senate Bill No. 9:

A bill to be entitled An Act providing a method for manifesting and evidencing domicile in Florida.

Was taken up in its order.

Senator Kanner moved that the rules be waived and Senate Bill No. 9 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 9 was read the second time by title only.

Senator Kanner moved that the rules be further waived and Senate Bill No. 9 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. 9 was read the third time in full.

Upon the passage of Senate Bill No. 9 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 9 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senate Bill No. 132 was taken up in its order and the consideration thereof was informally passed.

Senate Bill No. 144:

A bill to be entitled An Act to provide punishment for the exhibition in the same enclosure of animals which by their natural instincts are antagonistic to each other.

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

Senator Shuler moved that Senate Bill No. 144 be recommended to the Committee on Game and Fisheries.

Which was agreed to and it was so ordered.

Senate Bill No. 145:

A bill to be entitled An Act making the baiting or fighting of birds or animals, or the keeping of a place therefor, a misdemeanor, providing for the punishment thereof and for the seizure of implements used in such fights.

Was taken up in its order.

Senator Kelley moved that Senate Bill No. 145 be recommended to the Committee on Game and Fisheries.

Which was agreed to and it was so ordered.

Senate Bill No. 146:

A bill to be entitled An Act defining roadside menageries for the supervision and control thereof, for the issuing of

licenses therefor, and for the punishment for the failure to secure such licenses.

Was taken up in its order.

Senator Shuler moved that Senate Bill No. 146 be recommended to the Committee on Game and Fisheries.

Which was agreed to and it was so ordered.

Senate Joint Resolution No. 28:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE IV OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATIVE TO THE EXECUTIVE DEPARTMENT, BY ADDING THERETO AN ADDITIONAL SECTION TO CREATE A GAME AND FRESH WATER FISH COMMISSION

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

That the following Amendment to Article IV of the Constitution of the State of Florida relative to the Executive Department by adding thereto an additional section to be known as Section 30 of said Article IV, creating a game and fresh water fish commission be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the General Election to be held on the first Tuesday after the first Monday in November 1942, as follows:

Section 30. 1. From and after January 1, 1943, management, restoration, conservation and regulation of the birds, game, fur bearing animals and the fresh water fish of the State of Florida, and the control and management of hatcheries, sanctuaries, refuges, reservations and all other property now owned or used for said purposes or hereafter acquired for said purposes and the acquisition and establishment of the same shall be vested in a commission to be known as the Game and Fresh Water Fish Commission, to consist of five members, one from each congressional district, as now existing who shall be appointed by the Governor, subject to confirmation by the senate. The members so appointed shall annually elect one of their members as chairman of the commission. Among the powers granted to the commission by this section shall be the power to fix bag limits, to fix open and closed seasons on a state-wide, regional or local basis, as it may find to be appropriate, and to regulate the manner and method of taking, transporting, storing and using birds, game, fur bearing animals, fresh water fish, reptiles and amphibians.

2. The first members of the Commission shall be appointed on January 1, 1943, and their terms shall expire one year apart. At the expiration of such terms successors shall be appointed to serve for terms of five years.

3. The members of the Commission shall receive no compensation for their services as such, but each commissioner shall receive his necessary traveling or other expenses incurred while engaged in the discharge of his official duties, but not to exceed the sum of \$600.00 in any one year.

4. The Commission shall have the power to acquire by purchase, gift, eminent domain, or otherwise, all property necessary, useful or convenient for the use of the Commission, or for the exercise of any of its powers hereunder, and in the event the right of eminent domain is exercised, it shall be exercised in the same manner as now or hereafter may be provided for the exercise of eminent domain by the State Road Department.

5. The Commission shall appoint, and at pleasure remove as director, a fit and suitable person, who shall appoint and at pleasure remove assistants and other employees, who shall fix their salaries subject to the approval of the Commission, except that no commissioner shall be eligible for such appointment or employment.

6. The funds resulting from the operations of the Commission and from the administration of the laws and regulations pertaining to birds, game, fur bearing animals, fresh water fish, reptiles and amphibians shall constitute the State Game Fund, and shall be used in carrying out the provisions thereof, and for no other purpose. The Commission may not obligate itself beyond the resources of the State Game Fund except as authorized by the Legislature.

7. The Legislature may enact any laws in aid of, but not inconsistent with, the provisions of this Amendment, and all existing laws inconsistent herewith shall no longer remain in force and effect. All laws fixing penalties for the viola-

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tion of the provisions of this amendment and all laws imposing license taxes, shall be enacted by the Legislature from time to time.

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

The following Committee Substitute for Senate Joint Resolution No. 28:

**A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE IV OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATIVE TO THE EXECUTIVE DEPARTMENT, BY ADDING THERETO AN ADDITIONAL SECTION TO CREATE A GAME AND FRESH WATER FISH COMMISSION**

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

That the following amendment to Article IV of the Constitution of the State of Florida relative to the Executive Department by adding thereto an additional Section to be known as Section 30 of said Article IV, creating a Game and Fresh Water Fish Commission be and the same is hereby agreed to and shall be submitted to the Electors of the State of Florida for ratification or rejection at the General Election to be held on the first Tuesday after the first Monday in November 1942, as follows:

Section 30. 1. From and after January 1, 1943, the management, restoration, conservation, and regulation, of the birds, game, fur bearing animals, and fresh water fish, of the State of Florida, and the acquisition, establishment, control, and management, of hatcheries, sanctuaries, refuges, reservations, and all other property now or hereafter owned or used for such purposes by the State of Florida, shall be vested in a Commission to be known as the Game and Fresh Water Fish Commission. Such Commission shall consist of five members, one from each congressional district, as existing on January 1, 1941, who shall be appointed by the Governor, subject to confirmation by the Senate. The members so appointed shall annually select one of their members as chairman of the Commission.

2. The first members of the Commission shall be appointed on January 1, 1943 and shall serve respectively for one, two, three, four, and five years. At the expiration of each of such terms, a successor shall be appointed to serve for a term of five years.

3. The members of the Commission shall receive no compensation for their services as such, but each Commissioner shall receive his necessary traveling or other expenses incurred while engaged in the discharge of his official duties, but such shall not exceed the sum of \$600.00 in any one year.

4. Among the powers granted to the Commission by this Section shall be the power to fix bag limits and to fix open and closed seasons, on a state-wide, regional or local basis, as it may find to be appropriate, and to regulate the manner and method of taking, transporting, storing and using birds, game, fur bearing animals, fresh water fish, reptiles, and amphibians. The Commission shall also have the power to acquire by purchase, gift, or otherwise, all property necessary, useful, or convenient, for the use of the Commission in the exercise of its powers hereunder.

5. The Commission shall appoint, fix the salary of, and at pleasure remove, a suitable person, as Director, and such Director shall have such powers and duties as may be prescribed by the Commission in pursuance of its duties under this Section. Such Director shall, subject to the approval of the Commission, appoint, fix the salaries of, and at pleasure remove, assistants and other employees who shall have such powers and duties as may be assigned to them by the Commission or the Director. No Commissioner shall be eligible for any such appointment or employment.

6. The funds resulting from the operation of the Commission and from the administration of the laws and regulations pertaining to birds, game, fur bearing animals, fresh water fish, reptiles, and amphibians, together with any other funds specifically provided for such purpose shall constitute the State Game Fund and shall be used by the Commission as it shall deem fit in carrying out the provisions hereof and for no other purposes. The Commission may not obligate itself beyond the current resources of the State Game Fund unless specifically so authorized by the Legislature.

7. The Legislature may enact any laws in aid of, but not inconsistent with, the provisions of this amendment, and all

existing laws inconsistent herewith, shall no longer remain in force and effect. All laws fixing penalties for the violation of the provisions of this amendment and all laws imposing license taxes, shall be enacted by the Legislature from time to time.

Was taken up and read the first time in full.

Senator Kanner moved that the rules be waived and the Committee Substitute for Senate Joint Resolution No. 28 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Joint Resolution No. 28 was read the second time in full.

Senator Kanner moved the adoption of the Committee Substitute for Senate Joint Resolution No. 28.

Which was agreed to and the Committee Substitute for Senate Joint Resolution No. 28 was adopted.

Senate Kanner moved that the rules be further waived and Committee Substitute for Senate Joint Resolution No. 28 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 Senate Joint Resolution No. 28 was read the third time in full.

By unanimous consent Senator Whitaker offered the following amendment to Committee Substitute for Senate Joint Resolution No. 28:

In Section 30, line 7, (typewritten bill) strike out the words: "or otherwise"

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Pending roll call, Senator Whitaker moved that the further consideration of Committee Substitute for Senate Joint Resolution No. 28, as amended, be informally passed.

Which was agreed to and it was so ordered.

Senate Beall moved that Senate Bill No. 187 be recalled from the Committee on Judiciary "A."

Which was agreed to and it was so ordered.

By unanimous consent Senator Beall withdrew Senate Bill No. 187.

Senator Cooley moved that Senate Bill No. 18 be recalled from the Committee on Labor and Industry.

Which was agreed to and it was so ordered.

By unanimous consent Senator Cooley withdrew Senate Bill No. 18.

Senate Bill No. 131:

A bill to be entitled An Act to amend Chapter 12,223, Laws of Florida, 1927, entitled: "An Act to define, regulate and register real estate brokers and salesmen, and to regulate their relations with the public; to create the Florida real estate commission, provide for its organization, succession and the payment of its expenses, prescribe its powers, duties, and privileges, and the supervisory control by, and ancillary powers of, the courts, touching the subject; and to prescribe penalties for the violation of the Act," by amendments and additions, to define and regulate real estate auctioneers, to regulate the sale of real estate subdivisions, to further define fraud and acts which endanger the interests of the public in real estate transactions, to vest jurisdiction in the Florida real estate commission to revoke registration of real estate brokers and salesmen, and to further extend its jurisdiction in the enforcement of this Act, and to provide judicial review of the exercise thereof, and to alter, amend and extend the penalties heretofore provided, and to repeal other Acts relating to the same subject.

Was taken up in its order.

Senator Rose moved that the rules be waived and Senate Bill No. 131 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 131 was read the second time by title only.

Senator Rose moved that the rules be further waived and Senate Bill No. 131 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. 131 was read the third time in full.

Pending roll call, Senator Rose moved that the further consideration of Senate Bill No. 131 be informally passed.

Which was agreed to.

Senate Bill No. 12 was taken up in its order, and the consideration thereof informally passed.

Senate Bill No. 13:

A bill to be entitled An Act relating to the disposition and distribution of income earned on the estate of a testator after his death and during the period of administration of his estate.

Was taken up in its order.

Senator Clarke moved that the rules be waived and Senate Bill No. 13 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 13 was read the second time by title only.

Senator Clarke moved that the rules be further waived and Senate Bill No. 13 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. 13 was read the third time in full.

Upon the passage of Senate Bill No. 13 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—36.

Nays—None.

So Senate Bill No. 13 passed title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senate Bill No. 32 was taken up in its order and the consideration thereof informally passed.

Senate Bill No. 33:

A bill to be entitled An Act to amend Section 6 relating to reports and supervision, Section 7 relating to fiscal year and annual meetings, and Section 17 relating to reserves, of Chapter 14499, Acts of 1929, Laws of Florida, relating to the operation, regulation, and supervision of Credit Unions.

Was taken up in its order.

Senator Clarke moved that the rules be waived and Senate Bill No. 33 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 33 was read the second time by title only.

Senator Clarke moved that the rules be further waived and Senate Bill No. 33 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. 33, was read the third time in full.

Upon the passage of Senate Bill No. 33 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—36.

Nays—None.

So Senate Bill No. 33 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senate Bill No. 14:

A bill to be entitled An Act to increase to the public the credit facilities of banks, trust companies, and national banks doing business in this State by fixing the rate of interest or discount that may be charged on loans not exceeding one thousand five hundred dollars (\$1,500.00), to prescribe the methods for effecting such charge, and to prescribe the charges thereon.

Was taken up in its order.

Senator Clarke moved that the rules be waived and Senate Bill No. 14 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 14 was read the second time by title only.

Senator Clarke moved that the rules be further waived and Senate Bill No. 14 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. 14 was read the third time in full.

Upon the passage of Senate Bill No. 14 the roll was called and the vote was:

Yeas—Mr. President; Senators Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, Lewis, Lindler, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Wilson—30.

Nays—Senators Adams (25), Adams (30th), Folks, King, Maddox, Parker, Ward, Whitaker—8.

So Senate Bill No. 14 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 Dye moved that the rules be waived and the hour of adjournment be extended fifteen (15) minutes.

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

Senate Bill No. 31:

A bill to be entitled An Act to amend Section 4152, of the Revised General Statutes of Florida as amended by Section 11, Chapter 13576, Acts of 1929, relating to investing funds of banks.

Was taken up in its order.

Senator Clarke moved that the rules be waived and Senate Bill No. 31 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 31 was read the second time by title only.

The Committee on Banking and Building and Loans offered the following amendment to Senate Bill No. 31:

In Section 1, line 15 (typewritten bill), strike out the word "Foreign."

Senator Clarke moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Clarke moved that the rules be further waived and Senate Bill No. 31, as amended, be read the third time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 31, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 31, as amended, the roll was called and the vote was:

Yeas—Mr. President; Adams (30th), Beall, Butler, Clarke, Cliett, Cooley, Drummond, Dye, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Wilson—34.

Nays—Senators Adams (25th), Collins, Whitaker—3.

So Senate Bill No. 31 passed, as amended, and was referred to the Committee on Engrossed Bills.

House Bill No. 72:

A bill to be entitled An Act to remove from the titles of real estate the clouds of unperformed contracts of record.

Was taken up in its order, pending roll call, having been read the third time in full on April 21, 1941.

Upon the passage of House Bill No. 72 the roll was called and the vote was:

Yeas—Mr. President; Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—37.

Nays—Senator Lewis—1.

So House Bill No. 72 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 Adams (25th) moved that a committee be appointed to escort Honorable Joe Sharit, former member of the Senate from the 25th Senatorial District, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Adams (25th), Wilson and Beall as the committee.

## House Bill No. 49:

A bill to be entitled An Act authorizing the payment to David M. Newell of the sum of \$17,896.00 for monies spent by him on preparing an "All Florida" motion picture on Florida attractions.

Was taken up in its order.

Senator Cooley moved that the rules be waived and House Bill No. 49 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 49 was read the second time by title only.

Senator Cooley moved that the rules be further waived and House Bill No. 49 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. 49 was read the third time in full.

Upon the passage of House Bill No. 49, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lindler, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—35.

Nays—Senators Maddox, Maines—2.

So House Bill No. 49, 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 permission the following bills were introduced:

By Senators McKenzie, Adams (30th), Maddox, Drummond, Smith, Beall, Perdue, Folks, Hinely, King, Graham, Housholder, and Adams (25th)—

Senate Bill No. 253:

A bill to be entitled An Act to Amend Section 1 of Chapter 13809, Laws of Florida, Acts of 1929, as Amended by Chapter 15860, Laws of Florida, Acts of 1933, Relating to the Creation of a Board Consisting of the Governor, the Commissioner of Agriculture, and the State Marketing Commissioner known as the State Agricultural Marketing Board, Defining its Duties and Powers, and Providing for Carrying out the Provisions Thereof.

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

By Senators McKenzie, Shepherd, Smith, Beall, Cooley, and Price—

Senate Bill No. 254:

A bill to be entitled An Act appropriating money for the use and benefit of Florida National Exhibits, Inc., in connection with the deficit in the establishment and maintenance of the Florida Exhibit at the New York World's Fair and for the establishment and maintenance of Florida Exhibits at Atlantic City and other fairs, expositions and meetings of nation-wide importance and for the establishment of proper warehouse facilities to care for these exhibits when not in use.

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

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:17 o'clock P. M., until 11:00 A. M., Thursday, April 24, 1941.