

JOURNAL OF THE SENATE

Monday, April 21, 1941

The Senate convened at 4:00 o'clock P. M., pursuant to adjournment on Friday, April 18, 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, Kan-ner, 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 Friday, April 18, 1941, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Senate Chamber
Tallahassee, Fla., April 21, 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. 104:

A bill to be entitled An Act authorizing each of the Circuit Judges and State Attorney of the Second Judicial Circuit of Florida to employ a stenographer; fixing their term of employment; and providing for payment of compensation to such stenographers out of the appropriation for the necessary and regular expenses of the Judicial Department.

Senate Bill No. 29:

A bill to be entitled An Act authorizing the filing, indexing and recording of certified copies of petitions commencing proceedings under the Bankruptcy Act of the United States, decrees of adjudication in such proceedings, and orders approving bonds of trustees appointed in such proceedings; to make it the duty of the Clerks of the Circuit Courts to file, index and record such copies; and to provide fees for such filing, indexing and recording.

And Senate Bill No. 104, contained in the above report, was referred to the Committee on Appropriations.

And Senate Bill No. 29, was placed on the Calendar of Bills on second reading.

Senate Chamber
Tallahassee, Fla., April 21, 1941.

Senator Lewis, Chairman of the Committee on Judiciary "B", reported that the Committee had carefully considered the following bill and recommends that the same pass, with Committee amendments:

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.

Which amendment is as follows:

Section 1, line 4. After the words elected or appointed, strike out "until at least ninety days before the date of holding the first primary" and insert in lieu thereof the following: "unless prior to the time such officer shall have qualified as a candidate as prescribed by law."

And Senate Bill No. 156, contained in the above report, together with Committee amendment thereto, was placed on the Calendar of Bills on second reading.

Senator Smith, Chairman of the Committee on Insurance, submitted the following report:

Senate Chamber
Tallahassee, Fla., April 21st, 1941.

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

Sir:

Your Committee on Insurance, to whom was referred: Senate Bill No. 150:

A bill to be entitled An Act relating to and regulating certain classes of insurance agents and solicitors; to provide for the examination and licensing of such insurance agents and solicitors; fixing the fees to be paid therefor and the appropriation thereof; to provide for the suspension or revocation of such licenses and the procedure thereunder; to make it unlawful to engage in the business of an insurance agent or solicitor without having first procured a license; to prescribe qualifications of an insurance agent or solicitor, and the powers and duties of the State Treasurer or Insurance Commissioner in determining the same, and prescribing certain additional qualifications of agents in cities and towns having certain populations; to require the payment of certain license taxes and qualification fees; to provide for the expense of the administration of this Act; to prohibit insurers from effecting contracts of insurance, or giving compensation therefor except to duly licensed agents under this Act; to provide penalties for the violation of the provisions of this Act; to amend Section 1 of Chapter 17069, Laws of Florida, Acts of 1935; to amend Section 2 of Chapter 17069, Laws of Florida, Acts of 1935; to amend Section 4 of Chapter 17069, Laws of Florida, Acts of 1935; to amend Section 5 of Chapter 14741, Laws of Florida, Acts of 1931; which said sections of said Acts to be amended relate to the subject matter hereinabove set forth; and to repeal all laws in conflict herewith.

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

Very respectfully,
J. SLATER SMITH,
Chairman of Committee.

And Senate Bill No. 150, contained in the above report, 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 21, 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. 90:

A bill to be entitled An Act amending Section 1011, Revised General Statutes of the State of Florida, as amended, and setting the motor vehicle license fee for motor vehicles used exclusively for the transportation of pupils to and from school; repealing all laws in conflict herewith and setting the time for which this Act shall become effective.

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

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 21, 1941.

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

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

Senate Concurrent Resolution No. 4:

A resolution urging the Civil Aeronautics Board of the United States to grant the application of Eastern Air Lines, Inc., for a certificate to engage in temporary air transportation between and through Tallahassee, Ocala and Orlando, Florida.

Also—

Senate Concurrent Resolution No. 5:

A concurrent resolution relating to the appointment of a Special Joint Committee to study the revision, compilation, and consolidation of all the General Statutes of Florida prepared by the Attorney General pursuant to Chapter 19140, Laws of Florida, Acts of 1939.

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

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

Senate Chamber,
Tallahassee, Florida, April 21, 1941

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

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

House Bill No. 29:

A bill to be entitled An Act to regulate the manufacture, sale, distribution, use and possession of explosives; to require licenses to manufacture, deal in, and possess explosives, and fees for such licenses; providing for the appointment of a Licensing Authority, and prescribing its powers and duties; requiring reports and records from manufacturers and dealers in explosives; prohibiting the distribution of explosives to unlicensed persons; providing for the revocation of licenses; providing for an appeal from the decisions of the Licensing Authority; prescribing penalties for violations of this Act; authorizing the Licensing Authority to prescribe rules and regulations under this Act, and repealing Acts and parts of Acts inconsistent with this Act.

Also—

House Bill No. 30:

A bill to be entitled An Act relating to National and State Defense; authorizing and empowering the Governor to create a State Defense Council to assist in coordinating State and Local activities related to National and State Defense; providing for the organization of such Council and for the appointment of its members by the Governor; providing for their qualifications and term of office; authorizing the Council to employ an executive director and other assistants and make other expenditures to carry out the purposes of this Act; prescribing the powers and duties of the Council; directing the Council and County, Local, and Regional Defense Councils to utilize existing services and facilities; providing for the creation of County, Local, and Regional Defense Councils and for the powers and duties of such Councils; making appropriations to pay the expense of the State Defense Council; and repealing all laws and parts of laws in conflict herewith.

Also—

House Bill No. 31:

A bill to be entitled An Act to establish the Florida Defense Force; authorizing the Governor, while the National Guard of this State is in active Federal service, to organize and maintain the Florida Defense Force in accordance with the National Defense Act and the regulations of the Secretary of War of the United States; providing for the membership of such force and its organization under Rules and Regulations prescribed by the Governor; providing for the pay and allow-

ances of members of such force; authorizing the Governor to requisition arms and equipment and to make available to such force the Facilities of State Armories and other State property; providing for the calling out of such force; providing that such force shall not be required to serve outside Florida except on certain conditions; granting permission to military forces of other states and the United States to continue pursuit into this state; provided that certain civil groups shall not be enlisted in the Florida Defense Force as a unit; providing for the qualifications and disqualifications of members of such force; providing for the term of enlistment and commission in such force; providing that the Articles of War of the United States shall be in effect when such force is in active service; providing for freedom from arrest and jury duties of members of such force; providing for the discharge of such force; providing for the payment of expenses in carrying out the provisions of this Act; and repealing all laws and parts of laws in conflict herewith.

Also—

House Bill No. 32:

A bill to be entitled An Act to repeal Sections 1425 to 1442 inclusive of the Revised General Statutes of Florida, 1920, being Section 2079 to 2096 inclusive of the Compiled General Laws of Florida, 1927, and being Chapter 7292, Laws of Florida, Acts of 1917 session of the Legislature, entitled, "An Act to provide for the organization, equipment and maintenance of county guards, to prescribe its powers, duties and regulations, to provide for its maintenance, its term of service, and prescribing the duties of the County Commissioners in relation thereto."

Also—

House Bill No. 138:

A bill to be entitled An Act abolishing the Board of Bond Trustees of Bradford County, Florida, as created by Chapter 8622, Laws of Florida, 1921, or by any other law, and investing the Board of County Commissioners of Bradford County, Florida, with all the powers, duties and privileges now exercised by or imposed upon said Board of Bond Trustees, and vesting the title to all property now held in the name of the said Board of Bond Trustees of Bradford County, Florida, in the Board of County Commissioners of Bradford County, Florida.

Also—

House Joint Memorial No. 2:

A memorial to the Congress of the United States of America, petitioning the immediate passage of the General Welfare Act now pending before Congress and known and designated as House Resolution No. 1410.

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 and Memorial 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 A. P. Drummond, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Florida, April 21, 1941

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

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

House Bill No. 29:

A bill to be entitled An Act to regulate the manufacture, sale, distribution, use and possession of explosives; to require licenses to manufacture, deal in, and possess explosives, and fees for such licenses; providing for the appointment of a Licensing Authority, and prescribing its powers and duties; requiring reports and records from manufacturers and deal-

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in explosives; prohibiting the distribution of explosives to unlicensed persons; providing for the revocation of licenses; providing for an appeal from the decisions of the Licensing Authority; prescribing penalties for violations of this Act; authorizing the Licensing Authority to prescribe rules and regulations under this Act, and repealing Acts and parts of Acts inconsistent with this Act.

Also—

House Bill No. 30:

A bill to be entitled An Act relating to National and State Defense; authorizing and empowering the Governor to create a State Defense Council to assist in coordinating State and Local activities related to National and State Defense; providing for the organization of such Council and for the appointment of its members by the Governor; providing for their qualifications and term of office; authorizing the Council to employ an executive director and other assistants and make other expenditures to carry out the purposes of this Act; prescribing the powers and duties of the Council; directing the Council and County, Local, and Regional Defense Councils to utilize existing services and facilities; providing for the creation of County, Local, and Regional Defense Councils and for the powers and duties of such Councils; making appropriations to pay the expense of the State Defense Council; and repealing all laws and parts of laws in conflict herewith.

Also—

House Bill No. 31:

A bill to be entitled An Act to establish the Florida Defense Force; authorizing the Governor, while the National Guard of this State is in active Federal service, to organize and maintain the Florida Defense Force in accordance with the National Defense Act and the regulations of the Secretary of War of the United States; providing for the membership of such force and its organization under Rules and Regulations prescribed by the Governor; providing for the pay and allowances of members of such force; authorizing the Governor to requisition arms and equipment and to make available to such force the Facilities of State Armories and other State property; providing for the calling out of such force; providing that such force shall not be required to serve outside Florida except on certain conditions; granting permission to military forces of other states and the United States to continue pursuit into this state; provided that certain civil groups shall not be enlisted in the Florida Defense Force as a unit; providing for the qualifications and disqualifications of members of such force; providing for the term of enlistment and commission in such force; providing that the Articles of War of the United States shall be in effect when such force is in active service; providing for freedom from arrest and jury duties of members of such force; providing for the discharge of such force; providing for the payment of expenses in carrying out the provisions of this Act and repealing all laws and parts of laws in conflict herewith.

Also—

House Bill No. 32:

A bill to be entitled An Act to repeal Sections 1425 to 1442 inclusive of the Revised General Statutes of Florida, 1920, being Section 2079 to 2096 inclusive of the Compiled General Laws of Florida, 1927, and being Chapter 7292, Laws of Florida, Acts of 1917 session of the Legislature, entitled, "An Act to provide for the organization, equipment and maintenance of county guards, to prescribe its powers, duties and regulations, to provide for its maintenance, its term of service, and prescribing the duties of the County Commissioners in relation thereto."

Also—

House Bill No. 138:

A bill to be entitled An Act abolishing the Board of Bond Trustees of Bradford County, Florida, as created by Chapter 8622, Laws of Florida, 1921, or by any other law, and investing the Board of County Commissioners of Bradford County, Florida, with all the powers, duties and privileges now exercised by or imposed upon said Board of Bond Trustees, and said Board of Bond Trustees of Bradford County, Florida, in the Board of County Commissioners of Bradford County, Florida.

Also—

House Joint Memorial No. 2:

A memorial to the Congress of the United States of America, petitioning the immediate passage of the General Welfare Act now pending before Congress and known and designated as House Resolution No. 1410.

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

Very Respectfully,

A. P. DRUMMOND,

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

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 19th, 1941

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

Sir:

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

House Bill No. 52:

A bill to be entitled An Act to outlaw in the State of Florida the Communist Party, the German-American Bund, and all organizations, groups, or individuals associated therewith who seek to overthrow the Government of the United States by force or violence through the advocacy of criminal anarchy, criminal communism, criminal Nazi-ism, and criminal Fascism.

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

Very Respectfully,

A. P. DRUMMOND,

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Lindler—

Senate Bill No. 180:

A bill to be entitled An Act granting a pension to William E. Dennard of Columbia County, Florida.

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

By Senator Lindler—

Senate Bill No. 181:

A bill to be entitled An Act to repeal Chapter 19,568, Laws of Florida of 1939, same being entitled "An Act regulating the distribution and sale of Domestic Malt, Brewed or Vinous Beverages as defined in Chapter 16,774, Laws of Florida, Acts of 1935, entitled, 'An Act regulating and taxing the manufacture, distribution and sale of beverages containing more than one per centum of alcohol, creating and providing for a State Beverage Department, providing penalties for the violation of this Act, and repealing existing laws concerning said beverages'; providing that all sales of said beverages be for cash only, and providing for the enforcement of and penalties for the violation of this Act."

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

By Senators Smith, Adams (30th), Shepherd, McKenzie, Kelly, Kanner, Clarke, Folks, Price, and Collins—

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.

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

By Senator King—

Senate Bill No. 183:

A bill to be entitled An Act amending Section 379, Revised General Statutes of Florida, 1920 (being Section 444, Compiled General Laws of Florida, 1927), relating to contest of election to certain county offices.

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

By Senator King—

Senate Bill No. 184:

A bill to be entitled An Act amending Section 359, Revised General Statutes of Florida, 1920 (being Section 416, Compiled General Laws of Florida, 1927), relating to contests of primary elections.

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

By Senator King—

Senate Bill No. 185:

A bill to be entitled An Act relating to Primary Elections and providing for the election of members of the National Committee of each political party in said primary, and providing for the terms of office of such members.

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

By Senator King—

Senate Bill No. 186:

A bill to be entitled An Act relating to elections and permitting voters confined to bed because of illness to vote thereat, and providing a penalty and disfranchisement for the violation thereof.

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

By Senator Beall—

Senate Bill No. 187:

A bill to be entitled An Act relating to the publication of official public notices and legal advertisements and the amounts to be charged therefor: amending Section 2944 of the Revised General Statutes of Florida of 1920, being the same as Section 3 of Chapter 3022, Laws of Florida, Acts of 1877, as amended by Section 1 of Chapter 12215, Laws of Florida, Acts of 1927, being the same as Section 4668 of the Compiled General Laws of Florida, 1927.

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

By Senators Collins, Parker, McKenzie, Gideons, Drummond, Folks, Lindler, Kelly, Horne, Adams (30th), Shuler, Smith, King, Johnson, Shepherd, Maddox, Housholder, Adams (25th), Maines, Ward, and Price—

Senate Bill No. 188:

A bill to be entitled An Act to create a Commission to be known as the Florida Centennial Commission, to prescribe its rights, powers and duties; authorizing and empowering each and every department of the State, County and Municipal Governments to cooperate with and aid the said Commission in the performance of its functions and duties; providing for an appropriation by the Legislature to meet part of the expenses of said Commission; prohibiting any person, association or corporation from using name of Commission or any name that would indicate that such person, association or corporation is a part of the official agency created herein, providing for punishment for violating this Act, and providing for the repeal of all Acts inconsistent herewith.

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

By Senator Clarke—

Senate Bill No. 189:

A bill to be entitled An Act to define and punish the offense of passing worthless checks in the State of Florida, and providing certain rules of evidence in prosecutions under this Act.

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

By Senator Shepherd—

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 of 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 flash-light type which is approved by the Association of American Railroads and by the Federal Public Roads Administration.

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

By Senator Whitaker—

Senate Bill No. 191:

A bill to be entitled An Act providing for the employment of two stenographers for the County Solicitor for the Criminal Court of Record, and to provide for the purchase of supplies and payment of rent and other expenses for such County Solicitor, and fixing the compensation of such stenographers in counties of the State of Florida having a population of not less than 125,000 and not more than 200,000 according to the last preceding Federal census; and repealing all laws and parts of laws in conflict herewith.

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 191 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 191 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 191 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. 191 was read the third time in full.

Upon the passage of Senate Bill No. 191 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. 191 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 Hinely—

Senate Bill No. 192:

A bill to be entitled An Act levying an additional tax of one per cent on the gross amount of premiums received, on persons, firms, associations or corporations doing an insurance business in the State of Florida; and providing for the exemption of certain persons, firms, associations or corporations from the provisions of this Act.

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

By Senator Shuler—

Senate Bill No. 193:

A bill to be entitled An Act for the conservation and protection of crabs; prohibit the taking of crabs of certain sizes; prohibit the taking of female crabs in the condition commonly known as sponge crabs from May 15th, to August 15th, inclusive, of each year; prohibit the possession of any crabs taken in violation of this law; providing for violations.

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

By Senator Shands—

Senate Bill No. 194:

A bill to be entitled An Act defining and regulating the practice of professional engineering in Florida and defining a professional engineer; providing for the registration of professional engineers; creating and establishing the Florida State Board of Engineer Examiners; providing for the appointment of members composing said board; defining the qualifications of the members; granting certain powers and duties to said board; providing for the expenses of said board and for the organization and holding of meetings and for the keeping of records of said board; defining violations of this Act and the penalties for such violations; providing procedure for determining violations and prescribing penalties therefor; defining and providing for exemptions from the provisions of this Act; providing as to engineers from other states practicing professional engineering in Florida; providing for registration and examination fees and providing for and defining qualifications for registration; providing for the holding of examinations and the issuance of certificates of registration and for suspending and revoking certificates so issued;

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providing for appeal from the action of said board; providing for receiving, accounting for, and disbursing monies by said board; providing for the abolishment of the State Board of Engineering Examiners and the transfer of its property to and assumption of its obligations by the Florida State Board of Engineer Examiners; providing for the preservation of rights vested under the law existing prior to enactment of this law; and, save as necessary to preserve such rights, repealing all laws or parts of laws in conflict with this Act.

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

By Senator Taylor—
Senate Bill No. 195:

A bill to be entitled An Act creating a Port Authority for the Port of the City of St. Petersburg, Florida; providing for the terms of office of the Commissioners of said Authority and the appointment and removal of the same; prescribing the powers and duties of said Authority, compensation of the members and other matters relating thereto; creating a Port District in the City of St. Petersburg providing for the development of the Port; and providing for the raising of funds from taxation by the City of St. Petersburg to defray the expenses of the Authority; granting to the Port Authority power to construct various buildings, structures, railways, warehouses and other facilities for the development of said Port and other powers; granting powers to the Port Authority to purchase and otherwise acquire property for Port purposes; repealing all laws or part of laws in conflict herewith and providing that this Act shall not become effective unless approved by a referendum election.

Which was read the first time by title only.

Senator Taylor moved that the rules be waived and Senate Bill No. 195 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 195 was read the second time by title only.

Senator Taylor moved that the rules be further waived and Senate Bill No. 195 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. 195 was read the third time in full.

Upon the passage of Senate Bill No. 195 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. 195 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 Taylor—
Senate Bill No. 196:

A bill to be entitled An Act to amend Sections 5 and 7 of Chapter 15505, Special Laws of Florida, 1931, which is "An Act to abolish the present municipality of the City of St. Petersburg, in Pinellas County, Florida; to create and establish a new municipality to be known as the City of St. Petersburg, in Pinellas County, Florida, and to fix the boundaries and provide for the government, powers and privileges of said city and means for exercising the same and to authorize the imposition of penalties for the violation of ordinances; and to ratify certain acts and proceedings of the Commission and of the officers of said city; and to repeal all laws and ordinances in conflict herewith", by providing that the city councilman elected at large shall be the Mayor of the City of St. Petersburg and that said term of office for said Councilman-at-Large shall be for a term of two years; providing further that this Act shall not alter, effect or impair the terms of office of any District Councilmen or the Councilman-at-Large elected prior to the effective date of this Act; providing for a referendum election for the ratification or rejection of this Act; providing that subject to ratification at said referendum election this Act shall be effective March 1, 1943; providing further that all Councilmen, including the Mayor and Vice-Mayor shall serve without compensation unless the electorate of the City of St. Petersburg shall approve the payment of compensation to said Mayor, Vice-Mayor and

Councilmen in an election to be held for the purpose of ratifying or rejecting the Special Act of the Legislature of 1941 providing for such compensation; repealing all laws or parts of laws in conflict herewith.

Which was read the first time by title only.

Senator Taylor moved that the rules be waived and Senate Bill No. 196 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 196 was read the second time by title only.

Senator Taylor moved that the rules be further waived and Senate Bill No. 196 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. 196 was read the third time in full.

Upon the passage of Senate Bill No. 196 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. 196 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 Taylor—
Senate Bill No. 197:

A bill to be entitled An Act creating a Pension Fund for the Police Department of the City of St. Petersburg, Florida; providing monthly contributions to be made by Members of the Department and levy of an annual tax by the City to pay the benefits prescribed by this Act; providing for a Board of Trustees to administer said fund and providing for pension benefits to be paid to members who shall become permanently incapacitated or shall be retired and providing certain pension benefits for widows and children of members of the Department under certain conditions and other relief; providing no pension whether heretofore granted or to be granted under this Act shall exceed One Hundred (\$100.00) Dollars per month; defining members of the Police Department and providing for retirement pensions; repealing Chapter 13,378, Special Acts of Florida 1927, except to provide for the continuance of pensions heretofore granted under said Chapter 13,378, to the extent that pensions paid to former members of the Police Department shall not exceed One Hundred (\$100.00) Dollars per month and that pensions paid to widows of former members of the Police Department shall not exceed the monthly benefits prescribed under the provisions of Section Eight of this Act; providing for the acceptance or rejection of this Act by employees and providing for the ratification or rejection of this Act by the electorate of the City of St. Petersburg and other matters dealing with the operation and administration of this Act.

Which was read the first time by title only.

Senator Taylor moved that the rules be waived and Senate Bill No. 197 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 197 was read the second time by title only.

Senator Taylor moved that the rules be further waived and Senate Bill No. 197 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. 197 was read the third time in full.

Upon the passage of Senate Bill No. 197 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. 197 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 Taylor—
Senate Bill No. 198:

A bill to be entitled An Act creating a Pension Fund for the Fire Department of the City of St. Petersburg, Florida; providing monthly contributions to be made by members of the Department and the levy of an annual tax by the City to pay the benefits prescribed by this Act; providing for a Board of Trustees to administer said fund and providing for pension benefits to be paid to members who shall become permanently incapacitated or shall be retired and providing certain pension benefits for widows and children of members of the Department under certain conditions, and other relief; providing no pension whether heretofore granted or to be granted under this Act shall exceed One Hundred Dollars (\$100.00) per month; defining members of the Fire Department and providing for retirement pensions; repealing Chapter 13,379, Special Acts of Florida, 1927, except to provide for the continuance of pensions heretofore granted under said Chapter 13,379 to the extent that pensions paid to former members of the Fire Department shall not exceed One Hundred Dollars per month, and that pensions paid to widows of former members of the Fire Department shall not exceed the monthly benefits prescribed under the provisions of Section 7 of this Act; providing for the acceptance or rejection of this Act by employees and providing for the ratification or rejection of this Act by the electorate of the City of St. Petersburg and other matters dealing with the operation and administration of this Act.

Which was read the first time by title only.

Senator Taylor moved that the rules be waived and Senate Bill No. 198 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 198 was read the second time by title only.

Senator Taylor moved that the rules be further waived and Senate Bill No. 198 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. 198 was read the third time in full.

Upon the passage of Senate Bill No. 198 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. 198 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 Taylor—

Senate Bill No. 199:

A bill to be entitled An Act to authorize the council of the City of St. Petersburg, Florida, to establish a retirement fund on account of persons in the classified and unclassified service of said city, excepting members of the police and fire departments; providing the conditions for contributions and benefits under such fund; providing for the power to raise by taxation amounts needed for the purpose; providing for the receiving of gifts, devises and bequests of money or property for the benefit of such fund; providing the membership conditions of such fund; and providing that this Act shall not be construed to repeal or alter police or fire pension acts heretofore or hereafter passed and adopted; providing that this Act shall not become effective until ratified at a referendum election and providing further that the pension plan if adopted under the provisions of this Act shall not become effective unless approved at a referendum election; repealing all laws or parts of laws in conflict herewith.

Which was read the first time by title only.

Senator Taylor moved that the rules be waived and Senate Bill No. 199 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 199 was read the second time by title only.

Senator Taylor moved that the rules be further waived and Senate Bill No. 199 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. 199 was read the third time in full.

Upon the passage of Senate Bill No. 199 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. 199 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 Taylor—

Senate Bill No. 200:

A bill to be entitled An Act cancelling the registration lists of the City of St. Petersburg, Florida, established and maintained for the purpose of recording the registered electors of said city as of the second day of January, 1942; providing for the opening of new registration books on said second day of January, 1942; providing that said Act shall not repeal any other Act or law pertaining to registration of electors in the City of St. Petersburg except if the same is in conflict herewith; providing for a referendum election for the ratification or rejection of this act.

Which was read the first time by title only.

Senator Taylor moved that the rules be waived and Senate Bill No. 200 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 200 was read the second time by title only.

Senator Taylor moved that the rules be further waived and Senate Bill No. 200 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. 200 was read the third time in full.

Upon the passage of Senate Bill No. 200 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. 200 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 Taylor, Rose, Housholder, Cooley, Price, King, Kanner, and Johnson—

Senate Bill No. 201:

A bill to be entitled An Act to create and establish a Research Department of the Florida Citrus Commission to conduct the study of standards of quality, grade and maturity of Florida citrus fruit and the cause and effect thereof, to determine the nutritional and other value of such fruit and to develop new uses for citrus fruit and to prescribe the powers and duties of the Florida Citrus Commission in connection therewith; to provide for the employment of a manager of such Research Department and to prescribe his powers and duties; to provide for expenditures from the Orange Advertising Fund, the Grapefruit Advertising Fund and the Tangerine Advertising Fund for the proper financing of such Research Department and the activities thereof, and to provide for an Advisory Research Committee to consult and advise with the Florida Citrus Commission in the expenditure of the funds appropriated by this Act and the research work to be done thereunder.

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

By Senators Taylor, Rose, Housholder, Cooley, Price, King, Kanner, and Johnson—

Senate Bill No. 202:

A bill to be entitled An Act to amend Sections 3, 8, 10, 11, 16 and 17 of Chapter 16854, Laws of Florida, Acts of 1935, as amended by Chapter 17775, Laws of Florida, Acts of 1937, entitled: "An Act to stabilize and protect the citrus industry"

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

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

By Senators Taylor, Rose, Housholder, Cooley, Price, King, Kanner, and Johnson—

Senate Bill No. 203:

A bill to be entitled An Act to amend Sections 2, 3 and 7 and to repeal Section 15A of Chapter 19326, Laws of Florida, Acts of 1939, entitled: "An Act relating to the purchase, handling, sale and accounting of sales of citrus fruit grown in the State of Florida; to prevent fraud and deception therein; to provide for the licensing and bonding of citrus fruit dealers; to prescribe certain powers and duties of the Citrus Commission and the Commissioner of Agriculture of the State of Florida in the administration and enforcement of this Act; and to prescribe penalties for the violations of the provisions of this Act; and providing certain exceptions from the provisions of this Act."

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

By Senators Taylor, Rose, Housholder, Cooley, Price, King, Kanner, and Johnson—

Senate Bill No. 204:

A bill to be entitled An Act to amend Section 6 of Chapter 19325, Laws of Florida, Acts of 1939, entitled: "An Act to provide for, regulate, and control the artificial coloring of certain citrus fruits by the addition of artificial color to the peel thereof, and fixing penalties for the violation thereof."

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

By Senators Taylor, Rose, Housholder, Cooley, Price, King, Kanner, and Johnson—

Senate Bill No. 205:

A bill to be entitled An Act to amend Sections 2 and 3 of Chapter 19291, Laws of Florida, Acts of 1939, entitled: "An Act relating to Citrus Fruit damaged by freezing; providing for the determination of the extent of damage occurring to Citrus Fruit from freezing temperatures; prescribing conditions under which Citrus Fruit damaged by freezing shall be deemed unfit for human consumption; providing for issuance of rules and regulations by the Florida Citrus Commission under the provisions of this Act; providing for an embargo on Citrus Fruit under certain conditions; and providing penalties for violation of the provisions of this Act."

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

By Senators Taylor, Rose, Housholder, Cooley, Price, King, Kanner, and Johnson—

Senate Bill No. 206:

A bill to be entitled An Act to amend Sections 10, 11 and 17 of Chapter 17780, Laws of Florida, Acts of 1937, entitled "An Act to conserve and promote the prosperity and welfare of the Florida citrus industry and of the State of Florida by promoting the sale of grapefruit produced in Florida through the conducting of a publicity, advertising and sales promotion campaign to increase the consumption of such grapefruit; to levy and impose an excise tax on grapefruit produced in Florida and to provide for the collection thereof;

to create a grapefruit advertising fund; to vest the administration of this Act in the Florida Citrus Commission and to provide for the powers, duties and authority of said Commission hereunder; to create an advisory committee of grapefruit canners; to provide for their appointment, qualifications and terms of office; and to provide penalties for violations of this Act."

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

By Senators Taylor, Rose, Housholder, Cooley, Price, King, Kanner, and Johnson—

Senate Bill No. 207:

A bill to be entitled An Act to prohibit canning of any citrus fruit that is immature or otherwise unfit for canning purposes; to provide for the enforcement thereof; and to provide penalties for the violation thereof.

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

By Senators Taylor, Rose, Housholder, Cooley, Price, King, Kanner, and Johnson—

Senate Bill No. 208:

A bill to be entitled An Act to amend Sections 6, 9, 10 and 15 of Chapter 16856, Laws of Florida, Acts of 1935, as amended by Chapter 17781, Laws of Florida, Acts of 1937, entitled "An Act to conserve and promote the prosperity and welfare of the Florida citrus industry and of the State of Florida by promoting the sale of oranges produced in Florida through the conducting of a publicity, advertising and sales promotion campaign to increase the consumption of such oranges; to levy and impose an excise tax on oranges produced in Florida and to provide for the collection thereof; to create an orange advertising fund; to vest the administration of this Act in the Florida Citrus Commission and to provide for the powers, duties and authority of said Commission hereunder; and to provide penalties for violations of this Act."

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

By Senators Taylor, Rose, Housholder, Cooley, Price, King, Kanner, and Johnson—

Senate Bill No. 209:

A bill to be entitled An Act to prescribe the duties of the Florida Citrus Commission with reference to transportation problems affecting the Florida citrus industry and transportation rates and charges on Florida citrus fruits; to prescribe for expenditures from the orange advertising fund, the grapefruit advertising fund and the tangerine advertising fund for protecting the Florida citrus industry in obtaining and enjoying just, reasonable and otherwise lawful transportation rates and charges.

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

By Senators Taylor, Rose, Housholder, Cooley, Price, King, Kanner, and Johnson—

Senate Bill No. 210:

A bill to be entitled An Act to amend Sections 9, 10 and 15 of Chapter 16858, Laws of Florida, Acts of 1935, as amended by Chapter 17782, Laws of Florida, Acts of 1937, entitled "An Act to conserve and promote the prosperity and welfare of the Florida citrus industry and of the State of Florida by promoting the sale of tangerines produced in Florida through the conducting of a publicity, advertising and sales promotion campaign to increase the consumption of such tangerines; to levy and impose an excise tax on tangerines produced in Florida and to provide for the collection thereof; to create a tangerine advertising fund; to vest the administration of this Act in the Florida Citrus Commission and to provide for the powers, duties and authority of said Commission hereunder; and to provide penalties for violations of this Act."

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

By Senator Hinely—

Senate Bill No. 211:

A bill to be entitled An Act relating to taxation, levying and imposing an excise tax on kerosene and other like products of petroleum in addition to other taxes thereon; levying and imposing a license tax on every dealer in kerosene or any other like product of petroleum; providing for the report of sale of such commodities, and the collection and payment of such taxes; creating special funds for the reception of such

taxes; providing the purposes of such taxes and for the deposit, appropriation and disposition of the proceeds derived from such taxes, and prescribing the duties of certain officials with reference thereto; repealing all laws in conflict herewith; prescribing certain exemptions hereto and providing for the enforcement of this Act and penalties for violation hereof.

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

By Senator Hinely.

Senate Bill No. 212:

A bill to be entitled An Act amending Section 4 of Chapter 16848, Laws of Florida, Acts of 1935, entitled "An Act to provide for the relief of the Public Free Schools of the State of Florida by raising revenue for the County School Fund by levying and imposing a tax upon the privilege of operating a store or stores within this State, to classify such stores for the purpose of such taxation and of graduating the tax in accordance with the number of stores operated under a single ownership, management or control, to declare the public policy on which this Act is founded; to provide for the administration and enforcement of this Act and for the promulgation and enforcement of rules and regulations to facilitate such enforcement; to provide for the creation and enforcement of a lien upon the property of persons liable for the payment of such tax; to provide penalties for the violation of this Act and of rules or regulations lawfully made under the authority hereof; to repeal conflicting laws, expressly but on condition including Chapter 16071, Laws of Florida of 1933; and to appropriate the revenues derived hereunder."

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

By Senator Adams (25th)—

Senate Bill No. 213:

A bill to be entitled An Act fixing the compensation of County Judges in Counties of the State of Florida having a population of not less than eight thousand or more than eight thousand five hundred according to the United States census of 1940, in criminal cases, and providing that fees collected in criminal cases shall be turned into the County Fine and Forfeiture Fund.

Which was read the first time by title only.

Senator Adams (25th) moved that the rules be waived and Senate Bill No. 213 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 213 was read the second time by title only.

Senator Adams (25th) moved that the rules be further waived and Senate Bill No. 213 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. 213 was read the third time in full.

Upon the passage of Senate Bill No. 213 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. 213 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 Collins and Beall—

Senate Bill No. 214:

A bill to be entitled An Act fixing the terms of office of successors to the incumbent members of the State Road Department, the State Racing Commission, the Florida Industrial Commission, the Director of the State Beverage Department, the Hotel Commissioner, the State Auditor and the State Motor Vehicle Commissioner, providing that such terms of office shall hereafter expire concurrently with the regular terms of the successive Governors of Florida.

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

By Senator Whitaker—

Senate Bill No. 215:

A bill to be entitled An Act creating the offices of chief traffic officer, lieutenant traffic officer and deputy traffic officers in counties having population of not less than one hundred thousand or more than two hundred thousand by the last preceding Federal census, requiring them to be deputy sheriffs, limiting their number and prescribing the duties and functions of such chief traffic officer, lieutenant traffic officer, and deputy traffic officers, and their qualifications, terms of office, and methods of appointments; their compensation and allowances for expenses and designating the fund out of which same shall be paid.

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 215 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 215 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 215 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. 215 was read the third time in full.

Upon the passage of Senate Bill No. 215 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. 215 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 Whitaker moved that the rules be waived and the Senate do now reconsider the vote by which Senate Bill No. 66 failed to pass the Senate on April 18, 1941.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which the Senate failed to pass Senate Bill No. 66 on April 18, 1941.

The question recurred on the passage of Senate Bill No. 66.

Pending roll call on the passage of the bill, Senator Whitaker moved that Senate Bill No. 66 be re-referred to the Committee on Judiciary "C."

Which was agreed to and it was so ordered.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

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

Tallahassee, Fla., April 18, 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. 12:

A bill to be entitled An Act requiring that the American Flag shall be displayed at polling places in the State of Florida during voting hours and requiring and furnishing and erection thereof by certain officers.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 12, contained in the above message, was read the first time by title only and referred to the Committee on Privileges and Elections.

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

Tallahassee, Fla., April 18, 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—

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House Bill No. 23:

A bill to be entitled An Act relating to general elections in the State of Florida, providing for the preparation and form of ballot to be used therein, and repealing all laws and parts of laws inconsistent with the provisions hereof.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 23, contained in the above message, was read the first time by title only and referred to the Committee on Privileges and Elections.

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

Tallahassee, Florida,
April 18th, 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. 27:

A bill to be entitled An Act to regulate the labeling, transportation, sale, and offering for sale, of agricultural and vegetable seeds; to prevent misrepresentations thereof; providing for the enforcement hereof and repealing Chapter 19364, Laws of Florida, Acts of 1939, and all laws 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 therefor; 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.

And respectfully requests the concurrence of the Senate therein.

Very Respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 27, contained in the above message, was read the first time by title only and referred to the Committee on Agriculture and Livestock.

And House Bill No. 287, contained in the above message, was read the first time by title only.

Senator Housholder moved that the rules be waived and House Bill No. 287 be placed on the Calendar of Bills on Second Reading without reference.

Which was agreed to by a two-thirds vote.

And House Bill No. 287 was placed on the Calendar of Bills on Second Reading without reference.

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

Tallahassee, Florida,
April 21st, 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 Memorial No. 6:

TO THE HONORABLE FRANKLIN D. ROOSEVELT, PRESIDENT OF THE UNITED STATES, AND THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES IN CONGRESS OF THE UNITED STATES ASSEMBLED:

We, your Memorialists, The Senate and House of Representatives of the State of Florida in Legislative Session assembled,

do most respectfully memorialize and petition The President and Congress assembled, as follows:

WHEREAS, the Saint Augustine Historical Program has been organized and undertaken under the leadership and sponsorship of the City of Saint Augustine, the State of Florida, the Carnegie Institution of Washington, the American Council of Learned Societies, the American Philosophical Society, the United States Department of the Interior, National Park Service, and other distinguished national organizations and individuals for the purpose of studying, preserving, and developing the rich materials relating to the Spanish colonization of Saint Augustine and the region of which it was the historical capital; and

WHEREAS, the State of Florida by reason of its discovery by Ponce de Leon and later colonization by Spain became the cradle of American civilization and is today the crossroad of all the Americas; and

WHEREAS, the Saint Augustine Historical Program recognizes the significant contribution of Spain to the Processes of American civilization, and provides as its primary purpose for the creation in Saint Augustine and in the region associated with it, through the development of important historic sites and buildings, of a national shrine commemorating this important period in the history of the United States; and

WHEREAS, there is to be established in Saint Augustine, Florida, as a part of the general plan of the Saint Augustine Historical Program a permanent Inter-American Cultural Center to commemorate the founding of Saint Augustine; and

WHEREAS, the cultural relationships between the United States and the other American republics are of paramount importance; and

WHEREAS, the Inter-American Cultural Center and the Saint Augustine Historical Program will afford an opportunity for the advancement of these relationships; and

WHEREAS, such a cultural center in relationship to other elements of the general plan of the Saint Augustine Historical Program is worthy and deserving of the support and encouragement of the United States; and

WHEREAS, the State of Florida has already gone on record as approving and sponsoring the Saint Augustine Historical Program, and to that end has appropriated Fifty Thousand Dollars for the carrying on of said Program:

NOW, THEREFORE, BE IT RESOLVED, that your Memorialists do respectfully memorialize and petition the Congress of the United States, in order to accomplish the foregoing purposes to authorize by suitable legislative enactment the proper agency or agencies of the Federal Government to establish at Saint Augustine, Florida, an Inter-American Cultural Center to be maintained permanently thereafter, to commemorate the founding of Saint Augustine, and particularly for the advancement of the cultural relationship between the United States and the other American Republics.

BE IT FURTHER RESOLVED, that copies of this Memorial be immediately transmitted to the President of the United States, and to the Senate and House of Representatives of the United States and to each Senator and Representative in Congress from the State of Florida.

Very Respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Memorial No. 6, contained in the above message, was referred to the Committee on Enrolled Bills.

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

Tallahassee, Fla., April 21, 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. 94:

A bill to be entitled An Act redesignating and re-establishing Road Number 84; authorizing and empowering the State Road Department of Florida to construct and maintain said road as redesignated; and providing that said State Road Number 84 as redesignated and re-established shall be known as the Hays Lewis Memorial Highway.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bill No. 94, contained in the above message, was referred to the Committee on Enrolled Bills.

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

Tallahassee, Fla., April 21, 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. 102:

A bill to be entitled An Act relating to the publication of official public notices and legal advertisements and the amounts to be charged therefor: amending Section 2944 of the Revised General Statutes of Florida of 1920, being the same as Section 3 of Chapter 3022, Laws of Florida, Acts of 1877, as amended by Section 1 of Chapter 12215, Laws of Florida, Acts of 1927, being the same as Section 4668 of the Compiled General Laws of Florida, 1927.

Also—

House Bill No. 103:

A bill to be entitled An Act to designate the General Library of the University of Florida as a State Depository of Public Documents, to provide for furnishing it said documents, and to authorize and instruct it to exchange said documents and to supply certain material to the Law Library of the University of Florida.

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, to 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 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 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 19510, Laws of Florida, Acts of 1939, shall apply to this Act except when in conflict herewith.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 102, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "A."

And House Bill No. 103, contained in the above message, was read the first time by title only.

Senator Shands moved that the rules be waived and House Bill No. 103 be placed on the Calendar of Bills on Second Reading without reference.

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

And House Bill No. 6, contained in the above message, was read the first time by title only.

Senator Adams (25th) moved that the rules be waived and House Bill No. 6 be placed on the Calendar of Bills on second reading without reference.

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

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

Tallahassee, Florida,
April 21, 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. 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.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 49, contained in the above message, was read the first time by title only and referred to the Committee on Appropriations.

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

Tallahassee, Florida,
April 21, 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 refuses to concur in Senate Amendment to

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.

Which Amendment reads as follows: In Section 2, line 8 (typed bill), strike out the words "by death or."

And respectfully requests the Senate to recede therefrom.

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

Senator Whitaker moved that the Senate do not recede from Senate Amendment to House Bill No. 28.

Which was agreed to and the Senate refused to recede from Senate Amendment to House Bill No. 28.

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

Which was agreed to and it was so ordered.

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

Tallahassee, Florida,
April 21, 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. 131:

A bill to be entitled An Act to amend Section 1018 of the Revised General Statutes of Florida, relating to the operation of motor vehicles, trailers, semi-trailers, and motorcycle side cars, by directing the Motor Vehicle Commissioner to select and place on all number plates a slogan or emblem.

which in his opinion will advertise the resources, advantages, history and development of the State of Florida.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 131, contained in the above message, was read the first time by title only and referred to the Committee on Motor Vehicles.

And Senate Bills Nos. 444 (1939 Session) and 849 (1939 Session) were taken up in their order and the consideration thereof was informally passed.

Senate Bill No. 514 (1939 Session) was taken up in its order.

Senator Graham moved that Senate Bill No. 514 (1939 Session) be re-referred to the Committee on Executive Communications.

Which was agreed to and it was so ordered.
 (Senate Bill No. 81, 1939 Session)

"A bill to be entitled An Act authorizing the establishment and maintenance of separate State Prisons for the confinement and punishment of female persons and first offenders under twenty-five years of age, convicted and sentenced to the State Prison."

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 9th, 1939.

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

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. 81, entitled:

"A bill to be entitled An Act authorizing the establishment and maintenance of separate State prisons for the confinement and punishment of female persons and first offenders under twenty-five years of age, convicted and sentenced to the State prison."

This bill authorizes the building of a separate State prison for the confinement and punishment of female persons and first offenders under 25 years of age, without providing any revenue for the purpose of carrying out the terms of the bill.

The State has no money and the Legislature did not provide the source from which this revenue is to come in order to carry out the mandates of this bill, therefore, I veto Senate Bill No. 81, passed by the 1939 session of the Legislature.

Respectfully,
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—Senators Cliett, Dye, King, Parker, Shands, Ward—6.

Nays—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Collins, Cooley, Drummond, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shepherd, Shuler, Smith, Taylor, Whitaker, Wilson—32.

So Senate Bill No. 81 of the 1939 Session failed to pass over the Governor's veto.

House Bill No. 548 (1939 Session)

A bill to be entitled An Act assenting to the provisions of the Act of Congress entitled "An Act to provide that the United States shall aid the States in wildlife restoration projects and other purposes," approved September 2, 1937, and prohibiting the diversion of the funds accruing to the State of Florida from license fees paid by hunters for any purpose other than

the administration of the Department of Game and Fresh Water Fish of Florida.

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 9th, 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. 548:

"A bill to be entitled An Act assenting to the provisions of the Act of Congress entitled "An Act to provide that the United States shall aid the States in wildlife restoration projects and other purposes," approved September 2, 1937: and prohibiting the diversion of the funds accruing to the State of Florida from license fees paid by hunters for any purpose other than the administration of the Department of Game and Fresh Water Fish of Florida."

The bill is indefinite. It gives the Commission of Game and Fresh Water Fish the power to protect the wild life of Florida according to the rules and regulations made by the Secretary of Agriculture of the United States.

This bill does away with home rule and State rights and any rule or regulation promulgated by the Secretary of Agriculture would be mandatory upon the Game and Fresh Water Fish Commission of the State of Florida and when this was once approved the State of Florida would be powerless to control its fresh water fish, game and wild life.

It prevents the transfer of any money or surplus funds accruing to the Game and Fresh Water Fish Commission to any other Department of the State of Florida and if this bill should become effective it would set a precedent for other Board and Commissions, who have taxing authority, and the State of Florida would be powerless to use by transfer any funds from the various Boards and Commissions, although the Constitutional departments of the State might be in distress.

I do not believe that the Constitution would permit the State Legislature to delegate to any Commission this power and authority but such Commission should be submissive to the Constitutional Officers of the State.

The State is now and has been for two years, with its public charges, embarrassed for the want of funds for their care and maintenance, when many Boards and Commissions, who have taxing powers, have plenty of money in the Treasury to spend as they see fit and quite often spend it for useless things, yet the Constitutional Departments of the State are suffering for the want of funds and the dependent charges such as convicts, blind, insane and others are without funds for ordinary care and maintenance.

For the foregoing reasons, I veto House Bill No. 548, as passed by the 1939 Legislature.

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; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Graham, Hinely, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—36.

Nay—Horne—1.

So the bill 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.

Senate Bill No. 3:

A bill to be entitled An Act to amend Paragraph (12) of Section 3 of Chapter 16085, Laws of Florida, Acts of 1933, being Paragraph (12) of Section 1285. Permanent Cumulative

Supplement to Compiled General Laws of Florida, 1927; said chapter relating to the operation, licensing and taxing of motor vehicles, trailers, semi-trailers and motorcycle sidecars and providing penalties for the violation thereof, so as to provide for the exemption from the provisions of said chapter any motor truck, trailer or semi-trailer owned and operated exclusively by any charitable or character-building youth organization or movement organized and operated not for profit and while being used exclusively for the carrying out of the purpose of said organization.

Was taken up in its order pending roll call, having been read the third time in full on April 18, 1941.

By unanimous consent Senator King offered the following Amendment to Senate Bill No. 3:

In the title (typewritten bill), beginning with the second word in the 12th line of said title, strike out the words "Any charitable or character-building youth organization or movement organized and operated not for profit and" insert in lieu thereof the following: "The Boy Scouts of America or any subsidiary organization thereof."

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent, Senator King also offered the following amendment to Senate Bill No. 3

In Section 1, lines 16 and 17 (typewritten bill), strike out the words "Any charitable or character-building youth organization or movement organized and operated not for profit and" insert in lieu thereof the following: "The Boy Scouts of America or any subsidiary organization thereof."

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

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

Yeas—Mr. President; Senators 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, Smith, Taylor, Ward, Whitaker, Wilson—36.

Nays—Senator Shuler—1.

So Senate Bill No. 3 passed, as amended, and was referred to the Committee on Engrossed Bills.

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

Senate Joint Resolution No. 88:

A Joint Resolution proposing an Amendment to the Constitution of the State of Florida to be known as Section 3 of Article XVII, relating to Amendments.

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

That the following amendment, to be known as Section 3 of Article XVII of the present Constitution be and the same is hereby agreed to and shall be submitted to the electors of the State at the general election of Representatives to be held in the year A. D. 1942, to-wit:

SECTION 3. If at any regular or special or extra session, the Legislature, by vote of two-thirds of all members elected to each House, shall determine that an emergency requiring an early decision by the electors of the State exists, and amendment to this Constitution dealing with the subject matter of such emergency may be proposed, and if the proposed amendment be agreed to by a two-thirds vote of all the members elected to each House, the same shall be entered upon their respective journals with the yeas and nays thereon. Thereupon, at the same session, the Legislature shall provide for a special election to be held not less than thirty nor more than sixty days after adjournment and for publication of notice thereof, at which special election the proposed amendment shall be submitted to the electors of the State for approval or rejection; provided, that if a general election of Representatives is to occur within said period, such amendment shall be submitted to the electors at such general election. If a majority of the electors voting upon the proposed amendment shall adopt the amendment, the same shall become a part of this Constitution. This amendment shall not be held to supersede or in anywise affect any existing provision of the Constitution relating to amendments, but shall be regarded as an additional method of amendment thereto.

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

The Committee on Constitutional Amendments offered the following amendment to Senate Joint Resolution No. 88:

In Section 3, line 2 (typewritten bill), strike out the words: "two-thirds" and insert in lieu thereof the following: "three-fourths".

Senator Kanner moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Constitutional Amendments also offered the following amendment to Senate Joint Resolution No. 88:

In Section 3, line 8 (typewritten bill), strike out the words: "two-thirds" and insert in lieu thereof the following: "three-fourths".

Senator Kanner moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Constitutional Amendments also offered the following amendment to Senate Joint Resolution No. 88:

In Section 3, line 13, (typewritten bill) strike out the words: "thirty nor more than sixty" and insert in lieu thereof the following: "ninety nor more than one hundred eighty."

Senator Kanner moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Kanner moved that the rules be waived and Senate Joint Resolution No. 88, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 88, as amended, which reads as follows, was read the third time in full:

Senate Joint Resolution No. 88:

A Joint Resolution proposing an Amendment to the Constitution of the State of Florida to be known as Section 3 of Article XVII, relating to Amendments.

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

That the following amendment, to be known as Section 3 of Article XVII of the present Constitution be and the same is hereby agreed to and shall be submitted to the electors of the State at the general election of Representatives to be held in the year A. D. 1942, to-wit:

Section 3. If at any regular or special or extra session, the Legislature, by vote of three-fourths of all members elected to each House, shall determine that an emergency requiring an early decision by the electors of the State exists, and amendment to this Constitution dealing with the subject matter of such emergency may be proposed, and if the proposed amendment be agreed to by a three-fourths vote of all the members elected to each House, the same shall be entered upon their respective journals with the yeas and nays thereon. Thereupon at the same session, the Legislature shall provide for a special election to be held not less than ninety nor more than one hundred eighty days after adjournment and for publication of notice thereof, at which special election the proposed amendment shall be submitted to the electors of the State for approval or rejection; provided, that if a general election of Representatives is to occur within said period, such amendment shall be submitted to the electors at such general election. If a majority of the electors voting upon the proposed amendment shall adopt the amendment, the same shall become a part of this Constitution. This amendment shall not be held to supersede or in anywise affect any existing provision of the Constitution relating to amendments, but shall be regarded as an additional method of amendment thereto.

Upon the passage of Senate Joint Resolution No. 88, as amended, 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 Joint Resolution No. 88 passed, as amended, by the required Constitutional three-fifths vote of all members elected to the Senate for the 1941 session of the Florida Legislature, and was referred to the Committee on Engrossed Bills.

Senate Bill No. 92 was taken up in its order and the consideration thereof was informally passed.

Senate Bill No. 52:

A bill to be entitled An Act to provide for the Purchase, distribution and Administration of Anti-Hog Cholera Serum and Hog Cholera Virus by the State Live Stock Sanitary Board; Making an Appropriation Therefor; and Repealing Chapter 19006, Laws of Florida, Acts of 1939, and Repealing all Laws in Conflict Herewith.

Was taken up in its order.

Senator Adams (30th) moved that the rules be waived and Senate Bill No. 52 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 52 was read the second time by title only.

Senator Adams (30th) moved that the rules be further waived and Senate Bill No. 52 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. 52 was read the third time in full.

Upon the passage of Senate Bill No. 52 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, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Whitaker, Wilson—36.

Nays—Senator Ward—1.

So Senate Bill No. 52 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. 134:

A bill to be entitled An Act making an appropriation for the maintenance of the Judah P. Benjamin Memorial in Manatee County, Florida, and compensation of the custodian.

Was taken up in its order.

Senator Dye moved that the rules be waived and Senate Bill No. 134 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 134 was read the second time by title only.

Senator Dye moved that the rules be further waived and Senate Bill No. 134 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. 134 was read the third time in full.

Upon the passage of Senate Bill No. 134 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, 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. 134 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. 26:

A bill to be entitled An Act requiring all public officials now or hereafter required to post fidelity bonds or performance bonds, to post bonds written by surety companies authorized to do business in Florida, and providing that such officials shall not be qualified until such bonds are filed, and providing for payment of premiums thereon.

Was taken up in its order.

Senator Horne moved that the rules be waived and Senate Bill No. 26 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 26 was read the second time by title only.

Senator Horne moved that the rules be further waived and Senate Bill No. 26 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. 26 was read the third time in full.

Pending roll call on passage of Senate Bill No. 26, Senator Horne moved that the further consideration thereof be informally passed.

Which was agreed to and it was so ordered.

Senator Adams (25th) moved that the rules be waived and the Senate do now take up and consider House Bill No. 5, out of its order.

Which was agreed to by a two-thirds vote.

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 Nation 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.

Was taken up.

Senator Adams (25th) moved that the rules be waived and House Bill No. 5 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 5 was read the second time by title only.

Senator Adams (25th) moved that the rules be further waived and House Bill No. 5 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. 5 was read the third time in full.

Upon the passage of House Bill No. 5 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, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—37.

Nays—None.

So House Bill No. 5 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 the rules be waived and the Senate take up and consider House Bill No. 4, out of its order, at this time.

Which was agreed to by a two-thirds vote.

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.

Was taken up.

Senator Adams (25th) moved that the rules be further waived and House Bill No. 4 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 4 was read the second time by title only.

Senator Adams (25th) moved that the rules be further waived and House Bill No. 4 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. 4 was read the third time in full.

Upon the passage of House Bill No. 4 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 House Bill No. 4 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 the rules be waived and the Senate take up and consider House Bill No. 6, out of its order, at this time.

Which was agreed to by a two-thirds vote.

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, to 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 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 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 19510, Laws of Florida, Acts of 1939, shall apply to this Act except when in conflict herewith.

Was taken up.

Senator Adams (25th) moved that the rules be further waived and House Bill No. 6 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 6 was read the second time by title only.

Senator Adams (25th) moved that the rules be further waived and House Bill No. 6 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. 6 was read the third time in full.

Upon the passage of House Bill No. 6 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 House Bill No. 6 passed, titled as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By unanimous consent Senator Adams (25th) withdrew Senate Bills Nos. 4, 5 and 6.

House Bill No. 72:

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

Was taken up in its order.

Senator Collins moved that the rules be waived and House Bill No. 72 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 72 was read the second time by title only.

Senator Collins moved that the rules be further waived and House Bill No. 72 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. 72 was read the third time in full.

Pending roll call on House Bill No. 72, Senator Collins moved that the further consideration thereof be informally passed.

Which was agreed to and it was so ordered.

Senator Shands moved that House Bill No. 103 be withdrawn from the Calendar of Bills on second reading and referred to the Committee on State Institutions.

Which was agreed to and it was so ordered.

Senator Housholder moved that the rules be waived and the Senate take up and consider House Bill No. 287, out of its order, at this time.

Which was agreed to by a two-thirds vote.

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 therefor; 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.

Was taken up.

Senator Housholder moved that the rules be further waived and House Bill No. 287 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 287 was read the second time by title only.

Senator Housholder moved that the rules be further waived and House Bill No. 287 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. 287 was read the third time in full.

Upon the passage of House Bill No. 287 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, Taylor, Ward, Whitaker, Wilson—37.

Nays—None.

So House Bill No. 287 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 Hinely moved that the Senate do now adjourn.

Which was agreed to.

And the Senate stood adjourned at 5:51 o'clock P. M., until 11:00 o'clock A. M., Tuesday, April 22, 1941.

EXECUTIVE SESSION ANNOUNCEMENTS

The Senate in Executive Session on April 18, 1941, advised and consented to the following appointments by the Governor: Robert Bellows, Commissioner of Pilotage in and for the Port of Port St. Joe, Gulf County, Florida, for a term ending December 6, 1943.

C G Costin, Commissioner of Pilotage in and for the Port of Port St. Joe, Gulf County, Florida, for a term ending December 6, 1943.

Harry Saunders, Commissioner of Pilotage in and for the Port of Port St. Joe, Gulf County, Florida, for a term ending December 6, 1943.

N Comforter, Commissioner of Pilotage in and for the Port of Port St. Joe, Gulf County, Florida, for a term ending December 6, 1943.

The Senate in Executive Session on April 18, 1941, sustained the Governor in the suspension from office of Charles Robbins, former sheriff of Franklin County, State of Florida.

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