

JOURNAL OF THE SENATE

Tuesday, May 6, 1941

The Senate convened at 10:00 o'clock A. M., pursuant to adjournment on Monday, May 5, 1941.

Senator Dye, President Pro Tempore, presiding.

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

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

A quorum present.

Senator Beacham, President of the Senate, was excused from further attendance upon the sessions on account of illness until such time as his condition will permit his return.

Senator Housholder was excused from attendance upon the session today.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Monday, May 5, 1941, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Senate Chamber,
Tallahassee, Fla., May 6, 1941.

Senator King, Chairman of the Committee on Labor and Industry, reported that the Committee had carefully considered the following bill and recommends that the same pass, with Committee amendments—

Senate Bill No. 242:

A bill to be entitled An Act to amend Chapter 18,402, Acts of 1937 approved June 9, 1937, as amended by Chapter 19,637 of the Acts of 1939, and known as the Florida Unemployment Compensation Law, by providing for a revision of the formula for the payment of benefits; by providing for experience rating; by excluding certain employments from the definition of employment; by providing for the protection of the rights of persons called into military service; by providing for the payment of contributions by employers liable for any federal tax against which credit may be taken for such contributions; by simplifying the benefit payment procedures; by clarifying certain terms and provisions of said law; by making additional provisions for the better enforcement of said law and collection of contributions; by reducing the interest rate for delinquent contributions and providing a penalty for failure to file reports; by providing transition provisions; and in so doing to amend Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 18, and 19, and to repeal Section 23½ of said "Florida Unemployment compensation law" being: "An Act providing for relief from involuntary unemployment; providing a system of unemployment compensation in the State of Florida; declaring the public policy of the State of Florida; providing for the administration of the Act by the Florida Industrial Commission; defining and providing for the functions, duties and powers of the Florida Industrial Commission in the administration of this Act; providing for an unemployment compensation fund by the levying of certain contributions on all employers of eight or more persons with certain designated exemptions and providing for the collection, appropriation, deposit, distribution and disbursement of the contributions and other monies which may be collected pursuant to this Act; defining conditions of eligibility for and regulating benefits; providing for the payment of unemployment benefits and establishing a procedure for the settlement and review of benefit claims; permitting reciprocal agreements or arrangements with the Federal Government or the other states of the union; providing for the establishment of State employment offices and for the administration of all such offices as a division of the Florida Industrial Commission; providing for an unemployment compensation division in the Florida Industrial Commission; providing for an unemployment compensation administration fund; providing penalties for the violation of this Act; providing for all the terms, conditions, requirements, limitations and prohibitions under which the said system of unemployment compensation shall be created and administered and the

unemployment compensation fund shall be collected, administered and disbursed; providing for the election and termination of coverage; providing for the creation of advisory councils; reserving right of amendment and repeal; and providing for the repeal of Chapter 17,270, Laws of Florida, Acts of 1935, being "An Act creating the State Employment Board, fixing the number thereof, and the manner of appointment, authorizing said Board to employ certain personnel, providing for the compensation and expenses thereof and appropriating funds therefor and appointing said board as State agency to receive the benefits of the Wagner-Peyser Act and providing for reports to be made by said Board." As amended by: "An Act to amend Chapter 18,402, Acts of 1937, by making necessary provisions for correlating the operation of said law with the operation of the Federal Railroad Unemployment Insurance Act, approved June 25, 1938, and for cooperating with, and otherwise complying with the terms of, said Railroad Unemployment Insurance Act; by providing for transfer of certain funds from the Florida account in the Unemployment Trust Fund to the Federal Railroad Unemployment Insurance Account; by providing for reciprocal agreements with other state or federal unemployment insurance Acts; by clarifying the terms and provisions of said law; by making appropriations for the maintenance of the Florida State Employment Service; by providing for a study of experience rating of employers; by simplifying the benefit payment provisions thereunder; by providing for optional guaranteed employment plan; by making additional provisions for the better enforcement of the law and the collection of contributions; by making transition provisions from the 'old' to the 'new' benefit payment formula; and in so doing to amend Sections 3, 4, 5, 6, 8, 10, 11, 12, 13, 14, 15, 16, 19, of said 'Florida Unemployment Compensation Law.'"

Which amendments are as follows:

Amendment No. 1:

In the title to said bill, on line 8, immediately following the phrase "by excluding certain employments from the definition of employment;" insert the following: by defining "Agricultural Labor;" by designating the hauling, grading, packaging and packing of fresh citrus fruit during a defined seasonal period as seasonal employment and providing a formula for the payment of benefits to "seasonal workers" in such employment;

Amendment No. 2:

In Section 3, lines 27 and 28, subsection E, paragraph IX, subparagraph (a), page 9 of the bill, strike out the words "picking and".

Amendment No. 3:

In Section 8, subsection C, paragraph V, line 4 of said paragraph V, on page 31 of the bill, strike out the words "contribution rate" and insert the following "contribution rate," in lieu thereof.

Amendment No. 4:

In Section 17, subsection A, paragraph (4) on line 2 of said paragraph (4), on page 59 of the bill, strike out the words "Section 8" and insert in lieu thereof the following "Sections 8 and 15".

Amendment No. 5:

In Section 4, subsection D, paragraph I, on line 10 of said paragraph I, on page 17 of the bill, strike out the words "employer from whom such wages were earned" and insert in lieu thereof the following: "employing unit by whom such wages were paid."

Amendment No. 6:

In Section 4, subsection B, on the first line over the columns of figures under the letter "A", on page 16 of the bill, strike out the word "earned" and insert in lieu thereof the word "paid."

Amendment No. 7:

In Section 4, subsection D, paragraph III, page 17a of the bill, strike out said paragraph III of said subsection D of section 4 in its entirety and insert in lieu thereof the following:

"III. (a) Insured work performed in the hauling, grading,

packaging, or packing of fresh citrus fruit during the seasonal period shall be deemed to be "seasonal employment."

(b) "Seasonal period" as used in paragraph III (a) of this subsection means the period beginning October 1 of any calendar year and ending June 30 of the immediately succeeding calendar year.

(c) An individual shall be deemed to be a "seasonal worker" if 60 per cent or more of his wages for insured work paid during his base period were paid for seasonal employment as defined in paragraph III (a) of this subsection; except that an individual who is paid wages for insured work amounting to at least \$25 in each of seven calendar quarters in his base period shall not be deemed to be a "seasonal worker."

(d) With respect to weeks of unemployment commencing outside the seasonal period, a seasonal worker shall not be entitled to benefits in excess of one-sixth of his wages for insured work other than seasonal employment as defined in this sub-section. A seasonal worker's eligibility for benefits and amount of benefits shall be determined in the same manner as that of any other individual subject only to the modification provided for in this subsection.

(e) The Commission shall have the power to require the keeping of such records, and the making of such reports by employers for whom seasonal employment is or was performed, as are found necessary in the administration of this subsection."

Amendment No. 8:

In Section 3, subsection E, paragraph VI, being lines 3 through 7 inclusive, on page 5 of the Bill, strike out the words: "Services performed by an individual for wages or under any contract of hire shall be deemed to be employment subject to this Act irrespective of whether the common law relationship of master and servant exists and until it is shown to the satisfaction of the Commission that" and insert in lieu thereof the following: "Services performed by an individual for wages or under any contract of hire shall be deemed to be employment subject to this Act unless and until it is shown to the satisfaction of the Commission that."

Amendment No. 9:

In Section 7, subsection C, paragraph III, beginning on line 31, page 23 of the Bill, strike out the words "Provided that the Commission may dispense with the giving of notice of any determination or redetermination to any employing unit and such employing unit shall not be entitled to such notice if it has failed to indicate prior to the determination, if and as required by regulation of the Commission, that such employing unit was the most recent employer within the base period of said claimant and that the claimant may be ineligible or disqualified under any provision of this Act," and insert in lieu thereof the following: "IV. NOTICE OF DETERMINATION. Notice of a determination upon a claim shall be promptly given to the claimant by delivery thereof or by mailing such notice to his last known address. In addition, notice of any determination which involves the application of the provisions of Section 6 of this Act, together with the reasons therefor, shall be promptly given in the same manner to the last employing unit by whom claimant was employed: Provided that the Commission may dispense with the giving of notice of any determination or redetermination to any employing unit and such employing unit shall not be entitled to such notice if it has failed to indicate prior to the determination, if and as required by regulation of the Commission, that such employing unit was the most recent employer within the base period of said claimant and that the claimant may be ineligible or disqualified under any provision of this Act."

Amendment No. 10:

In Section 7, subsection D, paragraph I, beginning on line 5, page 24 of the Bill, strike out the words "To hear and decide appealed and/or disputed claims, the Board of Review shall designate one or more impartial Appeals Referees, appointed by the Commission in the same manner as other salaried employees, in accordance with Section 12 D of this Act," and insert in lieu thereof the following: "To hear and decide appealed and/or disputed claims, the Board of Review shall appoint one or more impartial salaried Appeals Referees, selected in accordance with Section 12 D of this Act."

Amendment No. 11:

In Section 3, subsection M, paragraph III, on line 3 of

said paragraph III, on page 14 of the bill, strike out the figure "(3)."

HARRY E KING,
Chairman.

And Senate Bill No. 242, contained in the above report, together with Committee Amendments 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., May 5, 1941.

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

Sir:

Your Committee on Insurance, to whom was referred Senate Bill No. 388:

A bill to be entitled An Act to require all Life Insurance agents to be licensed, to fix their qualifications to give insurance commissioner supervisory control over such agents and power to revoke any license, and to prescribe penalties for the violation of this Act.

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

J. SLATER SMITH,
Chairman.

And Senate Bill No. 388, contained in the above report, 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., May 5, 1941.

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

Sir:

Your Committee on Insurance, to whom was referred:

Senate Bill No. 387:

A bill to be entitled An Act to amend An Act entitled "An Act to provide for the incorporation of Benevolent Mutual Benefit Associations or societies on the assessment plan organized for the purpose of benefiting and protecting members in the case of dismemberment, and to the end of benefiting widows, orphans, heirs, devisees and estates of deceased members thereof: . . ." etc.

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

J. SLATER SMITH,
Chairman.

And Senate Bill No. 387, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber,
Tallahassee, Fla., May 2, 1941.

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

Senate Bill No. 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."

DEWEY M. JOHNSON,
Chairman.

And Senate Bill No. 181, 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., May 6, 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. 302:

A bill to be entitled An Act amending Section 7 of Chapter 6469, Laws of Florida, 1913, being the same as Section 305, Revised General Statutes of Florida, 1920, and Section 361, Compiled General Laws of Florida, 1927, as amended by Section 3 of Chapter 13761, Laws of Florida, 1929, by Section 1 of Chapter 16984, Laws of Florida, Acts of 1935, and Section 2, Chapter 19663, Laws of Florida, Acts of 1939, relating to Primary Elections and providing four year terms for members of the political party executive committees.

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

S. A. HINELY,
Chairman.

And Senate Bill No. 302, contained in the above report, was certified to the House of Representatives.

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

Senate Chamber,
Tallahassee, Fla., May 6, 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. 53:

A bill to be entitled An Act fixing the salaries of the Judges of the Circuit Court payable by the State of Florida, making appropriation to pay the same, and repealing conflicting laws.

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

S. A. HINELY,
Chairman.

And Senate Bill No. 53, contained in the above report, was certified to the House of Representatives.

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

Senate Chamber,
Tallahassee, Fla., May 6, 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. 122:

A bill to be entitled An Act empowering counties, cities, towns or school districts to acquire, protect, reforest, manage and utilize lands for forest and related purposes.

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

S. A. HINELY,
Chairman.

And Senate Bill No. 122, contained in the above report, was certified to the House of Representatives.

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

Senate Chamber,
Tallahassee, Fla., May 6, 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. 254:

An Act appropriating money for the use and benefit of Florida National Exhibits, Inc., in connection with the Deficit at the Establishment and Maintenance of the Florida Exhibit at the New York World's Fair and for the Establishment and Maintenance of Florida Exhibits at Atlantic City and other Fairs, Expositions and meetings of Nation-Wide Importance

and for the Establishment of proper warehouse facilities to care for these exhibits when not in use.

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

S. A. HINELY,
Chairman.

And Senate Bill No. 254, 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., May 5, 1941.

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

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

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.

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.

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

A. P. DRUMMOND,
Chairman.

Senator Collins moved that a committee be appointed to escort Honorable J. Ben Fuqua, Chairman of the Democratic Executive Committee of Manatee County, to a seat in the rostrum.

Which was agreed to.

The presiding officer appointed Senators Collins, Butler and Perdue as the committee.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Shands—

Senate Bill No. 410:

A bill to be entitled An Act amending Section One of Chapter 17,028, Laws of Florida, Acts of 1935, and also amending Section One of Chapter 18403, Laws of Florida, Acts of 1937.

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

By Senator Shands (By Request)—

Senate Bill No. 411:

A bill to be entitled An Act to amend Chapter 19138, Laws of Florida, Acts of 1939, entitled: "An Act to be cited as the 'Rural Electric Cooperative Act,' to provide for the organization, operation and management of cooperative, non-profit, membership corporations, referred to as 'Cooperatives', for the purpose of engaging in rural electrification by supplying electric energy and promoting and extending the use thereof in rural areas; prescribing the powers of such cooperatives, the inclusion of certain words in the names thereof, the number and character of the incorporators, the contents and manner of execution of the articles of incorporation and by-laws therefor, the qualifications of members, the meetings of such members and the voting privileges thereof, the election of boards of trustees, the meetings, terms, powers and other matters relating thereto; provisions for voting districts, for the election of trustees and delegates, and provisions relating to the appointment and removal of officers and their powers and duties; prescribing the method of the amendment of the

articles of incorporation of such cooperatives and for the consolidation, and merger thereof and the effect of such consolidation or merger; prescribing the method of conversion of existing corporations into such cooperative; prescribing for the initiative of members by petition; prescribing the method of dissolution of such cooperatives; prescribing the method of filing articles thereof; prescribing for the disposition of the revenues of such cooperatives and for the distribution of patronage refunds; prescribing for the disposition of the property of such cooperatives under certain conditions, for the non-liability of members for the debts of such cooperatives, for the recordation of mortgages, deeds of trust and other instruments executed thereby, for waiver of notice required by this Act and for trustees, officers or members serving as notaries public; prescribing for the qualifications of similar foreign corporations for the transaction of business in this state; prescribing certain filing fees; prescribing an annual license fee to be paid by such cooperatives and exempting them from excise taxes; providing for the exemption of such cooperatives from commission jurisdiction and from the provisions of the uniform sale of securities Act; defining certain terms; prescribing for the liberal construction of this Act, the separability of its provisions and that the terms thereof shall be controlling and further prescribing the effective date thereof." by adding a section to be numbered 3A, providing for periods of limitation in which actions may be brought against corporations, organized or operating under the provisions of said Chapter, growing out of the acquisition of easements and rights of way and other interests in property by such corporations; and repealing all laws and parts of laws in conflict herewith.

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

By Senator Collins—

Senate Bill No. 412:

A bill to be entitled An Act regulating the marriage of persons in the State of Florida and providing that no person shall be licensed to marry in the State of Florida who is an epileptic, is insane or feeble minded, or has pulmonary tuberculosis in a communicable stage, or has a communicable venereal disease, and abolishing and prohibiting common law marriages; providing that all persons seeking to marry in the State of Florida shall make application for a license and be examined by a physician with tests for venereal diseases made by the Florida State Board of Health, and providing how such marriage licenses shall be issued and defining certain terms of this Act, and also providing the penalty for the violation of the terms hereof, and repealing all laws in conflict herewith.

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

By Senator Beall—

Senate Bill No. 413:

A bill to be entitled An Act relating to the compensation of the clerks of the following courts: the Circuit Courts, Criminal Courts of Record, Civil Courts of Record, Courts of Crime and County Courts in all Counties of the State of Florida, and the Court of Record for Escambia County, and repealing all laws in conflict herewith.

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

By Senator Beall—

Senate Bill No. 414:

A bill to be entitled An Act relating to the granting of declaratory judgments in Courts of Record of the State of Florida.

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

By Senator McKenzie—

Senate Bill No. 415:

A bill to be entitled An Act for the relief of Perry Hanna for official services rendered, and making appropriation therefor.

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

By Senators Price and Shands (By request)—

Senate Bill No. 416:

A bill to be entitled An Act relating to the practice of Osteopathic Medicine in the State of Florida; providing for the annual renewal of licenses with the State Board of Osteopathic Medical Examiners; providing for the conditions upon

which renewal of licenses shall be issued and requirements prerequisite to the granting of such renewal licenses; providing for notice to be given licensees under said Board of the provisions and requirements of this Act; providing for the suspension of licenses to practice Osteopathic medicine for the failure of any person to comply with the provisions of this Act and to prescribe requirements for the restoration of licenses; providing for compensation and expenses of members of said Board and the officers thereof; providing for the disposition of the surplus of such renewal and restoration fees and limiting expenditures; specifically repealing Chapter 19066, Laws of Florida 1939, which is An Act to require all persons licensed to practice Osteopathic medicine in the State of Florida to renew annually their licenses with the State Board of Osteopathic Medical Examiners; providing requirements for issuance, notice, forfeiture for failure to comply therewith and restoration of licenses, and repeal all other laws in conflict herewith.

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

By Senators Lindler and Maines—

Senate Bill No. 417:

A bill to be entitled An Act to declare, designate and establish a certain State road in Columbia and Union Counties, Florida.

Which was read the first time by title only.

Senator Maines moved that the rules be waived and Senate Bill No. 417 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 417 was read the second time by title only.

Senator Maines moved that the rules be further waived and Senate Bill No. 417 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. 417 was read the third time in full.

Upon the passage of Senate Bill No. 417 the roll was called and the vote was:

Yeas—Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—34.

Nays—None.

So Senate Bill No. 417 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 Lindler—

Senate Bill No. 418:

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

Which was read the first time by title only.

Senator Lindler moved that the rules be waived and Senate Bill No. 418 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 418 was read the second time by title only.

Senator Lindler moved that the rules be further waived and Senate Bill No. 418 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. 418 was read the third time in full.

Upon the passage of Senate Bill No. 418 the roll was called and the vote was:

Yeas—Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—34.

Nays—None.

So Senate Bill No. 418 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 Beall, Horne and Cooley—

Senate Bill No. 419:

A bill to be entitled An Act imposing an additional tax

upon Wines, providing a differential as to unfortified Florida Wines, and appropriating the moneys collected therefrom.

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

By Senators Drummond, Lewis, Collins, Adams(25th) and Maddox—

Senate Bill No. 420:

A bill to be entitled An Act appropriating the sum of Fifty Thousand (\$50,000) dollars annually to the North Florida Experiment Station, for the purpose of study and research in the growing development and demonstrations of Peanuts, Velvet Beans, Sweet Potatoes, Corn, Cotton, Pasturage and Forage Crops, and provide for trials of new crops; providing for the location of such experiments; and providing for the method of expenditure of such funds.

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

By Senator Perdue (By request)—

Senate Bill No. 421:

A bill to be entitled An Act to amend Section 15 of Chapter 17029, Laws of Florida, Acts of 1935, being An Act relating to forest protection, by providing penalties for violation of the provisions of said Act.

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

By Senator Taylor—

Senate Bill No. 422:

A bill to be entitled An Act for the relief of Elego Vasiliou Johns.

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

By Senator Taylor—

Senate Bill No. 423:

A bill to be entitled An Act for the relief of Olga Andrea Christodoulou.

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

By Senator Kelly—

Senate Bill No. 424:

A bill to be entitled An Act requiring that any survey, excavation or scientific exploration made in Indian mounds or village sites of Indians, in State parks and County parks within the State of Florida, shall be under the direction of the Florida State Archeologist.

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

MESSAGES FROM THE GOVERNOR

The following Messages from the Governor were received:

State of Florida
EXECUTIVE DEPARTMENT
Tallahassee
May 6th, 1941

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

Sir:

I have the honor to inform you that I have today caused the following Acts, which originated in your Honorable Body, to be filed in the office of the Secretary of State, the same having remained in this office for the full Constitutional period of five days and will become laws without my approval:

Senate Bill No. 196 relating to St. Petersburg.

Senate Bill No. 197 relating to St. Petersburg.

SPESSARD L. HOLLAND,
Governor.

State of Florida
EXECUTIVE DEPARTMENT
Tallahassee
May 5th, 1941

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

Sir:

I have the honor to inform you that I have today approved

the following Acts, which originated in your Honorable Body, and have caused the same to be filed in the office of the Secretary of State:

Committee Substitute For:

Senate Joint Resolution No. 28, Relating to Constitutional Amendment.

Senate Joint Resolution No. 88, Relating to Constitutional Amendment.

SPESSARD L. HOLLAND,
Governor.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Fla.,
May 5, 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 respectfully requests the return of:

By Mr. Overstreet of Dade—

House Joint Resolution No. 97:

A Joint Resolution proposing the amendment to Section 1, of Article X of the Constitution of Florida, relating to homestead and exemption so as to permit the wages, salary and income from any source whatsoever due to any person the head of a family as provided therein, to be the subject of garnishment in the courts of this State, as may be provided by law, for the payment of any obligations arising by express or implied contract subsequent to the adoption of this amendment.

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

That the following amendment to Section 1, Article X of the Constitution of Florida, authorizing the garnishment of any wages, salary or income due any person who is the head of a family, as provided therein, to the extent of 25% thereof, be, and the same is hereby agreed to and shall be submitted to the electors of the State in the General Election of Representatives in 1942 for their approval or rejection; that is to say, that Section 1 of Article X be amended by adding thereto the following section:

"Section 1-A: That the salary, wages and income from any source whatsoever due and owing, or to become due and owing to any person who is the head of a family residing in this State, shall be the subject of garnishment in the courts of this State as may be provided by law, to the extent of not more than 25% of such salary, wages and income: Provided, however, that the Legislature shall not extend the right of garnishment as herein provided where the salary is \$25.00 or less per week, except to necessities of life as may from time to time be defined by the Legislature, for the payment of any obligations arising by express or implied contract subsequent to the adoption of this amendment.

For the purpose of correction.

BEN H. FUQUA,
Chief Clerk House of Representatives.

Senator Kanner moved that House Joint Resolution No. 97 be recalled from the Committee on Constitutional Amendments.

Which was agreed to and it was so ordered.

Senator Kanner moved that the request of the House of Representatives, as contained in the foregoing message, be granted.

Which was agreed to and House Joint Resolution No. 97 was ordered returned to the House of Representatives.

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

Tallahassee, Fla.,
May 5, 1941.

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

Sir:

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

By Senators Parker, Cooley, Kanner, Lewis, Rose, Shepherd, Hinely, Perdue, Butler, Adams (30th), King, Collins, Graham,

Clarke, Maddox, Maines, Taylor, McKenzie, Lindler, Ward, Wilson, Beall, Shuler, Folks and Kelly—

Senate Bill No. 34:

A bill to be entitled An Act levying a tax upon horse track pari-mutuel pools equal to the amount of said pool neither paid as a commission nor redistributed to the contributors, otherwise known as the "Breaks." Prescribing the duty and liability of the race track licensee relative thereto and making same a part of the "Old Age Assistance Fund" when collected.

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bill No. 34, 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:

Senate Chamber,
Tallahassee, Fla., May 2, 1941.

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

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

By Senators Parker, Cooley, Kanner, Lewis, Rose, Shepherd, Hinely, Perdue, Butler, Adams (30th), King, Collins, Graham, Clarke, Maddox, Maines, Taylor, McKenzie, Ward, Wilson, Beall, Shuler, Folks and Kelly—

Senate Bill No. 35:

A bill to be entitled An Act relating to Pari-Mutuel Pools, Commissions thereon, the distributions thereof, the "Breaks" and defining same, regulating the purchase and sale of an interest in any such Pool, making it a crime to violate such regulations and amending Section 16 of Chapter 14832 Laws of Florida, Acts of 1931, as amended by Section 10 of Chapter 17276 Laws of Florida Acts of 1935, relative thereto; and levying a tax upon every licensee conducting a Horse Race Meet or Operating a Race Track Equal to Five Per Centum of the total contributions to all Pari-Mutuel Pools on Horse Races in addition to all other Taxes otherwise levied or assessed; and providing when and where said taxes shall be paid, making an appropriation thereof and designating said tax as the "Old Age Assistance Tax," and providing deductions from said tax to be paid in Equal amounts to the Counties of this State, according to Law, should the amounts payable to said Counties from Horse Race meets be less than the total amount distributed to the said Counties therefrom in the Racing Season 1940-1941, and limiting the force and effect of This Act until July 1st, 1943, and providing a penalty for wilful or wanton non-payment of tax.

Which amendments read as follows:

House Amendment No. 1:

In Section 1, of the bill, strike out Sub Section B, and insert the following in lieu thereof:

(B) The Commission of a licensee on a Pari-Mutuel Pool shall in no event exceed fifteen (15) per centum of the amounts contributed thereto, and said maximum of fifteen (15) per centum of said amounts shall include the three (3) per centum tax heretofore provided by law together with the additional five (5) per centum provided for Old Age Assistance.

House Amendment No. 2:

In Section 1, line 5, of the bill, strike out the words Section 10 and insert the following in lieu thereof: Section 16.

And respectfully requests the concurrence of the Senate therein.

BEN H. FUQUA,

Chief Clerk House of Representatives.

Senate Bill No. 35, contained in the above message, was read by title together with House Amendments thereto.

Senator Butler moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 35.

Which was agreed to.

And the Senate concurred in House Amendment No. 1 to Senate Bill No. 35.

Senator Butler moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 35.

Which was agreed to.

And the Senate concurred in House Amendment No. 2 to Senate Bill No. 35.

And Senate Bill No. 35, as amended, was referred to the Committee on Engrossed Bills and the action of the Senate was ordered certified to the House of Representatives.

Senator Kelly moved that Senate Bill No. 252 be recalled from Committee on Transportation and Traffic.

Which was agreed to and it was so ordered.

By unanimous consent Senator Kelly withdrew Senate Bill No. 252.

SENATE BILLS ON THIRD READING

Senate Bills Nos. 32, 99 and 247 were taken up in their order, pending roll, and the consideration thereof was informally passed.

SENATE BILLS ON SECOND READING

Senate Bill No. 62 was taken up in its order and the consideration thereof was informally passed.

Senate Bill No. 248:

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

Was taken up in its order.

Senator Kelly moved that the rules be waived and Senate Bill No. 248 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 248 was read the second time by title only.

Senator Kelly offered the following amendment to Senate Bill No. 248:

In Section 1, line 1, strike out the figures "18917" and insert the following: 17917.

Senator Kelly moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Kelly moved that the rules be further waived and Senate Bill No. 248, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 248, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 248, as amended, the roll was called and the vote was:

Yeas—Senators Adams (30th), Beall, Butler, Clarke, Clifton, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Horne, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—32.

Nays—Senators Hinely, Shepherd—2.

So Senate Bill No. 248 passed, as amended, and was referred to the Committee on Engrossed Bills.

Senate Bill No. 273 was taken up in its order and the consideration thereof was informally passed.

Senate Bill No. 230:

A bill to be entitled An Act relating to the rights of married women in Florida, and providing further that this Act shall not be construed as (a) relieving a husband from any duty of supporting and maintaining his wife and children; (b) abolishing estates by the entirety or any of the incidents thereof, (c) abolishing dower or any of the incidents thereof, (d) changing the rights of either husband or wife to participate in the distribution of the estate of the other upon his or her death, as may now or hereafter be provided by law, or (e) dispensing with the joinder of husband and wife in conveying or mortgaging homestead property.

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

Senator Johnson offered the following amendment to Senate Bill No. 230:

Insert the following: By adding Section I (a) reading as follows: "A husband shall not be liable for obligations con-

tracted by the wife without his joinder or consent, unless the same shall be for actual necessities in supporting his wife and children."

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

Senator Johnson also offered the following amendment to Senate Bill No. 230:

Add after the word "children" in Section I (a) the following: nor shall a husband be liable on account of any covenant or warranty in a deed of conveyance of property of the wife by reason of his joinder as a party thereto, nor shall he be liable for any mortgage debt of his wife by reason of any covenant contained in the mortgage securing the same upon property of the wife unless he also sign the primary obligation evidencing such indebtedness.

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

Senator Johnson also offered the following amendment to Senate Bill No. 230:

In title add after the word property the following: "and limiting the liability of the husband in certain instances involving obligations of the wife on conveyance or mortgage of real property of the wife."

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

Senator Beall moved that the further consideration of Senate Bill No. 230, as amended, be informally passed, the bill retaining its place on the Calendar of Bills on second reading.

Which was agreed to and it was so ordered.

Senate Bill No. 216:

A bill to be entitled An Act prescribing the duties of the County Tax Collectors of the several counties of the State of Florida, relative to the sale of lands for the non-payment of taxes, and the redemption and/or sale of said tax sale certificates; and prescribing that the clerks of the Circuit Courts in the several counties of the State of Florida turn over to the several County Tax Collectors, on the first Monday in January A. D. 1942, all books, records and papers relating to tax sale certificates in their possession, and providing that thereafter all delinquent taxes be paid to, and that all tax sale certificates be redeemed or purchased from the Tax Collectors after the first Monday in January A. D. 1942.

Was taken up in its order.

Senator Cliett moved that the rules be waived and Senate Bill No. 216 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 216 was read the second time by title only.

Senator Cliett offered the following amendment to Senate Bill No. 216:

In Section 1, line 15, (typewritten bill) strike out the words "State of Florida" and insert the following: "county."

Senator Cliett moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Cliett also offered the following amendment to Senate Bill No. 216:

In Section 1, line 16, (typewritten bill) strike out the words "State of Florida" and insert the following: "county."

Senator Cliett moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Cliett also offered the following amendment to Senate Bill No. 216:

In Section 1, line 21, (typewritten bill) strike out the words "State of Florida" and insert the following: "county."

Senator Cliett moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Cliett also offered the following amendment to Senate Bill No. 216:

In Section 1, line 22, (typewritten bill) strike out the words "Foreclosure or any other remedy now" and insert the following: "any remedy now or hereafter."

Senator Cliett moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Cliett moved that the rules be further waived

and Senate Bill No. 216, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 216, as amended, was read the third time in full.

Pending roll call, Senator Cliett moved that the further consideration of Senate Bill No. 216, as amended, be informally passed.

Which was agreed to and it was so ordered.

Senate Bills Nos 297, 113, and 109 were taken up in their order and consideration thereof was informally passed.

Senate Bill No. 288:

A bill to be entitled An Act to declare the need of and provide authorization for a State-wide survey of the soils of Florida through the cooperation of appropriate State and County agencies with proper bureaus of the United States Department of Agriculture, designating the Agricultural Experiment Station of the University of Florida as an agency of the State to supervise such surveys; providing for the matching of Federal funds by the State and County or other local agency; providing for the publication of soil survey reports and maps; making an appropriation for carrying out the provisions of this Act and repealing any and all laws in conflict herewith.

Was taken up in its order.

Senator Graham moved that the rules be waived and Senate Bill No. 288 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 288 was read the second time by title only.

Senator Graham moved that the rules be further waived and Senate Bill No. 288 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. 288 was read the third time in full.

Upon the passage of Senate Bill No. 288 the roll was called and the vote was:

Yeas—Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—33.

Nays—None.

So Senate Bill No. 288 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. 290:

A bill to be entitled An Act to amend Sections 1 and 11 of Chapter 17275, Acts of 1935, being An Act creating the State Planning Board, prescribing its powers and duties, creating county planning councils and prescribing their powers and duties and making an appropriation for said Board, and to amend Section 12 of said Chapter 17275 as amended by Chapter 19182, Laws of Florida, Acts of 1939.

Was taken up in its order.

Senator Collins moved that the rules be waived and Senate Bill No. 290 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 290 was read the second time by title only.

Senator Collins moved that the rules be further waived and Senate Bill No. 290 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. 290 was read the third time in full.

Upon the passage of Senate Bill No. 290 the roll was called and the vote was:

Yeas—Senators Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Dye, Folks, Gideons, Graham, Hinely, Horne, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—31.

Nays—None.

So Senate Bill No. 290 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. 140:

A bill to be entitled An Act to amend Section 12 of Chapter 17808, Laws of Florida, Acts of 1937, as amended by Section 2 of Chapter 19018, Laws of Florida, Acts of 1939, the same being An Act to Promote the Planting and Production of Sea Island Cotton, and to provide protection for growers and producers thereof, and providing for the administration and enforcement of said Act, and making an annual appropriation for carrying out its provisions, and providing penalties and punishment for violation thereof.

Was taken up in its order.

Senator Hinely moved that the rules be waived and Senate Bill No. 140 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 140 was read the second time by title only.

Senator Hinely offered the following amendment to Senate Bill No. 140:

In the Title, third line, (typewritten bill) strike out the figures "19018" and insert in lieu thereof figures "19017" and in Section 1, second line, strike out the figures "19018" and insert in lieu thereof figures "19017".

Senator Hinely moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hinely moved that the rules be further waived and Senate Bill No. 140, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 140, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 140, as amended, the roll was called and the vote was:

Yeas—Senators Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—33.

Nays—None.

So Senate Bill No. 140 passed, as amended, and was referred to the Committee on Engrossed Bills.

Senate Bills Nos. 110 and 345 were taken up in their order and consideration thereof was informally passed.

Senator Shands moved that Senate Bill No. 346 be recommended to the Committee on Public Health.

Which was agreed to and it was so ordered.

Senate Bill No. 343:

A bill to be entitled An Act relating to the public health and for the protection of new-born babies' eyes, and requiring doctors and midwives to use an effective solution of silver-nitrate in new born babies' eyes; to require at least one of the registered practicing physicians who has sponsored the application of any person to practice midwifery to instruct such person in the use of such silver-nitrate solution, and to provide that the failure of either a doctor or midwife to use such solution of silver-nitrate in new-born babies' eyes shall be cause for the revocation of such person's license to practice medicine or midwifery; and to provide that if any person now licensed to practice midwifery does not furnish a certificate from one of the physicians sponsoring her application for license within sixty days after this Act become a law, the State Board of Health shall revoke the license to such person to practice midwifery; and providing further that any person who shall hereafter make application for a license to practice midwifery shall furnish a certificate showing that such person has been instructed in the use of silver-nitrate solution in the eyes of new-born babies.

Was taken up in its order.

Senator Collins moved that the rules be waived and Senate Bill No. 343 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 343 was read the second time by title only.

Senator Collins moved that the rules be further waived and Senate Bill No. 343 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. 343 was read the third time in full.

Upon the passage of Senate Bill No. 343 the roll was called and the vote was:

Yeas—Senators Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Horne, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker—30.

Nays—None.

So Senate Bill No. 343 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. 341:

A bill to be entitled An Act relating to the public health and for the protection of mothers and new born babies; requiring that all expectant mothers be examined by a duly licensed physician to determine whether or not such mother has any disease that might be communicated or transmitted to any child that might be born of said mother; and requiring such examining physician in the event that treatment is needed to either furnish the same or to report this fact to the State Board of Health who shall immediately arrange for the proper treatment of such expectant mother; and providing that any midwife who is called in attendance upon any expectant mother shall call into attendance a duly licensed physician to make the examination as provided for in Section One hereof provided such examination shall not have been made.

Was taken up in its order.

Senator Collins moved that the rules be waived and Senate Bill No. 341 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 341 was read the second time by title only.

Senator Collins moved that the rules be further waived and Senate Bill No. 341 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. 341 was read the third time in full.

Upon the passage of Senate Bill No. 341 the roll was called and the vote was:

Yeas—Senators Beall, Butler, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—32.

Nays—Senators Adams (30th), Clarke—2.

So Senate Bill No. 341 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. 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 each year; prohibit the possession of any crabs taken in violation of this law; providing for violations.

Was taken up in its order.

Senator Shuler moved that the rules be waived and Senate Bill No. 193 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 193 was read the second time by title only.

Senator Shuler moved that the rules be further waived and Senate Bill No. 193 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. 193 was read the third time in full and put upon its passage.

Yeas—Senators Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—33.

Nays—Senator Shepherd—1.

So Senate Bill No. 193 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. 299:

A bill to be entitled An Act to amend section thirty

of Chapter 13644, Laws of Florida, Acts of 1929, entitled: "An Act relating to game, non-game birds; fresh-water fish and fur-bearing animals; to create the department of game and fresh water fish and the office of State Game Commissioner; to define his duties and powers and that of his deputies; to fix his compensation and that of his deputies; to provide for the protection and conservation of game, non-game birds, fresh-water fish and fur-bearing animals by prescribing the times when and means by and extent to which they may be taken, possessed and dealt in; to license hunters, guides, trappers and fishermen; to require persons who engage in the business of operating hunting and fishing boats for hire or who deal in or with fresh-water fish or hides of fur-bearing animals to procure a license for same; to prohibit the use, placing or discharge in the fresh waters of the State of substances or forces injurious to fish; to provide for the prosecution of persons violating the provisions of this Act and a penalty and rule of evidence in such prosecutions; to provide for the collection of funds to carry out the provisions of this Act and for the disposition of revenues accruing thereunder; consenting to acquisition by the United States of areas of land, water, or land and water, in accordance with the Act of Congress of February 18, 1929; and repealing certain existing laws and statutes; and defining certain terms used therein," in the following particulars: reducing the daily bag limits on certain species of fresh water fish and limiting possession to one days bag at any one time.

Was taken up in its order.

Senator Cooley moved that the rules be waived and Senate Bill No. 299 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 299 was read the second time by title only.

Senator Cooley offered the following amendment to Senate Bill No. 299:

In Section 1, line 33, of the bill after the words "St. Johns River" insert the following: and that part of Crescent Lake lying in Putnam County.

Senator Cooley moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Cooley moved that further consideration of Senate Bill No. 299, as amended, be informally passed the bill retaining its place on the Calendar of Bills on second reading.

Which was agreed to and it was so ordered.

Senate Bill No. 311:

A bill to be entitled An Act to mend Section Thirty-eight of Chapter 13644, Laws of Florida, Acts of 1929 entitled: "An Act relating to game, non-game birds, fresh-water fish and fur-bearing animals; to create the Department of Game and fresh water fish and the office of State Game Commissioner; to define his duties and powers and that of his deputies; to fix his compensation and that of his deputies; to provide for the protection and conservation of game, non-game birds, fresh-water fish and fur-bearing animals by prescribing the times when and means by and extent to which they may be taken, possessed and dealt in; to license hunters, guides, trappers and fishermen; to require persons who engage in the business of operating hunting and fishing boats for hire or who deal in or with fresh-water fish or hides of fur-bearing animals, to procure a license for same; to prohibit the use, placing or discharge in the fresh waters of the state of substances or forces injurious to fish; to provide for the prosecution of persons violating the provisions of this Act and a penalty and rule of evidence in such prosecutions; to provide for the collection of funds to carry out the provisions of this Act and for the disposition of revenues accruing thereunder; consenting to acquisition by the United States of areas of land, water or land and water, in accordance with the Act of Congress of February 18, 1929; and repealing certain existing laws and statutes; and defining certain terms used therein," in the following particulars; limiting shot guns used for taking game birds and game animals to three shell capacity or plugged to three shell capacity.

Was taken up in its order.

Senator Cooley moved that the rules be waived and Senate Bill No. 311 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 311 was read the second time by title only.

Senator Cooley moved that the rules be further waived and

Senate Bill No. 311 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. 311 was read the third time in full.

Upon the passage of Senate Bill No. 311 the roll was called and the vote was:

Yeas—Senators Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Gideons, Graham, Hinely, Kanner, King, Lewis, Lindler, Maddox, McKenzie, Rose, Shands, Shuler, Smith, Taylor, Whitaker—24.

Nays—Senators Folks, Horne, Johnson, Kelly, Maines, Price, Perdue, Shepherd, Ward, Wilson—10.

So Senate Bill No. 311 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. 349:

A bill to be entitled An Act making licenses to hunt and take migratory or non-migratory birds issued by any County bordering on a lake, river or other stream effective as to all of the surface of such lakes, rivers or other streams regardless of the exact boundary line or lines.

Was taken up in its order.

Senator Folks moved that the rules be waived and Senate Bill No. 349 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 349 was read the second time by title only.

Senator Folks moved that the rules be further waived and Senate Bill No. 349 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. 349 was read the third time in full.

Upon the passage of Senate Bill No. 349 the roll was called and the vote was:

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

Nays—Senators Lewis, McKenzie, Perdue, Shepherd—4.

So Senate Bill No. 349 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 Taylor moved that the rules be waived and Senate Bills Nos. 205, 203, 208, 204, 209, 210, 202, 201, 206, 207 and 242 be made Special and Continuing Order of Business for consideration by the Senate in the order mentioned, beginning at 10:30 o'clock A. M., Wednesday, May 7, 1941.

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

Senate Bill No. 330 was taken up in its order and the consideration thereof was informally passed.

Senate Bill No. 327:

A bill to be entitled An Act conferring the right of eminent domain upon the Board of Commissioners of State Institutions of the State of Florida, and repealing Chapter 7947, Laws of Florida, Acts of 1919.

Was taken up in its order.

Senator Shands moved that the rules be waived and Senate Bill No. 327 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 327 was read the second time by title only.

Senator Shands moved that the rules be further waived and Senate Bill No. 327 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. 327 was read the third time in full.

Upon the passage of Senate Bill No. 327 the roll was called and the vote was:

Yeas—Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Dye, Folks, Gideons, Graham, Hinely, Horne, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Shands, Shepherd, Shuler, Taylor, Ward, Whitaker, Wilson—32.

Nays—Senators Drummond, Rose—2.

So Senate Bill No. 327 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. 335:

A bill to be entitled An Act to amend Section 617 of the Revised General Statutes of Florida, 1920, as amended by Section 1 of Chapter 11857, Laws of Florida, Acts of 1927, relating to disbursements for institutions by the Board of Control, by providing for revolving funds to be set up by certain institutions to pay wages of laborers and certain expenses, providing for disbursements from such funds and for reimbursement to such funds, providing for the protection of such funds, and repealing all laws and parts of laws in conflict herewith.

Was taken up in its order.

Senator Shands moved that the rules be waived and Senate Bill No. 335 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 335 was read the second time by title only.

Senator Shands offered the following amendment to Senate Bill No. 335:

In Section 1, line 18 on page two of the bill, after the word "Blind" insert the following: "Florida Farm Colony, State Prison Farm, Florida Industrial School for Girls, Florida Industrial School for Boys, and the Florida State Hospital."

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shands moved that the rules be further waived and Senate Bill No. 335, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 335, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 335, as amended, the roll was called and the vote was:

Yeas—Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Taylor, Ward, Whitaker, Wilson—34.

Nays—None.

So Senate Bill No. 335 passed, as amended, and was referred to the Committee on Engrossed Bills.

Senate Bill No. 312:

A bill to be entitled An Act authorizing, empowering and directing the Governor of the State of Florida, with the consent of the Congress of the United States, to enter into a compact on behalf of the State of Florida with any State of the United States legally joining therein for out-of-state supervision of probationers and parolees; providing, substantially, for the form of such compact, and providing that such compact shall include the terms and conditions under which a person placed on probation or released on parole by one state party to such compact may reside in another state party to such compact, the duties of visitation of and supervision over out-of-state probationers and parolees and their arrest under certain conditions, the manner in which such probationers and parolees shall be returned to the state granting probation or parole, the power of the parties to said compact to make rules and regulations to carry out the terms of such compact, and an agreement that said compact shall have the force and effect of law and shall remain binding until renounced by any state party of such compact; conferring and defining certain duties, and powers of the parole commission under this Act, providing for its operation, fixing effective date and repealing laws in conflict herewith.

Was taken up in its order.

Senator Lewis moved that the rules be waived and Senate Bill No. 312 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 312 was read the second time by title only.

Senator Lewis moved that the rules be further waived and Senate Bill No. 312 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. 312 was read the third time in full.

Upon the passage of Senate Bill No. 312 the roll was called and the vote was:

Yeas—Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Gideons, Graham, Hinely, Horne, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Taylor, Ward, Whitaker, Wilson—33.

Nays—None.

So Senate Bill No. 312 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 Bills Nos. 340, 342, 337, 344, 339, and 159 were taken up in their order and the consideration thereof was informally passed.

Senate Bill No. 161:

A bill to be entitled An Act prescribing the duties of Sheriffs in levying writs.

Was taken up in its order.

Senator Kelly moved that the rules be waived and Senate Bill No. 161 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 161 was read the second time by title only.

Senator Kelly moved that the rules be further waived and Senate Bill No. 161 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. 161 was read the third time in full.

Upon the passage of Senate Bill No. 161 the roll was called and the vote was:

Yeas—Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Gideons, Graham, Horne, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—33.

Nays—None.

So Senate Bill No. 161 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. 158:

A bill to be entitled An Act amending Section 250, Revised General Statutes of Florida, 1920, being Section 306, Compiled General Laws of Florida, 1927, the same being the law fixing and prescribing the compensation of inspectors and clerks of any special or general election, by including therein a provision for the payment by the Board of County Commissioners of the compensation of Deputy Sheriff serving at the polling places in any such election and validating all payments heretofore made to such Deputy Sheriffs by any Board of County Commissioners.

Was taken up in its order.

Senator Smith moved that the rules be waived and Senate Bill No. 158 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 158 was read the second time by title only.

Senator Smith moved that the rules be further waived and Senate Bill No. 158 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. 158 was read the third time in full.

Upon the passage of Senate Bill No. 158 the roll was called and the vote was:

Yeas—Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Dye, Gideons, Graham, Horne, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—31.

Nays—Senators Drummond, Rose—2.

So Senate Bill No. 158 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. 294:

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; repealing Sections 5706 and 5707 revised General Statutes of Florida relating, respectively to "issuing worthless checks in payment of property" and "rule of evidence": Chapter 8401, Acts of 1921, entitled "An Act to define and punish the offense of passing worthless checks in the State of Florida and providing certain rules of evidence and certain forms of accusations which may be used in prosecution under this Act" and Chapter 9328, Acts of 1923, entitled "An Act regulating the issuance of checks, drafts and orders for the payment of money within the State of Florida and to provide a penalty for the violation of this Act."

Was taken up in its order.

Senator Clarke moved that the rules be waived and Senate Bill No. 294 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 294 was read the second time by title only.

Senator Clarke moved that the rules be further waived and Senate Bill No. 294 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. 294 was read the third time in full.

Upon the passage of Senate Bill No. 294 the roll was called and the vote was:

Yeas—Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Gideons, Graham, Hinely, Horne, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—34.

Nays—None.

So Senate Bill No. 294 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 Clarke moved that the rules be waived and the Senate take up and consider House Bill No. 213, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 213:

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

Was taken up.

Senator Clarke moved that the rules be further waived and House Bill No. 213 be read the second time by title only.

Which was agreed to by a two-thirds vote.

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

Senator Clarke moved that the rules be further waived and House 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 House Bill No. 213 was read the third time in full.

Upon the passage of House Bill No. 213 the roll was called and the vote was:

Yeas—Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—34.

Nays—None.

So House 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 unanimous consent Senator Clarke withdrew Senate Bill No. 366.

Senate Bill No. 354:

A bill to be entitled An Act to authorize and permit the

recording of any and all instruments filed for record with the several Clerks of the Circuit Court in this State by photographic or other similar process and to provide for the purchase of equipment required for such recording and to provide the powers and duties of the Clerk of the Circuit Court and the Board of County Commissioners in respect thereof.

Was taken up in its order.

Senator Beall moved that the rules be waived and Senate Bill No. 354 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 354 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 354 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. 354 was read the third time in full.

Upon the passage of Senate Bill No. 354 the roll was called and the vote was:

Yeas—Senators Adams (25th), Adams (30th), Beall, Butler, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—34.

Nays—None.

So Senate Bill No. 354 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. 127:

A bill to be entitled An Act authorizing the County Commissioners of any County to cooperate with the Florida Board of Forestry in the employment of a County Forester, and prescribing his duties.

Was taken up in its order.

Senator Adams (25th) moved that the rules be waived and Senate Bill No. 127 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 127 was read the second time by title only.

Senator Adams (25th) moved that the rules be further waived and Senate Bill No. 127 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. 127 was read the third time in full.

Upon the passage of Senate Bill No. 127 the roll was called and the vote was:

Yeas—Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Folks, Gideons, Horne, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—31.

Nays—Senators Dye, Hinely, Rose—3.

So Senate Bill No. 127 passed, title as stated, and action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

HOUSE BILLS ON SECOND READING

House Bills Nos. 50, 258, 279, 73, 75, 76 and 78 were taken up in their order and the consideration thereof was informally passed.

House Bill No. 300:

A bill to be entitled An Act to amend Section 2 of Chapter 18710 of the Laws of Florida, 1937, approved June 3, 1937, entitled, "An Act to amend Sections 2, 6 and 37 of Chapter 13122 of the Laws of Florida, 1927, approved May 19, A. D. 1927, entitled, 'An Act to repeal the present charter of the Town of Naples, Charter 9846, Acts of 1923, and to create a new charter for said town, define its jurisdiction, boundaries, powers and privileges, and immunities, and validating all its assessments and levies heretofore made and prescribing the general powers to be exercised by said town' and to extend the corporate limits of the Town of Naples and to delegate certain powers to said municipality and prescribe regulations governing the issuance of general bonds by said town, by taking certain lands out of the jurisdiction of the Town of Naples and redefine the boundaries of said town.

Was taken up in its order.

Senator Ward moved that the rules be waived and House Bill No. 300 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 300 was read the second time by title only.

Senator Ward moved that the rules be further waived and House Bill No. 300 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. 300 was read the third time in full.

Upon the passage of House Bill No. 300 the roll was called and the vote was:

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

Nays—None.

So House Bill No. 300 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

House Bill No. 359:

A bill to be entitled An Act providing for the payment of Twenty-Five Hundred Dollars per annum to the Tax Assessor for Monroe County, State of Florida, for the expenses of said office; requiring the Board of County Commissioners for said county to make such payment, and prescribing the method of payment of such expenses and the fund from which same shall be paid; further that the provisions of such bill shall be cumulative and shall not repeal any existing laws on the subject.

Was taken up in its order.

Senator Ward moved that the rules be waived and House Bill No. 359 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 359 was read the second time by title only.

Senator Ward offered the following amendment to House Bill No. 359:

In Section 1, line 3, strike out the words "Per Annum" and insert the following: "For the fiscal year beginning July 1st, 1941 and ending June 30th, 1943.

Senator Ward moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Ward moved that the rules be further waived and House Bill No. 359, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 359, as amended, was read the third time in full.

Upon the passage of House Bill No. 359, as amended, the roll was called and the vote was:

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

Nays—None.

So House Bill No. 359 passed as amended, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

House Bill No. 378 was taken up in its order and the consideration thereof was informally passed.

House Bill No. 379:

A bill to be entitled An Act defining, designating and establishing the open season in which it may be lawful to take, hunt or kill game, game birds, or fur bearing animals, as defined in Chapter 13644 of the Acts of 1929 in Highlands County, Florida, said open season being from the 20th day of November of each year to the 31st day of January of the succeeding year, and providing that all laws or parts of laws in conflict herewith shall be repealed; providing that said Act shall prohibit the taking, hunting or killing of any doe or female deer in said Highlands County, Florida; providing that the open season for taking, hunting or killing of buck deer only in Highlands County, Florida,

shall be from the 20th day of November to December 31st of each year; providing that a violation of said Act shall be deemed a misdemeanor and that any person, persons, firm or corporation upon the conviction of violating said Act shall be punished as provided by the General Laws of the State of Florida.

Was taken up in its order.

Senator Cliett moved that the rules be waived and House Bill No. 379 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 379 was read the second time by title only.

Senator Cliett moved that the rules be further waived and House Bill No. 379 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. 379 was read the third time in full.

Upon the passage of House Bill No. 379 the roll was called and the vote was:

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

Nays—None.

So House Bill No. 379 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

House Bill No. 380:

A bill to be entitled An Act making it unlawful for any person, persons, firm or corporation to catch or take or attempt to catch or take any fish of any variety whatsoever from any lake, river, stream, canal or any other waters in Highlands County, Florida, or from that part of the Kissimmee River in Highlands County, Florida, running along the Eastern boundary of said Highlands County, Florida, by the means or use of any seine, net, trap, wire basket or set device of any kind, size, length or depth whatsoever, except that a trot-line may be used to catch catfish; to make it unlawful for any person, persons, firm or corporation to have in his, her, their or its possession or custody any seine, net, trap, wire basket or set device of any kind, size, length or depth whatsoever on the shore of, in or upon any lake, river, stream, canal or any other waters in Highlands County, Florida, or that part of the Kissimmee River in Highlands County, Florida, running along the Eastern boundary of said Highlands County, Florida, except that it shall be lawful to have possession of a trot-line to catch cat-fish; providing that all seines, nets, traps, wire baskets or set devices of any kind, size, length or depth whatsoever found on the shore of, in or upon any lake, river, stream, canal, or any other waters in Highlands County, Florida, or that part of the Kissimmee River in Highlands County, Florida, running along the Eastern boundary of said Highlands County, Florida, declared to be a nuisance, and shall be seized by the Game Warden, Deputy Game Warden, Sheriff, Deputy Sheriff or any Constable of Highlands County, Florida, providing for the destruction of seines, nets, traps, wire baskets or set devices seized; provided that a violation of said Acts shall be deemed a misdemeanor and that any person, persons, firm or corporation upon the conviction of violating said Act shall be punished as provided by the General Laws of the State of Florida and providing that all laws or parts of laws in conflict herewith shall be repealed.

Was taken up in its order.

Senator Cliett moved that the rules be waived and House Bill No. 380 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 380 was read the second time by title only.

Senator Cliett moved that the rules be further waived and House Bill No. 380 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. 380 was read the third time in full.

Upon the passage of House Bill No. 380 the roll was called and the vote was:

Yeas—Senators Adams (25th), Adams (30th), Beall, Butler,

Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—34.

Nays—None.

So House Bill No. 380 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

House Bill No. 739 was taken up in its order and the consideration thereof was informally passed.

By permission the following bills were introduced:

By Senator Gideons—

Senate Bill No. 425:

A bill to be entitled An Act requesting the taking over, construction and maintenance by the State Road Department of Florida of that part of State Road No. 214, beginning at a point on State Road No. 5 north of Brooksville, Hernando County, Florida, thence easterly over the present road via Croom, St. Catherine and Webster to Center Hill, Florida.

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

By Senators Gideons, Cooley and Johnson—

Senate Bill No. 426:

A bill to be entitled An Act providing for the appropriation of certain moneys for maintenance and improvement of Dade Memorial Park, in Sumter County, Florida; and to make appropriation therefor.

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

By Senator Gideons—

Senate Bill No. 427:

A bill to be entitled An Act authorizing, empowering and requesting the taking over and maintenance by the State Road Department of Florida of that portion of State Road No. 225, running from a point on State Road No. 2 at or near Sumterville, in Sumter County, Florida, thence westerly over the present paved road via Panasoffkee, Florida, to Outlet Bridge, in Sumter County, Florida.

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

By Senator Gideons—

Senate Bill No. 428:

A bill to be entitled An Act designating, declaring, and establishing as a state road and requesting the taking over and maintenance by the State Road Department of Florida, that certain highway beginning at a point on State Road No. 2, between Coleman and Wildwood, Florida, where said road intersects with the south city limits of the City of Wildwood, Florida, thence north over the present paved road to its intersection with State Road No. 2, between Wildwood and Oxford, Florida, where said road intersects with the north city limits of Wildwood, Florida.

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

By Senator Gideons—

Senate Bill No. 429:

A bill to be entitled An Act designating, declaring and establishing as a State Road and requesting the taking over and maintenance by the State Road Department of Florida, a certain State Road in Hernando and Sumter Counties, Florida.

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

By Senator Gideons—

Senate Bill No. 430:

A bill to be entitled An Act designating, declaring and establishing as a State Road and requesting the taking over and maintenance by the State Road Department of Florida, that certain highway running west from a point on State Road No. 2, at or near Lady Lake, in Lake County, Florida, thence west via Oxford, Florida, over the present paved road in Sumter County, Florida, to Pedro, Marion County, Florida, through Long Hammock settlement.

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

By Senators Ward, Cliett, King, Gideons, Folks, Hinely and Cooley—

Senate Bill No. 431:

A bill to be entitled An Act to fix and determine the compensation of all County officials of this State, including County Prosecuting Attorneys, Justices of the Peace and Constables, and including those officials who ex-officio perform the duties of another office or agency; classifying according to population the several counties of the State for the purposes of this Act; to require reports of said officials; to provide for the duties of the Boards of County Commissioners in reference thereto; to provide for the distribution of moneys collected hereunder, and to provide for the auditing of the accounts of said officials, and repealing all laws, General or Special, in conflict herewith.

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

By the Committee on Prisons and Convicts—

Senate Bill No. 432:

A bill to be entitled An Act to amend Section 272 of Chapter 19554 of Acts of 1939, relating to the manner and means of regulation of execution and inflicting punishment of death in this State so as to provide for and designate the person to execute and carry out the sentence of death.

Which was read the first time by title only.

Senator Maines moved that the rules be waived and Senate Bill No. 432 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 432 was read the second time by title only.

Senator Maines moved that the rules be further waived and Senate Bill No. 432 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. 432 was read the third time in full.

Upon the passage of Senate Bill No. 432 the roll was called and the vote was:

Yeas—Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—34.

Nays—None.

So Senate Bill No. 432 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 Beall moved that the rules be waived and the hour of adjournment be extended five (5) minutes.

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

By Senator Shepherd—

Senate Bill No. 433:

A bill to be entitled An Act authorizing and empowering municipalities to sell and providing for the State Road Department to purchase certain bridges constructed by the municipalities for the cost of which such municipalities have issued bonds; providing the manner and method of purchase and payment, and declaring, designating and establishing such bridges as State Roads.

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

By Senator Beall—

Senate Bill No. 434:

A bill to be entitled An Act creating and providing for the appointment, terms of office, and prescribing the powers, duties and position of Assistant County Solicitors in all the Counties of the State of Florida having, or hereafter having, established therein a constitutional "Court of Record", and prescribing and providing the compensation to be paid such Assistant County Solicitors.

Which was read the first time by title only.

Senator Beall moved that the rules be waived and Senate Bill No. 434 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 434 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 434 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. 434 was read the third time in full.

Upon the passage of Senate Bill No. 434 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 434 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Perdue—

Senate Bill No. 435:

A bill to be entitled An Act authorizing and empowering the State Road Department of Florida to widen and if necessary place curbing on State Highway Number 500 in the town of Bronson, beginning at the intersection of State Road Number 500 with State Road Number 13 and extending easterly along State Road Number 500 through the town of Bronson as far as deemed advisable by said State Road Department.

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

By Senator Folks (By request)—

Senate Bill No. 436:

A bill to be entitled An Act to increase the teachers' pension now being paid Miss Julia E. Harn, under Chapter 17,151, Laws of Florida, Act of 1935, from Forty (\$40.00) Dollars per month to Fifty (\$50.00) Dollars per month.

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

By Senator Kanner—

Senate Bill No. 437:

A bill to be entitled An Act ratifying, confirming, validating, and legalizing all Acts and Proceedings of Clerks of the Circuit Courts of the State of Florida, and/or their agents, servants, and employees, in the sale and cancellation of tax sales certificates and subsequent omitted or levied taxes held by the State of Florida, and all Acts and Proceedings of and deeds executed and delivered by the trustees of the Internal Improvement Fund of the State of Florida, and/or their agents, servants, and employees, done, taken and had in pursuance of Chapter 18296, Acts of Florida, 1937, and repealing all Laws and parts of Laws in conflict herewith.

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

By Senator Kanner—

Senate Bill No. 438:

A bill to be entitled An Act relating to the Administration and sale of lands, title to which is vested in the State of Florida by virtue of Chapter 18296, Laws of Florida, 1937; prescribing the notice to be given by trustees of the Internal Improvement Fund of the State of Florida or their agents on sale of said lands; and providing for the administration and protection of said lands; eliminating any invalid provisions hereof; repealing all Laws in conflict herewith; and determining when this Act shall take effect.

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

The hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 1:07 o'clock P. M. until 10:00 o'clock A. M., Wednesday, May 7, 1941.