

JOURNAL OF THE SENATE

Tuesday, May 13, 1941

The Senate convened at 10:00 o'clock A. M., pursuant to adjournment on Monday, May 12, 1941.

Senator Dye, President Pro Tempore, presiding.

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

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

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Monday, May 12 1941, was corrected as follows: On page 2, column 2, at beginning of line 12 from top of the column add the words, "A bill to be entitled an Act."

On page 17, column 2, between lines 18 and 19 from the bottom of the page insert the following:

"And Senate Bill No. 194, contained in the above message, was read by title, together with House amendments thereto.

Senator Shands moved that the Senate do not concur in House Amendment No. 1 to Senate Bill No. 194.

Which was agreed to and the Senate refused to concur in House Amendment No. 1 to Senate Bill No. 194.

Senator Shands moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 194.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 194.

And the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule."

On page 18, column 2, strike out lines 9 through 21, inclusive from the bottom of the page.

And as corrected was approved.

REPORTS OF COMMITTEES

Senator Johnson, Chairman of the Committee on Temperance, submitted the following report:

Senate Chamber,
Tallahassee Fla., May 13, 1941.

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

Sir:
Your Committee on Temperance, to whom was referred: Senate Concurrent Resolution No. 10:

A Concurrent Resolution to be entitled a Resolution relating to the preservation of moral conditions in the vicinity of Army and Naval Camps and plants erected and maintained by the Federal Government in providing for the National Defense.

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

DEWEY M. JOHNSON,
Chairman.

And Senate Concurrent Resolution No. 10, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Johnson, Chairman of the Committee on Temperance, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 13, 1941.

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

Sir:
Your Committee on Temperance, to whom was referred: Senate Bill No. 353:

A bill to be entitled An Act to repeal Chapter 19437 of the Acts of 1939 Florida Legislature, being An Act forbidding the

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

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

D. M. JOHNSON,
Chairman.

And Senate Bill No. 353, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber,
Tallahassee, Fla., May 13, 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. 97:

A bill to be entitled An Act prescribing certain representations and stipulations to be contained in contracts entered into by the State and its political subdivisions; prohibiting child labor in the execution of such contracts; prescribing maximum hours, prevailing wages, sanitary and safe conditions in such work; providing for the administration by the Florida Industrial Commission, and providing for penalties for the violation thereof.

Which amendments were as follows:

Amendment No. 1:

In Section 3, line 12, after the period insert the following: "In cases of emergency involving probable loss of life or property a contractor may work in excess of the hours stipulated in section 2 (c) by paying the prevailing overtime wage scale existing in the community or locality where the contractor is working for those hours in excess of those prescribed."

Amendment No. 2:

In section 3, lines 7 and 8, strike out the words "caused from a shortage of labor."

Amendment No. 3:

In section 2, line 4, strike out the word "services" and in lieu thereof insert the word "labor."

HARRY E. KING,
Chairman.

And Senate Bill No. 97, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senate Chamber,
Tallahassee, Fla., May 13, 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. 251:

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

Which amendment is as follows:

Amendment No. 1:

On page 4, Section 11, line 1, strike out the figure "18" and insert in lieu thereof the figure "16".

HARRY E. KING,
Chairman.

And Senate Bill No. 251, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on second reading.

Senate Chamber,
Tallahassee, Fla., May 13, 1941.

Senator Kanner, Chairman of the Committee on Constitutional Amendments, reported that the Committee had carefully considered the following bill and recommends that same does not pass.

House Joint Resolution No. 164:

A Joint Resolution proposing an amendment to Article VIII of the Constitution of Florida adding thereto an additional section permitting the governing body of a municipality to divide a municipality into special assessment districts and to allow issue of bonds and/or assessment certificates under certain conditions.

A. O. KANNER,
Chairman.

And House Joint Resolution No. 164, contained in the above report, was laid on the table.

Senate Chamber,
Tallahassee, Fla. May 13, 1941.

Senator Kanner, Chairman of the Committee on Constitutional Amendments, reported that the Committee had carefully considered the following bill and recommends that the same pass.

Senate Joint Resolution No. 449:

A Joint Resolution proposing an amendment to Article VIII of the Constitution of the State of Florida, relating to County and Municipal Governments.

A. O. KANNER,
Chairman.

And Senate Joint Resolution No. 449, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber,
Tallahassee, Fla., May 12, 1941.

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

Senate Bill No. 72:

A bill to be entitled An Act making appropriations for the construction, operation and maintenance of an Industrial Engineering Experiment Station to be operated for the advancement and improvement of the industries of Florida.

A. L. WILSON,
Chairman.

And Senate Bill No. 72, contained in the above report was placed on the Calendar of Bills on second reading.

Senate Chamber,
Tallahassee, Fla., May 13, 1941.

Senator Perdue, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following bill and recommends that the same pass.

Senate Bill No. 442:

A bill to be entitled An Act regulating traffic on highways and defining certain violations in the use and operation of vehicles; providing for traffic signs and signals, requiring certain duties of operators when involved in accidents and requiring the reporting of certain accidents to the Department of Public Safety; defining reckless driving and operating under the influence of intoxicating liquor and providing penalties therefor; providing for certain speed regulations; requiring signalling by operators of vehicles; requiring certain equipment on vehicles and providing regulations for the use thereof; requiring vehicles to be in a safe mechanical condition, and to repeal certain conflicting or inconsistent statutes of the State of Florida.

G. C. PERDUE,
Chairman.

And Senate Bill No. 442, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Ward, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 12th, 1941.

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

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 70:

A bill to be entitled An Act to provide for the refunding to each County of the State of Florida of all moneys which have been furnished, advanced, paid out, distributed or expended during the period of time extending from January 1, 1915 to the effective date of this Act, in the construction or building by any such County or Counties or any special road and bridge District or other special taxing District, of any road or roads which have heretofore been designated a State road, not including any amounts certified as credits to the several Counties pursuant to Chapter 15659, Laws of Florida, Acts of 1931, declaring such roads to have been built for State purposes and as being State undertakings, making an appropriation from the proceeds of the second gas tax levied and assessed by said Chapter 15659, for the cost of the audit provided for herein and for the refunding to such Counties of the said sums above mentioned; providing the method of distribution and use of the credits hereunder; and prescribing the duties of certain officials in carrying out the provisions of this Act.

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

DAVID ELMER WARD,
Chairman.

And Senate Bill No. 70, contained in the above report, was referred to the Committee on Finance and Taxation under the joint reference.

Senator Ward, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 12, 1941.

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

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 71:

A bill to be entitled An Act to amend Section 14 of Chapter 14486, Laws of Florida, Acts of 1929, entitled "An Act providing for depository of sinking funds and delinquent taxes and other moneys for road and bridge indebtedness of the Counties and special road and bridge districts of the State or otherwise, authorizing the issuance of refunding bonds by said Counties and special road and bridge districts, and providing for the creation of a Board of Administration and the disbursements of such funds to pay such indebtedness and the use of any surplus in any County for the construction and maintenance of roads and bridges," as amended by Chapter 15891, Acts of 1933, Laws of Florida, which amendment provided for certain additional, alternative and supplementary duties and powers of the State Board of Administration in connection with its functions as a fiscal agent for the several Counties of the State of Florida with reference to road district, road and bridge district, special road and bridge district, and County road bonds, and bond issues subject to said Chapter, as amended by Chapter 19279, Laws of Florida, Acts of 1939, which amendment provided for the disposition of any surplus in any County account for public highway construction and maintenance purposes and/or for the lease or purchase of certain toll or other bridges; and limiting the use of second gas tax funds placed to the credit of the several Counties administered by the State Board of Administration, and to amend Section 17 of said Chapter 14486, Laws of Florida, Acts of 1929, and providing by this amendment to said Sections for the manner of applying gas tax and other moneys to the payment of the road and bridge indebtedness of the Counties and special road and bridge districts of the State or otherwise; providing for the remission annually of any surplus gas tax or other moneys except sinking funds in any county account for use by the State road department and the County for public road purposes; and providing for the investment of sinking funds of said Counties in the matured or unmatured road and bridge bonds of any of said Counties and special road and bridge districts.

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

DAVID ELMER WARD,
Chairman.

And Senate Bill No. 71, contained in the above report, was referred to the Committee on Finance and Taxation under the joint reference.

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

Senate Chamber,
Tallahassee, Fla., May 13, 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. 231:

A bill to be entitled An Act relating to the Occupation of Barbering and the Operation of Barber Shops; authorizing the Barber's Sanitary Commission, upon petition signed by a 66 2/3% of all the Barbers holding certificates of registration in a County, to investigate Trade Practices among barbers and barber shops in such County and, after public hearings, to prescribe and enforce such reasonable rules and regulations pertaining to minimum prices to be charged for barber services and hours of operation of barber shops as will eliminate unfair and unsanitary practices; prescribing the penalty for the violation of the provisions of this Act and the rules and regulations adopted pursuant hereto, and repealing all Laws in conflict herewith.

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

S. A. HINELY,
Chairman.

And Senate Bill No. 231, contained in the above report, was referred to the Committee on Enrolled Bills.

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

Senate Chamber,
Tallahassee, Fla., May 13, 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. 14:

A bill to be entitled An Act to increase to the Public the Credit Facilities of Banks, Trust Companies and National Banks doing business in this State by fixing the rate of interest or discount that may be charged on loans not exceeding One Thousand Five Hundred Dollars (\$1,500.00), to pre-prescribe the methods for effecting such charge, and to pre-prescribe the charges thereon.

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

S. A. HINELY,
Chairman.

And Senate Bill No. 14, contained in the above report, was referred to the Committee on Enrolled Bills.

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

Senate Chamber,
Tallahassee, Fla. May 13, 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. 217:

A bill to be entitled An Act to declare, designate and establish certain State Roads in Hardee County, Florida.

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

S. A. HINELY,
Chairman.

And Senate Bill No. 217, contained in the above report, was referred to the Committee on Enrolled Bills.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Cooley—

Senate Bill No. 539:

A bill to be entitled An Act authorizing the Boards of County Commissioners and the Boards of Public Instruction in the several counties of the State to make arrangements for the use of school busses for the purpose of transporting members of the Florida defense force to and from drill areas under certain conditions; providing for the payment of ex-

penses of such transportation by the Board of County Commissioners; 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 Military Affairs and the Committee on Education, jointly.

By Senator Perdue—

Senate Bill No. 540:

A bill to be entitled An Act providing the open season for the catching of salt water fish from the salt waters of Levy County, Florida, providing for the transportation of such fish, and providing the size of meshes in nets which may be used in such salt water fishing, and providing penalties for the violation of this Act.

Which was read the first time by title only.

The following Proof of Publication was attached to Senate Bill No. 540 when it was introduced in the Senate:

STATE OF FLORIDA,)
COUNTY OF LEVY)

BEFORE ME, the undersigned authority, this day personally appeared R. B. Child, who on oath does solemnly swear that he is the editor and publisher of Levy County Journal, a weekly newspaper of general circulation in Levy County, Florida, and published at Bronson, Levy County, Florida; that said Levy County Journal has been continuously published weekly for more than one year immediately prior to April 3, 1941; that he has knowledge of the matters stated herein; that a Notice stating the substance of a contemplated law or proposed Bill relating to an ACT PROVIDING THE OPEN SEASON FOR THE CATCHING OF SALT WATER FISH FROM THE SALT WATERS OF LEVY COUNTY, FLORIDA, PROVIDING FOR TRANSPORTATION OF SUCH FISH, AND PROVIDING THE SIZE OF MESHES IN NETS WHICH MAY BE USED IN SUCH SALT WATER FISHING, AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ACT, has been published at least thirty days prior to this date by being printed in the issues of April 3rd, April 10, April 17th, April 24th and May 1st, 1941, of the Levy County Journal, a newspaper published in Levy County, Florida, where the matter or thing to be effected by the contemplated law is situated; that a copy of the Notice that has been published as aforesaid and also this Affidavit of Proof of Publication are attached to the proposed Bill or contemplated law, and such copy of the Notice so attached is by reference made a part of this Affidavit.

R. B. CHILD,
Editor Levy County Journal.

Sworn to and subscribed before me this
5th day of May, 1941.

A. H. WILSON
Notary Public State of Florida at Large.
My Commission expires:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that I will submit the following proposed legislative Act to the 1941 State Legislature and will seek its introduction and enactment into law, to-wit:

A BILL TO BE ENTITLED AN ACT PROVIDING THE OPEN SEASON FOR THE CATCHING OF SALT WATER FISH FROM THE SALT WATERS OF LEVY COUNTY, FLORIDA, PROVIDING FOR THE TRANSPORTATION OF SUCH FISH, AND PROVIDING FOR THE SIZE OF MESHES IN NETS WHICH MAY BE USED IN SUCH SALT WATER FISHING, AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ACT.

Be it enacted by the legislature of the State of Florida:

Section 1. That from and after the passage of this Act and upon its becoming a law, the open season for the taking and catching of salt water fish from the salt waters of Levy County, Florida, shall be as follows:

From January 1 of each year to December 31 of each year, and it shall be lawful for any person, firm or corporation to catch and take fish from the salt waters of Levy County, Florida, from January 1 of each year to December 31 of each year, both dates inclusive. It shall also be lawful for any person, firm, corporation and any transportation company to accept salt water fish between the above dates for transportation or shipment from Levy County, Florida.

Section 2. It shall be unlawful for any person, persons firm or corporation to use, put down or in any manner use for the purpose of fishing or catching fish from the salt waters of Levy County, Florida, any net of any description which measures less than one and three-eighths inches (1 3/8 inches)

square mesh, and any person, firm or corporation using a mesh smaller than one and three eighths inches (1 3/8 inches) square mesh or having the same in his, their or its possession for the purpose of using same to catch or take salt water fish from the salt waters of Levy County, Florida, shall, upon conviction thereof; be punished by a fine not exceeding \$500.00 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment; and such nets so used in violation of this Section, shall be taken into custody by any game or fish warden of the State of Florida, or by the sheriff of Levy County, Florida, and shall be destroyed by such officer under an Order issued from the County Judge's Court of Levy County, Florida. This Section shall not apply to any person using minnow nets for the purpose of catching bait.

Section 3. All laws or parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Section 4. If any Section of this Act or any part of any Section shall be declared invalid or unconstitutional, such declaration of invalidity shall not affect the validity of the remaining portions thereof.

Section 5. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its becoming a law without such approval.

J. E. WATSON.

Senator Perdue moved that the rules be waived and Senate Bill No. 540 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 540 was read the second time by title only.

Senator Perdue moved that the rules be further waived and Senate Bill No. 540 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. 540 was read the third time in full.

Upon the passage of Senate Bill No. 540 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 540 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Taylor—

Senate Bill No. 541:

A bill to be entitled An Act providing that in all Counties of the State of Florida having a population of not less than ninety thousand and not more than one hundred fifty thousand, according to the last State or Federal Census, instruments shall be deemed filed or recorded when they shall have been filed at the Court House with the proper official and the filing or recording fee paid.

Which was read the first time by title only.

Senator Taylor moved that the rules be waived and Senate Bill No. 541 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 541 was read the second time by title only.

Senator Taylor moved that the rules be further waived and Senate Bill No. 541 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. 541 was read the third time in full.

Upon the passage of Senate Bill No. 541 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 541 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Taylor—

Senate Bill No. 542:

A bill to be entitled An Act to authorize the Boards of County Commissioners in all Counties of the State of Florida having a population of more than ninety thousand (90,000) and less than one hundred fifty thousand (150,000), according to the last preceding State or Federal Census to enter into a contract with some agent, individual or attorney at law, resident in their respective County, for the collection of delinquent State and County taxes against personal property, by suit or otherwise; providing that suit may be brought in the name of the State of Florida for the collection of said taxes; and providing certain terms and conditions in connection therewith.

Which was read the first time by title only.

Senator Taylor moved that the rules be waived and Senate Bill No. 542 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 542 was read the second time by title only.

Senator Taylor moved that the rules be further waived and Senate Bill No. 542 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. 542 was read the third time in full.

Upon the passage of Senate Bill No. 542 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 542 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Taylor—

Senate Bill No. 543:

A bill to be entitled An Act abolishing the Boards of Bond Trustees in all counties of the State of Florida having a population of not less than ninety thousand and not more than one hundred fifty thousand, according to the last State or Federal census, providing for a department to be known as "department of bond and special road and bridge districts"; providing a clerk and providing for disposition of funds from bonds and special road and bridge districts in said Counties.

Which was read the first time by title only.

Senator Taylor moved that the rules be waived and Senate Bill No. 543 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 543 was read the second time by title only.

Senator Taylor moved that the rules be further waived and Senate Bill No. 543 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. 543 was read the third time in full.

Upon the passage of Senate Bill No. 543 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 543 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Taylor—

Senate Bill No. 544:

A bill to be entitled An Act relating to Counties having a population of not less than ninety thousand and not more than one hundred fifty thousand according to the last State or Federal Census; prescribing for provision for the employment and dismissal of traffic officers; to provide for

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way Patrol and the enforcement of traffic and motor vehicle license laws and granting the power to make arrests; to provide for the compensation and expense of such traffic officers; to provide for the commissioning of such traffic officers and prescribing the duties of the Boards of County Commissioners of such counties of the State of Florida in connection therewith.

Which was read the first time by title only.

Senator Taylor moved that the rules be waived and Senate Bill No. 544 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 544 was read the second time by title only.

Senator Taylor moved that the rules be further waived and Senate Bill No. 544 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. 544 was read the third time in full.

Upon the passage of Senate Bill No. 544 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 544 passed title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Taylor—

Senate Bill No. 545:

A bill to be entitled An Act to repeal so far as the same affects Pinellas County, Florida, Chapter 15934, Laws of Florida, Acts of 1933, the same being An Act to create a County Budget Commission in Counties of Florida having a population of not less than Seventy Thousand (70,000) and not more than One Hundred Fifty Thousand (150,000) by the last preceding State or Federal Census; to prescribe the powers, duties, and functions of such County Budget Commission and the qualifications, terms of office, and methods of appointment of members thereof; and to authorize such County Budget Commission to make and control the budget receipts and expenditures of the Board of County Commissioners, Board of Public Instruction, County Welfare Board, and all other boards, commissions, and officials of such counties or of taxing districts, situate therein authorized to raise and expend moneys for county or district purposes, as amended by Chapter 16,886, Laws of Florida, Acts of 1935, the same being an Act to amend Sections 5, 9, 10, 12, 15, and 16 of Chapter 15934, of the Laws of Florida, entitled: "An Act to create a County Budget Commission in counties of Florida having a population of not less than Seventy Thousand (70,000) and not more than One Hundred Fifty Thousand (150,000) by the last preceding State or Federal Census; to prescribe the powers, duties, and functions of such County Budget Commission and the qualifications, terms of office and methods of appointment of members thereof; and to authorize such County Budget Commission to make and control the budget receipts and expenditures of the Board of County Commissioners, Board of Public Instruction, County Welfare Board, and all other boards, commissions, and officials of such counties or of taxing districts, situate therein authorized to raise and expend moneys for county or district purposes," and to repeal all Acts or parts of Acts in conflict herewith.

Which was read the first time by title only.

The following Proof of Publication was attached to Senate Bill No. 545 when it was introduced in the Senate:

STATE OF FLORIDA,)
COUNTY OF LEON.)

Before the undersigned authority personally appeared Ray E. Green, Clerk Circuit Court, who on oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to repeal, insofar as it affects Pinellas County Florida, of the provisions of Chapter 15934, Laws of Florida, Acts of 1933, the same being an Act to create a County Budget Commission in Counties of Florida having a population of not less than Seventy Thousand (70,000) and not more than One Hundred Fifty Thousand (150,000) by the last pre-

ceding State or Federal Census, etc., as amended by Chapter 16,886 Laws of Florida, Acts of 1935, has been published at least thirty days prior to this date, by being printed in the issues of March 27, 1941 of The Evening Independent, a newspaper published in Pinellas County, Florida, (as per Publisher's Affidavit and Proof of Publication hereto attached and made a part hereof), where the matter or thing to be affected by the contemplated law is situated; that a copy of the notice that has been published as aforesaid and also this affidavit of proof of publication are attached to the proposed bill or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

RAY E. GREEN.

Sworn to and subscribed before me this 29th day of April, A. D. 1941.

(SEAL)

META O. WILKINS,
Notary Public, State of Florida.
My Commission expires 3-10-43.

THE EVENING INDEPENDENT

Published Daily Except Sunday

St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA)
COUNTY OF PINELLAS)

Before the undersigned authority personally appeared L. C. BROWN, who on oath says that he is Manager of The Evening Independent, a daily newspaper published at St. Petersburg in Pinellas County, Florida; that the attached copy of advertisement, (being a Notice of Intention to Apply for Legislation in the matter of Board of County Commissioners of Pinellas County) was published in said newspaper in the issues of March 27th, 1941.

Affiant further says that the said The Evening Independent is a newspaper published at St. Petersburg, in said Pinellas County, Florida, and that the said newspaper has heretofore been continuously published in said St. Petersburg, Pinellas County, Florida, each day except Sundays and has been entered as second class mail matter at the post office in St. Petersburg, in said Pinellas County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

L. C. BROWN.

Sworn to and subscribed before me this 10th day of April, A. D. 1941.

(SEAL)

OSCAR H. CROUCH,
Notary Public.

My commission expires December 27th, 1944.

NOTICE

TO WHOM IT MAY CONCERN: NOTICE OF INTENTION TO APPLY FOR LEGISLATION.

This is to give public notice that the undersigned will apply to the Legislature of the State of Florida at and during its regular session to be held in Tallahassee, Florida, during the year 1941, to have enacted into law, a bill to repeal so far as the same affects Pinellas County, Florida, Chapter 15934, Laws of Florida, Acts of 1933, the same being An Act to Create a County Budget Commission in Counties of Florida Having a Population of Not Less Than Seventy Thousand (70,000) and Not More Than One Hundred Fifty Thousand (150,000) by the Last Preceding State or Federal Census; to Prescribe the Powers, Duties and Functions of Such County Budget Commission and the Qualifications, Terms of Office and Methods of Appointment of Members Thereof; and to Authorize Such County Budget Commission to Make and Control the Budget Receipts and Expenditures of the Board of County Commissioners, Board of Public Instruction, County Welfare Board, and all Other Boards, Commissions and Officials of Such Counties or of Taxing Districts, Situate Therein Authorized to Raise and Expend Moneys for County or District Purposes, as amended by Chapter 16,886, Laws of Florida, Acts of 1935, the same being An Act to Amend Sections 5, 9, 10, 12, 15 and 16 of Chapter 15934 of the Laws of Florida, Entitled: "An Act to Create a County Budget Commission in Counties of Florida Having a Population of Not Less Than Seventy Thousand (70,000) and Not More Than One Hundred Fifty Thousand (150,000) by the Last Preceding

State or Federal Census; to Prescribe the Powers, Duties and Functions of Such County Budget Commission and the Qualifications, Terms of Office and Methods of Appointment of Members Thereof; and to Authorize Such County Budget Commission to Make and Control the Budget Receipts and Expenditures of the Board of County Commissioners, Board of Public Instruction, County Welfare Board, and All Other Boards, Commissions and Officials of Such Counties or of Taxing Districts, Situate Therein Authorized to Raise and Expend Moneys for County or District Purposes," and to repeal all Acts or parts of Acts in conflict herewith.

(SEAL)

THE BOARD OF COUNTY COMMISSIONERS, PINELAS COUNTY, FLORIDA.

By RAY E. GREEN,
Its Clerk.

141-Ind. 123-1t.

Senator Taylor moved that the rules be waived and Senate Bill No. 545 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 545 was read the second time by title only.

Senator Taylor moved that the rules be further waived and Senate Bill No. 545 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. 545 was read the third time in full.

Upon the passage of Senate Bill No. 545 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 545 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Taylor—

Senate Bill No. 546:

A bill to be entitled An Act granting to the Board of Administration created by Chapter 14486, Laws of Florida, Acts of 1929, additional authority and powers with reference to the sale and reinvestment of securities or other evidences of indebtedness held to the credit of funds being administered by said board, to the credit of county or counties having a population of not less than ninety thousand nor more than one hundred fifty thousand, according to the last preceding State or Federal census, or any special road and bridge district therein; and granting to said Board of Administration authority and power to accept refunding obligations, with authority to make concessions and compromises in regard thereto and providing the conditions under which the same may be done; granting to said board of administration authority and power to transfer either by sale or exchange obligations in any fund to another fund so as to result in a particular fund's acquiring its own obligations; granting to said board of administration authority and power to transfer surplus from one fund to another; and providing for the advice, consent, and approval to the exercise of the authority and powers herein granted of the Board of County Commissioners or other governing authority of the unit affected.

Which was read the first time by title only.

Senator Taylor moved that the rules be waived and Senate Bill No. 546 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 546 was read the second time by title only.

Senator Taylor moved that the rules be further waived and Senate Bill No. 546 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. 546 was read the third time in full.

Upon the passage of Senate Bill No. 546 the roll was called and the vote was:

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

Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 546 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Taylor—

Senate Bill No. 547:

A bill to be entitled An Act relating to County relief and welfare in all Counties in the State of Florida having a population of not less than ninety thousand and not more than one hundred fifty thousand, according to the last regular State or Federal census; defining the term county relief and welfare; prescribing the rights, duties and powers of the respective boards of county commissioners in the said counties pertaining to same; and authorizing an ad valorem tax to be levied therefor.

Which was read the first time by title only.

Senator Taylor moved that the rules be waived and Senate Bill No. 547 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 547 was read the second time by title only.

Senator Taylor moved that the rules be further waived and Senate Bill No. 547 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. 547 was read the third time in full.

Upon the passage of Senate Bill No. 547 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 547 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 Maddox, Cooley, Price, Folks, Dye, Kanner, Horne and Graham—

Senate Bill No. 548:

A bill to be entitled An Act to amend Section 4846, Revised General Statutes of Florida, the same being Chapter 6932, Compiled General Laws, 1927, as amended by Section 1, Chapter 16067, Acts of 1933, as amended by Chapter 20250, Laws of Florida, Acts of 1941, relating to Legal Holidays.

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

By Senators Adams (30th), Johnson, Kelly and McKenzie—
Senate Bill No. 549:

A bill to be entitled An Act providing for the retirement of State and County officers and Employees, of the State of Florida, under certain conditions; establishing a fund to be known as the "State and County Officers and Employees retirement fund" and providing for the contributions thereto by State and County Officers and Employees under certain conditions; providing for the pay of such retired State and County Officers and Employees; providing for the retirement and pay of permanently and totally disabled State and County Officers and Employees; providing for the reimbursement under certain conditions from the fund to State and County Officers and Employees; making appropriations to carry out the provisions of this Act.

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

By Senators Cooley, Maddox, Horne, Graham, Kanner, Lindler, Adams (30th), Price, Folks, McKenzie and Kelly—

Senate Bill No. 550:

A bill to be entitled An Act to provide educational opportunities for a child or children of deceased veterans of the Army, Navy, Marine or Nurses Corps who entered the service of the United States from the State of Florida and died in service between the 6th day of April, 1917, and the 2nd day of July, 1921, or who has died since or may hereafter die from

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diseases or disability resulting from such war service, where the parents of such child or children have been bona fide residents of the State of Florida for five years next preceding the application for benefits under this Act, and providing for rules, restrictions and limitations hereof, providing for the manner and application for sums appropriated and expended under this Act and withdrawing of the benefit of this Act for such child or children, providing for the appropriation of moneys and its application therefor in regard to benefits set forth under this Act.

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

By Senator Adams (30th)—

Senate Bill No. 551:

A bill to be entitled An Act relating to the Open Season for hunting in Hamilton County, Florida; prohibiting the hunting or taking of all game, game birds, or fur-bearing animals as herein defined, except on certain stated days during the open season for hunting; permitting the lawful hunting or taking of game, game birds or fur-bearing animals on such days; providing penalties for violation of the provisions hereof; providing for the enforcement hereof and repealing all Laws contrary hereto.

Which was read the first time by title only.

The following Proof of Publication was attached to Senate Bill No. 551 when it was introduced in the Senate:

AFFIDAVIT

STATE OF FLORIDA)
COUNTY OF HAMILTON)

BEFORE ME, the undersigned authority, personally appeared Ben M. Caldwell, Jr., who, on oath, does solemnly swear (or affirm) that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to Notice of Intention to apply to the Legislature for Special Legislation Affecting Hamilton County, has been published at least thirty (30) days prior to this date by being printed in the issue of April 11, 1941, of The Jasper News, a newspaper published in Hamilton County, Florida, where the matter or thing to be affected by the contemplated law is situate; that a copy of the notice that has been published, as aforesaid, and also this affidavit of proof of publication are attached to the proposed bill or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

BEN M. CALDWELL, JR.

Sworn to and subscribed before me this 12th day of May, A. D. 1941.

(SEAL)

CHANDLER S. BAMBERG,
Notary Public, State of Florida
at Large.

My Commission expires Oct. 4, 1944.

LEGAL ADVERTISEMENT

NOTICE OF INTENTION TO APPLY TO THE LEGISLATURE FOR SPECIAL LEGISLATION AFFECTING HAMILTON COUNTY.

Notice is hereby given that I will introduce in the 1941 Session of the Florida Legislature a bill to be entitled: An Act relating to the Open Season for Hunting in Hamilton County, Florida; prohibiting the hunting or taking of all Game, Game Birds or Fur-Bearing Animals as herein defined, except on certain stated days during the open season for hunting; permitting the lawful hunting or taking of Game, Game Birds or Fur-Bearing Animals on such days; providing penalties for violation of the provisions hereof; providing for the enforcement hereof and repealing all laws contrary hereto.

(SEAL)

R. S. ADAMS.

Senator Adams (30th), moved that the rules of further Senate Bill No. 551 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 551 was read the second time by title only.

Senator Adams (30th) moved that the rules be further waived and Senate Bill No. 551 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. 551 was read the third time in full.

Upon the passage of Senate Bill No. 551 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 551 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 Ward moved that House Bills Nos. 91, 8, 10 and 592 be recalled from the Committee on Public Roads and Highways.

Which was agreed to and it was so ordered.

Senator Gideons moved that the rules be waived and the Senate take up and consider House Bill No. 91, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 91:

A bill to be entitled An Act designating, declaring and establishing as a State Road 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.

Was taken up.

Senator Gideons moved that the rules be further waived and House Bill No. 91 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 91 was read the second time by title only.

Senator Gideons moved that the rules be further waived and House Bill No. 91 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. 91 was read the third time in full.

Upon the passage of House Bill No. 91 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 91 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 Gideons moved that the rules be waived and the Senate take up and consider House Bill No. 8, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 8:

A bill to be entitled An Act designating, declaring and establishing as a State road that certain highway beginning at a point on State Road No. 2 in Coleman, Florida, thence North and East over the present paved road to its intersection with State Road No. 2, between Coleman and Wildwood, Florida.

Was taken up.

Senator Gideons moved that the rules be further waived and House Bill No. 8 be read the second time by title only.

Which was agreed to by a two-thirds vote.

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

Senator Gideons moved that the rules be further waived and House Bill No. 8 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 8 was read the third time in full.

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

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

Nays—None.

So House Bill No. 8 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Gideons moved that the rules be waived and the Senate take up and consider House Bill No. 10, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 10:

A bill to be entitled An Act designating, declaring and establishing as a State road 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 Sumner County, Florida, and State Road No. 225, in Marion County, Florida, to Pedro, Marion County, Florida, through Long Hammock Settlement.

Was taken up.

Senator Gideons moved that the rules be further waived and House Bill No. 10 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 10 was read the second time by title only.

Senator Gideons moved that the rules be further waived and House Bill No. 10 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. 10 was read the third time in full.

Upon the passage of House Bill No. 10 the roll was called and the vote was:

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

Nays—None.

So House Bill No. 10 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 Collins moved that the rules be waived and the Senate take up and consider House Bill No. 592, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 592:

A bill to be entitled An Act to designate and establish certain State roads in Leon County, Florida.

Was taken up.

Senator Collins moved that the rules be further waived and House Bill No. 592 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 592 was read the second time by title only.

Senator Collins moved that the rules be further waived and House Bill No. 592 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. 592 was read the third time in full.

Upon the passage of House Bill No. 592 the roll was called and the vote was:

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

Nays—None.

So House Bill No. 592 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 Shepherd moved that Senate Bill No. 433 be recalled from the Committee on Public Roads and Highways.

Which was agreed to and it was so ordered.

By unanimous consent Senator Shepherd withdrew Senate Bill No. 433.

Pursuant to the motion made by Senator Graham on May 7, 1941, and the hour having arrived, the Senate took up for consideration Senate Bill No. 242, as amended, as a Special and Continuing order.

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

A bill to be entitled An Act to amend Chapter 18,402, Acts of 1937, approved June 9, 1937, as amended by Chapter 18,837 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 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; by providing for the protection of the rights of persons called into Military Service; by providing for the payment of contributions by employers liable for any Federal tax against which credit may be taken for such contribution; by simplifying the benefit payment procedures; by clarifying certain terms and provisions of said law; by making additional provisions for the better enforcement of said law and collection of contributions; by reducing the interest rate for delinquent contributions and providing a penalty for failure to file reports; by providing transition, provisions; and in so doing to amend Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 18 and 19, and to repeal sections 23 1/2 of said "Florida Unemployment Compensation Law" being: "An Act providing for relief from involuntary unemployment; providing a system of unemployment compensation in the State of Florida; declaring the public policy of the State of Florida; providing for the administration of the Act by the Florida Industrial Commission; defining and providing for the functions, duties and powers of the Florida Industrial Commission in the administration of this Act; providing for an unemployment compensation fund by the levying of certain contributions on all employers of eight or more persons with certain designated exemptions and providing for the collection, appropriation, deposit, distribution and disbursement of the contributions and other monies which may be collected pursuant to this Act; defining conditions of eligibility for and regulating benefits; providing for the payment of unemployment benefits and establishing a procedure for the settlement and review of benefit claims; permitting reciprocal agreements or arrangements with the Federal Government or the other states of the Union; providing for the establishment of state employment offices and for the administration of all such offices as a division of the Florida Industrial Commission; providing for an Unemployment Compensation Division in the Florida Industrial Commission; providing for an Unemployment Compensation Administration Fund; providing penalties for the violation of this Act; providing for all the terms, conditions, requirements, limitations and prohibitions under which the said system of unemployment compensation shall be created and administered and the Unemployment Compensation Fund shall be collected, administered and disbursed; providing for the election and termination of coverage; providing for the creation of Advisory Councils; reserving right of amendment and repeal; and providing for the repeal of Chapter 12,270, Laws of Florida, Acts of 1935, being

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

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

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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."

Was taken up, pending roll, having been amended and read the third time in full on May 7, 1941.

By unanimous consent Senator King offered the following amendment to Senate Bill No. 242:

In Section 3, sub-section E, paragraph VII, line 24, strike out the words "or" and in said paragraph VII on line 28, immediately following the semi-colon, insert the following: "or."

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator King also offered the following amendment to Senate Bill No. 242:

In section 10, page 36 beginning on line 20, (typewritten bill) strike out the sentence, "The other members of the Commission shall be paid for the additional duties involved in the administration of this Act and shall be allowed necessary expenses in connection therewith, which compensation and expenses shall be in addition to that provided under the terms of the Florida Workmen's Compensation Act, except that the total compensation of the members other than the Chairman for the administration of this Act shall not exceed \$1200 per annum."

And insert in lieu thereof the following: "Each other member of the Commission shall be paid for the additional duties involved in the administration of this Act the sum of \$1200 per annum and shall be allowed necessary expenses in connection therewith."

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator Graham offered the following amendment to Senate Bill No. 242:

In Section 12, sub-section D, on page 39 of the Bill, line 20, immediately following the comma after the word "compensation" and before the word "and" insert the following: "provided, however, that the Commission shall pay no employee appointed pursuant to the provisions of this subsection any compensation in excess of an annual rate of \$5,000."

Senator Graham moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator King also offered the following amendment to Senate Bill No. 242:

In section 3, subsection E, paragraph VII, line 34 of the Bill, strike out the period immediately following the word "Law," and insert a semi-colon (;), immediately following the said word "Law."

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator Housholder offered the following amendment to Senate Bill No. 242:

In section 4, subsection D, paragraph III, strike out said paragraph III of said subsection D, of section 4, in its entirety.

Senator Housholder moved the adoption of the amendment.

Upon which a roll call was demanded.

Upon call of the roll on the adoption of the amendment offered by Senator Housholder to Senate Bill No. 242, the roll was called and the vote was:

Yeas—Senators Housholder, Price, Shepherd, Taylor, Ward—5.

Nays—Mr. President; Senators Adams (25th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Hinely, Horne, Johnson, Kanner, Kelly, King, Lindler, Maddox, Maines, McKenzie, Rose, Shands, Shuler, Whitaker, Wilson—27.

So the amendment failed of adoption.

By unanimous consent Senator Housholder also offered the following amendment to Senate Bill No. 242:

Subsection E, Paragraph IX, Subparagraph (a), Page 9 in

section 3, lines 5, 6, 7 (typewritten bill), strike out the words: "but, in connection with the hauling of fresh citrus fruits, only if such service is performed in the employ of the owner or tenant of such farm."

Senator Housholder moved the adoption of the amendment.

Which was not agreed to so the amendment failed of adoption.

By unanimous consent Senator Housholder also offered the following amendment to Senate Bill No. 242:

Subsection E, Paragraph IX, subparagraph (d), Page 10 in Section 3, lines 11, 12 (typewritten bill) strike out the words: "or in connection with grading, packing, packaging or processing fresh citrus fruits."

Senator Housholder moved the adoption of the amendment.

Which was not agreed to so the amendment failed of adoption.

Upon the passage of Senate Bill No. 242, as amended, the roll was called and the vote was:

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

Nays—Senators Johnson, Perdue, Price—3.

So Senate Bill No. 242 passed, as amended, and was referred to the Committee on Engrossed Bills.

By permission the following message from the Governor was received and read:

State of Florida
EXECUTIVE DEPARTMENT
Tallahassee

May 13, 1941

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

Dear Senator Beacham:

I desire to address your Honorable Body in joint session with the House of Representatives tomorrow morning, May 14th, at eleven o'clock.

Faithfully yours,
SPESSARD L. HOLLAND,

Governor.

By permission the following Concurrent Resolution was introduced:

By Senator Wilson—

Senate Concurrent Resolution No. 11:

WHEREAS, His Excellency, Spessard L. Holland, Governor of Florida, has expressed a desire to address the Legislature of Florida in joint session on the 14th day of May A. D. 1941.

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

That the Senate and House of Representatives convene in joint session in the House of Representatives at 11:00 o'clock on the date above specified, for the purpose of receiving His Excellency's message.

Which was read the first time in full.

Senator Wilson moved that the rules be waived and Senate Concurrent Resolution No. 11 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 11 was read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

Which was agreed to and Senate Concurrent Resolution No. 11 was adopted, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Drummond now presiding.

SPECIAL AND CONTINUING ORDER

Pursuant to the motion made by Senator Collins on May 9, 1941, and the hour having arrived, the Senate took up for consideration House Bill No. 510, as a Special and Continuing order.

House Bill No. 510:

A bill to be entitled An Act recognizing and providing that the Supreme Court of Florida is authorized to prescribe the qualifications and requirements necessary for admission to

practice law in this State; to provide for the investigation, examination and admission of applicants; to prescribe a code of ethics governing the professional conduct of attorneys at law and a code of judicial ethics; to prescribe procedure for disciplining, suspending, and disbarring attorneys at law; to organize and supervise the government of an association to be known as the Florida State Bar composed of attorneys at law of this State to act as an administrative agency of said Supreme Court and to require that all persons practicing law in this State shall be members of such association and pay annual fees to be fixed or approved by said court; repealing all laws or parts of laws in conflict with rules promulgated by said court pursuant to such authority.

Was taken up and read the second time in full.

Senator Beall offered the following amendment to House Bill No. 510:

In section 1. lines 14 and 15, (typewritten bill) strike out the words: and pay such annual fees as shall be full or approved by said Supreme Court and also all of section 1-A.

Senator Beall moved the adoption of the amendment.

Pending consideration of the amendment offered by Senator Beall to House Bill No. 510, Senator Lewis moved that the rules be waived and the hour of adjournment be extended until such time as final disposition is made of House Bill No. 510.

Which was not agreed to so the motion failed of adoption.

Pending consideration of the amendment offered by Senator Beall to House Bill No. 510, Senator Smith moved that the rules be waived and consideration of the motion made by him to reconsider the vote by which Senate Bill No. 230 failed to pass the Senate on May 7, 1941, be informally passed at this time and he be permitted to take same up for consideration at a later date.

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

Pending consideration of the amendment offered by Senator Beall to House Bill No. 510, Senator Ward moved that the rules be waived and consideration of the motion made by Senator Beall on May 12, 1941, to reconsider the vote by which Amendments Nos. 1 and 2 to Senate Bill No. 109 were adopted by the Senate on May 12, 1941, be informally passed at this time and he be permitted to call same up for consideration at a later date.

Which amendments read as follows:

Amendment No. 1:

In Section 5, line 1, (typewritten bill) strike out the word "Broward" and insert the following: "Collier."

Amendment No. 2:

In Section 2. line 1, (typewritten bill) strike out the word "Collier" and insert "Broward."

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

Pending consideration of the amendment offered by Senator Beall to House Bill No. 510, Senator Ward moved that the rules be waived and Senate Bill No. 333 be made a Special and Continuing Order of Business for consideration by the Senate beginning at 12:30 o'clock P. M., Wednesday, May 14, 1941.

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

Pending consideration of the amendment offered by Senator Beall to House Bill No. 510, Senator Dye moved that House Bill No. 258 be referred to the Committee on County Organizations.

Which was agreed to and it was so ordered.

Pending consideration of the amendment offered by Senator Beall to House Bill No. 510, Senator Whitaker moved that Senate Bill No. 232 be recalled from the Committee on Judiciary "C" and be re-referred to the Committee on Finance and Taxation.

Which was agreed to and it was so ordered.

Pending consideration of the amendment offered by Senator Beall to House Bill No. 510, Senator Whitaker moved that the rules be waived and consideration of the motion made by Senator Hinely on May 12, 1941, to reconsider the vote by which the Senate concurred in House Amendment No. 3 to Senate Bill No. 236 be informally passed at this time and taken up at a later date.

Which amendment reads as follows:

House Amendment No. 3:

In Section 33 last two lines page 18, of the bill, strike out the words. None of the monies herein provided shall be used to pay for legal advice or legal services of any Attorney-At-Law.

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

Pending consideration of the amendment offered by Senator Beall to House Bill No. 510, the hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:05 o'clock P. M. until 10:00 o'clock A. M., Wednesday, May 14, 1941.

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