

JOURNAL OF THE SENATE

Tuesday, April 13, 1943

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, April 12, 1943.

The President in the Chair.

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

Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

A quorum present.

Senator Davis was excused from attendance upon the Sessions today and Wednesday.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Monday, April 12, 1943, was corrected and as corrected was approved.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Beall—

Senate Bill No. 78:

A bill to be entitled An Act to amend Section 415.21, Florida Statutes, 1941, relating to placing delinquent children on probation; and to amend Section 955.20, Florida Statutes, 1941, relating to the commitment of persons between sixteen and eighteen years of age convicted of certain crimes, to the Florida Industrial School for Boys; and repealing Section 955.19, Florida Statutes, 1941, relating to committing persons over ten years and under eighteen years of age to the guardianship of the Florida Industrial School for Boys, upon complaint being made of incorrigible and vicious conduct.

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

By Senator Beall—

Senate Bill No. 79:

A bill to be entitled An Act fixing the compensation and mileage of County Commissioners in counties having a population of not less than 74,000 and not more than 80,000 by the last preceding census, State or Federal.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

By Senator Collins—

Senate Bill No. 80:

A bill to be entitled An Act to amend Section 192.06, Florida Statutes, 1941, relating to property exempt from taxation, so as to authorize taxation of such property of the United States as it shall permit to be taxed.

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

By Senator Johnson—

Senate Bill No. 81:

A bill to be entitled An Act to fix and provide the compensation of the members of the Board of County Commissioners of Hernando County, Florida; to provide that said Act shall be effective and the additional compensation paid from October 1, 1941, and to further provide from what funds the additional compensation shall be paid, and to repeal all laws in conflict with said Act.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 81 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Johnson moved that the rules be waived and Senate Bill No. 81 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 81 was read the second time by title only.

Senator Johnson moved that the rules be further waived and Senate Bill No. 81 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. 81 was read the third time in full.

Upon the passage of Senate Bill No. 81 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

Nays—None.

So Senate Bill No. 81 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of rule.

By Senator Johnson—

Senate Bill No. 82:

A bill to be entitled An Act making unlawful the sale, offer for sale or advertising for sale of cemetery lots or mausoleum space for speculative or financial investment purposes or the guarantee, promise, representation, or inducement to purchaser of financial profits; providing for penalties for the violation thereof 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 Sheldon—

Senate Bill No. 83:

A bill to be entitled An Act authorizing, empowering and directing the State of Florida, through the Trustees of the Internal Improvement Fund, to convey to any County or Board of Public Instruction of the State of Florida, for public purposes, without consideration and without sale, any lands the title to which vested in the State of Florida pursuant to Chapter 18296, Laws of Florida, Acts 1937 Legislature; providing that request for such conveyance shall be evidenced by certified copy of resolution of Board of County Commissioners or County Board of Public Instruction, as the case may be, setting forth the public purpose to which said lands shall be devoted.

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

By Senator Maines—

Senate Bill No. 84:

A bill to be entitled An Act relating to hospitals that have been or may be established under the provisions of Chapter 20905, Laws of Florida, Acts of 1941, and public county hospitals generally, providing for an appropriation therefor and the method of paying the same and the manner in which it shall be expended.

Which was read the first time by title only and referred to the Committees on Public Health and Appropriations, jointly.

By Senator Franklin—

Senate Bill No. 85:

A bill to be entitled An Act authorizing and directing the Secretary of State of the State of Florida, or other State official or agency of the State, having charge of any of the publications named in said Act, to furnish without expense to the Library of Congress in Washington, D. C., certain copies of the Acts of the Legislature of Florida for the year 1941 and subsequent years; certain copies of the Journals of the Legislature of Florida for the session of 1941 and subsequent sessions; certain volumes of the reports of the Supreme Court of Florida beginning with the current volume and continuing

as other volumes are issued; certain volumes of the reported opinions of the Attorney General beginning with the current volume and continuing as other volumes are issued; and copies of each report, study, map or other publication issued during 1941 or subsequent years by any official, board or institution of the State of Florida, where such report, study, map or other publication is available for public distribution.

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

By Senator McKenzie—
Senate Bill No. 86:

A bill to be entitled An Act relating to the war-time mobilization of fire departments of cities, towns and villages; authorizing the appointment of temporary substitute firemen; authorizing outside service by said fire departments; and providing the powers, duties, rights, privileges, immunities, compensation, and liability for loss, damage, expense or acts or omissions in connection therewith.

Which was read the first time by title only and referred to the Committee on Military Affairs and Civilian Defense.

By Senator Franklin—
Senate Bill No. 87:

A bill to be entitled An Act to provide for the disposition of unclaimed dividends from assets conveyed to a trustee, corporation, or liquidating agent by a State Bank or Trust Company under the provisions of Sections 653.55, 653.56 and 653.57, Florida Statutes, 1941.

Which was read the first time by title only and referred to the Committee on Banking and Building and Loans.

By Senators Carroll, Beall, Franklin and Collins—
Senate Bill No. 88:

A bill to be entitled An Act to authorize the Trustees of the Internal Improvement Fund of the State of Florida to acquire in the name of the State of Florida certain lots or parcels of land in the City of Tallahassee situated in the block located south of the State Capitol building for use by the State as a part of the State Capitol Center and making an appropriation and authorizing the expenditure of funds by the said Trustees for said purpose.

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

By Senators Carroll, Beall, Franklin and Collins—
Senate Bill No. 89:

A bill to be entitled An Act to authorize the Florida Industrial Commission to acquire in the name of the State of Florida certain lots or parcels of land in the City of Tallahassee situated in the block located west of the State Capitol Building and north of the building occupied by the said commission for use by the State as a part of the State Capitol Center and making an appropriation and authorizing the expenditure of funds by the Commission for said purpose.

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

By Senator Mathews—
Senate Bill No. 90:

A bill to be entitled An Act relating to safety upon the public highways of the State of Florida; providing that funds derived from this Act be credited to the old age assistance fund; abolishing the State Highway Patrol; placing certain duties in connection therewith upon the sheriffs of the several counties of the State; providing for licensing of chauffeurs and other operators of motor vehicles; to provide for the suspension, cancellation and revocation of such licenses; to provide for certain liabilities, penalties and punishment for the violation of this Act; to provide for examination for licenses and providing generally that the powers heretofore exercised by the Department of Public Safety under Chapter 20451, Laws of Florida, Acts of 1941, shall be performed and exercised by the several sheriffs of the respective counties of the State of Florida; providing for the disposition of all property held by the Department of Public Safety and repealing Chapter 20451, Laws of Florida, Acts of 1941, establishing the State Department of Public Safety and providing for its duties and powers.

Which was read the first time by title only and referred to the Committees on Judiciary "B" and Motor Vehicles, jointly.

By Senator Barringer—
Senate Bill No. 91:

A bill to be entitled An Act to provide for the relief of the Palmer National Bank & Trust Company of Sarasota, Florida, by providing for the reimbursement to it of payments made by said bank to the Tax Collector of Sarasota County, Florida, under assessments levied for the years 1930 to 1940, both inclusive, upon the tangible personal property of said bank.

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

By Senator Sheldon—
Senate Bill No. 92:

A bill to be entitled An Act requiring the publication and filing by the Chairman and Treasurer of the Executive Committee of each political party represented by candidates for nomination to any county or municipal office in Hillsborough County, Florida, of an itemized statement of its receipts and disbursements; and providing a penalty for the violation of the provisions hereof.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 92 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Sheldon moved that the rules be waived and Senate Bill No. 92 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 92 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 92 be read the third time in full and put upon its passage.

Which agreed to by a two-thirds vote.

And Senate Bill No. 92 was read the third time in full.

Upon the passage of Senate Bill No. 92 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Clett, Coleman, Collins, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

Nays—None.

So Senate Bill No. 92 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—
Senate Bill No. 93:

A bill to be entitled An Act amending Chapter 16975, General Laws of Florida, 1935, and re-enacting Section 4981 of the Compiled General Laws of Florida, 1927, being Section 3189 of the Revised General Statutes of Florida, 1920, being Chapter 522, Section 1, Acts of 1853, as amended by Section 1, Chapter 4726, Acts of 1899 as amended by Chapter 16009, Acts of 1933, the same being An Act entitled "An Act to amend Section 1478 of the Revised General Statutes of the State of Florida relating to residence required in order to obtain a divorce."

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

By Senator Sheldon—
Senate Joint Resolution No. 94:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VIII OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATIVE TO ASSESSMENT OF PROPERTY FOR TAXES AND THE COLLECTION OF TAXES, BY ADDING THERETO ADDITIONAL SECTIONS TO PROVIDE THAT IN ALL COUNTIES OF THE STATE HAVING A POPULATION OF MORE THAN FIFTY THOUSAND ACCORDING TO THE LAST STATE OR FEDERAL CENSUS THAT THE COUNTY TAX ASSESSOR SHALL ASSESS THE PROPERTY OF THE COUNTY FOR THE PURPOSE OF LEVYING ALL STATE, COUNTY, SCHOOL AND MUNICIPAL TAXES LEVIED BY THE STATE, COUNTY, COUNTY SCHOOL BOARD, SCHOOL DISTRICTS, SPECIAL TAX

SCHOOL DISTRICTS AND MUNICIPALITIES OF THE COUNTY.**BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:**

That the following Amendment to Article VIII of the Constitution of the State of Florida relative to the assessment and collection of all taxes in counties having a population of more than 50,000 according to the last State or Federal census by adding thereto additional Sections to be known as Section 11 and Section 12, be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the General Election to be held on the first Tuesday after the first Monday in November, 1944, as follows:

Section 11. 1. From and after January 1, 1946, the County Tax Assessor in each county of the State of Florida having a population of more than 50,000 according to the last State or Federal census, shall assess all property for all State, county, school, and municipal taxes to be levied in the county by the State, County, County School Board, School Districts, Special Tax School Districts and municipalities.

2. The Legislature shall at the legislative Session in 1945 and from time to time thereafter, enact laws specifying the powers, functions, duties and compensation of County Tax Assessors in all counties designated in paragraph 1 of this Section 11, and shall likewise provide by law for the extension on the assessment roll of the County Tax Assessor of all taxes

levied by the State, County, County School Board, School Districts, Special Tax School Districts and municipalities.

Section 12. 1. From and after January 1, 1945, the County Tax Collector in each county in the State of Florida having a population of more than 50,000 according to the last State or Federal census, shall collect all taxes levied in the County by the State, County, County School Board, School Districts, Special Tax School Districts and municipalities.

2. The Legislature shall at the Legislative Session of 1945, and from time to time thereafter enact laws specifying the powers, functions, duties and compensation of County Tax Collectors in all counties designated in paragraph 1 of this Section 12, and shall likewise provide for the collection, care, custody, reporting and disbursement of all taxes collected by the County Tax Collector.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

Senator Collins moved that the Senate do now adjourn.

Which was agreed to.

And the Senate stood adjourned at 11:25 o'clock A. M., until 11:00 o'clock A. M., Wednesday, April 14, 1943.