

JOURNAL OF THE SENATE

Wednesday, April 21, 1943

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Tuesday, April 20, 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, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin Graham, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

A quorum present.

Senators Griner and Shands were excused from attendance upon the Session today.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Tuesday, April 20, 1943, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Your Committee on Judiciary "A." to whom was referred: Senate Bill No. 186:

A bill to be entitled An Act to amend Section 17.13, Florida Statutes, 1941, relating to the Duplication of lost or destroyed warrants.

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

Very respectfully,

AMOS LEWIS,

Chairman of Committee.

And Senate Bill No. 186, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "A." to whom was referred: Senate Bill No. 54:

A bill to be entitled An Act to amend Sections 5, 6, 12, 17 and 24 of Chapter 20519, Laws of Florida, Acts of 1941, being "An Act providing for and adopting a State Administered Probation and Parole System for the State of Florida; creating and establishing a Parole Commission and conferring and defining its duties, powers, and functions, including the power to make rules and regulations and the supervision of persons placed upon probation; providing for the method of appointment and removal of the Members of the Parole Commission, its clerks and employees, regulating their compensation, and prohibiting their engaging in certain activities; providing for the purchase of supplies and materials and for the allowance of necessary traveling and other expenses; providing for the placing on parole of persons in certain cases, their discharge from parole, their rearrest with and without a warrant for violation of the terms and conditions of parole; providing for hearings on charges of violation of the terms and conditions of parole, and reimprisonment because of such violation; providing for the recommendation by the Parole Commission to the Board of Pardons for the extension of clemency to deserving persons; authorizing financial aid to indigent parolees at the time of their release; providing for the cooperation of certain public officers and agencies with the Parole Commission; authorizing and regulating the use by the Courts of Probation and Suspension of imposition of sentence; permitting appeal from judgment adjudging guilt, excepting certain Courts and Correctional Institutions from the operation of this Act, and authorizing the preservation of Probation Officers now serving under any previous law; and making an appropriation for carrying into effect the provisions of this Act; fixing an effective date thereof and repealing all laws and parts of laws in conflict herewith."

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

Very respectfully,

AMOS LEWIS,

Chairman of Committee.

And Senate Bill No. 54, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "A." to whom was referred: House Memorial No. 1:

A Memorial to the Honorable Claude R. Wickard, Secretary of Agriculture, United States of America, petitioning immediate relief to farmers in the State of Florida from various rules, regulations and restrictions which hamper and retard the farmers of this State in their patriotic labors to help clothe and feed the United Nations' fighting men and civilians.

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

Very respectfully,

AMOS LEWIS,

Chairman of Committee.

And House Memorial No. 1, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Public Health, to whom was referred:

By Mr. Lewis of Gulf—

House Bill No. 36:

A bill to be entitled An Act to repeal Chapter 515 Florida Statutes, 1941, and Chapter 20337, Laws of Florida, Acts of 1941, relating to the dry cleaning and laundry industry.

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

Very respectfully,

JOHN R. BEACHAM,

Chairman of Committee.

And House Bill No. 36, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Banking and Building and Loans, to whom was referred:

Senate Bill No. 19:

A bill to be entitled An Act to legalize the payment, certification or acceptance after banking hours or on any legal holiday of checks or other negotiable instruments by banks or trust companies in this State.

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

Very respectfully,

S. D. CLARKE,

Chairman of Committee.

And Senate Bill No. 19, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Banking and Building and Loans, to whom was referred:

Senate Bill No. 16:

A bill to be entitled An Act to amend Section 653.18 Florida Statutes, 1941, as amended by Section 1, Chapter 20939, Acts of 1941, relating to a limitation on loans to officers, directors, employees and others, made by State banks and trust companies.

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

Very respectfully,

S. D. CLARKE,

Chairman of Committee.

And Senate Bill No. 16, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Banking and Building and Loans, to whom was referred:

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.

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

Very respectfully,
S. D. CLARKE,
Chairman of Committee.

And Senate Bill No. 87, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Appropriations, to whom was referred:
House Bill No. 60:

A bill to be entitled An Act to appropriate \$25,000.00 for the further expenses of the work of the Everglades National Park Commission, created by Act of the Legislature Chapter 13887, May 25, 1929, as amended by Chapter 16966, Acts of 1935.

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

Very respectfully,
ERNEST F. HOUSHOLDER,
Chairman of Committee.

And House Bill No. 60, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Appropriations, to whom was referred:
Senate Bill No. 117:

A bill to be entitled An Act for the relief of Peninsular Realty Investment Company directing and requiring the State of Florida and the County of Collier to refund and repay the money received by each from the sale of certain void tax certificates.

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

Very respectfully,
ERNEST F. HOUSHOLDER,
Chairman of Committee.

And Senate Bill No. 117, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Appropriations, to whom was referred:
Senate Bill No. 39:

A bill to be entitled An Act to fix the salaries of the Circuit Judges of the State of Florida.

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

Very respectfully,
ERNEST F. HOUSHOLDER,
Chairman of Committee.

And Senate Bill No. 39, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

House Memorial No. 4:

A Memorial to the Congress of the United States requesting the establishment in Palestine of a National Home for the Jewish people.

Also—

House Bill No. 123:

A bill to be entitled An Act relating to the foreclosure of tax sale certificates, issued by the Tax collectors of DeSoto County, Florida, to either the Treasurer of the State of Florida, or the County of DeSoto, State of Florida, or the Assignee of such certificates and authorize foreclosure in one bill of complaint upon separate parcels of land, owned by different persons defendant.

Also—

House Bill No. 88:

A bill to be entitled An Act to regulate the nominations in primary elections and the compensation of the Members of the Board of County Commissioners in Highlands County, Florida, and repealing conflicting laws.

Also—

House Bill No. 131:

A bill to be entitled An Act to amend Chapter 16882, Laws of Florida, 1935 by making the same definitely applicable to the election and compensation and duties of the Office of County Attorney in Highlands County, Florida, and validating elections held under said amended Act.

Also—

House Bill No. 87:

A bill to be entitled An Act relating to the compensation of the Clerk of the Circuit Court for services performed in suits or proceedings in law and in chancery before the Circuit Court in Highlands County, Florida.

Also—

House Bill No. 119:

A bill to be entitled An Act authorizing the County Commissioners of Columbia County to appropriate money and enter into contracts for the purpose of building water dams in said county for the conservation of fish and the prevention of erosion.

Also—

House Bill No. 144:

A bill to be entitled An Act to authorize the Board of County Commissioners of Hillsborough County, Florida, to close, vacate, and abandon any private or public street, road, alley, way, or other place used for travel, or any portion thereof, within said county, and to prescribe the method therefor, and validating and confirming the closing, vacation and abandonment of such roads and streets, heretofore ordered by such board.

Also—

House Bill No. 139:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Hillsborough County, Florida, to compromise, adjust, settle, and cancel paving certificates issued under Chapter 9316, Acts of 1923 Legislature, and held, owned, or acquired by said board, upon terms and conditions to be fixed and determined by said Board of County Commissioners; and validating, ratifying, and confirming all settlements, compromises, and cancellations of such paving certificates heretofore made by said Board of County Commissioners.

Also—

House Bill No. 158:

A bill to be entitled An Act prohibiting and making unlawful the running at large of hogs in Manatee County, Florida; prescribing procedure and penalties in aid of the enforcement of this Act and fixing and providing for the punishment of the owner or owners of any hog or hogs running at large in violation of this Act.

Also—

House Bill No. 163:

A bill to be entitled An Act empowering and requiring the City of Tampa to refund to Carrie G. Bayless and W. K. Bayless certain amounts erroneously collected for city ad valorem taxes assessed against property not within the corporate limits of the city.

Also—

House Bill No. 141:

A bill to be entitled An Act authorizing the reduction, compromise and settlement of all state, county and district taxes other than drainage taxes levied and assessed for the year 1942 or prior years including unpaid taxes for any omitted year or years against any or all land situate in Hillsborough County, Florida, against which there are out-

standing uncanceled paving certificates, representing assessments under the provisions of Chapter 10145, Laws of Florida, Acts of 1925, upon such terms and for such amounts as may be determined by the Board of County Commissioners of Hillsborough County, Florida by resolution adopted by and entered in the minutes of said board: and to provide for distribution of proceeds of any settlement so authorized and made.

Also—

House Bill No. 97:

A bill to be entitled An Act creating a special tax district in Putnam County, Florida, to be known as the Putnam County Nurse's District; fixing and prescribing the boundaries of said district; providing for the governing and administration of the same; providing that the Board of Public Instruction of Putnam County, Florida, shall be the Members of the Board of Trustees of the same; authorizing and empowering the said Board of Trustees to employ a County Nurse; providing for the levy of taxes for the payment of salary, and expenses; and providing general powers and duties of said Board of Trustees, and validating, confirming, ratifying and approving, in all respects, all taxes heretofore levied under Chapter 21514, Laws of Florida, 1941.

Also—

House Bill No. 179:

A bill to be entitled An Act to amend Section 39 of Chapter 18759, Laws of Florida, Special Acts of 1937, being "An Act to abolish the present municipality and municipal government of the town of Pahokee in Palm Beach County, Florida, as created by Chapter 9872, special Acts of 1923, and to establish a new municipality to be known as the City of Pahokee in Palm Beach County, Florida; and to define its territorial boundaries and to provide for its government and to prescribe its jurisdiction and powers and the jurisdiction and powers of its officers; to legalize and validate the ordinances of said City of Pahokee; to prescribe the time within which suits can be brought against said city and for notice thereof, and providing a negative referendum to decide the question of incorporating said city."

Also—

House Bill No. 190:

A bill to be entitled An Act granting to any member of the police department of the City of Jacksonville who is a member of the Police Pension Fund of said city and who, during certain periods, resigned, thereafter was re-employed, then retired on pension, and again re-employed in said department, continuous service credit for his years of service in said department for pension, retirement and benefit purposes.

Also—

House Bill No. 209:

A bill to be entitled An Act to authorize the creation of a Special Assessment Board of the City of St. Petersburg, Florida; prescribing its powers, duties and limitations; prescribing the length of time such board shall stay in existence; providing for a chairman and secretary and authorizing said board to adjust, settle and compromise certain special assessment liens held and owned by the City of St. Petersburg, Florida; providing that fees may be charged for making applications for adjustment of special assessment liens, the proceeds from which to be used to defray the cost and expense of the operation of the board.

Also—

House Bill No. 145:

A bill to be entitled An Act providing for a reregistration of all voters for all elections to be held in the year 1944, in Hillsborough County, Florida; and providing for the time of opening and closing the registration books; and providing that the registration for the year 1944 shall be a permanent registration for all subsequent elections; and providing for the registration of all voters for all elections subsequent to the year 1944 in the office of the Supervisor of Registration only; and providing for the time of opening and closing of the registration books in the office of the Supervisor of Registration for all elections subsequent to the Year 1944; and

providing the form of registration blanks, providing for the type of binder for the permanent registration records; and providing for notice to voters by the Supervisor of Registration of their registration as shown on the registration books, and requesting information pertinent thereto in the year 1946 and every two years thereafter and the return thereof by the voters and the penalty for failure to return said notice with the information requested; and providing for the furnishing of the registration blanks by the Secretary of State and the permanent registration binders by the County Commissioners; and providing for the compensation of the Supervisor of Registration; and providing for a Chief Deputy, and providing for their compensation.

Also—

House Concurrent Resolution No. 5:

A Concurrent Resolution to continue Florida's assistance to the United Nations in war aims.

Have examined the same and find them correctly enrolled.

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

Very respectfully,

S. A. HINELY,

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

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

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

Senate Concurrent Resolution No. 5:

A Resolution looking toward the establishment of Peace on Earth and Good Will Toward Men in the world following the war in which we are now engaged.

Also—

Senate Bill No. 1:

A bill to be entitled An Act to amend Section 585.32, Florida Statutes 1941, relating to the purchase and distribution of anti-hog cholera serum and virus and the appropriation therefor.

Also—

Senate Bill No. 4:

A bill to be entitled An Act authorizing the Board of County Commissioners in all counties in the State of Florida having populations of not less than ten thousand, one hundred twenty-five (10,125), and not more than ten thousand, five hundred (10,500), according to the last Federal census to transfer and use for county purposes, all moneys paid to, or received by said Boards of County Commissioners, or said counties, as proceeds of special earmarked tax levies made for the payment of bonds, and/or interest coupons, and/or any judgment entered thereon, where such bonds, and/or interest coupons, or any judgment thereon have been exchanged for refunding bonds issued to refund such bonds, coupons, or judgments, or the issue of bonds of which said bonds, coupons, or judgments are a part, or otherwise accruing to the said Board of County Commissioners, or counties as the result of any tax levies, where the proceeds of such levies cannot be applied to the original purposes for which the same was levied and to empower said Boards of County Commissioners to transfer said funds into any fund, or account of said board, and/or county, and use and expend the same for county purposes.

Also—

Senate Bill No. 9:

A bill to be entitled An Act imposing an additional tax upon gasoline or other like products of petroleum; providing for reports of sales of such commodities to the Comptroller of the State of Florida; providing for the disposition of the moneys derived from such taxes, and the apportionment thereof to the General Revenue Fund of the State, and to the County School Fund; providing that the gasoline inspection laws of the State of Florida shall apply to this Act; prohibiting the levy and collection by municipalities and other

political subdivisions of gasoline taxes; providing for the enforcement of this Act, and penalties for violation hereof and providing that this Act is an emergency revenue measure and shall be of no force and effect from and after July 1, 1945.

Also—

Senate Bill No. 12:

A bill to be entitled An Act permitting certain persons, who have heretofore or may hereafter pay or cause to be paid certain fees or amounts into the proper account or fund, to elect to come under the provisions of statutes and laws providing for the retirement of State officers and employees, upon the performance of certain conditions and things by such persons.

Also—

Senate Bill No. 20:

A bill to be entitled An Act repealing Chapter 18129 from the Laws of Florida, Acts of 1937, relating to re-registration and the registration of voters for primary and general elections in counties of the State of Florida having a population of not less than thirty thousand seven hundred and not more than thirty thousand eight hundred inhabitants according to the 1935 State census.

Also—

Senate Bill No. 21:

A bill to be entitled An Act to provide for re-registration of all voters for primary and general elections to be held in the year A. D. 1946 and every six years thereafter in counties of the State of Florida having a population of not less than thirty-one thousand and not more than thirty-one thousand four hundred inhabitants, according to the 1940 Federal census fixing the time when registration books in each of said counties shall be kept open for the purpose of such re-registration and prescribing the duties and compensation of registration officers in connection therewith.

Also—

Senate Bill No. 23:

A bill to be entitled An Act to ratify, confirm, validate and legalize all acts and proceedings of Franklin County, Florida, its County Commissioners, officers and agents relative to the purchase of lands for the construction of a Federal Gunnery School and air field, within Franklin County, Florida, and the issuance of \$12,000.00 of promissory notes therefor dated April 15, 1942, authorizing the same; and ratifying, confirming, validating and legalizing said proceedings.

Also—

Senate Bill No. 26:

A bill to be entitled An Act providing for the application of gasoline and other fuel tax funds accruing to Flagler County under Section 16 of Article IX of the Constitution of this State, to Flagler County's proportionate share of the cost of construction of the brick road originally constructed by St. Johns County.

Also—

Senate Bill No. 49:

A bill to be entitled An Act authorizing and empowering the State Board of Administration, created by Section 16 of Article IX of the Constitution of this State, to refund and pay certain judgments rendered against taxing units based upon road and bridge bonds outstanding on July 1, 1931, or any refunding issues thereof, and providing for the application of any ad valorem taxes levied to pay such judgments or the bonds upon which the same were based.

Also—

Senate Bill No. 51:

A bill to be entitled An Act authorizing the State Road Department of the State of Florida to invest any second gas tax funds heretofore or hereafter accruing to said department for use pursuant to any Statute of the State of Florida, and any 80 per cent. surplus funds heretofore or hereafter accruing to said department for use pursuant to Section 16 of Article IX of the State Constitution, which funds are uncommitted, unusable or unexpendable for the purposes for which they were heretofore allocated or appropriated because of the present war emergency, in gasoline or other fuel tax anticipation certificates of counties and special road and bridge districts issued by the State Board of Administration pursuant to Section 16 of Article IX of the State Constitution and prescribing the terms and limitations of such investments and

the duties and powers of certain State officials in connection therewith.

Also—

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.

Also—

Senate Bill No. 98:

A bill to be entitled An Act providing for service raises for employees of the City of Jacksonville, Florida.

Also—

Senate Bill No. 136:

A bill to be entitled An Act to amend Section 5 of, and to add an additional section to, Chapter 18615 Laws of Florida, Special Acts of 1937, entitled "An Act providing for pensions for certain members of the Police and Fire Departments of the City of Jacksonville."

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

Very respectfully,

S. A. HINELY,
Chairman of the Joint Committee on
Enrolled Bills on the Part of the Senate.

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

Senate Concurrent Resolution No. 4:

A Resolution that we go on record as commending the officers and members of the Civil Air Patrol for their patriotic activities, sacrifices, and accomplishments toward the end of winning the war; and that this Resolution be spread upon the Journal of the House and Senate.

Also—

Senate Bill No. 6:

A bill to be entitled An Act providing for the compensation of members of the Board of Public Instruction in all counties of the State of Florida having a population of not more than ten thousand, five hundred (10,500) and not less than ten thousand, one hundred twenty five (10,125), according to the last preceding Federal census.

Also—

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.

Also—

Senate Bill No. 44:

A bill to be entitled An Act providing for the disposition of excess funds created by ad valorem tax levies, tax redemptions or interest upon investments in the accounts of the several counties and special road and bridge districts or other special taxing districts of this state for road and bridge bonded indebtedness being administered by the State Board of Administration.

Also—

Senate Bill No. 50:

A bill to be entitled An Act authorizing the State Road Department of the State of Florida to make investments of first gas tax funds which may be uncommitted, unusable or unexpendable for state road construction purposes because of the present war emergency, in gasoline or other fuel tax anticipation certificates of counties and special road and bridge districts issued by the State Board of Administration pursuant to Section 16 of Article IX of the State Constitution and prescribing the terms and limitations of such invest-

ments and the duties and powers of certain State officials in connection therewith.

Also—

Senate Bill No. 52:

A bill to be entitled An Act providing for the disposition of bonds, delinquent interest coupons, or other delinquent obligations of counties, districts and municipalities, deposited with the State Treasurer, as custodian thereof, under Chapter 15054, Laws of Florida, Acts of 1931.

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

Very respectfully,

S. A. HINELY,

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

INTRODUCTION OF RESOLUTIONS AND CONSIDERATION OF SENATE RESOLUTIONS

By Senators Carroll and Collins—

Senate Concurrent Resolution No. 7:

WHEREAS, the Honorable Henry Agard Wallace, Vice President of the United States, is now visiting in South America further advancing the friendship between our good neighbors of that continent and the people of this nation, as well as integrating and correlating our war efforts and those of our Allies and

WHEREAS, the said Honorable Henry Agard Wallace is expected to return to the United States soon and it is likely that on his return journey he will pass through the State of Florida, and

WHEREAS, all members of the 1943 session of the Legislature of the State of Florida and the people of our State would consider it a great privilege and honor for our Vice President, on his return journey, to stop by the State Capital and address a joint session of the Senate and House of Representatives, and

WHEREAS, the Governor of this State has likewise evidenced his great interest in assisting in the arrangements for such a visit and address,

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

1. That the Legislature does hereby extend to the Honorable Henry Agard Wallace, Vice President of the United States, a cordial invitation to visit the capital of Florida at such time as may be convenient to him, and to address a joint session of the Legislature of the State of Florida.

2. That a Joint Committee, to be composed of the President of the Senate, the Speaker of the House and two additional members of the Senate, to be appointed by the President of the Senate and one additional member of the House, to be appointed by the Speaker of the House, be empowered, in their discretion, to extend to our Vice President such invitation as may be considered advisable and to make such arrangements as may be proper in order to obtain the acceptance of this invitation and to facilitate its purposes.

3. That any expense which may be incurred by said Committee in carrying out the purposes and intent of this Resolution shall be chargeable as a part of the legislative expense for this session, and one-half of the same shall be pro-rated to each house.

Which was read the first time in full.

Senator Carroll moved that the rules be waived and Senate Concurrent Resolution No. 7 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 7 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. 7 was adopted and the action of the Senate was ordered certified to the House of Representatives.

INTRODUCTIONS OF BILLS AND JOINT RESOLUTIONS

By Senator Johnson—

Senate Bill No. 207:

A bill to be entitled An Act to amend Section 3191, Revised General Statutes of Florida, 1920, the same being Section 4983; Compiled General Laws of Florida, 1927, the same being Section 65.04, Florida Statutes, 1941, relating to divorce and stating the grounds therefore.

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

By Senators Sheldon, Beall and Upchurch—

Senate Bill No. 208:

A bill to be entitled An Act providing that during the time any citizen of Florida is a member of the military forces of the United States and for period of six months after termination of such service, he or she is exempted from preparing, furnishing or filing with any board, bureau, regulatory body, commission or official of Florida any statement, report, certificate, application or other document now or hereafter required or prescribed by any rule, ordinance, law or regulations; and relieving such persons from paying any dues, fees or charges required to maintain his or her technical or professional standing and prohibiting all boards, bureaus, regulatory bodies, commissions and officials of Florida from denying to any of the persons herein named any rights, privileges or benefits enjoyed by such persons when entering the service of the United States.

Which was read the first time by title only.

Senator Sheldon moved that the rules be waived and Senate Bill No. 208 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 208 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 208 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. 208 was read the third time in full.

Pending roll call on the passage of Senate Bill No. 208, Senator Sheldon moved that the further consideration thereof be informally passed.

Which was agreed to and it was so ordered.

By Senator King—

Senate Bill No. 209:

A bill to be entitled An Act to authorize, empower and direct the Clerk of the Circuit Court of Polk County, Florida, to turn over, pay into and deliver to the General Fund of Polk County, Florida, all funds in his hands, or under his control, received from the payment of all special road and bridge district bonds, or county bonds, and all special tax school district bonds and/or any other bonds, and all interest coupons thereto attached or thereto belonging, received by said Clerk of the Circuit Court in payment of delinquent taxes and in tax adjustments, under the provisions of Chapter 16252 of the Laws of Florida, of 1933, commonly known as the Futch Act.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 209 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 King moved that the rules be waived and Senate Bill No. 209 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 209 was read the second time by title only.

Senator King moved that the rules be further waived and Senate Bill No. 209 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. 209 was read the third time in full.

Upon the passage of Senate Bill No. 209 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, Mc-

Arthur, McKenzie, Perdue, Rose, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

Nays—None.

So Senate Bill No. 209 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Clark—
Senate Bill No. 210:

A bill to be entitled An Act authorizing the State Library Board to negotiate for the transfer of and to receive public records from any official, department or agency of the State of Florida; making the State Library Board legal custodian of all public records turned over to it by any and every such official, department or agency; authorizing any public officer to turn over to the State Library Board such public records legally in his custody as are not needed for the transaction of the business of his office whenever the State Library Board is willing to receive and care for them; requiring the Secretary of the State Library Board to receive for deposit in the Florida State Library all records turned over to said board by any public officer or any agency of the state, and that said Secretary of the State Library Board receipt for all records received.

Which was read the first time by title only.

Senator Clark moved that the rules be waived and Senate Bill No. 210 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 210 was read the second time by title only.

Senator Clark moved that the rules be further waived and Senate Bill No. 210 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. 210 was read the third time in full.

Upon the passage of Senate Bill No. 210 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham Hinely, Housholder, Johnson, King, Lewis, Lindier, Maddox, Maines, Mathews, McKenzie, Perdue, Rose, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—32.

Nays—None

So Senate Bill No. 210 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Davis—
Senate Bill No. 211:

A bill to be entitled An Act amending Section 257.05 of Florida Statutes, 1941 relative to copies of reports of State Departments or other publications of the state furnished State Library Board.

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

By Senator Black—
Senate Bill No. 212:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Hamilton County, Florida, to transfer from the debt service funds of Hamilton County, Florida, the sum of \$2916.42 to the road and bridge fund of said county.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 212 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 Black moved that the rules be waived and Senate Bill No. 212 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 212 was read the second time by title only.

Senator Black moved that the rules be further waived and Senate Bill No. 212 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. 212 was read the third time in full.

Upon the passage of Senate Bill No. 212 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 212 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—
Senate Bill No. 213:

A bill to be entitled An Act to amend the title to and Sections 2, 5, 7, 8, 9, 10, 16, 18, and 19 of Chapter 19031, Acts of 1939, Laws of Florida, entitled: "An Act to define and regulate the practice of optometry and declaring the same to be a profession: to provide for a Board of Examiners, its duties, powers, appointments and salaries, and for the examination, qualification and fee of applicants for the practice of optometry: to provide for the issuance and revocation of certificates and registration of licensed practitioners of optometry and providing for the recordation of such certificates: exempting registered optometrists from jury duty and making their services available on a parity with those of any other profession performing similar service: optometrists to give expert testimony relative to the diagnosis of the human eye and its appendages of any visual, muscular, neurological or anatomic anomalies of the human eyes and their appendages: prohibiting the unethical or unprofessional practice and sale of eye-glasses, spectacles and lenses: and prohibiting unethical or unprofessional conduct and prescribing the manner of enforcing the provisions of this Act, and fixing the penalties for the violation of the terms and provisions thereof."

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

By Senator Sheldon—
Senate Bill No. 214:

A bill to be entitled An Act authorizing the Governor of the State of Florida, upon the request of the Board of County Commissioners of any county in the State of Florida, to appoint and detail to service in such county one additional assistant State auditor for the purpose of continuously examining and auditing the offices, records and accounts of all the county officials, board and other public institutions of said county, except municipalities; the county in such cases paying the compensation of such additional assistant State Auditor so appointed and detailed, and authorizing the State Auditor to employ additional assistant State Auditors so appointed.

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

By Senator Sheldon—

Senate Joint Resolution No. 215:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE V OF THE CONSTITUTION OF FLORIDA BY ADDING THERETO AN ADDITIONAL SECTION RELATING TO THE ELECTION OF STATE ATTORNEYS, JUDGES OF CRIMINAL COURTS OF RECORD, COUNTY SOLICITORS, JUDGE OF COURT OF RECORD OF ESCAMBIA COUNTY AND SOLICITOR OF COURT OF RECORD OF ESCAMBIA COUNTY.

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

That Article V of the Constitution of the State of Florida be amended by adding thereto an additional section to be known as Section 47 of said Article, relating to the election of State Attorneys, Judges of Criminal Courts of Record, County Solicitors, Judge of the Court of Record of Escambia County and Solicitor of Court of Record of Escambia County, 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 47. State Attorneys, Judges of the Criminal Courts

of Record, County Solicitors, Judge of the Court of Record of Escambia County and Solicitor of the Court of Record of Escambia County, shall hereafter be elected by the qualified electors of their respective judicial circuits or counties as other State and County officials are elected.

The first election of State Attorneys, Judges of Criminal Courts of Record, County Solicitors, Judge of the Court of Record of Escambia County, and Solicitor of the Court of Record of Escambia County, shall be held at the General Election in 1948 to take office the first Tuesday after the first Monday in January, 1949, for a term of four years.

Any provision of the Constitution in conflict herewith is hereby repealed."

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

By Senator Sheldon—
Senate Bill No. 216:

A bill to be entitled An Act to define the powers and duties of certain officers, to provide regulations to be observed and enforced in connection with the drilling, the use of and the disposition of deep wells in the state to the end that the general welfare of the state may be subserved and the natural resources of the state shall be developed and protected; and to provide for the promulgation and enforcement of such regulations and to provide penalties for the violation thereof.

Which was read the first time by title only and referred to the Committee on Conservation of Natural Resources.

By Senators Mathews and Beacham—
Senate Bill No. 217:

A bill to be entitled An Act amending Section 10 of Chapter 20955, Laws of Florida, 1941, entitled, "An Act to amend Sections 1, 2, 3, 4, 5, 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 the violations thereof; creating the Office of State Labor Inspector and defining the duties and compensation of such office."

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

By Senator Beacham—
Senate Bill No. 218:

A bill to be entitled An Act to provide for the protection of hotels, apartment houses, tourist camps, motor courts, restaurants, rooming houses and trailer courts, and for the ejection therefrom of persons or guests who are intoxicated, or immoral, or profane, or lewd, or brawling, or quarrelsome or who shall indulge in language or conduct either such as to disturb the peace and comfort of other hotel, apartment house, tourist camp, motor court, restaurant, rooming house or trailer court guests or such as to be injurious to the reputation, dignity or standing of any hotel, apartment house, tourist camp, motor court, restaurant, rooming house or trailer court, or who, in the opinion of the management is a person whom it would be detrimental to such hotel, apartment house, tourist camp, motor court, restaurant, rooming house or trailer court for it any longer to entertain, and to provide for oral and written requests to depart from such hotel, apartment house, tourist camp, motor court, restaurant, rooming house or trailer court and to make it illegal and a misdemeanor for any such guest to remain on the hotel, apartment house, tourist camp, motor court, restaurant, rooming house or trailer court premises after being requested to depart and to provide rights and remedies in such cases.

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

By Senator Mathews—
Senate Bill No. 219:

A bill to be entitled An Act granting to any member of the Fire Department of the City of Jacksonville affected by any pension law of said city, who, during a certain period was retired on a pension and thereafter was re-employed in the same department, continuous service credit for his years of

service in said department, for pension, retirement, and other benefit purposes.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 219 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 Mathews moved that the rules be waived and Senate Bill No. 219 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 219 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 219 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. 219 was read the third time in full.

Upon the passage of Senate Bill No. 219 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 219 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Maines—
Senate Bill No. 220:

A bill to be entitled An Act to set aside in the State Treasury all funds which are derived from the sale of wood, lumber and similar home grown materials by the Florida State Prison; to establish a fund in the State Treasury to be known as the State Prison Improvement Fund; and to make an annual appropriation therefrom to provide for extensions and improvements of the State Prison System; and repealing all laws in conflict therewith.

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

By Senator Cliett—
Senate Bill No. 221:

A bill to be entitled An Act authorizing, empowering and requiring the Trustees of the Internal Improvement Funds of the State of Florida to convey to the State Board of Education lands acquired by said Trustees under the provisions of the Murphy Act, located in Hardee County, as an addition to and to be used for, and as a part of the State Cattle Experiment Station located in Hardee County, Florida.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 221 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 Cliett moved that the rules be waived and Senate Bill No. 221 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 221 was read the second time by title only.

Senator Cliett moved that the rules be further waived and Senate Bill No. 221 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. 221 was read the third time in full.

Upon the passage of Senate Bill No. 221 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 221 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Cliett—
Senate Bill No. 222:

A bill to be entitled An Act to authorize, empower and direct the Board of Public Instruction of Hardee County, and/or the Clerk of the Circuit Court of Hardee County, and/or the Tax Collector of Hardee County to cancel and mutilate all bonds, interest coupons, warrants, scrip, or other evidences of indebtedness issued by the Board of Public Instruction of Hardee County and taken and received by the Clerk of the Circuit Court of Hardee County, and/or the Tax Collector of said county in payment of taxes and to require all such cancelled and mutilated obligations to be surrendered to the Board of Public Instruction of Hardee County.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 222 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 Cliett moved that the rules be waived and Senate Bill No. 222 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 222 was read the second time by title only.

Senator Cliett moved that the rules be further waived and Senate Bill No. 222 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. 222 was read the third time in full.

Upon the passage of Senate Bill No. 222 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 222 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—
Senate Bill No. 223:

A bill to be entitled An Act to require railroad carriers to equip trainmen engaged in switching and train movements in intra-state commerce with electric hand lanterns, and to provide penalties for violation hereof.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida,
April 21, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted:

By the Committee on Rules and Calendar—
House Concurrent Resolution No. 6:

PROVIDING FOR THE ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES AND SENATE OF THE STATE OF FLORIDA ON THURSDAY, APRIL 22, 1943, UNTIL MONDAY, APRIL 26, 1943.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF FLORIDA, THE SENATE CONCURRING.

Section 1. That the House of Representatives, and the

Senate of the State of Florida do adjourn on Thursday, April 22, 1943, to meet again on Monday, April 26, 1943.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And House Concurrent Resolution No. 6, contained in the above Message, was read the first time in full.

Senator Upchurch moved that the rules be waived and House Concurrent Resolution No. 6 be read the second time in full.

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 6 was read the second time in full.

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

Which was agreed to and House Concurrent Resolution No. 6 was adopted and the action of the Senate was ordered certified to the House of Representatives.

Senator Upchurch moved that the rules be waived and when the Senate adjourns on Thursday, April 22, 1943, it adjourn to reconvene at 4:00 o'clock P. M., Monday, April 26, 1943.

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

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

Tallahassee, Florida,
April 21, 1943.

Hon. Philip D. Beall,
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 Hinely and Wilson—
Senate Bill No. 149:

A bill to be entitled An Act to repeal Sections 593.01, 593.02, 593.03, 593.04, 593.05 and 593.06 of the Florida Statutes, 1941, relating to Agricultural, Horticultural, Livestock and Industrial Statistics.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Senate Bill No. 149, contained in the above Message, was referred to the Committee on Enrolled Bills.

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

Tallahassee, Florida,
April 20, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives returns herewith, as requested by the Senate:

By the Committees on Public Health, Military Affairs and Civilian Defense, and Temperance—

Senate Bill No. 146:

A bill to be entitled An Act to amend Section 561.34, Florida Statutes of 1941, relating to license tax of vendors of alcoholic beverages.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

Senator Sheldon moved that the rules be waived and the Senate do now reconsider the vote by which Senate Bill No. 146 passed the Senate on April 15, 1943.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which Senate Bill No. 146 passed the Senate on April 15, 1943.

The question recurred on the passage of Senate Bill No. 146.

Pending roll call, Senator Collins moved that Senate Bill

No. 146 be referred to the Committee on Finance and Taxation.

Which was agreed to and it was so ordered.

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

Tallahassee, Florida,
April 21, 1943.

Hon. Philip D. Beall,
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 Messrs. Scofield of Citrus and West of Santa Rosa—
House Bill No. 23:

A bill to be entitled An Act providing for nominations for election to the offices of State Senator and Representative by a political party in a primary election and providing for the qualifying of candidates therefor.

By Mr. Wiseheart of Dade—
House Bill No. 50:

A bill to be entitled An Act to amend Chapter 1324, Laws of Florida, Acts of December 3, 1862, Section 69.02 of Florida Statutes, 1941, relating to changing of names of persons and the procedure therefor.

By Messrs. Cobb and Leedy of Orange—
House Bill No. 114:

A bill to be entitled An Act to amend Section 28.18 Florida Statutes, 1941, providing for the recording of certificates of discharge of members of the military and naval forces of the United States who serve with the armed forces during a war in which the United States was or may be a belligerent.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

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

And House Bill No. 50, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "A."

And House Bill No. 114, contained in the above Message, was read the first time by title only.

Senator Maines moved that the rules be waived and House Bill No. 114 be placed on the Calendar of Bills on Second Reading, without reference.

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

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

Tallahassee, Florida,
April 21, 1943.

Hon. Philip D. Beall,
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 Mr. Smith of Polk—
House Bill No. 115:

A bill to be entitled An Act providing that disabled veterans of World War No. 2 becoming disabled in line of duty between December 7, 1941, and the close of World War No. 2 shall be entitled to the same license tax exemption as now is provided by law for disabled veterans of the Spanish-American War and/or the veterans of World War No. 1.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And House Bill No. 115, contained in the above Message, was read the first time by title only.

Senator King moved that the rules be waived and House

Bill No. 115 be placed on the Calendar of Bills on Second Reading, without reference.

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

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

Tallahassee, Florida,
April 20, 1943.

Hon. Philip D. Beall,
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 Mr. Smith of Polk—
House Bill No. 113:

A bill to be entitled An Act to amend Section 295.01 of the Florida Statutes of 1941, the same relating to educational benefits for the orphans of deceased veterans so that the same when amended shall include the orphans of deceased veterans of World War Two.

And respectfully requests the concurrence of the Senate therein.

Respectfully,
WALTER P. FULLER,
Chief Clerk House of Representatives.

And House Bill No. 113, contained in the above Message, was read the first time by title only.

Senator King moved that the rules be waived and House Bill No. 113 be placed on the Calendar of Bills on Second Reading, without reference.

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

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

Tallahassee, Florida,
April 21, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendment to—

House Concurrent Resolution No. 5:

A Concurrent Resolution to continue Florida's assistance to the United Nations in war aims.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF FLORIDA IN SESSION ASSEMBLED:

WHEREAS, the United States of America and its Allies are now engaged in a fight to the finish against the foes of liberty, free speech and action, and religious tolerance, and

WHEREAS, this great nation of the United States must necessarily call upon all of its resources and upon all of its citizens to make sacrifices in order that World War II may be brought to an early victorious end, and

WHEREAS, the Sovereign State of Florida has given freely of its man power and resources to further the victory aims of the United Nations, and has provided the first American hero—Colin P. Kelly, and many other heroic sons, who have willingly laid down their lives that we might enjoy liberty, and

WHEREAS, the Sovereign State of Florida is anxious and willing to further advance the war aims of the United Nations, and of the American people by continuing to provide all of our man power and our entire resources:

THEREFORE, be it resolved by the Legislature of the State of Florida in session assembled, that the Legislature of the State of Florida does hereby declare, resolve and go on record to the end that the Sovereign State of Florida and its people do continue the assistance in every way possible toward bringing the tyrants of the world and the forces of evil to their unholy ends, and that by this Resolution does Florida and its patriotic citizens make known to the world their determination to dedicate their lives and property to the eradication of despotism until the Axis tyrants shall bow their unholy heads in unconditional surrender.

BE IT FURTHER RESOLVED that this Resolution be spread upon the minutes of this Legislative session, that a

See S CLK 107

copy be sent to the President, Franklin D. Roosevelt, and a copy also be sent to each United States Senator and Congressman and a copy furnished to the press.

Which amendment reads as follows:

Last line, (typewritten bill) after the word Congressman, add "of the State of Florida"

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

SENATE BILLS ON THIRD READING

Senate Bill No. 189, pending roll call, was taken up in its order and the consideration thereof was informally passed.

SENATE BILLS ON SECOND READING

Senate Bill No. 105:

A bill to be entitled An Act designating and establishing a State road to extend from Harrisburg in Glades County, Florida, southwesterly to La Belle, Florida.

Was taken up in its order.

Senator Franklin moved that the rules be waived and Senate Bill No. 105 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 105 was read the second time by title only.

Senator Franklin moved that the rules be further waived and Senate Bill No. 105 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. 105 was read the third time in full.

Upon the passage of Senate Bill No. 105 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Black, Carroll, Clarke, Clett, Collins, Franklin, Graham, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—30.

Nays—None.

So Senate Bill No. 105, passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 131:

A bill to be entitled An Act redesignating and re-establishing State Road 77-A in Levy County and declaring said road as redesignated shall be a part of the third preferential system of state roads of this State.

Was taken up in its order.

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

Which was agreed to by a two-thirds vote.

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

Senator Perdue moved that the rules be further waived and Senate Bill No. 131 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 131 was read the third time in full.

Upon the passage of Senate Bill No. 131 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Black, Carroll, Clarke, Clett, Collins, Davis, Franklin, Graham, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Sheldon, Shuler, Sturgis, Taylor, Wilson—30.

Nays—None.

So Senate Bill No. 131 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Joint Resolution No. 163.

A JOINT RESOLUTION PROPOSING TO AMEND ARTICLE IX OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO TAXATION AND FINANCE BY

ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 16 OF SAID ARTICLE IX, PROVIDING FOR EXEMPTION FROM TAXATION OF CERTAIN PERSONAL PROPERTY.

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

That the following amendment to Article IX of the Constitution of the State of Florida relative to homestead and tax exemptions 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 next ensuing general election, that is to say: There shall be added to Article IX of the Constitution of the State of Florida a new section to be designated as Section 16 of Article IX of said Constitution, reading as follows:

"Section 16. Every bona fide resident of this State having the legal title or beneficial title in equity to household goods, personal effects, domestic fowls and animals, permanently kept at his or her usual place of abode or at the place of abode of another or others legally or naturally dependent upon said person shall be entitled to an exemption from all taxation upon such personal property, except for special benefits, up to the assessed valuation of twenty-five hundred dollars for the year 1945 and thereafter, on such part thereof as is not used for commercial purposes. Said title may be held by the entireties, jointly, or in common with others, and said exemption may be apportioned among such of the owners as shall utilize the same, as their respective interests may appear, but no such exemption of more than twenty-five hundred dollars shall be allowed to any one person or group of such property utilized in whole or in part by more than one person, nor shall the amount of the exemption allowed any person exceed the proportionate assessed valuation based on the interest owned by such person. Any exemption claimed hereunder shall be treated as part of and not cumulative to the exemption of household goods and personal effects allowable under Section 11 of this Article IX. The Legislature may enact appropriate laws regulating the manner of establishing the right to said exemption."

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

Senator Sturgis offered the following amendment to Senate Joint Resolution No. 163:

In Section 16, line 15 (typewritten bill), strike out the words: "or group of such property," and insert in lieu thereof the following: ". nor shall the exemption exceed said sum in respect to any combination of such property kept at any one place of abode for use and"

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Maines offered the following amendment to Senate Joint Resolution No. 163:

In Section 16, line 3 (typewritten bill), strike out the words: "and animals," and insert in lieu thereof the following: In Section 16, line 3, after the words "effects," add the word "and."

Senator Maines moved the adoption of the amendment.

Pending adoption of the foregoing amendment offered by Senator Maines to Senate Joint Resolution No. 163, Senator Sturgis moved that the further consideration of Senate Joint Resolution No. 163, together with pending amendment, be informally passed.

Which was agreed to and it was so ordered.

Senate Joint Resolution No. 68:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 24 OF ARTICLE III OF THE CONSTITUTION OF THE STATE OF FLORIDA, RELATING TO UNIFORM COUNTY AND MUNICIPAL GOVERNMENT AND THE CLASSIFICATION OF CITIES AND TOWNS.

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

That the following amendment of Section 24 of Article III of the Constitution of the State of Florida, relating to uniform county and municipal government and the classification of cities and towns, be, and the same is, hereby agreed to and shall be submitted to the electors of the State of Florida at the General Election of Representatives to be held in 1944 for approval or rejection; that is to say, that Section 24 of Article III of the Constitution of the State of Florida be amended so as to read as follows:

Section 24. The Legislature shall establish a uniform system of county and municipal government, which shall be applica-

ble, except in cases where local or special laws are provided by the Legislature that may be inconsistent therewith.

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

Senator King moved that the rules be waived and Senate Joint Resolution No. 68 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 68 was read the third time in full.

Upon the passage of Senate Joint Resolution No. 68 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Black, Carroll, Cliett, Collins, Davis, Franklin, Graham, Housholder, King, Lindler, Maddox, Maines, Mathews, McKenzie, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—24.

Nays—Senators Clarke, Coleman, Hinely, Johnson, Lewis, McArthur, Perdue, Rose—8.

So Senate Joint Resolution No. 68 passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1943 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 27:

A bill to be entitled An Act amending Sections 1 and 5 of Chapter 19014, Laws of Florida, Acts of 1939, as amended by Chapter 20749, Laws of Florida, Acts of 1941, entitled "An Act to amend Sections 1, 5, 6 and 10, of Chapter 19014, Laws of Florida, Acts of 1939, entitled "An Act to provide for a state-wide retirement system for teachers; to provide for its management and regulation; to define its membership and benefits payable thereunder; to provide for contributions by the members of the retirement system and by the State of Florida; to appropriate money from the General Revenue Fund of the State for the payment of part of the costs of maintenance and all of the costs of administering the system and to regulate the use of these monies; to provide that all benefits payable under the system shall be exempt from all taxes and from executing and attachment and other legal process and shall be non-assignable except as provided therein; and to provide penalties for the violation of this Act;" said sections so amended being the same as Sections 238.01 and 238.05 of Chapter 238, Florida Statutes 1941; and to repeal all laws in conflict with this Act.

Was taken up in its order and read the second time in full, and placed on the Calendar of Bills on Third Reading.

Senator King moved that the rules be waived and the Senate take up and consider House Bill No. 113, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 113:

A bill to be entitled An Act to amend Section 295.01 of the Florida Statutes of 1941, the same relating to educational benefits for the orphans of deceased veterans so that the same when amended shall include the orphans of deceased veterans of World War Two.

Was taken up.

Senator King moved that the rules be waived and House Bill No. 113 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 113 was read the second time by title only.

Senator King moved that the rules be further waived and House Bill No. 113 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. 113 was read the third time in full.

Upon the passage of House Bill No. 113 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—31.

Nays—None.

So House Bill No. 113 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator King withdrew Senate Bill No. 99.

Senate Bill No. 5:

A bill to be entitled An Act to establish at or near Avon Park, Florida, a unit of the Florida State Hospital for the care, treatment, etc. of insane persons, and for the construction of the necessary buildings, equipment, etc., of such unit, and to provide for the management of such institution.

Was taken up.

Senator Cliett moved that the rules be waived and Senate Bill No. 5 be read the second time by title only.

Which was agreed to by a two-thirds vote.

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

The following Committee Substitute for Senate Bill No. 5:

A bill to be entitled An Act to establish at or near Avon Park, Florida, a State Hospital for the care and treatment of persons afflicted with venereal disease, and for the construction of the necessary buildings and equipment of such State Venereal Hospital, and to provide for the staffing, supervision, management and control of such institution, and making appropriation therefor.

Was taken up and read the first time by title only.

Senator Cliett moved that the rules be waived and the Committee Substitute for Senate Bill No. 5 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And the Committee Substitute for Senate Bill No. 5 was read the second time by title only.

Senator Cliett moved the adoption of the Committee Substitute for Senate Bill No. 5.

Which was agreed to and the Committee Substitute for Senate Bill No. 5 was adopted.

Senator Cliett moved that the rules be further waived and Committee Substitute for Senate Bill No. 5 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Bill No. 5 was read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 5 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Brewton, Carroll, Cliett, Collins, Davis, Franklin, Graham, Housholder, Johnson, King, Lindler, Maddox, Mathews, McKenzie, Rose, Sheldon, Shuler, Sturgis, Taylor, Upchurch, —24.

Nays—Senators Clarke, Hinely, Lewis, Maines, McArthur, Perdue, Wilson—7.

So Committee Substitute for Senate Bill No. 5 passed, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

PETITIONS AND MEMORIALS

Senate Memorial No. 1:

A RESOLUTION TO MEMORIALIZE CONGRESS TO ENACT HOUSE RESOLUTION NO. 1649 NOW PENDING BEFORE CONGRESS AND THE SAME BEING AN ACT TO ESTABLISH A UNIFORM SYSTEM OF OLD AGE PENSIONS AND AID TO WIDOWS AND DEPENDENT CHILDREN.

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

The following Committee Substitute for Senate Memorial No. 1:

A RESOLUTION TO MEMORIALIZE CONGRESS TO ENACT A NATIONAL ANNUITY, PENSION OR ASSISTANCE PLAN TO BE UNIFORM THROUGHOUT THE UNITED STATES FOR THE BENEFIT OF THE AGED, WIDOWS AND DEPENDENT CHILDREN.

TO THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES IN CONGRESS ASSEMBLED.

We, the Members of the Senate and House of Representatives of the State of Florida, in legislative session assembled, do most respectfully memorialize and petition your honorable bodies as follows:

WHEREAS, millions of our elderly citizens and widows who have served their country in peace or war, are now spending their last days in poverty and misery, dependent upon public or private charity or upon their relatives; and

WHEREAS, security of the aged, widows and dependent children has become the major problem before the American people; and therefore, justice and the public welfare demand that ample provision be made for the protection of their health and their support; and

WHEREAS, a more feasible plan should be proposed to solve the social and economic problem, by Congress, which provides for an equitable distribution of benefits among our citizens of age sixty (60) or more and among the widows and dependent children throughout the United States of America, and provide for a liberal and equal contribution by the Federal Government to all citizens receiving benefits;

WHEREAS, such annuity, pension or assistance by the Federal Government, shall be equal and uniform in the several states and based upon uniform standards of those who shall benefit under the Act; and

WHEREAS, the enactment of said plan into law will:

(1) Save millions of dollars now spent for the maintenance of public welfare agencies, poor houses, old people's homes and other institutions and temporary organizations maintained for the care of the poor, and aged, widows and dependent children and minimize the necessity for yearly public and private charities; thus inspiring a greater spirit of loyalty to our governments and their institutions.

(2) Effect tremendous savings which will offset the cost of operating and maintaining the proposed plan;

NOW, THEREFORE, BE IT RESOLVED, That the members of the Senate and House of Representatives of the State of Florida, do respectfully memorialize and petition the Congress of the United States to immediately enact a law providing for a national retirement, assistance or pension system for the aged, needy widows and dependent children, and create a fund for the maintenance thereof, the proceeds of which shall be distributed equitably to all citizens over sixty (60) years of age, all needy widows and all dependent children; regardless of the financial contribution of any State or local government.

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

Was taken up and read the first time in full.

Senator Sheldon moved that the Committee Substitute for Senate Memorial No. 1 be substituted for Senate Memorial No. 1.

Which was agreed to and the Committee Substitute for Senate Memorial No. 1 was substituted for Senate Memorial No. 1.

Senator Sheldon moved that the rules be further waived and Committee Substitute for Senate Memorial No. 1 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Memorial No. 1 was read the second time in full.

The question was put on the adoption of Committee Substitute for Senate Memorial No. 1.

Which was agreed to and Committee Substitute for Senate Memorial No. 1 was adopted, and the action of the Senate was ordered certified to the House of Representatives.

Senator Maines moved that the rules be waived and the Senate taken up and consider House Bill No. 114, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 114:

A bill to be entitled An Act to amend Section 28.18 Florida Statutes, 1941, providing for the recording of certificates of discharge of members of the military and naval forces of the United States who serve with the armed forces during a war in which the United States was or may be a belligerent.

Was taken up.

Senator Maines moved that the rules be waived and House Bill No. 114 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 114 was read the second time by title only.

Senator Maines offered the following amendment to House Bill No. 114:

In Section 1, lines 17 and 18 (typewritten bill), strike out the words: "twenty-five cents (25c)," and insert in lieu thereof the following: "fifty cents (50c)."

Senator Maines moved the adoption of the amendment.

Pending adoption of the foregoing amendment offered by Senator Maines to House Bill No. 114, Senator Housholder moved that the rules be waived and the hour of adjournment be extended until disposition is made of House Bill No. 114.

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

The question recurred on adoption of the amendment offered by Senator Maines to House Bill No. 114.

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

Senator Maines moved that the rules be further waived and House Bill No. 114 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. 114 was read the third time in full.

Upon the passage of House Bill No. 114 the roll was called and the vote was:

Yeas—Mr President; Senators, Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—33.

Nays—Senator Maddox—1.

So House Bill No. 114 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Mathews moved that when the Senate adjourns it adjourn to reconvene at 3:30 o'clock P. M., this day.

Which was not agreed to.

Senator Collins moved that the Senate do now proceed to the consideration of Executive Communications.

Which was agreed to.

And the Senate went into Executive Session at 1:07 o'clock P. M.

The Senate emerged from Executive Session at 1:15 o'clock P. M., and resumed its Session.

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

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

A quorum present.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:17 o'clock, P. M., until 11:00 o'clock A. M., Thursday, April 22, 1943.

EXECUTIVE SESSION ANNOUNCEMENTS

The Senate, in Executive Session on April 21, 1943, advised and consented to the following appointments made by the Governor:

W. J. Davis, Harbor Master in and for the Port of Fernandina, Nassau County, Florida, for a term expiring April 5, 1945.

H. F. Sahlman, Pilot Commissioner in and for the Port of Fernandina, Nassau County, Florida, for a term expiring September 27, 1945.

N. J. Wooten, Pilot Commissioner in and for the Port of Fernandina, Nassau County, Florida, for a term expiring September 27, 1945.