

JOURNAL OF THE SENATE

Tuesday, June 1, 1943

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, May 31, 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, Griner, Hinely, Housholder, Johnson, King, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

A quorum present.

Senator Graham was excused from attendance upon the Session this morning.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Monday, May 31, 1943, was corrected as follows:

On page 34, column 1, strike out lines 6, 7, 8, 9, 10 and 11, counting from the bottom of the column.

And as corrected was approved.

REPORTS OF COMMITTEES

Your Committee on Finance and Taxation, to whom was referred:

Senate Bill No. 671:

A bill to be entitled An Act imposing a tax upon admissions to places of amusement; to provide for the collection of such taxes; to provide for the disposition of the moneys derived from such taxes, and providing for the penalty for the evasion thereof.

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

Very respectfully,

LeROY COLLINS,
Chairman of Committee.

And Senate Bill No. 671, contained in the above report, was laid on the table.

Your Committee on Game and Fisheries, to whom was referred:

House Bill No. 986:

A bill to be entitled An Act to amend Section 373.15, Florida Statutes, 1941, prohibiting use of pound nets in salt waters of the State; providing for use of such nets in certain designated areas.

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

Very respectfully,

JOHN S. TAYLOR, JR.,
Chairman of Committee.

And House Bill No. 986, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Senator Collins, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following bill and recommends that the same pass, with Committee Amendment:

House Bill No. 867:

A bill to be entitled An Act to provide that the Comptroller may make refund of any moneys paid into the State Treasury for an overpayment of any tax, license, or account due, or where no tax, license or account is due, or where a payment has been made into the State Treasury in error; to provide appropriation therefor; and to repeal all laws in conflict therewith.

Which amendment reads as follows:

In Section 1 at the end of the Section add the following:
"Application for refunds as provided by this Section shall be filed with the Comptroller within one year after the right

to such refund shall have accrued else such right shall be barred and such application shall be on a form to be prescribed by the Comptroller and shall be sworn to and supplemented with such additional proof as is necessary to establish such claim, provided that if the right to refund shall have accrued prior to the time this Act becomes effective, then such claimant shall have the period of one year from the effective date of this Act to file such claim provided such claim is not otherwise barred under the laws of this State."

Very respectfully,

LeROY COLLINS,
Chairman of Committee.

And House Bill No. 867, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on Second Reading.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Bill No. 724:

A bill to be entitled An Act to amend Section 6, of Chapter 15401, Laws of Florida, Special Acts of 1931, defining the boundaries of the City of Ormond, a municipal corporation in Volusia County, Florida, and to exclude from the metes and bounds description therein contained certain lands located and being in Section 42, Township 14 South, Range 32 East, and other relief incident thereto, and providing that the lands so excluded shall remain liable for payment of debt service taxes herein authorized to be assessed by the City of Ormond for the purpose of paying interest and principal on bonds of said municipality outstanding at the time this Act becomes effective, based on assessed valuations to be fixed by said municipality.

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

Very respectfully,

K. GRINER,
Chairman of Committee.

And Senate Bill No. 724, contained in the above report, was certified to the House of Representatives.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Brewton—

Senate Bill No. 726:

A bill to be entitled An Act to cancel all delinquent or unpaid taxes assessed for municipal purposes against lands formerly within the corporate limits of the City of Lake Jovita, Florida, or formerly within the corporate limits of the City of San Antonio, Florida, successor to said City of Lake Jovita, and which said lands have been by the Legislature of the State of Florida excluded from the corporate limits of said cities or either of them since the dates on which said assessments were made.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 726 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 Brewton moved that the rules be waived and Senate Bill No. 726 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 726 was read the second time by title only.

Senator Brewton moved that the rules be further waived and Senate Bill No. 726 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. 726 was read the third time in full.

Upon the passage of Senate Bill No. 726 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, Griner, Hinely, Housholder, Johnson.

King, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

Nays—None.

So Senate Bill No. 726 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Coleman—
Senate Bill No. 727:

A bill to be entitled An Act relating to New Smyrna-DeLand Drainage District, a Drainage District organized and existing under the General Laws of Florida under the original name of Lake Ashby Drainage District of Volusia County, Florida, and the name of which was changed to New Smyrna-DeLand Drainage District and its corporate powers and authorities amended and extended under the provisions of Chapter No. 10939, Laws of Florida, Acts of 1925, Chapter No. 10941, Laws of Florida, Acts of 1925, Chapter 13708, Laws of Florida, Acts of 1929, and Chapter No. 13709, Laws of Florida, Acts of 1929; to abolish the Board of Supervisors of the New Smyrna-DeLand Drainage District, and to provide for the discharge of their duties and obligations by the Board of County Commissioners of Volusia County, Florida, and constituting said Board of County Commissioners of Volusia County, Florida, ex-officio the Board of Supervisors of said Drainage District, the County Attorney of Volusia County, Florida, the Clerk of the Circuit Court of Volusia County, Florida, and providing for an accounting and settlement between such Board of Supervisors of the New Smyrna-DeLand Drainage District and such Board of County Commissioners; qualifying the members of the Board of County Commissioners who are not land owners in the district to assume the powers, duties, obligations and property rights of the district; terminate the terms of employment of the Secretary, Treasurer and Attorney or Attorneys of the district; repealing all laws and parts of laws in conflict herewith; fixing effective date, and providing for a referendum election by the qualified electors of said district to determine whether or not this Act shall be approved or disapproved.

Which was read the first time by title only.

Senator Coleman moved that the rules be waived and Senate Bill No. 727 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 727 was read the second time by title only.

Senator Coleman moved that the rules be further waived and Senate Bill No. 727 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. 727 was read the third time in full.

Upon the passage of Senate Bill No. 727 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, Griner, Hinely, Housholder, Johnson, King, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

Nays—None.

So Senate Bill No. 727 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Coleman—
Senate Bill No. 728:

A bill to be entitled An Act relating to Halifax Drainage District, a Drainage District organized and existing under the General Laws of Florida of Volusia County, Florida, and its corporate powers and authorities amended and extended under the provisions of the General Laws of Florida relating to Drainage Districts; to abolish the Board of Supervisors of the Halifax Drainage District, and to provide for the discharge of their duties and obligations by the Board of County Commissioners of Volusia County, Florida, and constituting said Board of County Commissioners of Volusia County, Florida, ex-officio the Board of Supervisors of said Drainage District, the County Attorney of Volusia County, Florida, the Clerk of the Circuit Court of Volusia County, Florida, and providing for an accounting and settlement between such Board of Supervisors of the Halifax Drainage District and such Board of County Commissioners; qualifying the members of the

Board of County Commissioners who are not land owners in the district to assume the powers, duties, obligations and property rights of the district; terminate the terms of employment of the Secretary, Treasurer and Attorney or Attorneys of the district; repealing all laws and parts of laws in conflict herewith; fixing effective date; and providing for a referendum election by the qualified electors of said district to determine whether or not this Act shall be approved or disapproved.

Which was read the first time by title only.

Senator Coleman moved that the rules be waived and Senate Bill No. 728 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 728 was read the second time by title only.

Senator Coleman moved that the rules be further waived and Senate Bill No. 728 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. 728 was read the third time in full.

Upon the passage of Senate Bill No. 728 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, Griner, Hinely, Housholder, Johnson, King, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

Nays—None.

So Senate Bill No. 728 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johnson—
Senate Bill No. 729:

A bill to be entitled An Act relating to the cancellation of claims of counties in the State of Florida having a population not less than 5,500, and not more than 5,700, according to the 1940 Federal census, against the Clerks of the Circuit Court, for excess fees.

Which was read the first time by title only.

Senator Johnson moved that the rules be waived and Senate Bill No. 729 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 729 was read the second time by title only.

Senator Johnson moved that the rules be further waived and Senate Bill No. 729 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. 729 was read the third time in full.

Upon the passage of Senate Bill No. 729 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, Griner, Hinely, Housholder, Johnson, King, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

Nays—None.

So Senate Bill No. 729 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johnson—
Senate Bill No. 730:

A bill to be entitled An Act relating to the cancellation of claims of counties in the State of Florida having a population not less than 5,500, and not more than 5,700, according to the 1940 Federal census, against the Tax Assessors of said counties, for excess fees.

Which was read the first time by title only.

Senator Johnson moved that the rules be waived and Senate Bill No. 730 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 730 was read the second time by title only.

Senator Johnson moved that the rules be further waived and Senate Bill No. 730 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. 730 was read the third time in full.

Upon the passage of Senate Bill No. 730 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, Griner, Hinely, Housholder, Johnson, King, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

Nays—None.

So Senate Bill No. 730 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Coleman—
Senate Bill No. 731:

A bill to be entitled An Act exempting certain lands owned by the City of Coronado Beach, Florida, and used for municipal purposes, from all taxes, and cancelling all tax sale certificates and omitted taxes outstanding against said lands.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 731 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 Coleman moved that the rules be waived and Senate Bill No. 731 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 731 was read the second time by title only.

Senator Coleman moved that the rules be further waived and Senate Bill No. 731 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. 731 was read the third time in full.

Upon the passage of Senate Bill No. 731 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, Griner, Hinely, Housholder, Johnson, King, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

Nays—None.

So Senate Bill No. 731 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By the Committee on Judiciary "B"—
Senate Bill No. 732:

A bill to be entitled An Act providing an appropriation for salaries and necessary and regular expenses for the office of the Attorney General of the State of Florida for the biennium beginning on July first, 1943, and ending June thirtieth, 1945, in addition to all other appropriations made for such purpose.

Which was read the first time by title only.

Senator Mathews moved that the rules be waived and Senate Bill No. 732 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 732 was read the second time by title only and placed on the Calendar of Bills on Third Reading.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida,
May 31, 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 Senator Sturgis—
Senate Bill No. 434:

A bill to be entitled An Act amending Section 250.33, Florida Statutes, 1941, relating to the pay of officers and enlisted men in the Military Department of this State.

By Senator Sturgis—
Senate Bill No. 465:

A bill to be entitled An Act amending Section 790.08, Florida Statutes, 1941, relating to the custody and disposition of certain weapons and arms; and providing that the Military Department of the State shall be the general depository of such weapons and arms.

By Senators Baker and Johnson—
Senate Bill No. 552:

A bill to be entitled An Act amending and correcting Section 36.17, Florida Statutes, 1941, relating to fees of County Judges.

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

And Senate Bills Nos. 434, 465 and 552, contained in the above Message, were referred to the Committee on Enrolled Bills.

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

Tallahassee, Florida,
May 31, 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 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.

By Senator Davis—
Senate Bill No. 301:

A bill to be entitled An Act to provide vocational rehabilitation services to disabled persons not otherwise provided for.

By Senator Barringer—
Senate Bill No. 336:

A bill to be entitled An Act to amend Section 2 of Chapter 20748, Laws of Florida, Acts of 1941, entitled: "An Act providing for a State Service Officer, an Assistant State Service Officer and three Field Secretaries in the State of Florida, and to prescribe their powers and duties and to fix their compensation. Their duties shall be in connection with the handling of claims of all veterans of all wars and their dependents, and soldiers, sailors and marines of the armed forces of the United States who served during peace time and received injuries directly due to their service."

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

And Senate Bills Nos. 85, 301 and 336, contained in the above Message, were referred to the Committee on Enrolled Bills.

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

Tallahassee, Florida,
May 31, 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 Senator Sturgis:
Senate Bill No. 615:

A bill to be entitled An Act creating a board to be known as "Directors of Central Florida State Farmers' Market at Ocala," to be operated under the supervision and control of the State Agricultural Marketing Board created by Section 603.16, Florida Statutes, 1941; defining its powers and duties, and providing for carrying out the provisions hereof.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Senate Bill No. 615, 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,
May 31, 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 Senator Lewis—
Senate Bill No. 619:

A bill to be entitled An Act to amend Section 872.01 of Florida Statutes, 1941, relating to the possession, buying and sale of dead bodies.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Senate Bill No. 619, 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,
May 31, 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 an amendment striking the enacting clause from:

By Committee on Judiciary "C"—

Committee Substitute for Senate Bill No. 278:

A bill to be entitled An Act amending Section 1-A of Chapter 20304, Laws of Florida, Acts of 1941, entitled "An Act relating to the exercise of the power of eminent domain; providing that the State of Florida, the State Road Department of Florida, and the counties and incorporated municipalities of the State of Florida, in the exercise of the power of eminent domain granted by law, may take immediate possession of property involved in any condemnation suit instituted by the State, the State Road Department, or any such county or municipality; providing that the Court shall make orders with respect to the date upon which the property shall be surrendered and with respect to encumbrances, liens, taxes and other charges; providing for the filing of a declaration of taking, the determination and making of an adequate deposit with the Clerk of the Court to satisfy the judgment of award of compensation; providing for the entry of judgments against the petitioner, the satisfaction thereof and the issuance of executions thereon, providing for the payment of costs of such proceeding, including reasonable attorney's fees." By including therein Rural Electric Cooperatives and corporations constructing, maintaining and operating public works and authorizing such cooperatives and corporations to file with

their petition of eminent domain the declaration of taking authorized therein and thus obtain the benefits of said Chapter which prescribes proceedings supplemental to eminent domain; repealing all laws or parts of laws in conflict herewith and determining when this Act shall take effect.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

Senator Franklin moved that Senate Bill No. 684 be recalled from the House of Representatives.

Which was agreed to and it was so ordered.

Senator Barringer moved that House Bill No. 995 be recalled from the House of Representatives.

Which was agreed to and it was so ordered.

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

Tallahassee, Florida,
May 31, 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 with amendments:

By the Committee on Privileges and Elections—
Senate Bill No. 459:

A bill to be entitled An Act providing for the method of nominating National Committeemen, National Committee-women and Presidential Electors, and for the election of delegates and alternates to National conventions of a minority party and granting to the State Executive Committee of such minority party the authority to determine by resolution the method of nominating and electing such officials.

Which amendments read as follows:

Amendment No. 1:

In Section 2, at the end of the Section, add: "Section 2-a. The terms 'minority political party' as used in Sections 1 and 2 of this Act is defined to mean any political party now or hereafter existing, which for two consecutive presidential elections in this State fails to elect a majority of the electors of President and Vice President of the United States," and Governor of Florida.

Amendment No. 2:

At the end of the title, strike out the period and add the words: "and defining the term 'minority political party'."

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Senate Bill No. 459, contained in the above Message, was read by title, together with House Amendments thereto.

Senator Franklin moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 459.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 459.

Senator Franklin moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 459.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 459.

And Senate Bill No. 459, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida,
May 31, 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 Senator Shuler—
Senate Bill No. 541:

A bill to be entitled An Act providing for the relief of the several counties and school systems of the State by creating a fund in the State Treasury to be known as the "Counties Emergency Fund," authorizing the Governor to make transfers thereto from available unappropriated State funds, directing the Governor to make advancements from said "Counties Emergency Fund" to the several counties and boards thereof under certain conditions, prescribing the procedure for such advancements and the amounts thereof, and providing for the repayment of such advancements.

Committee Substitute for Senate Bill No. 458:

A bill to be entitled An Act amending Sections 1, 5, and 6 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 execution 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, 238.05 and 238.06 of Chapter 238, Florida Statutes, 1941; and to repeal all laws in conflict with this Act.

By Senator Graham—
Senate Bill No. 405:

A bill to be entitled An Act providing for appointment of Vice Chairmen of Boards of County Commissioners and fixing their terms of office and their powers.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Senate Bill No. 541, Committee Substitute for Senate Bill No. 458 and Senate Bill No. 405, contained in the above Message, were referred to the Committee on Enrolled Bills.

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

Tallahassee, Florida,
May 31, 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 with amendments by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1943 Session of the Florida Legislature:

By the Committee on Constitutional Amendments—
Senate Joint Resolution No. 419:

A JOINT RESOLUTION PROPOSING TO AMEND SECTION 21 OF ARTICLE V OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO JUSTICE DISTRICTS AND JUSTICES OF THE PEACE.

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

That the following amendment to Section 21 of Article V of the Constitution of the State of Florida be and the same is hereby agreed to, and the same shall be submitted to the qualified electors at the General Election in 1944, for ratification or rejection:

"Section 21. There shall be not more than five Justice Districts in each county, and there shall be elected one Justice of the Peace for each Justice District, who shall hold office for four years. Existing Justice Districts are hereby recognized, but the Legislature may, by general or special Acts, from time to time change the boundaries of any such

district now or hereafter established, and may establish new or abolish any such district now or hereafter existing."

Which amendments read as follows:

Amendment No. 1:

In Section 21, line 6, of the bill, strike out the words: "general or special Acts," and insert the following in lieu thereof: "Special Act."

Amendment No. 2:

Strike out the word: "none," and insert the following: After the last word of the last line of Section 21 of said Act, insert the following clause: "Provided however that any such changes shall be submitted to the people of any county so affected, by referendum at the next ensuing general election."

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Senate Joint Resolution No. 419, contained in the above Message, was read in full, together with House Amendments thereto.

Senator Collins moved that the Senate do concur in House Amendment No. 1 to Senate Joint Resolution No. 419.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Joint Resolution No. 419.

Senator Collins moved that the Senate do concur in House Amendment No. 2 to Senate Joint Resolution No. 419.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Joint Resolution No. 419.

And Senate Joint Resolution No. 419, as amended, was read in full as follows:

Senate Joint Resolution No. 419:

A JOINT RESOLUTION PROPOSING TO AMEND SECTION 21 OF ARTICLE V OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO JUSTICE DISTRICTS AND JUSTICES OF THE PEACE.

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

That the following amendment to Section 21 of Article V of the Constitution of the State of Florida be and the same is hereby agreed to, and the same shall be submitted to the qualified electors at the General Election in 1944 for ratification or rejection:

"Section 21. There shall be not more than five Justice Districts in each county, and there shall be elected one Justice of the Peace for each Justice District, who shall hold office for four years. Existing Justice Districts are hereby recognized, but the Legislature may, by Special Act, from time to time change the boundaries of any such District now or hereafter established, and may establish new or abolish any such District now or hereafter existing, provided however that any such changes shall be submitted to the people of any county so affected, by referendum at the next ensuing General Election.

Upon the passage of Senate Joint Resolution No. 419, as amended, the roll was called and the vote was:

Yeas—Senators Baker, Barringer, Black, Brewton, Carroll, Clarke, Coleman, Collins, Davis, Franklin, Hinely, Johnson, Linder, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Shands, Shuler, Sturgis, Taylor, Upchurch, Wilson—25.

Nays—Mr. President; Senators Clett, King, Sheldon—4.

So Senate Joint Resolution No. 419 passed, as amended, by the required Constitutional three-fifths vote of all members elected to the Senate for the 1943 Session of the Florida Legislature, and was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Carroll withdrew Senate Bills Nos. 199 and 204.

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

Tallahassee, Florida,
May 31, 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, with amendment:

By Senator Sheldon—
Senate Bill No. 601:

A bill to be entitled An Act to require the owner of an automobile used or operated as a taxicab, or for carrying passengers for hire under license number plate of series "E," to surrender within ten days after such use has been discontinued, the series "E" license number plate to the license number plate agency of the county of issue, and receive in exchange, on payment of the lawful fee a license number plate of the series lawfully required for automobiles not for hire.

Which amendment reads as follows:

Amendment No. 1:

In Section One, of the bill, strike out all of Section One, and insert the following in lieu thereof:

Section 1. From and after the passage of this Act, every person, firm or corporation operating or having operated an automobile as a taxicab, or carrying passengers for hire under licensed number plate Series "E," shall, within ten days after discontinuing such use and operation of such automobile, surrender to the License Plate Agency of the county of issue the Series "E" license plate and for hire certificate, and, on payment of the lawful issuing fee, receive in exchange from such agency a license number plate of the series provided for by law for automobiles not for hire and for private use. The license agency shall immediately surrender such license plate and for hire certificate to the Motor Vehicle Commissioner, with the request that a credit slip be issued for the difference between the purchase price of the new tag and the unused value of the "E" plate surrendered.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And Senate Bill No. 601, contained in the above Message, was read by title, together with the House Amendment thereto.

Senator Sheldon moved that the Senate do concur in the House Amendment to Senate Bill No. 601.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 601.

And Senate Bill No. 601, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida,
May 31, 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 the Committee on Public Health—
Senate Bill No. 641:

A bill to be entitled An Act relating to the practice of medicine, and to the recording of licenses to practice medicine, specifically amending Section 458.06 of the Florida Statutes, 1941.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And Senate Bill No. 641, 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,
May 31, 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 Senator Sheldon—
Senate Bill No. 636:

A bill to be entitled An Act providing that the provisions of House Bill No. 222 enacted at the 1943 Session, Florida Legislature relating to adoption shall not apply to or affect adoption proceedings pending in the Circuit Courts of Florida or such proceedings in which the publication of Notice provided by Section 72.02, Florida Statutes, 1941, was commenced by publication on or before May 22, 1943.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Senate Bill No. 636, 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,
May 31, 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 Senator McArthur—
Senate Bill No. 567:

A bill to be entitled An Act amending Section 589.05 Florida Statutes, 1941, relating to the State Forester and fixing his salary.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Senate Bill No. 567, 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,
May 31, 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 Senator Franklin—
Senate Bill No. 24:

A bill to be entitled An Act to provide for absentee voting of electors of the State of Florida who are in the armed forces of the United States and absent from the State of Florida by reason thereof; to prescribe rules and regulations for such absentee voting and for the payment of expenses thereof.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Senate Bill No. 24, 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,
June 1, 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 Senator Coleman—
Senate Bill No. 683:

A bill to be entitled An Act to repeal Chapter 18964, Laws of Florida, Acts of 1937, same being "An Act relating to the Public Free Schools of Volusia County, Florida; pro-

viding for permanent tenure of employment of teachers possessing certain qualifications, providing for dismissal of, or refusal to employ such teachers for certain causes, and prescribing procedure for hearings on dismissal charges, providing for appeal to State Board of Education and requiring the State Board of Education to prescribe rules and regulations for the appeal" and Chapter 20187, Laws of Florida, Acts of 1939, same being "An Act to amend Sections 1 and 3 of Chapter 18964, Laws of Florida, 1937, entitled 'An Act relating to the Public Free Schools of Volusia County, Florida; providing for permanent tenure of employment of teachers possessing certain qualifications; providing for dismissal of, or refusal to employ such teachers for certain causes, and prescribing procedure for hearings on dismissal charges; providing for appeal to State Board of Education and requiring the State Board of Education to prescribe rules and regulations for the appeal,'" and providing for a referendum to make this Act effective.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

Senator Coleman moved that the rules be waived and the Senate do now reconsider the vote by which Senate Bill No. 683 passed the Senate on May 27, 1943.

Which was agreed to by a two-thirds vote.

And the Senate reconsidered the vote by which Senate Bill No. 683 passed the Senate on May 27, 1943.

Pending roll call on the passage thereof, by unanimous consent, Senator Coleman withdrew Senate Bill No. 683.

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

Tallahassee, Florida,
May 31, 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 respectfully requests the return of:

By Messrs. Parker and Yaeger of Leon—
House Bill No. 976:

A bill to be entitled An Act to supplement the salary of each Circuit Judge of the State of Florida residing in and a citizen of a county having a population of more than 31,600 inhabitants, and in which there is an incorporated city or town with a population of more than 16,200 inhabitants, and whose circuit is composed of six counties, and in which said resident county there is neither established a Criminal Court of Record, a Court of Record, a County Court, a Civil Court of Record, nor a Court of Crimes, and in which said resident county three regular terms of said court are designated by law to be held each year, and authorizing said counties to make such supplementation and making the same a county purpose.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

Senator Collins moved that the request of the House of Representatives, as contained in the above Message, be granted.

Which was agreed to and House Bill No. 976 was ordered returned to the House of Representatives.

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

Tallahassee, Florida,
June 1, 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 Mr. Thomas of Lake—
House Concurrent Resolution No. 21:

WHEREAS, a number of students from our State Institutions of higher learning have entered the armed services of the United States for service in World War No. 2, and
WHEREAS, among these are seniors who would have

graduated and received degrees appropriate to their courses of study had they remained in the said institution of higher learning, and

WHEREAS, students who were in other classes and who would have been entitled to certain credits in their courses of study, and

WHEREAS, it is the sense of this Legislature that such students who have entered the armed services by reason of such service will receive a liberal education during such time and that to permit them appropriate credits in their college work will not lower the standards of such college or university, Therefore

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

Section 1. That any students in the senior class at either of the institutions of higher learning under the State Board of Control and State Board of Education who entered the military or naval services of the United States for the purpose of serving in World War No. 2, and who would have graduated at the end of their senior year during which they entered such armed services, should be granted their diplomas or degrees appropriate to the courses of study which they were pursuing as seniors; and the State Board of Control and State Board of Education are hereby urged to grant to such students their diplomas of graduation and appropriate degrees pertaining to their courses of study.

Section 2. That the president and faculty of the institutions of higher learning above referred to, the State Board of Control and the State Board of Education are hereby urged to grant the students who had satisfactory grades at the time of leaving the institutions to enter the military or naval services of World War No. 2, such credits as they would have earned during that college year, had they remained in the college or university referred to above, should such students return to such institutions for the purpose of continuing their studies.

Section 3. It is hereby declared to be the purpose of this Resolution to recommend and to urge upon the appropriate authorities that steps be taken to grant graduation to those students who were seniors at the time of entering the military services; and to grant appropriate credits to those who had rendered satisfactory work under certain conditions in such institutions prior to entering the military or naval services and who return to the institutions for the purpose of pursuing their studies, so that such students will not lose credits they would have obtained had they not entered the military or naval services.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And House Concurrent Resolution No. 21, contained in the above Message, was read the first time in full and referred to the Committee on Judiciary "B."

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

Tallahassee, Florida,
June 1, 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. Johnson of Lake—
House Bill No. 969:

A bill to be entitled An Act to amend Chapter 20977, Laws of Florida, Acts of 1941, being An Act imposing an annual license tax on, and an additional annual license tax based on the inventory of retail stores, by amending Section 3 thereof to make the tax on inventory at the rate of \$1.00 for each \$100.00 of inventory or fractional part thereof instead of \$10.00 for each \$1000.00 of inventory or fractional part thereof and repealing all laws or parts of laws in conflict herewith.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 969, contained in the above Message, was read the first time by title only and referred to the Committees on Finance and Taxation and Judiciary "A," jointly.

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

Tallahassee, Florida,
May 31, 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. Carlton of Duval—
House Bill No. 393:

A bill to be entitled An Act to make unlawful the luring away or taking a minor child from the person to whom care, custody and control has been awarded by the Court and providing a penalty and punishment therefore.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And House Bill No. 393, contained in the above Message, was read the first time by title only and referred to the Committee on Welfare.

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

Tallahassee, Florida,
May 31, 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. Beck and Bollinger of Palm Beach—
House Bill No. 828:

A bill to be entitled An Act making it unlawful to break and enter any automobile, truck, trailer, semi-trailer or house-car, with intent to commit any crime and providing a penalty therefor.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And House Bill No. 828, contained in the above Message, was read the first time by title only.

Senator Collins moved that the rules be waived and House Bill No. 828 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 828 was read the second time by title only.

Senator Collins moved that the rules be further waived and House Bill No. 828 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. 828 was read the third time in full.

Upon the passage of House Bill No. 828 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Barringer, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Hinely, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—27.

Nays—None.

So House Bill No. 828, passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida,
May 31, 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 the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1943 Session of the Florida Legislature.

By Mr. Thomas of Escambia—
House Bill No. 989:

A bill to be entitled An Act for the relief of Orlando Johnson of Okaloosa County, Florida, for injuries received as a result of the negligence of an agent or employee of the State Beverage Department, and providing an appropriation.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And House Bill No. 989, contained in the above Message, was read the first time by title only.

Senator Shuler moved that the rules be waived and House Bill No. 989 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 989 was read the second time by title only.

Senator Shuler moved that the rules be further waived and House Bill No. 989 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. 989 was read the third time in full.

Upon the passage of House Bill No. 989 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Barringer, Black, Brewton, Carroll, Cliett, Coleman, Collins, Davis, Franklin, Hinely, Johnson, King, Lindler, Maddox, Mathews, McArthur, McKenzie, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—27.

Nays—Senators Clarke, Maines, Perdue—3.

So Senate Bill No. 989 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida,
May 31, 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. Thomas and Johnson of Lake, Peters of Dade, Beasley of Walton, Taylor of Hardee, Stewart of Hendry, Peoples of Glades, Bronson of Osceola, Rivers of Clay, Tucker of Hernando, Cook of Flagler, Collins of Sarasota, Curtis and Troxler of Marion, Turner of Levy, Kelly of Collier, Dugger of Baker, Crary of Martin, Hendry of Okeechobee, Baker of Pinellas, Holland of Bay, West of Santa Rosa, Avriett of Hamilton, Nesmith of Wakulla, Carlton of St. Lucie, Branch of Liberty, Davis and Boynton of Gadsden, Clark of Calhoun, Brackin of Okaloosa, Bollinger of Palm Beach, Ayers of Gilchrist, Getzen of Sumter, Crofton of Brevard, Fuqua of Manatee, Croft of Lafayette, Baughman of Dixie, Andrews of Union, Livingston of Highlands, Hodges of Columbia, Sanchez and Delegal of Suwannee, Bryant of Pasco, McKendree of Nassau, Peavy of Madison, Inman of Bradford, Carter of Alachua, Graves of Indian River—

House Bill No. 845:

A bill to be entitled An Act to provide for the establishment of a minimum program fund for the public schools of the State; to provide the method of determining objectively the cost of the minimum program in each county, the method of determining the funds to be considered available toward meeting the cost of the minimum program, and the method of determining the amount to be provided by the State to meet the minimum program requirements of each county; and to make the necessary appropriation therefor, and provide for the apportionment and expenditure thereof.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 845, contained in the above Message, was read the first time by title only.

Senator Shuler moved that the rules be waived and House Bill No. 845 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,
May 31, 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. Crary of Martin, Livingston of Highlands, Clement of Pinellas and Lewis of Gulf—

House Bill No. 855:

A bill to be entitled An Act authorizing creation and incorporation of municipal authorities; providing the means and method of organizing authorities under this Act; providing authority to municipalities to create such municipal authorities by the means and manner and for the purposes set forth in this Act; defining certain of the terms used in this Act, prescribing the form and substance of articles of incorporation of authorities created under this Act; providing for the filing of the articles of incorporation of the Secretary of State and prescribing the duties and powers of the Secretary of State with respect thereto; prescribing the powers and purposes of the authorities created and incorporated under this Act, authorizing authorities incorporated under this Act to acquire, hold, construct, improve, maintain, own, lease and operate the properties and projects of the nature specified in this Act and in the manner and within the scope of the authority in this Act, granted, giving and granting to all authorities created under this Act powers and privileges and immunities in this Act specified; providing for the term of existence of authorities created under this Act; providing for the issuance of bonds by authorities created under this Act and purposes thereof and the authorities, powers, duties, obligations of the authority in connection therewith of others dealing with the authority in connection therewith; providing for the remedies of the holders of bonds issued and negotiable by any authority under the provisions of this Act; providing for a governing body for each authority, the number of the members thereof, the method of selection of such members, their terms of office, their duties, powers and authority, the selection of their successors, providing the method, manner, means by which the monies, funds, properties, business and affairs of each authority incorporated under this Act shall be held, preserved, handled and managed; providing for the transfer to the authorities incorporated under this Act of properties and facilities by the State or any county, city or other governmental unit and entity; providing for the method and manner of awarding contracts; providing for the acquisition of lands and property rights of purchase of eminent domain and providing for certain limitations in connection therewith; providing the means and method and time of termination of the authorities incorporated under this Act; granting unto the authorities incorporated under this Act certain exemptions from taxation; providing that the provisions of the Act are separable and that judicial determination of invalidity or unconstitutionality of a part or portions of this Act shall not affect the validity of the remainder of this Act; providing for the repeal of laws in conflict with this Act.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 855, contained in the above Message, was read the first time by title only and referred to the Committee on Cities and Towns.

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

Tallahassee, Florida,
May 31, 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. Clement of Pinellas—

House Bill No. 654:

A bill to be entitled An Act to amend Section 167.61, Florida Statutes, 1941, relating to general powers of municipalities.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 654, contained in the above Message, was read the first time by title only and referred to the Committee on Cities and Towns.

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

Tallahassee, Florida,
May 31, 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. Crary of Martin—

House Bill No. 898:

A bill to be entitled An Act to amend Section 561.36, Florida Statutes, 1941, relating to city licenses for the sale of alcoholic beverages; limiting the amount to be charged, and granting and measuring restrictions to be imposed by cities and towns.

By Mr. Dugger of Baker—

House Bill No. 524:

A bill to be entitled An Act granting a pension to Annie Carroll of Baker County, Florida.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 898, contained in the above Message, was read the first time by title only.

Senator Johnson moved that the rules be waived and House Bill No. 898 be placed on the Calendar of Bills on Second Reading, without reference.

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

And House Bill No. 524, contained in the above message, was read the first time by title only.

Senator Lindler moved that the rules be waived and House Bill No. 524 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 524 was read the second time by title only.

Senator Lindler moved that the rules be further waived and House Bill No. 524 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. 524 was read the third time in full.

Upon the passage of House Bill No. 524 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Brewton, Cliett, Johnson, Lindler, Maddox, Shuler—9.

Nays—Senators Barringer, Carroll, Clarke, Coleman, Collins, Davis, Franklin, King, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Sturgis, Taylor, Upchurch—19.

So House Bill No. 524 failed to pass.

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

Tallahassee, Florida,
May 31, 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 the Committee on Labor—

Committee Substitute for House Bill No. 27:

A bill to be entitled An Act relating to the Workmen's Compensation Law; amending Section 440.54 of the Florida Statutes, 1941; providing a remedy at common law for minors injured while employed in violation of the Florida Child Labor Law; providing that the employer shall be entitled to all common law defenses; providing the person who may make the election for such employee and providing this Act shall not apply to any employer operating under the provisions of the Workmen's Compensation Law who has on file a birth or employment certificate showing such minor to be above the minimum age fixed by law for such employment.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And Committee Substitute for House Bill No. 27, contained in the above Message, was read the first time by title only and referred to the Committee on Labor and Industry.

Senator Sheldon moved that Senate Bills Nos. 179 and 180 be withdrawn from the Committee on Labor and Industry and placed on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

By unanimous consent Senator Sheldon withdrew Senate Bills Nos. 179 and 180.

Senator Collins moved that Senate Bill No. 581 be withdrawn from the Committee on Finance and Taxation and placed on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

By unanimous consent Senator Collins withdrew Senate Bill No. 581.

MOTION TO RECONSIDER

The motion made by Senator Collins on May 28, 1943, to reconsider the vote by which:

Senate Bill No. 106:

A bill to be entitled An Act to amend Section 112.05, Florida Statutes, 1941, as amended by Chapter 20499, Laws of Florida, Acts of 1941, relating to the retirement of State officials or State employees.

Failed to pass the Senate on May 27, 1943, was taken up.

The President put the question.

Which was agreed to and the Senate reconsidered the vote by which Senate Bill No. 106 failed to pass the Senate on May 27, 1943.

The question recurred on the passage of Senate Bill No. 106.

Upon the passage of Senate Bill No. 106 the roll was called and the vote was:

Yeas—Mr. President; Senators Baker, Barringer, Brewton, Franklin, Griner, Johnson, Maddox, Mathews, McKenzie, Sheldon, Shuler, Taylor, Upchurch, Wilson—15.

Nays—Senators Beacham, Black, Carroll, Clarke, Coleman, Collins, Davis, Hinely, King, Lindler, Maines, McArthur, Perdue, Rose, Shands, Sturgis—16.

So Senate Bill No. 106 failed to pass.

UNFINISHED BUSINESS

Senate Bill No. 678:

A bill to be entitled An Act providing additional compensation for certain County Commissioners.

Was taken up, pending roll call.

By unanimous consent Senator Black offered the following amendment to Senate Bill No. 678:

"Provided, this Act shall not apply to Hamilton County."

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

By unanimous consent Senator Griner offered the following amendment to Senate Bill No. 678:

Add: "Provided this Act does not apply to Taylor, Dixie and Lafayette Counties."

Senator Griner moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator Lindler offered the following amendment to Senate Bill No. 678:

Add: "Provided this Act shall not apply to Columbia County."

Senator Lindler moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator Davis offered the following amendment to Senate Bill No. 678:

Add: "Provided, however, that this Act shall not apply to Nassau, Suwannee and Madison Counties.

Senator Davis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator Shuler offered the following amendment to Senate Bill No. 678:

At the end of Section One strike out the period and insert in lieu thereof the following: "this Act shall not apply to Franklin, Liberty, and Wakulla Counties."

Senator Shuler moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator Maddox offered the following amendment to Senate Bill No. 678:

At the end of Section 1 strike out the period, and insert in lieu thereof the following: "Provided further that this Act shall not apply to Holmes, Walton, Okaloosa and Santa Rosa Counties."

Senator Maddox moved the adoption of the amendment.

Upon which a roll call was demanded.

Upon the adoption of the amendment offered by Senator Maddox to Senate Bill No. 678, the roll was called and the vote was:

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

Nays—Senators Adams, Beacham—2.

So the amendment was adopted.

By unanimous consent Senator Barringer offered the following amendment to Senate Bill No. 678:

Add: "Provided this Act shall not apply to Manatee, Sarasota and Charlotte Counties."

Senator Barringer moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator Clarke offered the following amendment to Senate Bill No. 678:

At end of Section One strike out period, and insert in lieu thereof the following: "Provided this Act shall not apply to Jefferson County and Lee County."

Senator Clarke moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Upon the passage of Senate Bill No. 678, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Cliett, Coleman, Franklin, Griner, Hinely, Housholder, Johnson, King, Rose, Sheldon, Shuler, Taylor, Upchurch—21.

Nays—Senators Clarke, Collins, Davis, Lindler, Maddox, Maines, McArthur, McKenzie, Perdue, Shands, Wilson—11.

So Senate Bill No. 678 passed, as amended, and was referred to the Committee on Engrossed Bills.

SPECIAL AND CONTINUING ORDER

Pursuant to the motion made by Senator Collins on May 28, 1943, and the hour having arrived, the Senate took up for consideration as a Special and Continuing Order:

House Joint Resolution No. 523:

A JOINT RESOLUTION PROPOSING AN AMENDMENT

OF SECTION 30, ARTICLE III OF THE CONSTITUTION OF THE STATE OF FLORIDA, RELATING TO THE LEGISLATIVE DEPARTMENT.

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

That the following amendment of Section 30, Article III, of the Constitution of the State of Florida, relating to the Legislative department is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the next general election to be held in November, A.D. 1944; that is to say, that said Section 30, Article III of the Constitution of the State of Florida be amended so as to read as follows:

"Section 30. Laws making appropriations for the salaries of the State officers and employees and all other expenses of the State shall contain provisions on no other subject and no special appropriations, continuing appropriations or appropriations extending over a period of more than two years shall be made. Each biennial session of the Legislature shall enact a Biennial Appropriation Bill which shall include all disbursements to be made by the State during the succeeding biennium, which shall be sub-divided as to and including all offices, commissions, departments, boards, bureaus, divisions, institutions or other agencies of the State government, each of which shall be further sub-divided as to individual salaries, travel expenses, contractual services, supplies, equipment, capital outlay and such other sub-divisions as may be prescribed by the Legislature, except that funds allocated, prorated or distributed to the public free schools and the political sub-divisions of the State under authority of other provisions of the Constitution may be classified or itemized as provided by the Legislature, and providing further that a general emergency fund not exceeding 5 per cent of the total budget shall be provided and disbursed as provided by law. All monies shall be deposited in and all appropriations made from one General Revenue Fund, except, that the Legislature may establish a State Road Fund and necessary Trust Funds.

All state offices, commissions, departments, boards, bureaus, institutions, and other agencies or divisions of the State government shall be audited annually by the State Auditor to be designated by the Legislature, in joint session, as hereinafter provided. The Governor of Florida, by and with the advice and consent of a majority of all members elected to the Legislature meeting in joint session, shall appoint a State Auditor, who shall serve for a term of sixteen years and who shall not be eligible for re-appointment. The term of office of the first auditor hereunder shall begin on July 1, 1945.

The State Auditor shall also be Budget Director for the State of Florida and shall prepare and submit to the members of the Legislature of the State of Florida, at least sixty days prior to the convening of each biennial session of the Legislature a proposed State Budget and Biennial Appropriations Bill as provided in this section. That State Auditor shall be under the exclusive direction, supervision and control of the Legislature of the State of Florida, subject to removal by the Legislature of the State of Florida, and shall perform such other duties as may be required by the Legislature of the State of Florida.

The State Auditor shall be paid the same salary as cabinet officers, but shall not be a member of the Cabinet, and no member of the Legislature of the State of Florida or member of the Cabinet shall be elected State Auditor.

The State Auditor shall appoint an assistant, who shall serve as State Auditor in the case of a vacancy, and such other auditors and assistants as may be necessary to perform the duties herein provided or otherwise specified by the Legislature.

Was taken up and read the second time in full.

Senator Sturgis offered the following amendment to House Joint Resolution No. 523:

Strike out all of "Section 30" and insert in lieu thereof the following:

"Section 30. Each biennial session of the Legislature shall enact an Appropriation Bill which shall include all disbursements to be made by the State during the succeeding biennium. Such bill shall contain provisions on no other subject, and except as hereinafter allowed no law making a special appropriation, continuing appropriation or appropriation extending over a period of more than such biennium shall be enacted.

Such bill shall be sub-divided as to and shall include all offices, commissions, departments, boards, bureaus, divisions, institutions or other agencies of the State government, each of which shall be further sub-divided as to salaries, travel expenses, contractual services, supplies, equipment, capital outlay, and other sub-divisions as the Legislature may prescribe; PROVIDED, that such appropriation bill shall contain an appropriation of a general emergency fund not exceeding five per centum of the expenditures otherwise authorized therein, which emergency fund shall be disbursed as provided by law.

The Legislature may by separate enactment appropriate, for a period exceeding two years, (a) funds to the public schools, (b) funds for the retirement of teachers, (c) funds distributable to political subdivisions of the State under other provisions of this Constitution, and (d) funds for the construction of permanent buildings or other permanent improvements of the State; all of which funds shall be preserved to the use for which so appropriated.

Funds allocated to any particular use under any provision of this Constitution, including funds of the State Board of Administration, shall not be subject to the operation of this Section, but such funds may, together with the funds specified in the foregoing paragraph, be classified and itemized in the appropriation bill for the purpose of identification and information.

Emergency appropriations, not to extend beyond the next regular Session, may be made at any Special Session of the Legislature.

All monies subject to Legislative control shall be deposited in and all appropriations made from one General Revenue Fund; PROVIDED, that the Legislature may establish a State Road Fund, necessary Trust Funds, and Special Operating Funds under the supervision of the State Board of Control.

The Legislature shall in joint session, appoint a State Auditor whose term shall begin July 1, 1945, who shall not be a member of the Legislature, shall serve for a term of sixteen years, shall not be subject to re-appointment, and shall be subject to removal at the pleasure of the Legislature. Such State Auditor shall be paid the same salary as the Secretary of State. He shall have no State duty or office not herein provided for. The State Auditor shall appoint an Assistant State Auditor who in case of a vacancy shall serve as State Auditor until his successor is appointed by the Legislature, and shall appoint such other auditors and assistants as may be necessary to perform the duties of his office. The expenses of the State Auditor and of his office shall be fixed by the Legislature.

All State offices, commissions, departments, boards, bureaus, institutions, and other agencies or divisions of the State Government shall be audited annually by the State Auditor; and he shall also be Budget Director for the State of Florida and shall prepare and submit to the members of the Legislature of the State of Florida at least sixty days prior to the convening of each biennial session of the Legislature a proposed State Budget and Biennial Appropriations Bill as provided herein. He shall be under the exclusive direction, supervision and control of the Legislature, and shall perform such other duties as may be required by the Legislature."

Senator Sturgis moved the adoption of the amendment.

Pending adoption of the amendment offered by Senator Sturgis to House Joint Resolution No. 523, Senator Shuler offered the following amendment to the amendment offered by Senator Sturgis to House Joint Resolution No. 523:

At the end of Section 30 add the following: "Provided that nothing contained herein shall apply to appropriations heretofore or hereafter made by the Legislature to (a) the County School Fund or otherwise for the benefit of public free schools, and (b) the Teachers' Retirement System of the State of Florida."

Senator Shuler moved the adoption of the amendment to the amendment.

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

Pending adoption of the amendment offered by Senator Sturgis to House Joint Resolution No. 523 Senator Beacham offered the following amendment to the amendment offered by Senator Sturgis to House Joint Resolution No. 523:

Page 2, line 10, (typewritten bill), strike out the words: "sixteen years, who shall not be eligible for reappointment," and insert in lieu thereof the following: "six years".

Senator Beacham moved the adoption of the amendment to the amendment.

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

Pending consideration of the amendment offered by Senator Sturgis to House Joint Resolution No. 523, Senator Housholder 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 12:53 o'clock P. M.

The Senate emerged from Executive Session at 1:33 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, Griner, Hinely, Housholder, Johnson, King, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis Taylor, Upchurch, Wilson—34.

A quorum present.

Senator Beacham moved that when the Senate adjourns it recess until 3:00 o'clock P. M., this day.

Which was agreed to and it was so ordered.

Pending consideration of the amendment offered by Senator Sturgis to House Joint Resolution No. 523, the hour of adjournment having arrived a point of order was called and the Senate recessed at 1:34 o'clock P. M., until 3:00 o'clock P. M., this day.

AFTERNOON SESSION

The Senate reconvened at 3:00 o'clock P. M., pursuant to recess order.

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, Griner, Hinely, Housholder, Johnson, King, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

A quorum present.

REPORTS OF COMMITTEES

Your Committees on Insurance, and Finance and Taxation, to whom was referred:

House Bill No. 970:

A bill to be entitled An Act to amend Section 205.43, Florida Statutes, 1941, as amended by Chapter 20517, Laws of Florida, Acts of 1941, relating to license taxes and premium taxes on persons engaged in an insurance business in the State of Florida, increasing gross receipts premium tax from 2% to 3%, and providing that such 1% increase be appropriated to and become a part of the Old Age Assistance Fund and the Old Age Pension Fund of Florida.

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

Very respectfully,

W. A. SHANDS,

LeROY COLLINS,

Chairmen of Committees.

And House Bill No. 970, contained in the above report, was laid on the table.

Your Committee on Education, to whom was referred:

House Bill No. 251:

A bill to be entitled An Act to amend Section 5, Chapter 19014, Laws of Florida, Acts of 1939, as amended by Section 2, Chapter 20749, Laws of Florida, Acts of 1941 (Section 238.05 Florida Statutes, 1941), relating to membership in State Teachers Retirement System.

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

Very respectfully,

JAY A. SHULER,

Chairman of Committee.

And House Bill No. 251, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Cities and Towns, to whom was referred:

House Bill No. 215:

A bill to be entitled An Act to amend Section 6, of Chapter 15401, Laws of Florida, Special Acts of 1931, and Section 2, of Chapter 9869, Laws of Florida, Special Acts of 1923, and Section 2 of Chapter 8324, Special Acts of 1919, boundaries of the City of Ormond; a municipal corporation in Volusia County, Florida, and to exclude from the metes and bounds description therein contained certain lands located and being in Section 42, in Township 14 South, Range 32 East, and other relief incident thereto.

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

Very respectfully,

W. H. BREWTON,

Chairman of Committee.

And House Bill No. 215, contained in the above report, was laid on the table.

Your Committee on Cities and Towns, to whom was referred:

House Bill No. 965:

A bill to be entitled An Act to amend Section 6, of Chapter 15401, Laws of Florida, Special Acts of 1931, and Section 2, of Chapter 9869, Laws of Florida, Special Acts of 1923, and Section 2, of Chapter 8324 Special Acts of 1919, boundaries of the City of Ormond, a municipal corporation in Volusia County, Florida, and to exclude from the metes and bounds description therein contained certain lands located and being in Section 42, in Township 14 South, Range 32 East, and other relief incident thereto.

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

Very respectfully,

W. H. BREWTON,

Chairman of Committee.

And House Bill No. 965, contained in the above report, was laid on the table.

Your Committee on Executive Communications, to whom was referred:

Senate Bill No. 802 (1941 Session):

A bill to be entitled An Act to amend Section 4 of Chapter 14,832, Laws of Florida, Acts of 1931, as amended, being "An Act to provide for a State Racing Commission to prescribe its powers and duties, and to fix the compensation of its members; to provide for holding referendum and recall elections in any county to determine whether racing shall be permitted or continued therein, to provide for licensing and taxing such racing and apportioning the moneys derived therefrom among the several counties of the State; to provide for and regulate the making of pari-mutuel pools within the inclosure of licensed race tracks; providing certain penalties for the violation of this Act and for other purposes relating thereto." By providing for the revival of permits and the issuance of licenses to owners or successors in title to dog racing plants under certain conditions; providing the procedure to procure the same and fixing the time or times at which racing meets may be conducted at any such racing plant.

Senate Bill No. 183 (1943 Session):

A bill to be entitled An Act relating to public performing rights in copyrighted musical compositions and dramatico-musical compositions; defining the same; regulating licensing of same; prescribing filing fees; making provisions for a resident agent in the State; levying a tax on the gross receipts from the licensing of such rights within the State of Florida; providing for the enforcement of this Act; the promulgation of rules and regulations governing the enforcement of this Act; appropriating the proceeds of the tax and fees levied herein, and repealing certain laws in conflict herewith.

Have had the same under consideration, and recommend that the Governor's Veto of said Bills be sustained.

Very respectfully,

HARRISON E. BARRINGER,

Chairman of Committee.

And Senate Bills Nos. 802 (1941 Session) and 183 (1943 Session), contained in the above report, were placed on the Calendar.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Bill No. 601:

A bill to be entitled An Act to require the owner of an automobile used or operated as a taxicab, or for carrying passengers for hire under license number plate of Series "E," to surrender within ten days after such use has been discontinued, the Series "E" license number plate to the License Number Plate Agency of the county of issue, and receive in exchange, on payment of the lawful fee, a license number plate of the series lawfully required for automobiles not for hire.

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

Very respectfully,

K. GRINER,

Chairman of Committee.

And Senate Bill No. 601, contained in the above report, was referred to the Committee on Enrolled Bills.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Bill No. 639:

A bill to be entitled An Act providing for the enforcement of the provisions of Chapter 458 of Florida Statutes, 1941, relating to Physicians, the State Board of Medical Examiners and the State Board of Health, vesting certain powers including police power in the State Board of Health and its agents, representatives and other officers, and the right to proceed by injunctions to restrain violations thereof.

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

Very respectfully,

K. GRINER,

Chairman of Committee.

And Senate Bill No. 639, contained in the above report, was certified to the House of Representatives.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Joint Resolution No. 419:

A JOINT RESOLUTION PROPOSING TO AMEND SECTION 21 OF ARTICLE V OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO JUSTICE DISTRICTS AND JUSTICES OF THE PEACE.

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

Very respectfully,

K. GRINER,

Chairman of Committee.

And Senate Bill No. 419, contained in the above report, was referred to the Committee on Enrolled Bills.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Bill No. 651:

A bill to be entitled An Act creating a Permanent Statutory Revision and Legislative Drafting and Reference Department of the State of Florida; placing the said department under the supervision and control of the Attorney General; defining the powers and duties of the said department; and providing for the editing, indexing, printing, binding, sale and distribution of the Statutes, Session Laws and certain other publications.

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

Very respectfully,

K. GRINER,

Chairman of Committee.

And Senate Bills No. 651, contained in the above report, was referred to the Committee on Enrolled Bills.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Bill No. 585:

A bill to be entitled An Act relating to primaries and elec-

tions in and creating County Election Boards in all counties of the State of Florida having a population of not less than one hundred and five thousand (105,000) and not more than two hundred and five thousand (205,000) according to the last preceding Federal census to conduct all primaries and elections, except municipal primaries and elections; prescribing the qualifications, terms of office, and methods of appointment and election of the members of said boards and fixing their compensation, and providing for the payment of all expenses incurred by said boards; prescribing the powers, duties, and functions of such County Election Boards; making the County Supervisors of Registration ex-officio clerks and the State Attorneys, attorneys for said boards, and prescribing their respective powers, duties, and functions; making said County Election Board, the Supervisor of Registration, and the County Judge the Canvassing Board of each of said counties; providing penalties for wilfully interfering with said County Election Boards in the performance of their duties and for the wilful violation of this Act and repealing all laws and parts of laws in conflict herewith.

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

Very respectfully,

K. GRINER,

Chairman of Committee.

And Senate Bill No. 585, contained in the above report, was referred to the Committee on Enrolled Bills.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Bill No. 362:

A bill to be entitled An Act amending Section 415.19, Florida Statutes, 1941; granting authority to the Judge of any Juvenile Court and any County Judge acting as a Juvenile Judge to permanently commit children under the age of seventeen years to a licensed child placing agency for subsequent adoption; prescribing procedure, including notice to natural parents or legal guardian; providing for complete termination of rights of natural parents and legal guardian; empowering agency to consent to subsequent adoption; providing for appeal and limited right to habeas corpus; and repealing laws in conflict herewith.

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

Very respectfully,

K. GRINER,

Chairman of Committee.

And Senate Bill No. 362, contained in the above report, was referred to the Committee on Enrolled Bills.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Bill No. 678:

A bill to be entitled An Act providing additional compensation for certain County Commissioners.

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

Very respectfully,

K. GRINER,

Chairman of Committee.

And Senate Bill No. 678, contained in the above report, was certified to the House of Representatives.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Bill No. 459:

A bill to be entitled An Act providing for the method of nominating National Committeemen, National Committeewomen and Presidential Electors, and for the election of delegates and alternates to National Conventions of a minority party and granting to the State Executive Committee of such minority party the authority to determine by resolution the method of nominating and electing such officials and defining the term "minority political party."

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

Very respectfully,

K. GRINER,

Chairman of Committee.

And Senate Bill No. 459, contained in the above report, was referred to the Committee on Enrolled Bills.

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

Senate Bill No. 515:

A bill to be entitled An Act to amend An Act entitled "An Act Creating in the City of Tampa a system of pensions for disability and retirement from service of members of police and fire departments employed by appointment or otherwise in said department in said city, and to provide a fund in said city to be known as the City Pensions Fund for Firemen and Policemen and providing further for the creation of a Board of Trustees in said city, prescribing the powers and duties of such board, providing for the payment of certain sums to all persons employed in the fire and police departments in said city as shall have retired and have been retired and their dependents, to further prescribe the qualifications as to who shall be eligible and who shall receive a pension under this Act; providing for the investment and safekeeping of the funds created under this Act, providing for the regulation of the subject of pensions to all persons entitled to receive the same and to provide rules and regulations for the administration of the fund created hereunder; providing for the levy of ad valorem and excise taxes for said pension fund; and providing for the enforcement of this Act," being Chapter 21590, Laws of Florida, Acts of 1941, by amending Section Seven (7), Paragraph (A) thereof so as to provide for the retirement of any member of the fire or police department of the City of Tampa who was employed at the time of the enactment of Chapter 17164, Laws of Florida, Acts of 1935, by appointment or otherwise in said departments of said city and who has twenty (20) years of actual service therein, and the payment to such member of the sum of \$100.00 per month, with certain limitations upon the privilege of such retirement for the duration of the present war; to provide for the preservation of retirement rights and privileges of members who, since December 7, 1941 enlist or are called into active military service of the armed forces of the United States of America and for the payment by such member into the pension fund of 2% of his last monthly salary for the full period of time of such active military service; to provide that the period of active military service shall be deemed continuous actual service in the police or fire departments of said city for purposes of computation to determine whether a member is entitled to retirement under this Act; to provide for restoration of a member to his former position upon release from active military service; and repealing conflicting laws.

Senate Bill No. 602:

A bill to be entitled An Act to establish the Lake Mattie Conservation District in Polk County, and describing the lands to be included therein; declaring the purpose of the creation of the said district to be that of raising by artificial means the ground level of the water and the water table in a portion of Lake Mattie Marsh to be incorporated into said district so as to provide frost protection to citrus fruit groves located within the said district and along the Southern rim thereof, and to provide additional water for the irrigation of groves; to create a Board of Commissioners of said district and to define the powers of the said board; to authorize construction of dams, dikes, ditches, levees, spillways and other works necessary to maintain the water level in the said marsh at levels not higher than the normal high-water mark; to provide for the maintenance of the said district and for the levy of taxes on citrus fruit groves to be benefitted by the creation of said district and to provide a method for the enforcement of the lien of such taxes; to provide for the adoption by the district of a plan of conservation and for a hearing on said plan before the Circuit Court, Polk County, Florida, for a finding and judgment by the said Circuit Court as to damages that might accrue to marsh lands in said district by carrying out the objects of the district; to authorize the said district to exercise the right of eminent domain for the purpose of acquiring property for the use of the district; to provide for a referendum election for the ratification and approval of this Act; and to prevent injury to any works constructed under this Act, and to provide a penalty for violating such provisions.

Senate Bill No. 604:

A bill to be entitled An Act to create Lake Harbor Drainage District in Palm Beach and Hendry Counties, Florida, com-

prising substantially the following lands: South Half (S½) of Sections One (1) and Two (2) and all of Sections Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14) in Township Forty-four (44) South, Range Thirty-four (34) East, Hendry County, Florida, and South Half (S½) of Section Two (2) lying West of the center line of the Miami Canal, and South (S½) of Sections Three (3), Four (4), Five (5), and Six (6) and all of Sections Seven (7), Eight (8), Nine (9), Ten (10), Sixteen (16), Seventeen (17) and Eighteen (18), and that part of Sections Eleven (11), Fourteen (14) and Fifteen (15) lying West of the center line of the Miami Canal, in Township Forty-four (44) South, Range Thirty-five (35) East, Palm Beach County, Florida; declaring the purposes of said district and fixing its boundaries; creating a Board of Supervisors for said district and appointing the members of the first Board of Supervisors; providing for the election or appointment and compensation of the members of said Board of Supervisors and prescribing the powers and duties of said board; authorizing the construction and installation of water control works and improvements in said district; providing for the levy, assessment and collection of annual taxes and assessments upon the lands within said district; providing procedure for the enforcement of such taxes and providing for the sale of any lands acquired by the board through foreclosure proceedings or otherwise; creating certain funds for the monies of the district and providing for what purposes such funds may be expended; authorizing the Board of Supervisors of said district to borrow money and to issue bonds and providing procedure therefor; providing procedure for the holding of a bond election or elections in said district; providing for the election of a President of the Board of Supervisors and a Secretary and Treasurer of the district and prescribing their powers and duties; providing a penalty for wilful damage to any of the water control works and improvements in said district; and repealing all laws or parts of laws in conflict with the provisions of this Act.

Senate Bill No. 617:

A bill to be entitled An Act to amend Section 112.06, Florida Statutes, 1941, relating to traveling expenses of State officers and employees when traveling on State business.

Senate Bill No. 627:

A bill to be entitled An Act to abolish the present municipality of the City of Lake Helen, in Volusia County, Florida, and to create, establish and organize a municipality to be known and designated as the City of Lake Helen, in Volusia County, Florida; to define its territorial boundaries, and to provide for its government, jurisdiction, powers, franchises and privileges.

Hereby reports that the above bills have been correctly enrolled and are presented herewith 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 contained in the above report were duly signed by the President and Secretary of the Senate in open session, and ordered to be transmitted to the House for the signature of the Speaker and Chief Clerk of the House of Representatives.

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

House Bill No. 922:

A bill to be entitled An Act amending Sections 161 and 162 of Chapter 9710, Special Acts of 1923 entitled "An Act to abolish the present municipal government of the City of Clearwater, County of Pinellas, Florida, and to create and establish a municipal corporation to be known as the City of Clearwater; to provide a charter for said city; to define its territorial limits; provide for its government and prescribe its jurisdictional powers"; and by such amendments to eliminate payments of poll taxes as a prerequisite to voting in municipal elections, and to provide that the Supervisor of Registration of the County of Pinellas shall Act as Registration Officer of the City of Clearwater.

House Bill No. 920:

A bill to be entitled An Act amending Section 4 and Section 8 of Chapter 12652, Laws of Florida, Special Acts of 1927;

providing for election of City Councilmen for the City of Dania, Florida so that some members of said City Council will remain in office at the expiration of each year; providing that the City Clerk, the City Treasurer, the City Tax Assessor, City Tax Collector and Chief of Police shall be appointed annually by the City Council of the said City of Dania; and providing that the Mayor of the City of Dania shall not be elected by the electorate but shall be appointed by the City Council each year from its membership; and repealing all laws or parts of laws in conflict herewith, and providing for a referendum.

House Bill No. 964:

A bill to be entitled An Act relating to the creation and establishment of a bird sanctuary in the City of Clewiston, Hendry County, Florida; providing for the protection, preservation, and encouragement of birds and bird life; and providing a penalty for the violation of this Act.

House Bill No. 1006:

A bill to be entitled An Act authorizing the Clerk of the Circuit Court of St. Lucie County, Florida, to cancel certain tax certificates owned by the State of Florida on certain lands located in St. Lucie County, Florida, adjacent to the Fort Pierce cemetery and which lands have been acquired by Fort Pierce Cemetery Association as an addition to the Fort Pierce Cemetery.

House Bill No. 797:

A bill to be entitled An Act to abolish the Fort Pierce Port District, in St. Lucie County, Florida, and creating the Fort Pierce Inlet District in said county; in lieu thereof to embrace the same boundaries and area, and making provision for it as the successor thereto; providing that the Board of County Commissioners of St. Lucie County shall be the Board of Commissioners of Fort Pierce Inlet District and fixing their powers, obligations, duties and authority over the said District and over the pilots, harbor masters and stevedores within the said District; and providing for the taxation, the payment and refunding of the indebtedness of the District, and other matters in connection therewith.

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.

Bills 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 Bill No. 42:

A bill to be entitled An Act to amend Section 382.21, Florida Statutes, 1941, new or amended Certificate of Birth, to provide for Birth Certificates for adopted foundlings.

Committee Substitute for Senate Bill No. 61:

A bill to be entitled An Act to amend Section 231.50, Florida Statutes, 1941, relative to the monthly allowance allowed public school teachers after thirty-five or more years of teaching, by extending the provisions of said section to those who have served an aggregate period of thirty-five or more years as teacher, and/or County Superintendent of Public Instruction.

Senate Bill No. 73:

A bill to be entitled An Act prescribing the rights, duties and liabilities of Sheriffs in levying writs, authorizing them to require bonds in certain cases, and providing the procedure to determine whether property is subject to the writ and the effect of such determination.

Senate Bill No. 148:

A bill to be entitled An Act permitting the adjudication

of tax liens of equal dignity in suits in the nature of proceedings in rem for the foreclosure of municipal tax and special assessment liens authorized by Chapter 173, Florida Statutes, 1941; authorizing owners, holders or assignees of tax liens of equal or inferior dignity with those being foreclosed on or against the lands being proceeded against to be made parties defendant in such proceedings for the purpose of adjudicating and satisfying such tax liens, and providing for the method of obtaining jurisdiction of such parties defendant.

Senate Bill No. 254:

A bill to be entitled An Act imposing additional twenty cents per gallon excise tax upon fortified wines, in addition to taxes imposed upon wines by Section 2 of Chapter 20830, Laws of Florida, Acts of 1941; appropriating ten cents per gallon of all excise taxes levied and payable by Chapter 20830, Laws of Florida, Acts of 1941. and the additional taxes levied by this Act for aid to dependent children; prohibiting the sale of mixed drinks by beer and wine vendors; amending Section 561.46, Florida Statutes, 1941, relating to sale of stamps and providing for a discount; repealing Chapter 20829, Laws of Florida, Acts of 1941; all pertaining to the beverage laws.

Senate Bill No. 304:

A bill to be entitled An Act prohibiting certain contracts, agreements, relationships and practices between insurers, doing sick and funeral insurance business, and funeral directors and undertakers, prescribing penalties for violations of this Act, and repealing all laws in conflict herewith.

Senate Bill No. 475:

A bill to be entitled An Act to amend Section 320.35 of Florida Statutes, 1941, providing that motor vehicle license plates shall be displayed on all motor vehicles operated upon or over the highways of this State.

Senate Bill No. 580:

A bill to be entitled An Act relating to entrance and graduation requirements of certain colleges and universities, providing for the waiver of certain entrance and graduation requirements for certain persons inducted into the armed forces during and after January, 1940, prescribing the rights of such persons with reference thereto, and repealing all laws in conflict herewith.

Hereby reports that the above bills have been correctly enrolled and are presented herewith 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 contained in the above report were duly signed by the President and Secretary of the Senate in open session, and ordered to be transmitted to the House for the signature of the Speaker and Chief Clerk of the House of Representatives.

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

Senate Bill No. 169:

A bill to be entitled An Act appropriating certain unexpended funds to State Welfare Fund to be used for old age assistance payments, assistance payments to the needy blind, and assistance payments for aid to dependent children.

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 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 guests 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.

Senate Bill No. 227:

A bill to be entitled An Act amending Section 568.10, Florida Statutes, 1941, to provide for the sale of confiscated liquors by the Sheriff of any county.

Senate Bill No. 311:

A bill to be entitled An Act for the relief of Pearl L. Cullen, individually and as Tax Collector of Lake County, Florida.

Senate Bill No. 384:

A bill to be entitled An Act to provide for payment of accrued public assistance on death of person entitled thereto; imposing certain powers and duties upon State Welfare Board, County Judge, and State Comptroller, with reference thereto; and repealing all laws in conflict herewith.

Senate Bill No. 393:

A bill to be entitled An Act to authorize the Trustees of the Internal Improvement Fund to convey title to certain land in Union County, Florida, to C. H. Hunter, W. K. Jenkins and A. L. Crews, as Trustees of the Raiford Missionary Baptist Church.

Senate Bill No. 476:

A bill to be entitled An Act to provide that the Governor of the State of Florida may, by proclamation, declare an emergency to exist, and direct motor vehicle license plates to be manufactured from a substitute material, or that a substitute be used in lieu of the license plate as now provided by law.

Senate Bill No. 477:

A bill to be entitled An Act to transfer all monies in the Motor Vehicle Refund Fund to the County School Fund and the Auto Theft Expense Fund.

Senate Committee Substitute for House Committee Substitute for House Bill No. 94:

A bill to be entitled An Act authorizing the County Judge's Court to issue delayed birth certificates; providing for a cumulative method for obtaining delayed birth certificates upon petition and order in the County Judge's Court, authorizing the County Judge's Court to order and certify the date of birth, place of birth and parentage, or any of such facts of any resident of the State of Florida providing for the filing of a copy of such certificates with the Bureau of Vital Statistics, State Board of Health, requiring said bureau to furnish necessary blanks and authorizing certified copies thereof, providing the effect of such order, and for the appeals from the same.

Hereby reports that the above bills have been correctly enrolled and are presented herewith 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 contained in the above report were duly signed by the President and Secretary of the Senate in open session, and ordered to be transmitted to the House for the signature of the Speaker and Chief Clerk of the House of Representatives.

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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 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 guests 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.

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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 Bill No. 66:

A bill to be entitled An Act relating to General, Special, and Primary Elections in all counties of the State wherein voting machines are used in elections; requiring persons

presenting themselves to vote on election day to sign their names; providing for the comparison of the handwriting of signature of elector at time of registration with that on election day for the purpose of identification of qualified elector; providing for identification slips to be signed by the elector, by the official comparing the signature and by the official operating the voting machine and forms thereof; providing for procedure and forms in lieu of identification slips when elector unable to write; providing a form report to be signed and filed by officials operating voting machines when such officials relieve each other; providing for the preparation, delivery, custody and preservation of signature slips and locked containers therefor and other election paraphernalia; providing for affidavits of electors in cases of doubtful identity; authorizing clerk and inspectors of election to administer oaths in certain cases; providing that polling lists be dispensed with; providing that proof of certain facts is prima facie evidence of voting; providing that proof of violations is prima facie evidence that violation was wilful and fraudulent; providing that possession and delivery of identification slips except as provided be unlawful and providing for the punishment therefor; providing that signed certificates of election results are admissible in evidence to prove that persons signing same were election officials; providing that no person shall be in the voting machine with elector when certain is closed except as provided; providing that persons violating any provision of this Act shall be guilty of misdemeanor and fixing the punishment therefor; and other matters relating thereto.

Senate Bill No. 479:

A bill to be entitled An Act to conserve and promote the prosperity and welfare of the Florida Citrus Industry and of the State of Florida by promoting the sale of limes produced in Florida through the conducting of a publicity advertising and sales promotion campaign to increase the consumption of such limes; to levy and impose an excise tax on the sale and shipment of limes produced in Florida and to provide for the collection thereof; to create a lime advertising fund; to vest the administration of this Act in the Florida Citrus Commission and to provide for the powers, duties and authority of said commission hereunder; and to provide penalties for violations of this Act.

Senate Bill No. 583:

A bill to be entitled An Act authorizing Alachua County, Florida, to acquire, finance, construct, equip, furnish, operate and maintain public works and public buildings.

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 Bill No. 42:

A bill to be entitled An Act to amend Section 382.21, Florida Statutes, 1941, new or amended Certificate of Birth, to provide for Birth Certificates for adopted foundlings.

Committee Substitute for Senate Bill No. 61:

A bill to be entitled An Act to amend Section 231.50, Florida Statutes, 1941, relative to the monthly allowance allowed public school teachers after thirty-five or more years of teaching, by extending the provisions of said section to those who have served an aggregate period of thirty-five or more years as teacher, and/or County Superintendent of Public Instruction.

Senate Bill No. 73:

A bill to be entitled An Act prescribing the rights, duties and liabilities of Sheriffs in levying writs, authorizing them to require bonds in certain cases, and providing the procedure to determine whether property is subject to the writ and the effect of such determination.

Senate Bill No. 148:

A bill to be entitled An Act permitting the adjudication of tax liens of equal dignity in suits in the nature of proceedings in rem for the foreclosure of municipal tax and

special assessments liens authorized by Chapter 173, Florida Statutes, 1941; authorizing owners, holders or assignees of tax liens of equal or inferior dignity with those being foreclosed on or against the lands being proceeded against to be made parties defendant in such proceedings for the purpose of adjudicating and satisfying such tax liens and providing for the method of obtaining jurisdiction of such parties defendant.

Senate Bill No. 254:

A bill to be entitled An Act imposing additional twenty cents per gallon excise tax upon fortified wines, in addition to taxes imposed upon wines by Section 2 of Chapter 20830, Laws of Florida, Acts of 1941; appropriating ten cents per gallon of all excise taxes levied and payable by Chapter 20830, Laws of Florida, Acts of 1941, and the additional taxes levied by this Act for aid to dependent children; prohibiting the sale of mixed drinks by beer and wine vendors; amending Section 561.46, Florida Statutes, 1941, relating to sale of stamps and providing for a discount; repealing Chapter 20829, Laws of Florida, Acts of 1941; all pertaining to the beverage laws.

Senate Bill No. 304:

A bill to be entitled An Act prohibiting certain contracts, agreements, relationships and practices between insurers, doing sick and funeral insurance business, and funeral directors and undertakers, prescribing penalties for violations of this Act, and repealing all laws in conflict herewith.

Senate Bill No. 475:

A bill to be entitled An Act to amend Section 320.35 of Florida Statutes, 1941, providing that motor vehicle license plates shall be displayed on all motor vehicles operated upon or over the highways of this State.

Senate Bill No. 580:

A bill to be entitled An Act relating to entrance and graduation requirements of certain colleges and universities, providing for the waiver of certain entrance and graduation requirements for certain persons inducted into the armed forces during and after January, 1940, prescribing the rights of such persons with reference thereto and repealing all laws in conflict herewith.

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:

House Bill No. 892:

A bill to be entitled An Act declaring, designating and establishing a certain State road in Bay County, Florida.

House Bill No. 893:

A bill to be entitled An Act fixing the compensation of Supervisors of Registration in all counties of the State of Florida, having a population of not less than 20,100 and not more than 22,100 according to the last preceding Federal census and providing for the manner of payment of such compensation.

House Bill No. 903:

A bill to be entitled An Act granting to any employee of the City of Jacksonville who is a member of the Employers Pension Fund of said city and who, during certain period, resigned and thereafter was re-employed by said city, continuous service credit for his years of service with the city for pension, retirement and other benefit purposes.

House Bill No. 907:

A bill to be entitled An Act establishing the lines between fresh and salt waters in Walton County, Florida.

House Bill No. 941:

A bill to be entitled An Act to provide for the compensation of Clerks, Inspectors and Deputy Sheriffs in all general and primary elections to be held in counties whose population, according to the 1940 Federal census, was not less than 5,750 and not more than 5,950, and to repeal all laws in conflict with the same.

House Bill No. 754:

A bill to be entitled An Act prohibiting the sale of alcoholic beverages and intoxicating beverages between certain hours of the day and on Sunday, authorizing incorporated cities and towns to regulate such sales, defining terms, and providing conditions, and prescribing penalties for violations hereof.

House Bill No. 823:

A bill to be entitled An Act canceling Everglades Drainage District assessments or taxes on certain county owned airport property in Palm Beach County; authorizing and directing the Clerk of the Circuit Court and County Tax Collector of Palm Beach County and Everglades Drainage District to cancel such assessments; repealing all laws in conflict herewith.

House Bill No. 803:

A bill to be entitled An Act to abolish the Board of Commissioners of St. Lucie County Sanitary District and offices of Treasurer and Secretary as created and defined by Chapter 13369, Laws of Florida, 1927, and all Acts amendatory thereto; to provide that all functions, duties and powers as provided in Chapter 13369, are hereby vested in a new board to be made up ex-officio of the five County Commissioners of St. Lucie County, Florida, providing that the Clerk of the Circuit Court of St. Lucie County, Florida, shall act as Secretary and Treasurer of said district; providing that all properties and assets, as well as the books and records of said district, together with a written report setting forth the financial affairs and status of said district shall be delivered to the new board created hereunder, within thirty days after such Act becomes a law; and providing regulations incidental to the purpose and intent of this Act.

House Bill No. 837:

A bill to be entitled An Act providing for overlapping terms of office for the members of the Board of County Commissioners of Taylor County, Florida; providing for the submission of this Act to the electors of Taylor County, Florida; and repealing all laws in conflict with this law.

House Bill No. 886:

A bill to be entitled An Act placing the custody and control of voting machines in the Boards of County Commissioners in counties having a population of not less than 74,000 and not more than 80,000 according to the last preceding Federal census when not in use at any election; providing for employment by such boards of custodians therefor, and repealing any laws in conflict herewith.

House Bill No. 890:

A bill to be entitled An Act to amend Amended Section 124 and Section 126 of Chapter 14,195, Laws of Florida, Acts of 1931, entitled: "An Act to abolish the present municipality of the City of Eau Gallie, Brevard County, Florida, and to re-create and re-establish a municipal corporation to be known as the City of Eau Gallie, Brevard County, Florida, to prescribe the territorial limits thereof; to prescribe the form of government and confer certain powers upon said municipality and the officers thereof; and to provide for the carrying into effect of the provisions of this Act."

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:

House Bill No. 827:

A bill to be entitled An Act relating to the nomination and election of County Commissioners in each County of the State of Florida having a population according to the last official State Census of not less than 3675 nor more than 3750, providing for their nomination and election by the voters of such Counties at large and not by Districts, prescribing where candidates for said offices shall reside, and providing for a referendum election.

House Bill No. 831:

A bill to be entitled An Act to repeal Chapter 11196, Laws of

Florida, Acts of 1925, the same being "An Act to create a Reservation or Sanctuary for wild game birds and wild animals in Santa Rosa, Okaloosa, and Walton Counties, in the State of Florida."

House Bill No. 835:

A bill to be entitled An Act repealing Chapter 16916, Laws of Florida, Acts of 1935, entitled "An Act providing that in all Counties of the State of Florida having a population of not less than thirteen thousand one hundred thirty-six (13,136) and not more than thirteen thousand two hundred eighty (13,280), according to the Federal Census of 1930, candidates for election for the Board of County Commissioners, and candidates for election as members of the County Board of Public Instruction, shall be nominated from the County at Large instead of by Districts" subject to a referendum.

House Bill No. 528:

A bill to be entitled An Act making it unlawful to sell dead horse meat for human food in the markets of Florida, and providing a penalty for the violation of this Act.

House Bill No 588:

A bill to be entitled An Act providing that Section 98.27, Florida Statutes, 1941, relating to publication of a certified list of qualified electors before any general election shall be inapplicable to all counties of the State having a population of not less than 12300 and not more than 12350, according to the United States census of 1940.

House Bill No. 638:

A bill to be entitled An Act amending Section 26 of the Charter of the City of Miami Beach, Florida, being Chapter 7672, Laws of the State of Florida, Acts of 1917, as amended, said Chapter being entitled "An Act to abolish the present municipal government of the Town of Miami Beach, in the County of Dade and State of Florida, and to establish, organize, and incorporate a city government for the City of Miami Beach; to define its territorial boundaries, to prescribe its jurisdiction, powers and privileges, and for the exercise of same, and to authorize the imposition of penalties for the violation of its ordinances."

House Bill No. 650:

A bill to be entitled An Act authorizing and permitting any Telephone Company having more than one point of connection or outlet with any other Telephone Company to use and enjoy any of its connections or outlets with such other Company as may suit the convenience and necessity of such Company and its subscribers; providing that it shall be unlawful to refuse to make the requested connection where such connection is not in use, a hearing before the Railroad Commissioners of the State, the penalty for violation of this Act and the enforcement thereof.

House Bill No. 667:

A bill to be entitled An Act to authorize the Supreme Court of Florida to prescribe rules, forms of process, writs, pleadings, motions and the practice and procedure in actions either at law or in equity and in statutory and extraordinary proceedings in the Circuit Courts and Civil Courts of Record and County Courts of the State of Florida.

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:

House Bill No. 927:

A bill to be entitled An Act to amend Section 45 of Chapter 14624, Laws of Florida, Acts of 1929, same being "An Act to abolish the present municipality of the Town of Pass-A-Grille, Pinellas County, Florida, and to create and establish a municipal corporation to be known as the Town of Pass-A-Grille Beach, to prescribe the territory by limits thereof, to prescribe the form of government, and to confer certain powers upon said municipality and its officers, and to provide a Charter for the carrying into effect of the provisions of this Act," by increasing the amount of salary that may be paid the Mayor-Commissioner of the Town of

Pass-A-Grille Beach from \$600.00 per year, payable in monthly installments of \$50.00 each, as prescribed in Section 45, to \$1200.00 per year, payable in equal monthly installments; and by increasing the amount of compensation or salary that may be paid the other two Commissioners of said Town from \$5.00 per meeting, not to exceed two meetings per month, as prescribed in Section 45, by providing that said Commissioners may be paid a salary not to exceed \$240.00 per year, payable in equal monthly installments; repealing all laws and parts of laws in conflict herewith, and providing for the ratification or rejection of this Act by the electorate of the Town of Pass-A-Grille Beach, Florida.

House Bill No. 936:

A bill to be entitled An Act to vest the fee simple title of certain lands lying within the territorial limits of the City of Clermont in the City of Clermont, a municipal corporation, in Lake County, Florida.

House Bill No. 939:

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

House Bill No. 945:

A bill to be entitled An Act to fix and provide the compensation and minimum mileage expense of the Superintendent of Public Instruction of Citrus County, Florida, and to provide what funds same shall be paid from and to repeal all laws in conflict with said Act.

House Bill No. 951:

A bill to be entitled An Act providing for the payment and expenditure of 25% of all monies collected by the County Judge in Citrus County, Florida, under the provisions of Chapter 19509, Laws of Florida, Acts of A. D. 1939, or any laws amendatory or supplemental thereto, and providing further for the disbursement of said monies so paid as directed herein, for the establishment and maintenance of a fish hatchery, fish rearing or breeding pond, in Citrus County, and to repeal all laws in conflict with said Act.

House Bill No. 681:

A bill to be entitled An Act amending Sections 125.25, 125.26, and 125.29, Florida Statutes, 1941, relating to the establishment of County Fire Control units.

House Bill No. 699:

A bill to be entitled An Act removing the office of Chief of Police of the City of Lake Worth, in Palm Beach County, Florida, from the operation of Chapter 17166, Laws of Florida, 1935, and re-instating the provisions of the Charter of said city with regard to said office and the person holding said office.

Committee Substitute for House Bill No. 705:

A bill to be entitled An Act relating to the powers, duties, and authority of the Game and Fresh Water Fish Commission, adopting a Common Seal for the said Commission; providing for the promulgation of rules, regulations and orders adopted by the said Commission and their use as evidence; and providing penalties for the violation of this Act and of the rules, regulations and orders adopted by the said Commission, and providing certain laws are not repealed.

House Bill No. 748:

A bill to be entitled An Act cancelling all taxes and certain tax certificates and directing the Comptroller of the State of Florida, the Treasurer of the State of Florida, and the Board of Commissioners of the Okeechobee Flood Control District, and the Board of Commissioners of the Everglades Drainage District, to cancel said certificates and taxes against certain lands in Dade County, Florida, used for school purposes, and to exempt said lands from all further taxes as long as the same are used for school purposes.

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:

House Bill No. 275:

A bill to be entitled An Act relating to the rights of married women in Florida.

House Bill No. 304:

A bill to be entitled An Act relating to, providing for and regulating the drawing of names for venires for juries in term time and in vacation, the organization thereof, the length of service of jurors, the duties of the Clerks of Courts relative thereto, and the repeal of Sections 40.14; 40.15; 40.16; 40.17; 40.18; 40.19; and 40.21 of the Florida Statutes, and all laws in conflict or inconsistent herewith.

House Bill No. 387:

A bill to be entitled An Act limiting the license tax which may be required of a citizen for the privilege of non-commercial fishing with poles and lines in the county of his or her residence.

House Bill No. 714:

A bill to be entitled An Act to prohibit the sale or offering for sale, the transportation, preparation, receipt or delivery for transportation or the marketing of any citrus or auranti-foolia variety Persian, Tahiti or Bearss limes that are immature; to provide standards of maturity; to provide for the registration and certification of packing houses as herein defined; to provide for inspection of limes as to maturity and the method therefor and for certification of same; to provide for the stamping or marking of juice content on containers and for inspection tax for same; to provide for the destruction of limes found to be immature; to provide penalties for violation of this Act.

House Bill No. 775:

A bill to be entitled An Act relating to the salaries of the Judges of the Circuit Court residing in a circuit composed of four counties, with one county of said circuit having a population of fifty thousand or more according to the latest Federal census, and having no Court of Record with full civil jurisdiction concurrent with the Circuit Court, and providing that during the absence of a resident Judge or Judges in the armed forces of the United States or on military leave, that the remaining Judge shall be paid certain additional moneys provided for and to be paid by the counties under the provisions of this Act.

House Bill No. 847:

A bill to be entitled An Act fixing the compensation of County Commissioners in counties in the State of Florida, having a population of not less than fifty-three thousand and not more than fifty-four thousand, according to the last Federal or State census, and not less than five Special Road and Bridge Districts.

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:

House Bill No. 850:

A bill to be entitled An Act to provide for the payment to the members of the Board of Public Instruction of Escambia County, Florida of mileage in addition to the amounts now provided by law to be paid such members for their services.

House Bill No. 853:

A bill to be entitled An Act to fix the compensation of the County Commissioners of Volusia County, Florida, and to ratify, confirm, validate, and legalize the compensation heretofore paid to the County Commissioners of Volusia County, Florida, and to provide for the repealing of all laws in conflict therewith.

House Bill No. 863:

A bill to be entitled An Act authorizing and permitting the City of Port St. Joe in Gulf County, Florida, to levy and collect a tax of one per cent per gallon on each and every gallon of gasoline or other like products of petroleum sold

or stored in said City of Port St. Joe, and to exempt said City of Port St. Joe from the provisions of any and all other existing laws prohibiting municipalities from levying and collecting any gasoline tax or other tax measured or computed by the sale, purchase, storage, distribution, use, consumption, or other disposition of gasoline or other like products of petroleum.

House Bill No. 864:

A bill to be entitled An Act for the relief of Clifford Herod of Escambia County, Florida.

House Bill No. 873:

A bill to be entitled An Act fixing the compensation of the Boards of Public Instruction in all counties of the State of Florida having a population of not less than two thousand nine hundred and ninety eight (2998) nor more than three thousand and six (3006), according to the last preceding Federal census.

House Bill No. 874:

A bill to be entitled An Act fixing the compensation of the members of Boards of County Commissioners in all counties in the State of Florida having a population of not less than 16,109 and not more than 16,184, according to the last Federal census and which had in the year 1942 a total assessed valuation of real estate of not less than \$11,563,805.00 and which have not less than ten Special Road and Bridge Districts and validating all salaries and compensation heretofore paid to the County Commissioners of said counties and repealing all laws in conflict herewith.

House Bill No. 877:

A bill to be entitled An Act to ratify, confirm, legalize and validate the town of Milton, Florida, Ordinance No. 323, and to provide for the acceptance of its terms under certain conditions by the United States of America.

Be 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:

House Memorial No. 15:

A Memorial to the President and Congress to call a Convention to frame a Federal Constitution for World Government.

House Concurrent Resolution No. 17:

A bill to be entitled An Act relating to the appointment of a Special Joint Economy and Efficiency Committee, said Committee to be composed of three members to be appointed by the President of the Senate and four members to be appointed by the Speaker of the House of Representatives for the purpose of investigating every Board, Bureau, Commission and Department of the State Government of Florida with the view of recommending the elimination of the Boards, Bureaus, Commissions and Departments that may be found to be unnecessary or unessential without disturbing the proper efficiency of Governmental operations; and for the further purpose of investigating and making recommendations as to any other economies that may be deemed to be advisable in the interest of the State and in view of our National Emergency.

House Bill No. 390:

A bill to be entitled An Act granting a Confederate Pension to William C. Ward, of Walton County, Florida.

House Bill No. 517:

A bill to be entitled An Act to empower the Board of County Commissioners in any county having a population of not less than 210,000 according to the last preceding State or Federal Census to regulate and restrict within territory in said counties, not included in any Municipality, the height, number of stories and size of buildings and other structures on land and water, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, the use of land for junk yards and automobile trailer camps and the location and use of buildings, structures and land for trade, industry, residence or other specific use of the premises:

providing for the division of such counties into Districts and within such Districts to regulate and restrict the erection and construction, alteration, repair or use of buildings; providing for method of procedure; providing for the appointment of a Zoning Commission and a Board of Adjustment; providing for remedies and penalties for violation of this Act or of any order or resolution made under authority conferred hereby and conferring upon the County Commissioners of such County so far as may be lawfully conferred the power to prescribe and enforce regulations to effectuate the purposes of this Act.

Be 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:

House Bill No. 142:

A bill to be entitled An Act to regulate the activities and affairs of labor unions, their officers, agents, members, organizers, and other representatives; making provision for suits and process by and against the same; requiring certain fees; declaring certain public policy of the State; giving certain definitions and recognizing certain rights as belonging to employees; exempting certain labor organizations from its provisions; providing certain penalties and punishment for violations; with a saving clause in case of unconstitutionality; and repealing all laws and parts of laws in conflict herewith.

House Bill No. 182:

A bill to be entitled An Act dispensing with the requirement of publishing a list of qualified electors by the Supervisor of Registration in all counties of the State of Florida having a population of not less than 2500 and not more than 2800 according to the last official State census of the State of Florida and repealing the laws in conflict therewith.

House Bill No. 700:

A bill to be entitled An Act amending Section 392.10, Florida Statutes, 1941, relating to the admission of patients to the State Tuberculosis Sanatorium and providing for the payment of the care and maintenance charges of such patients therein.

House Bill No. 788:

A bill to be entitled An Act to create and establish a municipal corporation to be known as the City of St. Petersburg Beach in Pinellas County, Florida; to prescribe the territory by limits thereof; to prescribe the form of government and to confer certain powers upon said municipality and its officers and to provide a charter for the carrying into effect of the provisions of this Act.

House Bill No. 812:

A bill to be entitled An Act granting to all employees or officials of the City of Key West who have had twenty (20) years' active service in the employ of said city the right to retire and upon exercising such right to retire be carried on the pay roll as inactive with a fifty per cent (50%) monthly salary to be paid out of the General Revenue Fund; providing that the benefits of this Act shall apply to former employees or officials of said city who have already been placed on the pay roll as inactive and are now receiving compensation under existing law; also providing that this Act shall be considered supplemental and cumulative to existing laws.

House Bill No. 880:

A bill to be entitled An Act fixing the salary and traveling expense of the Superintendents of Public Instruction in all counties of this State having a population of not less than 5,750 and not more than 5,950 according to the 1940 Federal Census.

House Bill No. 881:

A bill to be entitled An Act providing that henceforth Manatee Valley Drainage District shall have no authority to issue additional or other bonds, time warrants, certificates of indebtedness, negotiable notes, assessment bonds or any

other type or form of security or evidence of indebtedness that will further pledge or involve the credit of the District in any way or subject any land in the District to any further or other or additional assessment or liability of any kind for benefits or taxes or levies except in the manner provided in this Act; and providing that nothing herein contained shall interfere with the authority to refund present indebtedness or to make necessary levies for maintenance or for annual installments on principal and interest for existing indebtedness and further providing that upon the discharge of the existing bonded indebtedness, said district shall cease to exist.

House Bill No. 910:

A bill to be entitled An Act providing for and creating Jury Commissioners in Polk County, Florida, and prescribing their qualifications, method of appointment, powers, duties, functions and official terms, and providing for the selection, listing and procurement of Jurors in such county.

House Bill No. 926:

A bill to be entitled An Act designating and fixing the compensation for the County Assessor of taxes and the compensation for the County Tax Collector in counties of the State of Florida the population of which was not in excess of 3,700 nor less than 3,600, according to the Federal Census of 1940, designating who shall pay such compensation and the funds from which such payment shall be made; prescribing the basis of commissions on assessments and collections, and repealing all laws in conflict with the provisions of this Act.

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:

House Bill No. 922:

A bill to be entitled An Act amending Sections 161 and 162 of Chapter 9710, Special Acts of 1923 entitled "An Act to abolish the present municipal government of the City of Clearwater, County of Pinellas, Florida, and to create and establish a municipal corporation to be known as the City of Clearwater; to provide a charter for said city; to define its territorial limits; provide for its government and prescribe its jurisdictional powers"; and by such amendments to eliminate payments of poll taxes as a prerequisite to voting in municipal elections, and to provide that the Supervisor of Registration of the County of Pinellas shall Act as Registration Officer of the City of Clearwater.

House Bill No. 920:

A bill to be entitled An Act amending Section 4 and Section 8 of Chapter 12652, Laws of Florida, Special Acts of 1927; providing for election of City Councilmen for the City of Dania, Florida so that some members of said City Council will remain in office at the expiration of each year; providing that the City Clerk, the City Treasurer, the City Tax Assessor, City Tax Collector and Chief of Police shall be appointed annually by the City Council of the said City of Dania; and providing that the Mayor of the City of Dania shall not be elected by the electorate but shall be appointed by the City Council each year from its membership; and repealing all laws or parts of laws in conflict herewith, and providing for a referendum.

House Bill No. 964:

A bill to be entitled An Act relating to the creation and establishment of a bird sanctuary in the City of Clewiston, Hendry County, Florida; providing for the protection, preservation, and encouragement of birds and bird life; and providing a penalty for the violation of this Act.

House Bill No. 1006:

A bill to be entitled An Act authorizing the Clerk of the Circuit Court of St. Lucie County, Florida, to cancel certain tax certificates owned by the State of Florida on certain lands located in St. Lucie County, Florida, adjacent to the

Fort Pierce cemetery and which lands have been acquired by Fort Pierce Cemetery Association as an addition to the Fort Pierce Cemetery.

House Bill No. 797:

A bill to be entitled An Act to abolish the Fort Pierce Port District, in St. Lucie County, Florida, and creating the Fort Pierce Inlet District in said county; in lieu thereof; to embrace the same boundaries and area, and making provision for it as the successor thereto; providing that the Board of County Commissioners of St. Lucie County shall be the Board of Commissioners of Fort Pierce Inlet District and fixing their powers, obligations, duties and authority over the said District and over the pilots, harbor masters and stevedores within the said District; and providing for the taxation, the payment and refunding of the indebtedness of the District, and other matters in connection therewith.

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.

Senator Beacham moved that the rules be waived and the Senate take up and consider Senate Bill No. 732, out of its order, at this time.

Which was agreed to by a two-thirds vote.

Senate Bill No. 732:

A bill to be entitled An Act providing an appropriation for salaries and necessary and regular expenses for the office of the Attorney General of the State of Florida for the biennium beginning on July First, 1943, and ending June Thirtieth, 1945, in addition to all other appropriations made for such purpose.

Was taken up having been read the second time by title at the Morning Session, this day.

Senator Beacham moved that the rules be further waived and Senate Bill No. 732 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. 732 was read the third time in full.

Upon the passage of Senate Bill No. 732 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Johnson, King, Lindler, Maddox, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis Taylor, Upchurch, Wilson—32.

Nays—None.

So Senate Bill No. 732 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

UNFINISHED BUSINESS

House Joint Resolution No. 523:

A JOINT RESOLUTION PROPOSING AN AMENDMENT OF SECTION 30, ARTICLE III OF THE CONSTITUTION OF THE STATE OF FLORIDA, RELATING TO THE LEGISLATIVE DEPARTMENT.

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

That the following amendment of Section 30, Article III, of the Constitution of the State of Florida, relating to the Legislative department is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the next general election to be held in November, A.D., 1944: that is to say, that said Section 30, Article III of the Constitution of the State of Florida be amended so as to read as follows:

"Section 30. Laws making appropriations for the salaries of the State officers and employees and all other expenses of the State shall contain provisions on no other subject and no special appropriations, continuing appropriations or appropriations extending over a period of more than two years shall be made. Each biennial session of the Legislature shall enact a Biennial Appropriation Bill which shall include all

disbursements to be made by the State during the succeeding biennium, which shall be sub-divided as to and including all offices, commissions, departments, boards, bureaus, divisions, institutions or other agencies of the State government, each of which shall be further sub-divided as to individual salaries, travel expenses, contractual services, supplies, equipment, capital outlay and such other sub-divisions as may be prescribed by the Legislature, except that funds allocated, prorated or distributed to the public free schools and the political sub-divisions of the State under authority of other provisions of the Constitution may be classified or itemized as provided by the Legislature, and providing further that a general Emergency Fund not exceeding 5 per cent of the total budget shall be provided and disbursed as provided by law. All monies shall be deposited in and all appropriations made from one General Revenue Fund, except, that the Legislature may establish a State Road Fund and necessary Trust Funds.

All state offices, commissions, departments, boards, bureaus, institutions, and other agencies or divisions of the State government shall be audited annually by the State Auditor to be designated by the Legislature, in joint session, as hereinafter provided. The Governor of Florida, by and with the advice and consent of a majority of all members elected to the Legislature meeting in joint session, shall appoint a State Auditor, who shall serve for a term of sixteen years and who shall not be eligible for re-appointment. The term of office of the first auditor hereunder shall begin on July 1, 1945.

The State Auditor shall also be Budget Director for the State of Florida and shall prepare and submit to the members of the Legislature of the State of Florida, at least sixty days prior to the convening of each biennial session of the Legislature a proposed State Budget and Biennial Appropriations Bill as provided in this section. That State Auditor shall be under the exclusive direction, supervision and control of the Legislature of the State of Florida, subject to removal by the Legislature of the State of Florida, and shall perform such other duties as may be required by the Legislature of the State of Florida.

The State Auditor shall be paid the same salary as cabinet officers, but shall not be a member of the Cabinet, and no member of the Legislature of the State of Florida or member of the Cabinet shall be elected State Auditor.

The State Auditor shall appoint an assistant, who shall serve as State Auditor in the case of a vacancy, and such other auditors and assistants as may be necessary to perform the duties herein provided or otherwise specified by the Legislature.

Which was pending further amendment at the hour of recess, was taken up, together with the following amendment offered by Senator Sturgis to House Joint Resolution 523:

Strike out all of "Section 30" and insert in lieu thereof the following:

"Section 30. Each biennial session of the Legislature shall enact an Appropriation Bill which shall include all disbursements to be made by the State during the succeeding biennium. Such bill shall contain provisions on no other subject, and except as hereinafter allowed no law making a special appropriation, continuing appropriation or appropriation extending over a period of more than such biennium shall be enacted. Such bill shall be sub-divided as to and shall include all offices, commissions, departments, boards, bureaus, divisions, institutions or other agencies of the State government, each of which shall be further sub-divided as to salaries, travel expenses, contractual services, supplies, equipment, capital outlay, and other sub-divisions as the Legislature may prescribe; PROVIDED, that such appropriation bill shall contain an appropriation of a general emergency fund not exceeding five per centum of the expenditures otherwise authorized therein, which emergency fund shall be disbursed as provided by law.

The Legislature may by separate enactment appropriate, for a period exceeding two years, (a) funds to the public schools, (b) funds for the retirement of teachers, (c) funds distributable to political sub-divisions of the State under other provisions of this Constitution, and (d) funds for the construction of permanent buildings or other permanent improvements of the State; all of which funds shall be preserved to the use for which so appropriated.

Funds allocated to any particular use under any provision of this Constitution, including funds of the State Board of

Administration, shall not be subject to the operation of this Section, but such funds may, together with the funds specified in the foregoing paragraph, be classified and itemized in the appropriation bill for the purpose of identification and information.

Emergency appropriations, not to extend beyond the next regular Session, may be made at any Special Session of the Legislature.

All monies subject to Legislative control shall be deposited in and all appropriations made from one General Revenue Fund; PROVIDED, that the Legislature may establish a State Road Fund, necessary Trust Funds, and Special Operating Funds under the supervision of the State Board of Control.

The Legislature shall, in joint session, appoint a State Auditor whose term shall begin July 1, 1945, who shall not be a member of the Legislature, shall serve for a term of sixteen years, shall not be subject to re-appointment, and shall be subject to removal at the pleasure of the Legislature. Such State Auditor shall be paid the same salary as the Secretary of State. He shall have no State duty or office not herein provided for. The State Auditor shall appoint an Assistant State Auditor who in case of a vacancy shall serve as State Auditor until his successor is appointed by the Legislature, and shall appoint such other auditors and assistants as may be necessary to perform the duties of his office. The expenses of the State Auditor and of his office shall be fixed by the Legislature.

All State offices, commissions, departments, boards, bureaus, institutions, and other agencies or divisions of the State Government shall be audited annually by the State Auditor; and he shall also be Budget Director for the State of Florida and shall prepare and submit to the members of the Legislature of the State of Florida at least sixty days prior to the convening of each biennial session of the Legislature a proposed State Budget and Biennial Appropriations Bill as provided herein. He shall be under the exclusive direction, supervision and control of the Legislature, and shall perform such other duties as may be required by the Legislature."

Which was pending consideration at the hour of recess.

Senator King offered the following amendment to the amendment offered by Senator Sturgis to House Joint Resolution No. 523:

In Section 30, line 5, page 2 (typewritten amendment) immediately following the words: "State Road Fund," insert the following: General Inspection Fund, Citrus Advertising Funds,

Senator King moved the adoption of the amendment to the amendment.

Upon which a roll call was demanded.

Upon adoption of the amendment offered by Senator King to the amendment offered by Senator Sturgis to House Joint Resolution No. 523, the roll was called and the vote was:

Yeas—Mr. President; Senators Beacham, Black, Brewton, Clett, Collins, Griner, Housholder, King, Lindler, Mathews, McKenzie, Rose, Sheldon, Shuler, Taylor—18.

Nays—Senators Adams, Barringer, Carroll, Clarke, Coleman, Davis, Franklin, Graham, Elnely, Johnson, Maddox, Maines, McArthur, Perdue, Shands, Sturgis, Upchurch, Wilson—18.

So the foregoing amendment to the amendment failed of adoption.

Senator Collins offered the following amendment to the amendment offered by Senator Sturgis to House Joint Resolution No. 523:

On page 2, line 10, (typewritten amendment), after the word: "Legislature" insert the following: "or have served as a member of the Legislature during the preceding two years."

Senator Collins moved the adoption of the amendment to the amendment.

Which was agreed to and the foregoing amendment offered by Senator Collins to the amendment offered by Senator Sturgis to House Joint Resolution No. 523 was adopted.

Senator Collins also offered the following amendment to the amendment offered by Senator Sturgis to House Joint Resolution No. 523:

On page 2, line 11, after the word "removed" insert the following: "for cause".

Senator Collins moved that the adoption of the amendment to the amendment.

Which was not agreed to so the foregoing amendment offered by Senator Collins to the amendment offered by Senator Sturgis to House Joint Resolution No. 523 failed of adoption.

Senator Collins also offered the following amendment to the amendment offered by Senator Sturgis to House Joint Resolution No. 523:

On page 2, lines 13 and 14, (typewritten bill), strike out the words: "He shall have no State duty or office not herein provided for" and insert in lieu thereof the following: "He shall hold no other office or appointment under the laws of this State."

Senator Collins moved the adoption of the amendment to the amendment.

Which was agreed to and the foregoing amendment offered by Senator Collins to the amendment offered by Senator Sturgis to House Joint Resolution No. 523 was adopted.

Senator Collins also offered the following amendment to the amendment offered by Senator Sturgis to House Joint Resolution No. 523:

On page 2, line 22, strike out the word: "annually" and insert in lieu thereof the following: "not less than once each year".

Senator Collins moved the adoption of the amendment to the amendment.

Which was agreed to and the foregoing amendment offered by Senator Collins to the amendment offered by Senator Sturgis to House Joint Resolution No. 523 was adopted.

Senator Collins also offered the following amendment to the amendment offered by Senator Sturgis to House Joint Resolution No. 523:

On page 2 in the last paragraph, strike out the words: "And he shall also be Budget Director for the State of Florida and shall prepare and submit to the members of the Legislature of the State of Florida at least sixty days prior to the convening of each Biennial Session of the Legislature a proposed State budget and Biennial Appropriation Bill as provided herein."

Senator Collins moved the adoption of the amendment to the amendment.

Which was not agreed to so the foregoing amendment offered by Senator Collins to the amendment offered by Senator Sturgis to House Joint Resolution No. 523, failed of adoption.

The question recurred on the adoption of the amendment offered by Senator Sturgis, as amended, to House Joint Resolution No. 523

Which was agreed to and the amendment offered by Senator Sturgis, as amended, to House Joint Resolution No. 523 was adopted.

Senator Sturgis moved that the rules be waived and House Joint Resolution No. 523, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Joint Resolution No. 523, as amended, which reads as follow:

House Joint Resolution No. 523:

A JOINT RESOLUTION PROPOSING AN AMENDMENT OF SECTION 30, ARTICLE III OF THE CONSTITUTION OF THE STATE OF FLORIDA, RELATING TO THE LEGISLATIVE DEPARTMENT.

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

That the following amendment of Section 30, Article III, of the Constitution of the State of Florida, relating to the Legislative Department is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the next General Election to be held in November A. D., 1944; that is to say, that said Section 30, Article III of the Constitution of the State of Florida be amended so as to read as follows:

"Section 30. Each Biennial Session of the Legislature shall enact an Appropriation Bill which shall include all disbursements to be made by the State during the succeeding biennium. Such bill shall contain provisions on no other subject and except as hereinafter allowed no law making a special appropriation, continuing appropriation or appropriation extending over a period of more than such biennium

shall be enacted. Such bill shall be sub-divided as to and shall include all offices, commissions, departments, boards, bureaus, divisions, institutions or other agencies of the State government, each of which shall be further sub-divided as to salaries, travel expenses, contractual services, supplies, equipment, capital outlay, and other sub-divisions as the Legislature may prescribe; PROVIDED, that such appropriation bill shall contain an appropriation of a General Emergency Fund not exceeding five per centum of the expenditures otherwise authorized therein, which emergency fund shall be disbursed as provided by law.

The Legislature may by separate enactment appropriate, for a period exceeding two years, (a) funds to the public schools (b) funds for the retirement of teachers, (c) funds distributable to political sub-divisions of the State under other provisions of this Constitution, and (d) funds for the construction of permanent buildings or other permanent improvements of the State; all of which funds shall be preserved to the use for which so appropriated.

Funds allocated to any particular use under any provision of this Constitution, including funds of the State Board of Administration, shall not be subject to the operation of this Section, but such funds may, together with the funds specified in the foregoing paragraph, be classified and itemized in the appropriation bill for the purpose of identification and information.

Emergency appropriations, not to extend beyond the next Regular Session, may be made at any Special Session of the Legislature.

All monies subject to Legislative control shall be deposited in and all appropriations made from one General Revenue Fund; PROVIDED, that the Legislature may establish a State Road Fund, necessary trust funds, and special operating funds under the supervision of the State Board of Control.

The Legislature shall, in joint session, appoint a State Auditor whose term shall begin July 1, 1945, and who shall not be a member of the Legislature, or have served as a member of the Legislature during the preceding two years, shall serve for a term of sixteen years, shall not be subject to re-appointment, and shall be subject to removal at the pleasure of the Legislature. Such State Auditor shall be paid the same salary as the Secretary of State. He shall hold no other office or appointment under the laws of this State. The State Auditor shall appoint an Assistant State Auditor who in case of a vacancy shall serve as State Auditor until his successor is appointed by the Legislature, and shall appoint such other auditors and assistants as may be necessary to perform the duties of his office. The expenses of the State Auditor and of his office shall be fixed by the Legislature.

All state offices, commissions, departments, boards, bureaus, institutions, and other agencies or divisions of the State Government shall be audited not less than once each year by the State Auditor; and he shall also be Budget Director for the State of Florida and shall prepare and submit to the members of the Legislature of the State of Florida at least sixty days prior to the convening of each biennial session of the Legislature a proposed State Budget and Biennial Appropriations Bill as provided herein. He shall be under the exclusive direction, supervision and control of the Legislature, and shall perform such other duties as may be required by the Legislature."

Was read the third time in full.

Upon the passage of House Joint Resolution No. 523, as amended, the roll was called and the vote was:

Yeas—Senators Barringer, Carroll, Coleman, Davis, Franklin, Hinely, Housholder, Johnson, Lindler, Maines, McArthur, Perdue, Shands, Shuler, Sturgis, Upchurch, Wilson—17.

Nays—Mr. President; Senators Adams, Baker, Beacham, Black, Brewton, Clarke, Cliett, Collins, Griner, King, Maddox, Mathews, McKenzie, Rose, Sheldon, Taylor—17.

So House Joint Resolution No. 523, as amended, failed to pass.

By permission the following Resolution was introduced:

By the Committee on Rules and Calendar—

Senate Resolution No. 16:

A RESOLUTION CONCERNING THE DISPOSITION OF HOUSE MESSAGES.

BE IT ENACTED BY THE SENATE OF THE STATE OF FLORIDA:

Section 1. Beginning with the morning session of Thursday, June 3, 1943, the President of the Senate may, at his discretion, order the consideration of House Messages at any time and the disposition of House Local Bills contained therein.

Section 2. No Senate Bills and no House Bills of a general or local nature shall be considered after the morning session of Thursday, June 3, 1943.

Section 3. No business shall be conducted by this Senate after 1:00 o'clock P. M. Thursday, June 3, 1943, except action on amendments contained in House Messages and the receipt of House Messages advising of the passage of bills, and Conference Committee reports; provided, however, that Resolutions concerning the sine die adjournment may be considered.

Section 4. That none of the above provisions may be waived except by the unanimous consent of the members present.

Section 5. This Resolution shall have the force and effect of a rule of this Senate.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 16 was adopted.

By permission the following Bills were introduced.

By the Committee on Conservation of Natural Resources—
Senate Bill No. 733:

A bill to be entitled An Act to authorize each political sub-division of the State of Florida, and all cities and towns, and the several boards, commissions and agencies now or hereafter existing by virtue of the Laws of Florida, holding and owning lands for public purposes, or otherwise, to lease, sell and convey the petroleum, oil and gas that is or may be in, on or under such lands.

Which was read the first time by title only.

Senator Franklin moved that the rules be waived and Senate Bill No. 733 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 733 was read the second time by title only.

Senator Franklin moved that the rules be further waived and Senate Bill No. 733 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. 733 was read the third time in full.

Upon the passage of Senate Bill No. 733 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 733 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Beall—

Senate Bill No. 734:

A bill to be entitled An Act to provide for the taking of a State census of all counties of this State having a population of not less than 72,000 nor more than 84,000 by the last preceding Federal, State or Special census, and including therein the metropolitan area of each municipality therein, providing an appropriation therefor.

Which was read the first time by title only.

Senator Wilson moved that the rules be waived and Senate Bill No. 734 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 734 was read the second time by title only.

Senator Wilson moved that the rules be further waived and

Senate Bill No. 734 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. 734 was read the third time in full.

Upon the passage of Senate Bill No. 734 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, Griner, Hinely, Housholder, Johnson, King, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 734 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By the Committee on Public Health—

Senate Bill No. 735:

A bill to be entitled An Act making it unlawful for dogs to run at large not having been vaccinated for rabies and providing a penalty to be imposed upon the owner thereof who knowingly permits such dog to run at large.

Which was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

By Senator Coleman—

Senate Bill No. 736:

A bill to be entitled An Act to amend Section 8 of Chapter 15,401, Laws of Florida, Acts of 1931, the same being An Act entitled: "An Act to abolish the present municipal government of the Town of Ormond, in Volusia County, Florida, and to create, establish and organize a municipality to be known and designated as the City of Ormond, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges," as amended by Chapter 18,750, Laws of Florida, Acts of 1937, and to amend Sections 130, 131, 132 and 142 of said Chapter 15,401, Laws of Florida, Acts of 1931.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 736 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 Coleman moved that the rules be waived and Senate Bill No. 736 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 736 was read the second time by title only.

Senator Coleman moved that the rules be further waived and Senate Bill No. 736 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. 736 was read the third time in full.

Upon the passage of Senate Bill No. 736 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, Griner, Hinely, Housholder, Johnson, King, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 736 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Hinely—

Senate Bill No. 737:

A bill to be entitled An Act providing that all monies received by Suwannee County, Florida, from race track taxes for the season of 1943-1944 and subsequent seasons under the existing laws shall be paid to the Board of County Commissioners of Suwannee County, and be distributed by the said Board of County Commissioners of Suwannee County, Florida, by the retention of forty-five per centum of all such

monies received and by the payment to the Board of Public Instruction of Suwannee County, Florida, of fifty-five per centum of said monies and providing further that said monies shall be used for the purpose of paying the principal or interest upon the outstanding indebtedness of said Board of Public Instruction and for the application of any balance remaining on hand at the commencement of the 1943-1944 season and any excess that may be accumulated in said season or in subsequent years may be applied by the said Board of Public Instruction and used for other school purposes in the discretion of said Board of Public Instruction.

Which was read the first time by title only

Proof of publication of Notice was attached to Senate Bill No. 737 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 Hinely moved that the rules be waived and Senate Bill No. 737 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 737 was read the second time by title only.

Senator Hinely moved that the rules be further waived and Senate Bill No. 737 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. 737 was read the third time in full.

Upon the passage of Senate Bill No. 737 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, Griner, Hinely, Housholder, Johnson, King, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 737 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Beacham—

Senate Bill No. 738:

A bill to be entitled An Act for the relief of Walter R. Clark and to provide for the re-imbusement of Walter R. Clark, Sheriff of Broward County, Florida, for loss of salary and other compensation in consequence of his suspension from office by the Governor of the State of Florida under Section 15 of Article IV of the Constitution of the State of Florida, and providing for an appropriation therefor.

Which was read the first time by title only.

Senator Beacham moved that the rules be waived and Senate Bill No. 738 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 738 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 738 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. 738 was read the third time in full

Upon the passage of Senate Bill No. 738 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 738 passed by the required Constitutional two-thirds 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.

By Senator Graham—

Senate Bill No. 739:

A bill to be entitled An Act authorizing the County Commissioners in all counties of the State of Florida having a

population of more than 267,000 according to the last Federal census to adjust and equalize delinquent county, county school and Special School District taxes for the years 1935, 1936, 1937, 1938 and 1939 on Lots 10, 11, 12, Block 25 in the Town of Hialeah, Florida.

Which was read the first time by title only.

Senator Cliett moved that the rules be waived and Senate Bill No. 739 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 739 was read the second time by title only.

Senator Cliett moved that the rules be further waived and Senate Bill No. 739 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. 739 was read the third time in full.

Upon the passage of Senate Bill No. 739 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, Griner, Hinely, Housholder, Johnson, King, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 739 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Graham—

Senate Bill No. 740:

A bill to be entitled An Act fixing the salary of the Judge of the Court of Crimes in counties having a population of more than 260,000; the population to be determined by the last State census taken by authority of the United States Government.

Which was read the first time by title only.

Senator Cliett moved that the rules be waived and Senate Bill No. 740 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 740 was read the second time by title only.

Senator Cliett moved that the rules be further waived and Senate Bill No. 740 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. 740 was read the third time in full.

Upon the passage of Senate Bill No. 740 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, Griner, Hinely, Housholder, Johnson, King, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 740 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Collins moved that House Bill No. 855 be withdrawn from the Committee on Cities and Towns and placed on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

By permission the following Messages from the House of Representatives were received:

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

Tallahassee, Florida,
May 31, 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 with amendments:

By Senator Griner—

Senate Bill No. 614:

A bill to be entitled An Act amending Section 374.29.

Florida Statutes, 1941, prohibiting the taking or the possession of commercial sponges less than five inches in diameter within this State.

Which amendments read as follows:

Amendment No. 1:

Strike out the words "five inches (5 inches)" wherever it appears in the bill and insert the following in lieu thereof: "six inches (6 inches)".

Amendment No. 2:

In Title, strike out the words "five inches (5 inches), and insert the following in lieu thereof: "six inches (6 inches)".

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Senate Bill No. 614, contained in the above Message, was read by title, together with House Amendments thereto.

Senator Griner moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 614.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 614.

Senator Griner moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 614.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 614.

And Senate Bill No. 614, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida,
June 1, 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 Senator Mathews—
Senate Bill No. 688:

A bill to be entitled An Act providing for the fingerprinting of all persons charged with or convicted of criminal offenses.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Senate Bill No. 688, 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,
June 1, 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 indefinitely postponed:

By the Committee on Finance and Taxation—
Senate Bill No. 551:

A bill to be entitled An Act to declare and define what shall constitute a severance of oil, gas and other minerals from the lands in or under which such oil, gas or other minerals may be; to authorize the separate return for taxation and the separate assessment for taxation of the lands in this State and the oil, gas or other minerals which may be in or under such lands and for the enforcement of the collection of such taxes when separately assessed, and to define prima facie evidence to establish taxable value.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

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

Tallahassee, Florida,
June 1, 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 failed to pass, reconsidered and again failed to pass:

By Senator Franklin—
Senate Bill No. 292:

A bill to be entitled An Act to authorize the State of Florida and each political sub-division thereof, and all cities and towns, and the several boards, Commissions and agencies now or hereafter existing by virtue of the laws of Florida, holding and owning lands or interests therein for public purposes, or otherwise, to lease, sell and convey the phosphate, mineral or metal and petroleum, oil and gas that is or may be in, on or under such lands.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

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

Tallahassee, Florida,
June 1, 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 granted the request of the Senate and returns herewith for the purpose of further consideration:

By Senator Franklin—
Senate Bill No. 684:

A bill to be entitled An Act providing for the cancellation of penalties, interests and costs levied, assessed or imposed upon property situated within Iona Drainage District in Lee County, Florida; prescribing duties in connection therewith of the Supervisors of said district, or their successors in office, and prescribing a limitation within which such penalties, interests and costs shall be cancelled.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

Senator Franklin moved that the rules be waived and the Senate do now reconsider the vote by which Senate Bill No. 684 passed the Senate on May 27, 1943.

Which was agreed to by a two-thirds vote.

And the Senate reconsidered the vote by which Senate Bill No. 684 passed the Senate on May 27, 1943.

Pending roll call on the passage thereof, by unanimous consent Senator Franklin withdrew Senate Bill No. 684.

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

Tallahassee, Florida,
June 1, 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 Senator Collins—
Senate Bill No. 201:

A bill to be entitled An Act to confer certain powers upon the State Board of Control including the powers to purchase, lease, construct, better and equip buildings for, and to make other improvements to institutions under its jurisdiction, and for such purpose and upon certain conditions to borrow money and accept grants from any Federal agency, private agency, corporation or individual; to provide for the re-payment of such loans from the proceeds of the projects constructed with the money borrowed, and to provide for the issuance of revenue certificates for the re-payment of the money borrowed, and protecting the State of Florida against the incurring of indebtedness in such manner inconsistent with the Constitution of Florida and conferring upon said Board of Control and members thereof, the powers to carry out the provisions of this Act; and to provide for the repeal of all laws inconsistent herewith.

By the Committees on Temperance and Public Health, jointly—

Senate Bill No. 238:

A bill to be entitled An Act making it unlawful to let or rent any place for the purpose of prostitution, lewdness, or assignation, prescribing penalties for violations of this Act, and repealing all laws in conflict herewith.

By the Committee on Judiciary "A"—

Senate Bill No. 268:

A bill to be entitled An Act to amend Section 59.14 Florida Statutes, 1941, relating to writs of error and appeals taken by Constitutional Officers of the State of Florida, and by any Board of County Commissioners or by any Board of Public Instruction, of any of the counties of this State, operating as a supersedeas.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Senate Bills Nos. 201, 238 and 268, contained in the above Message, were referred to the Committee on Enrolled Bills.

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

Tallahassee, Florida,
June 1, 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 Senator Shuler—

Senate Bill No. 29:

A bill to be entitled An Act authorizing the Board of Public Instruction in any county to adopt rules and regulations pertaining to and requiring patriotic programs in the schools of the county.

By Senator Barringer—

Senate Bill No. 190:

A bill to be entitled An Act to amend Section 612.03 of Chapter 612, Florida Statutes, 1941, the same being An Act relating to corporations for profit.

By Senator Black—

Senate Bill No. 338:

A bill to be entitled An Act to amend Section 705.01 and Section 705.02, Florida Statutes, 1941, relating to wrecked and derelict property, generally.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Senate Bills Nos. 29, 190 and 338, contained in the above Message, were referred to the Committee on Enrolled Bills.

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

Tallahassee, Florida,
June 1, 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 the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1943 Session of the Florida Legislature:

By the Committee on Constitutional Amendments—

Senate Joint Resolution No. 203:

A JOINT RESOLUTION PROPOSING TO AMEND SECTION SIX AND SECTION SEVEN OF ARTICLE XVIII OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO THE TERM OF OFFICE OF PERSONS APPOINTED OR ELECTED TO FILL VACANCIES IN ELECTIVE OFFICES UNDER SAID CONSTITUTION.

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

That the following amendment to Section 6 and Section 7 of Article XVIII of the Constitution of the State of Florida be, and the same is hereby agreed to, and the same shall be submitted to the qualified electors of the State of Florida for ratification or rejection at the next ensuing general election, that is to say: That Sections 6 and 7 of Article XVIII of the Constitution of the State of Florida, be amended to read as follows:

"Section 6. The term of office for all appointees to fill vacancies in any of the elective offices under this Constitution shall extend only to the first Tuesday after the first Monday in January next after the election and qualification of a successor.

"Section 7. In all cases of election to fill vacancies in office such election shall be for that part of the unexpired term commencing on the first Tuesday after the first Monday in January next after such election."

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Senate Joint Resolution No. 203, 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,
June 1, 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 Sturgis and Baker—

Senate Bill No. 324:

A bill to be entitled An Act making an annual appropriation for the biennium beginning the first day of July, A. D. 1943 and ending June 30, A. D. 1945 for the purpose of carrying out, administering and enforcing the provisions of Chapter 579 of the Florida Statutes, 1941, the same being a Law to promote the planting and production of Sea Island Cotton and to provide protection for growers and producers thereof and for the administration and enforcement of said law.

By Senators Hinely and Upchurch—

Senate Bill No. 493:

A bill to be entitled An Act amending Section 696.05, Florida Statutes, 1941, relating to photographic recording of instruments by certain Clerks of the Circuit Courts and extending the same to any of the Clerks of the Circuit Courts of this State; providing fees for such recording; and validating any action heretofore taken by County Commissioners and Clerks of the Circuit Courts in the establishment of photographic recording.

By Senator Shands—

Senate Bill No. 550:

A bill to be entitled An Act granting to the Board of Commissioners of State Institutions for the benefit of the State of Florida the title to all patents, trade-marks or copyrights now or hereafter owned and held by the State of Florida or any of its boards, commissions or agencies; and authorizing said Board of Commissioners of State Institutions to do any and all things necessary to obtain, license, lease, sell or enforce the rights of the State of Florida therein.

By Senator Lewis—

Senate Bill No. 502:

A bill to be entitled An Act providing for the cancellation of certain tax sale certificates and tax liens owned and held by the State of Florida or the County of Jackson on certain lands situate in the City of Graceville, Jackson County, Florida.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Senate Bills Nos. 324, 493, 550 and 502, contained in the above Message, were referred to the Committee on Enrolled Bills.

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

Tallahassee, Florida.
June 1, 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 refuses to recede from House Amendments to:

By the Committee on Finance and Taxation—
Senate Bill No. 547:

A bill to be entitled An Act amending Chapter 20722, Laws of Florida, Acts of 1941, being "An Act relating to and concerning taxation; providing for: lien of taxes; assessment of real and personal property; name in which real estate assessed where no return made; submission of assessment roll; completing assessment roll; rate of taxation; when collections to be made; correction of errors; duties of County and State officers; date taxes become delinquent; the sale of lands for unpaid taxes; when taxes due; discounts; issuance, sale and redemption of tax sale certificates; the procedure for issuing tax deeds to persons other than the county and to the county; the county to sell and convey lands owned by virtue of tax deeds; refunds, cancellation of certain tax sale certificates on order of Comptroller; Comptroller to be party to suit to cancel certain tax certificates; right of immediate possession in the grantee of tax deed; the Comptroller to prescribe forms, rules and regulations and to have general supervision over the assessment and collection of taxes, and of assessment rolls and county budgets, with the approval of the Governor; and furnish forms; the enforcement of this Act; submission of Tax Assessors' and Collectors' budgets; reduction of millage after raising assessment; submission of taxing authorities' budgets to the State Superintendent of Public Instruction as provided by law; penalties for violation of certain sections of this Act; the repeal of laws in conflict herewith."

By: (1) amending Sections 1, 2, 4, 5, 7, 10, 16, 19, 22, 23, 28, 34, 36, 40, 41, 42, 43, 44, 46, 51 and 54 thereof, and (2) repealing Sections 37, 38, 39 and 41 thereof, and (3) adding thereto Section 2 (a); such amendments prescribing the conditions under which title to lands shall vest in the county for delinquent taxes; providing for in rem proceedings to quiet and confirm title in the county; providing for joint action of county and municipalities in fixing prices for sale of lands, title to which becomes vested in the county and distribution of proceeds thereof in satisfaction of all liens of county and municipality; providing title to certain municipally owned lands shall not become vested in the county and concerning the sale thereof and distribution of proceeds in full satisfaction of all county and municipal liens; providing for approval of budgets of taxing authorities by State Budget Commission or State Board of Education as the case may be; and prohibiting sub-dividing of lands or recording of plats thereof until all taxes thereon are paid; providing lands title to which becomes vested in the county may be dedicated to public use and method therefor.

Which amendments read as follows:

Amendment No. 1:

In Section 16, lines 27 and 28, of the bill, after the words "eighteen per cent per annum" insert the following "(or at such lower rate as may be bid by any purchaser other than the County)".

Amendment No. 2:

In Section 16, line 6, of the bill, after the word "eighteen per cent per annum" insert the following: "(or at such lower rate as may be bid by any purchaser other than the County)".

Amendment No. 3:

In Section 13, of the bill (amending Section 36), add the following paragraph:

Provided further, that all certificates for 1940 taxes which were sold to the State and are unredeemed, shall be included in the chancery proceeding herein authorized in the year 1944, to the same effect as if the same were owned solely by the County, and the interest of the State of Florida in such taxes shall be distributed to it by the Clerk when proceeds thereof are available for distribution and payment as herein provided.

Amendment No. 4:

In Section 24, at the end of the last sentence change period to comma and add the following:

"Except that the Board of County Commissioners and Board of Public Instruction and all other governing boards or governing authorities of all other taxing districts may increase or authorize the increase of millage on the proportionate basis as provided in this Section for the tax years 1943-1944 or 1944-1945 in an amount sufficient to replace funds anticipated in their respective budgets for the years 1940-1941, which are not available for the tax years 1943-1944 and 1944-1945 and that such increases in millage shall not require approval of the Comptroller, State Budget Commission or State Board of Education."

Amendment No. 5:

In Title, line 45, of the bill, after the words: "as the case may be," strike out the semi-colon and insert the following in lieu thereof: "except when increase in millage is levied to replace funds not available for 1943-44, and 1944-45;"

And respectfully requests the President of the Senate to appoint a Conference Committee composed of three members of the Senate to confer with a like committee appointed by the Speaker of the House of Representatives, consisting of Messrs. Cray, Murray and Hodges, to adjust the differences existing between the two bodies on House Amendments to Senate Bill No. 547.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

Senator Collins moved that the President appoint a Committee on the part of the Senate to confer with the Committee appointed by the Speaker of the House of Representatives to adjust the differences between the two Houses on House Amendments to Senate Bill No. 547.

Which was agreed to.

The President appointed Senators Collins, Rose and Franklin as the Committee on the part of the Senate.

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

Tallahassee, Florida,
June 1, 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 Amendments Nos. 1, 2, 3, 4 and 6 to:

By Messrs. Holland of Bay and Wiseheart of Dade—
House Bill No. 475:

A bill to be entitled An Act to amend Sections 443.03 to 443.06 inclusive of Chapter 443, Florida Statutes, 1941, as amended by Chapter 20,685, Laws of Florida, Acts of 1941, and known as the "Florida Unemployment Compensation Law," relating to definitions, payment of benefits, benefit eligibility conditions, and disqualifications for benefits by providing for a revision of the base period; by clarifying the definition of employment; by defining casual labor; by defining other employing units as employers; by clarifying the definition of wages: by revising the duration of benefits; by extending the rights of persons called into the military service; by clarifying the definition of seasonal employment and including canning of fresh citrus fruits as seasonal employment; by revising the definition of seasonal worker; by revising earning requirements for eligibility; by excepting claims filed prior to July 1, 1943 until the expiration of the benefit year, and by revising the disqualification provisions and repealing all laws in conflict herewith and making this Amendatory Act effective July 1, 1943.

Which Amendments read as follows:

Amendment No. 1:

In Section 1, line 9, page 11 (typewritten bill) add the following sentence: "Provided, however, the employing unit may recover from such contractor or sub-contractor any contributions paid by the employing unit on account of remuneration received by the individuals in the service of the contractor or sub-contractor."

Amendment No. 2:

In Section 4, paragraph 1, line 21, page 20 (typewritten bill), strike out the word "twice" and insert the following: "ten times."

Amendment No. 3:

In Section 4, paragraph 2, page 21, line 6 (printed bill), strike out the word "twice" and insert the following: "ten times."

Amendment No. 4:

In Section 4, paragraph 2, page 21, line 14 (typewritten bill), at the end of sub-paragraph (a) add the following: "Provided, however, that the position which an individual has left voluntarily without good cause, attributable to the employer, shall be deemed to be suitable employment and any individual who is either unable, unwilling or not available to continue at or return to such suitable employment, if same is available, shall be ineligible for unemployment benefits as provided in paragraph one of this Section."

Amendment No. 6:

In Section 4, page 23, line 12 (typewritten bill), add an additional sub-paragraph (7) as follows, to-wit:

(7) During the present national war emergency for the period of unemployment immediately following his refusal to accept work which has been classified as "essential" to the war effort by the appropriate Federal agency or by the Commission, and for which such individual is reasonably qualified, and provided that the wages offered for such work are reasonably comparable to the average earnings of such individual during the 12-months period immediately preceding the termination date of his most recent employment and are reasonably comparable to wages paid for similar work in the community where such offered work is available; provided, further, that this disqualification shall apply only where the work has been offered through an employment office handling benefit claims for the Commission, the Commission, or an employer who has advised the Commission in writing of such offer and refusal within twenty-four hours of such refusal.

And has refused to concur in Senate Amendment No. 5, and respectfully request the Senate to recede therefrom.

Which Amendment reads as follows:

Amendment No. 5:

In Section 2, page 18, lines 14 and 15 strike out the words "each calendar quarter" and insert the following: "each of three separate calendar quarters."

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

Senator Beacham moved that the Senate recede from Senate Amendment No. 5 to House Bill No. 475, as contained in the above Message.

Which was agreed to and the Senate receded from Senate Amendment No. 5 to House Bill No. 475 and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida,
June 1, 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 the Committee on Judiciary "A"—

House Committee Substitute for Senate Bill No. 166:

A bill to be entitled An Act to amend Section 742.01, 742.02, 742.03, 742.04 and 742.05 of Florida Statutes, 1941, relating to bastardy proceedings.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And House Committee Substitute for Senate Bill No. 166, contained in the above Message, was read the first time by title only.

Senator Mathews moved that the rules be waived and House Committee Substitute for Senate Bill No. 166 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,
June 1, 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 granted the request of the Senate and returns herewith for the purpose of further consideration:

By Mr. Lane of Manatee—

House Bill No. 995:

A bill to be entitled An Act to provide for the consolidation of the City of Bradenton and the City of Manatee, in the County of Manatee, State of Florida, by abolishing the present municipal government of said cities, and incorporating the City of Bradenton, in the County of Manatee, State of Florida, providing for its government and prescribing its jurisdiction and powers, and providing for a referendum.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

Senator Barringer moved that the rules be waived and the Senate do now reconsider the vote by which House Bill No. 995 passed the Senate on May 28, 1943.

Which was agreed to by a two-thirds vote.

And the Senate reconsidered the vote by which House Bill No. 995 passed the Senate on May 28, 1943.

Pending roll call on the passage of House Bill No. 995, by unanimous consent Senator Barringer offered the following amendment to House Bill No. 995:

Strike out all of Section 59 and insert in lieu thereof the following:

"Section 59. The first election of officers under this Act shall be held on the second Tuesday in the month of December following the adoption, ratification and confirmation of this Act by the referendum elections, hereinafter provided, and general elections shall be held biennially thereafter; until said election is held and thereafter until the officers elected as herein provided shall take office as herein provided, then the respective Councils of the City of Bradenton and the City of Manatee shall jointly or severally perform such duties as are imposed on them by this Act and such other duties as naturally follow within the scope thereof and may perform severally any unfinished business of the respective municipalities which is outstanding or unfinished at the time this Act becomes law. At said first election one Councilman shall be elected from each of the five wards of the City of Bradenton. The Mayor shall be elected from the city at large. Said first election shall be conducted, managed and results certified in the same manner and under the same laws and ordinances as all general elections are conducted, managed and certified. All elected officers shall assume their duties on the first Tuesday in January next after they shall have been elected, and all municipal elections held after the taking effect of this Charter shall be held and the result determined in accordance with the laws of the State of Florida insofar as the same are applicable to the municipalities, and in accordance with the ordinances of the City of Bradenton in force at the time of holding such election. All voting shall be by ballot and all persons who shall possess the qualifications requisite to an elector at general State elections, and shall have resided in the City of Manatee or in the City of Bradenton for six (6) months next preceding the first election provided for in this Section or any other election that may be called and held during the first six (6) months next preceding and subsequent election, and who shall have been duly registered in the manner provided by ordinance, shall be deemed legal voters at said election of said city. All elective officers before entering upon their duties shall take and subscribe to an oath for the faithful performance of their duties and the Council may by ordinance provide that any officer or officers elected by the City Council or appointed by the Mayor shall in like manner subscribe to an oath for the performance of their respective duties."

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

Upon the passage of House Bill No. 995, as amended, 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, Griner, Hinely, Housholder, Johnson, King, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So House Bill No. 995 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida,
June 1, 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:

My Messrs. McDonald and Martin of Hillsborough, Carlton of Duval, Leedy of Orange, Murray and Smith of Polk and Crary of Martin—

House Bill No. 996:

A bill to be entitled An Act to amend Section 5 of Chapter 15861, Laws of Florida, Acts of 1933, as amended by Section 3 of Chapter 20509, Laws of Florida, Acts of 1941, entitled "An Act amending Sections 1, 2, 5, 6, 8 and 12-a of Chapter 15861, Laws of Florida, Acts of 1933, entitled 'An Act to create the Florida Agricultural and Industrial Relief Commission as a State Agency to aid agriculture forestation and reforestation, subsistence homesteads, industry and commerce; to relieve unemployment: To aid and assist counties, municipalities, political subdivisions, board and commissions in this State and private corporations, associations and persons, in securing from the Federal Government or the Reconstruction Finance Corporation or from or through other Federal Agencies, loans or grants of money appropriated by the Congress or that may be appropriated, available for such loan or grant and for objects or purposes designated or approved by Congress: and to promote the public welfare: to define and fix the powers of said commission: providing for the appointment of its members and fixing their term of office: require the commission to make annual reports to the Governor and pay to the State Treasurer the net profits from operations: to appropriate for loan to the commission and provide for its repayment,' by providing that the name of said commission shall hereafter be 'Florida State Improvement Commission,' and that said commission may borrow or otherwise obtain funds from public or private sources to accomplish the objects and purposes contemplated by said Act, which are the acquisition, construction, maintenance, operation and financing of any and all enterprises, plans, projects, public works and services devoted to public use, needful in the public interest and/or self-liquidating in character, including (but not restricted to) forestation, reforestation, forest products, subsistence homesteads, bridges, highways, ferries, waterworks, water supply, distribution systems, irrigation and drainage projects, canals, bulkheads, tunnels, docks, markets, housing projects and warehouses, public office buildings, canning and packing plants, airports, airplane hangars and shops, munitions and arms factories, arsenals, public bomb-proof shelter, shipbuilding yards, military and aviation training schools, and any public projects needful in the furtherance of the National Defense Program, and to charge and collect reasonable tolls and/or other reasonable charges, and to make reasonable regulations, for the use thereof by the public, subject to the Laws of Florida regulating the operation and rates of charges for such utilities, and also providing the manner of obtaining such funds, and designating the Treasurer of the State of Florida as Treasurer of the Commission and expressly authorizing any county, municipality, drainage district, road or bridge district, school district, and/or any other political subdivision, board or commission, State agency or department of the State of Florida to make

and enter into with said commission, contracts, leases and purchase agreements within the provisions and purposes of this Act," so as to provide that from and after July 1, 1943, the Florida State Improvement Commission shall be limited to the acquisition, ownership, lease, construction, management, operation, maintenance, financing of highways, bridge and ferry projects only, and said commission shall after said date be prohibited from handling any projects save highway, bridge and ferry projects.

And respectfully requests the concurrence of the Senate therein.

Respectfully,
WALTER P. FULLER,

Chief Clerk House of Representatives.

And House Bill No. 996, contained in the above Message, was read the first time by title only and referred to the Committee on Forestry and Parks.

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

Tallahassee, Florida,
June 1, 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. Beck and Bollinger of Palm Beach—
House Bill No. 824:

A bill to be entitled An Act to fix criminal jurisdiction of Justice of the Peace Courts in counties having a Criminal Court of Record in certain misdemeanor cases in counties where such Justice of the Peace Courts in their respective districts are located at a distance of forty or more miles from the county seat of such counties.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 824, contained in the above Message, was read the first time by title only and referred to the Committee on Public Health.

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

Tallahassee, Florida,
May 31, 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, with amendments:

By Senator Beacham—
Senate Bill No. 478:

A bill to be entitled An Act to amend Section 5 of Chapter 14832, Laws of Florida, Acts of 1931, as amended by Section 5 of Chapter 17276, Laws of Florida, Acts of 1935, being "An Act to amend Sections 1, 2, 3, 4, 5, 6, 7, 9, 9-B, 16, 18 and 21 of Chapter 14832, Laws of Florida, Acts of 1931, being "An Act to provide for a State Racing Commission; to prescribe its powers and duties, and to fix the compensation of its members; to provide for holding referendum and recall elections in any county to determine whether racing shall be permitted or continued therein; to provide for licensing and taxing such racing and apportioning the monies derived therefrom among the several counties of the State; to provide for and regulate the making of pari-mutuel pools within the enclosure of licensed race tracks; providing certain penalties for the violation of this Act, and for other purposes relating thereto."

Which amendments read as follows:

Amendment No. 1:

Strike out all Sections following the enacting clause and insert the following in lieu thereof:

Section 1. That Section 550.05 of the Florida Statutes, 1941, be amended to read as follows:

That between the first day of June and the first day of

July of each and every year, but at no other time, any person, association, or corporation possessing the qualifications prescribed in this Chapter, shall have the right to apply to said Commission for a permit to conduct race meetings and racing under this Act. No application thus received with the said Commission shall be amended after August 10th of each year, and on or before the 15th day of August, but not thereafter, of each and every year, after receipt of any such application, the Commission shall convene to consider and act upon permits applied for, and all applications not definitely acted upon by the Commission on or prior to the 15th day of August of each year shall be null and void. Upon all applications filed and approved a permit shall be issued to the applicant setting forth the name, the location of the race track, the kind of racing desired to be conducted and a statement showing qualifications of the applicant to conduct racing at said track under this Act, provided, however, no permit shall be effectual to authorize any race until ratified by a majority of the voters participating in said election, and in the county in which applicant proposes to conduct racing, and provided, further, that no permit shall be issued by the Commission nor voted upon to conduct dog racing at a location within twenty miles of another location for which a permit has been issued and a racing plant located, except that permits heretofore issued shall not be affected by this proviso.

PROVIDED FURTHER, that any person operating by or with pari-mutuel pools authorized by law, may, by and with the consent of the State Racing Commission, and if good cause be shown for the best interests of the State of Florida and such operator, file with said Commission a petition setting forth such facts, whereupon said Commission is empowered to relocate and authorize such operator to move to a new location for such enterprise within the county wherein such enterprise was theretofore operated and without the issuance of a new permit or the holding of any election, under the provisions of law; and provided, further, that such new location must be more than twenty miles from the location of any and all other enterprises operating by and with pari-mutuel pools as permitted by law; provided, further, that no new enterprise operating by or with pari-mutuel pools shall be permitted, except upon ratification of a permit by the electorate, as provided in the Acts relating to racing in this State.

Section 2. When and if the lands constituting as much as one half the location of the race track of a holder of a ratified permit is occupied, used or controlled by any branch of the government of the United States or the State of Florida, whether as a result of condemnation or otherwise, the validity of the ratified permit of the owner of such race track shall not in any wise be affected, and the permit shall remain in full force and effect during the period of time such property is not used for race track purposes or is by the governments aforesaid used, occupied, or devoted or required to be devoted to other purposes.

Section 3. All laws and parts of laws in conflict herewith are hereby repealed.

Section 4. This Act shall take effect immediately upon its becoming a law.

Amendment No. 2:

Strike out the Title and insert the following in lieu thereof: "A bill to be entitled An Act to amend Section 550.05 of the Florida Statutes, 1941, providing for re-location of enterprises operating by or with pari-mutuel pools, under certain circumstances and for the continuing validity of permits where operators of such enterprises are hampered by governmental action.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And Senate Bill No. 478, contained in the above Message, was read by title, together with House Amendments thereto.

Senator Beacham moved that the Senate do not concur in House Amendment No. 1 to Senate Bill No. 478.

Which was agreed to and the Senate refused to concur in House Amendment No. 1 to Senate Bill No. 478.

Senator Beacham moved that the Senate do not concur in House Amendment No. 2 to Senate Bill No. 478.

Which was agreed to and the Senate refused to concur in House Amendment No. 2 to Senate Bill No. 478.

Senator Beacham moved that the Speaker of the House of Representatives be requested to appoint a Conference Committee on the part of the House, to confer with a like committee on the part of the Senate to be appointed by the President, to adjust the differences between the two Houses on House Amendments 1 and 2 to Senate Bill No. 478.

Which was agreed to and it was so ordered.

Senate Bill No. 646:

A bill to be entitled An Act to authorize United States Commissioners for the Northern and Southern Districts of Florida, to administer oaths and take acknowledgments in the State of Florida; ratifying and confirming all acknowledgments or oaths heretofore taken and administered by such commissioners; and prescribing a penalty for making false oaths before such officers.

Was taken up.

Senator Sheldon moved that the rules be waived and Senate Bill No. 646 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 646 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 646 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. 646 was read the third time in full.

Upon the passage of Senate Bill No. 646 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 646 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Cliett moved that the rules be waived and the Senate take up and consider House Bill No. 891, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 891:

A bill to be entitled An Act to prohibit the draining, throwing or pouring of any dye-stuff, coal tar, oil, sawdust, poison or other deleterious substance into the waters of this State.

Was taken up.

Senator Cliett moved that the rules be further waived and House Bill No. 891 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 891 was read the second time by title only.

Senator King offered the following amendment to House Bill No. 891:

In Section 1, line 4 (typewritten bill), after the word "fresh" insert the word "running."

Senator King moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Cliett offered the following amendment to House Bill No. 891:

In Title of bill, line 3 (typewritten bill), insert the words: "fresh running" before the word "waters."

Senator Cliett moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Cliett moved that the rules be further waived and House Bill No. 891, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 891, as amended, was read the third time in full.

Upon the passage of House Bill No. 891, as amended, the roll was called and the vote was:

Yeas—Senators Adams, Barringer, Beacham, Carroll, Clarke, Cliett, Coleman, Collins, Griner, Hinely, King, Lindler, Maddox,

Maines, Mathews, McKenzie, Rose, Sheldon, Shuler, Taylor, Upchurch—21.

Nays—Mr. President; Senators Davis, Franklin, McArthur, Perdue, Shands, Sturgis, Wilson—8.

So House Bill No. 891 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

Senator Sheldon moved that the Senate reconsider the vote by which House Bill No. 524 failed to pass the Senate today. And the motion went over under the rule.

Senator Upchurch moved that House Bill No. 855 be referred to the Committee on Cities and Towns.

Which was agreed to and it was so ordered.

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.

Was taken up.

Senator Maines moved that the rules be waived and Senate Bill No. 84 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 84 was read the second time by title only.

Senator Maines moved that the rules be further waived and Senate Bill No. 84 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. 84 was read the third time in full.

Upon the passage of Senate Bill No. 84 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Cliett, Davis, Hinely, Housholder, King, Lindler, Maddox, Maines, Mathews, McKenzie, Perdue, Rose, Sheldon, Shuler, Upchurch—18.

Nays—Senators Barringer, Black, Brewton, Carroll, Clarke, Coleman, Collins, Franklin, Griner, McArthur, Shands, Sturgis, Taylor, Wilson—14.

So Senate Bill No. 84 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 676:

A bill to be entitled An Act amending Section 470.08, Florida Statutes, 1941, relating to the qualifications of applicants for examination by the State Board of Funeral Directors and Embalmers.

Was taken up.

Senator Beacham moved that the rules be waived and Senate Bill No. 676 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 676 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 676 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. 676 was read the third time in full.

Upon the passage of Senate Bill No. 676 the roll was called and the vote was:

Yeas—Mr. President; Senators Baker, Barringer, Beacham, Black, Brewton, Clarke, Coleman, Collins, Franklin, Griner, Hinely, Housholder, King, Maddox, Maines, Mathews, McKenzie, Perdue, Shands, Sheldon, Shuler, Sturgis, Upchurch—24.

Nays—Senators Carroll, Davis, Lindler, McArthur, Taylor, Wilson—6.

So Senate Bill No. 676 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 622:

A bill to be entitled An Act to amend Section 205.45,

Florida Statutes, 1941, relating to insurance agents and solicitors and license taxes to be paid by such persons, as amended by Sections 2 and 4 of Chapter 20263, Laws of Florida, Acts of 1941.

Was taken up.

Senator King moved that the rules be waived and Senate Bill No. 622 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 622 was read the second time by title only.

Senator King moved that the rules be further waived and Senate Bill No. 622 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. 622 was read the third time in full.

Upon the passage of Senate Bill No. 622 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Franklin, Hinely, Housholder, King, Maddox, Maines, Mathews, McKenzie, Perdue, Shuler, Sturgis, Taylor, Upchurch, Wilson—25.

Nays—Senators Davis, Griner, Lindler, McArthur, Shands, Sheldon—6.

So Senate Bill No. 622 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 764:

A bill to be entitled An Act amending Section 132.02, Florida Statutes, 1941, relating to refunding bonded and other indebtedness of taxing districts and other units; and providing for the refunding of such indebtedness of such taxing districts and other units which have been abolished.

Was taken up.

Senator Collins moved that the rules be waived and House Bill No. 764 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 764 was read the second time by title only.

Senator Collins offered the following amendment to House Bill No. 764:

In Sub-section 2 of Section 1 on page 2 of the typewritten bill at the end of the last sentence in said Sub-section 2, strike out the period and insert in lieu thereof the following: ", and may provide for the annual levy of ad valorem taxes without limitation as to rate or amount fully sufficient to pay principal of and interest on such refunding bonds, the tax to be levied on the same property which would have been taxable for payment of the outstanding indebtedness had such taxing unit not been abolished or dissolved."

Senator Collins moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Collins also offered the following amendment to House Bill No. 764:

In Sub-section 3 of Section 1, on page 3 of the typewritten bill, strike out the period at the end of the last sentence in said Sub-section 3 and insert in lieu thereof the following: ", provided, however, that nothing in this Act shall affect or limit the powers of the State Board of Administration in the issuance of refunding bonds under Section 16 of Article IX of the Constitution of this State.

Senator Collins moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Collins moved that the rules be further waived and House Bill No. 764, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 764, as amended, was read the third time in full.

Upon the passage of House Bill No. 764, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Coleman, Collins, Davis, Franklin, Griner, Hinely, Housholder, King, Lindler, Maddox, Maines, Mathews, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—29.

Nays—None.

So House Bill No. 764 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

Senator Collins moved that House Bills Nos. 659, 660 and 661 be withdrawn from the Committee on Finance and Taxation and placed on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

Senator Rose moved that the rules be waived and when the Senate adjourns it adjourn to reconvene at 10:30 o'clock A. M., Wednesday, June 2, 1943.

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

Senator Rose moved that the Senate do now adjourn.

Which was agreed to, and the Senate stood adjourned at 5:45 o'clock P. M., until 10:30 o'clock A. M., Wednesday, June 2, 1943.

EXECUTIVE SESSION ANNOUNCEMENT

The Senate, in Executive Session on June 1, 1943, refused to consent to the suspension and removal from office by the Governor of Walter R. Clark, Sheriff of Broward County, Florida.