

JOURNAL OF THE SENATE

Wednesday, April 25, 1945

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Tuesday, April 24, 1945.

The President in the Chair.

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

Mr. President	Carroll	Johns	Moon
Ausley	Clarke	Johnson	Perdue
Barringer	Coleman 13th	King 7th	Sanchez
Baynard	Coleman 28th	King 27th	Shands
Beacham	Davis	Lewis	Sheldon
Black	Fraser 29th	Lindler	Sturgis
Boyle	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson
Bryant	Griner		

36.

A quorum present.

Senator McKenzie was excused from attendance upon the session.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Monday, April 23, 1945, was further corrected as follows:

Page 4, column 2, strike out lines 10 to 14 inclusive, counting from the bottom of the column and insert in lieu thereof the following:

S. B. No. 231—A bill to be entitled An Act providing for the distribution of all monies accruing and allocated to Okaloosa County, Florida, under Chapter 14832, Laws of Florida, Acts of 1931, or any act amendatory or supplemental thereto, or any other race track acts; authorizing and directing the payment of three thousand dollars of such fund to a health unit in said county; forty percent of the balance of said funds after deducting the three thousand dollars for said health unit to be paid to the board of county commissioners of Okaloosa County, Florida, to be held by them for the sole purpose of constructing and repairing a jail and a court house in Crestview, Okaloosa County, Florida; sixty percent of the balance of said fund after deducting the three thousand dollars for said health unit to be paid to the Board of County Commissioners of Okaloosa County, Florida; providing for the distribution of the unused or unexpended portion of the three thousand dollars if the said health unit is not operated; repealing Chapter 20601, Laws of Florida, Acts of 1941, being An Act authorizing and requiring the Board of County Commissioners of Okaloosa County, Florida, to apportion and distribute one-half of all monies and funds received by such Board of County Commissioners under the provisions of and resulting from Chapter 14832, Laws of Florida, Acts of 1931, and any amendments thereto, for the current construction and maintenance, and repairing of the public free schools of such county; repealing Chapter 21035, Laws of Florida, Acts of 1941, being An Act providing for the distribution and use of race track funds allocated to Okaloosa County, Florida, under Chapter 14832, Laws of Florida, Acts of 1931, or any Act amendatory or supplementary thereto, of any other race track acts; and providing that the State Treasurer, the State Comptroller or other official having the authority to disburse said funds shall pay such funds to the County Board of Public Instruction for Okaloosa County, Florida; repealing Chapter 21719, Laws of Florida, Acts of 1943, being An Act to appropriate \$3000 of racing revenue to the support of the local health unit in all counties of the state having a population of not less than 12,890 and not more than 12,910, according to the federal census of 1940; and repealing all laws or parts of laws in conflict herewith.

And as further corrected was approved.

The Journal of Tuesday, April 24, 1945, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

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

S. B. No. 38—A bill to be entitled An Act relating to checks or drafts received for collection or deposits by solvent drawee or payor banks, defining the acts or event constituting payment or acceptance of such items.

S. B. No. 37—A bill to be entitled An Act to amend Section 652.06 of Florida Statutes, 1941, relating to banks and the capital stock thereof.

S. B. No. 39—A bill to be entitled An Act relating to moneys deposited in any bank or trust company in this State in the name of a minor not under guardianship and the withdrawal thereof.

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

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

And Senate Bills Nos. 38, 37 and 39, contained in the above report, were placed on the Calendar of Bills on Second Reading.

Your Committee on Control of Legislative Expenditures, to whom was referred:

Senate Resolution No. 14:

Relative to the pay of certain attaches.

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

Very respectfully,
WILBUR C. KING,
Chairman of Committee.

And Senate Resolution No. 14, contained in the above report, was laid on the table.

Your Committee on Corporations, to whom was referred:
S. B. No. 72—A bill to be entitled An Act providing a method for the establishment of voting trusts by stockholders of corporations, the provisions which may be contained therein and the term of years for which such agreement may be effective.

Have had the same under consideration, and recommend that the same do pass with three Committee Amendments, as submitted herewith.

Very respectfully,
WALLACE E. STURGIS,
Chairman of Committee.

And Senate Bill No. 72, together with Committee Amendments thereto, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Corporations, to whom was referred:

S. B. No. 162—A bill to be entitled An Act authorizing and empowering corporations for profit engaged solely in carrying out the purposes and objects for which corporations not for profit are authorized under the laws of Florida to engage in, to become a corporation not for profit with all the powers prescribed under the laws of Florida relating to such corporations, and prescribing the procedure therefor.

Have had the same under consideration, and recommend that the same do pass with Committee Amendment as submitted herewith.

Very respectfully,
WALLACE E. STURGIS,
Chairman of Committee.

And Senate Bill No. 152, together with Committee Amendment thereto, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

H. B. No. 90—A bill to be entitled An Act relating to tax-

ation, levying and imposing a tax on cigarettes; defining cigarettes, requiring all cigarette dealers as herein defined to obtain a cigarette permit and exacting a fee therefor in addition to other taxes imposed by law; providing for the report of sale or other disposition of cigarettes, and the collection and payment of cigarette taxes; providing for the deposit, appropriation and disposition of the proceeds derived from such taxes and fees, and prescribing the duties and powers of the Director of the State Beverage Department and other officers and employees under this act and providing for payment of their salaries and other expenses of the administration of this act; providing for bonds by agents and dealers; providing for the enforcement of this act and penalties for violation hereof.

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

Very respectfully,
W. A. SHANDS,
Chairman of Committee.

And House Bill No. 90, contained in the above report, was laid on the table.

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

S. B. No. 87—A bill to be entitled An Act relating to taxation, levying and imposing a tax on cigarettes; defining cigarettes; requiring all cigarette dealers as herein defined to obtain a cigarette permit and exacting a fee therefor in addition to other taxes imposed by law; providing for the report of sale or other disposition of cigarettes, and the collection and payment of cigarette taxes; providing for the deposit, appropriation and disposition of the proceeds derived from such taxes and fees, and prescribing the duties and powers of the Director of the State Beverage Department and other officers and employees under this Act and providing for payment of their salaries and other expenses of the administration of this Act; providing for bonds by agents and dealers; providing for the enforcement of this Act and penalties for violation hereof.

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

Very respectfully,
W. A. SHANDS,
Chairman of Committee.

And Senate Bill No. 87, contained in the above report, was laid on the table.

Your Committee on Judiciary "B", to whom was referred:

S. B. No. 219—A bill to be entitled An Act relating to the sale of certain lands by the Trustees of the Internal Improvement Fund of the State of Florida, title to which vested in said Trustees under Chapter 14572, Laws of Florida, Acts of 1929.

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

Very respectfully,
JOHN E. MATHEWS,
Chairman of Committee.

And Senate Bill No. 219, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "B", to whom was referred:

H. B. No. 193—A bill to be entitled An Act to amend Section 341.47, Florida Statutes 1941, defining and granting to the State Road Department of Florida powers and authority with reference to location and construction of State roads; empowering the State Road Department to alter, change and relocate the location of state roads and to abandon portions thereof when necessary for the best interest of the State; and empowering the State Road Department, through its representatives, to enter upon private property for the purpose of surveying or examining such property for the location or relocation of state roads or the determination of the boundaries thereof.

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

Very respectfully,
JOHN E. MATHEWS,
Chairman of Committee.

And House Bill No. 193, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "B", to whom was referred:

S. B. No. 201—A bill to be entitled An Act to authorize the State of Florida and other state and county political entities and officers and municipalities of the State of Florida to enter into contract or contracts with the United States, or any agency thereof, for the lease, purchase, or other acquisition, of surplus property under the provisions of the act of Congress known as the Surplus Property Act of 1944, and amendments or similar act for the disposal of such property.

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

Very respectfully,
JOHN E. MATHEWS,
Chairman of Committee.

And Senate Bill No. 201, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

S. B. No. 227—A bill to be entitled An Act to prescribe and provide for the right of way and progress of State Road Number 4, (Highway Number 1) into, through and out of the City of St. Augustine, in the County of St. Johns and State of Florida.

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

Very respectfully,
K. GRINER,
Chairman of Committee.

And Senate Bill No. 227, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

S. B. No. 157—A bill to be entitled An Act to require Railroad Companies to install automatic signals at certain highway crossings; conferring certain powers with reference thereto upon the State Road Department; prescribing penalties for violations of this Act; and repealing all laws in conflict herewith.

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

Very respectfully,
K. GRINER,
Chairman of Committee.

And Senate Bill No. 157, contained in the above report, was laid on the table.

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

H. B. No. 192—A bill to be entitled An Act assenting to and accepting the provisions of an Act of Congress approved December 20, 1944, and all amendments thereto, the same being entitled "An Act to amend and supplement the Federal-Aid Road Act approved July 11, 1916, as amended and supplemented, to authorize appropriations for the post-war construction of highways and bridges, to eliminate hazards at railroad-grade crossings, to provide for the immediate preparation of plans, and for other purposes" cited as the Federal-Aid Highway Act of 1944, investing the State Road Department of Florida with certain powers in connection therewith and providing for the apportionment and appropriation of funds to meet the same.

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

Very respectfully,
K. GRINER,
Chairman of Committee.

And House Bill No. 192, contained in the above report, was referred to the Committee on Appropriations.

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

S. B. No. 181—A bill to be entitled An Act assenting to and accepting the provisions of an Act of Congress approved December 20, 1944, and all amendments thereto, the same being entitled "an act to amend and supplement the Federal-Aid Road Act approved July 11, 1916, as amended and supplemented, to authorize appropriations for the post war construction of highways and bridges, to eliminate hazards at railroad-

grade crossings, to provide for the immediate preparation of plans, and for other purposes", cited as the Federal-Aid Highway Act of 1944, investing the State Road Department of Florida with certain powers in connection therewith, and providing for the apportionment and appropriation of funds to meet the same.

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

Very respectfully,
K. GRINER,
Chairman of Committee.

And Senate Bill No. 181, contained in the above report, was referred to the Committee on Appropriations.

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

H. B. No. 175—A bill to be entitled An Act transferring all balances in the state road license fund appropriated and allocated to the said fund for the construction of first, second and third preferential state roads, to the state road license fund to be used in the construction, in those counties wherein such balances exist, of any state roads in like manner as now provided by law directing the expenditure of the eighty per cent second provision fund of the second gas tax.

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

Very respectfully,
K. GRINER,
Chairman of Committee.

And House Bill No. 175, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

S. B. No. 183—A bill to be entitled An Act transferring all balances in the State Road License Fund appropriated and allocated to the said Fund for the construction of first, second and third preferential State roads, to the State Road License Fund to be used in the construction, in those counties wherein such balances exist, of any State roads in like manner as now provided by law directing the expenditure of the eighty per cent second provision fund of the second Gas Tax.

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

Very respectfully,
K. GRINER,
Chairman of Committee.

And Senate Bill No. 183, contained in the above report, was laid on the table.

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

H. B. No. 44—A bill to be entitled An Act designating and establishing certain roads in Collier County, Florida as State Roads.

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

Very respectfully,
K. GRINER,
Chairman of Committee.

And House Bill No. 44, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

S. B. No. 199—A bill to be entitled An Act abandoning and closing to public use a certain portion of State Road No. 279.

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

Very respectfully,
K. GRINER,
Chairman of Committee.

And Senate Bill No. 199, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Transportation and Traffic, to whom was referred:

S. B. No. 225—A bill to be entitled An Act recognizing the existence of an emergency in this state as to transportation

of petroleum products and requiring the State Railroad Commission to issue certificates of public convenience and necessity, as common carriers, without limitation as to route, to certain applicants herein described.

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

Very respectfully,
L. A. COLEMAN (28th Dist.),
Chairman of Committee.

And Senate Bill No. 225, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Welfare, to whom was referred:

By Senator Sheldon—

S. B. No. 185—A bill to be entitled An Act determining the minimum monthly need of persons entitled to old age assistance and guaranteeing and appropriating twenty (\$20.00) dollars per month out of the General Revenue Fund to match federal funds so as to insure a minimum old age assistance pension of not less than forty (\$40.00) dollars per month for all persons qualifying under existing laws for old age assistance.

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

Very respectfully,
NEWMAN C. BRACKIN,
Chairman of Committee.

And Senate Bill No. 185, contained in the above report, was referred to the Committee on Appropriations.

Your Committee on Welfare, to whom was referred:

By Senator Brackin—

S. B. No. 193—A bill to be entitled An Act appropriating from the General Revenue Fund of the State of Florida annually for old age assistance a sum to supplement old age assistance funds derived from horse and dog racing, jai alai, pari mutuels and "breaks" therefrom, and repealing Chapter 21899, Laws of Florida, Acts of 1943.

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

Very respectfully,
NEWMAN C. BRACKIN,
Chairman of Committee.

And Senate Bill No. 193, contained in the above report, was referred to the Committee on Appropriations.

Your Committee on Welfare, to whom was referred:

By Senator Mathews—

S. B. No. 151—A bill to be entitled An Act to amend Chapter 13579, Laws of Florida, Acts of 1929, being "An Act to provide for the assistance of poor mothers or other poor women having children dependent upon them for support and care under the age of sixteen years and to provide the necessary means of carrying this law into effect; and to repeal Chapter 7920, Acts of 1919, as amended by Chapter 12000, Acts of 1927, relating to the provision for the assistance of poor mothers or other poor women having children dependent upon them for support and care under the age of sixteen years; and providing the necessary means for carrying the said law into effect; and also repealing all other laws inconsistent with this Act." by adding Section 12, to provide that in Counties having County Welfare Boards the County Commissioners may designate such boards to make investigations of cases, pass upon applications and pay benefits from funds supplied by County Commissioners.

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

Very respectfully,
NEWMAN C. BRACKIN,
Chairman of Committee.

And Senate Bill No. 151, contained in the above report, was referred to the Committee on Appropriations.

Your Committee on Welfare, to whom was referred:

By Senator Thomas—

S. B. No. 238—A bill to be entitled An Act providing for the placement of needy blind persons in vending stands on public property; authorizing any board, council, commission or of-

ficials in charge of such property to permit such operation when the same does not unduly interfere with the use of the property for public purposes and when such operators are licensed by Florida Council for the Blind and said stands are licensed by Florida Council for the Blind and said stands are operated by or under the supervision and direction of said council; and authorizing Florida Council for the Blind to cooperate with any agency of the Federal Government in the furtherance of any Act of Congress providing for the rehabilitation of the blind.

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

Very respectfully,

NEWMAN C. BRACKIN,
Chairman of Committee.

And Senate Bill No. 238, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

S. B. No. 14—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners in and for Duval County, Florida, and the Budget Commission of said County, to levy taxes and appropriate funds for the erection, equipment and maintenance of a Juvenile Detention and Court Building, to be erected on any lands owned or hereafter acquired by Duval County, as the County Commissioners may determine; and to provide offices for the Juvenile Court and Probation Officers, and such assistants as may be authorized by law; and authorizing the employment of personnel, including Matrons and Attendants for the care and supervision of Juvenile Delinquents detained by the Probation Officers and the Judge of the Juvenile Court, as may be provided by law.

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

Very respectfully,

K. GRINER,
Chairman of Committee.

And Senate Bill No. 14, 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:

S. B. No. 126—A bill to be entitled An Act to amend Sections 922.10 and 922.11, Florida Statutes, 1941, relating to the manner and means of inflicting punishment of death, so as to provide for the infliction of such punishment of death by electrocution in the jail yard of the county in which the person to be put to death commits the crime for which such punishment is to be inflicted; repealing all laws and parts of laws in conflict therewith; and providing an effective date therefor.

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

Very respectfully,

K. GRINER,
Chairman of Committee.

And Senate Bill No. 126, 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:

S. B. No. 186—A bill to be entitled An Act to amend Sections 470.01, 470.02, 470.04, 470.08, 470.10, 470.13, 470.23 and 470.28, Florida Statutes, 1941, all relating to the State Board of Funeral Directors and Embalmers for the State of Florida and to the practice of the professions of funeral directing and embalming; to amend Section 470, Florida Statutes, 1941, by adding an additional Section to be known as Section 470.29, providing a supplemental and additional method of procedure for revocation or suspension of licenses by direct application to Circuit Courts.

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

Very respectfully,

K. GRINER,
Chairman of Committee.

And Senate Bill No. 186, contained in the above report, was certified to the House of Representatives.

REPORT OF ENROLLING COMMITTEE

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

S. B. No. 30—An Act to provide for re-registration of all voters for primary and general elections to be held in the year A. D. 1948 in the Counties of the State of Florida having a population of not less than thirty-one thousand (31,000) and not more than thirty-one thousand four hundred (31,400) inhabitants according to the 1940 Federal Census, fixing the date when registration books in each of said Counties shall be kept open for purposes of such re-registration, and prescribing the duties and compensation of registration offices in connection therewith.

Also—

S. B. No. 75—An Act to fix the compensation of the Judge of the Court of Record in and for Escambia County, to be paid by the County of Escambia.

Also—

S. B. No. 84—An Act to amend Section 2 of Chapter 20998, Laws of Florida, Acts of 1941, the same being An Act entitled, "An Act providing for the employment of two stenographers for the County Solicitor for the Criminal Court of Record, and to provide for the purchase of supplies and payment of rent and other expenses for such County Solicitor, and fixing the compensation of such stenographers in counties of the State of Florida having a population of not less than 125,000 and not more than 200,000 according to the last preceding Federal Census; and repealing all laws and parts of laws in conflict herewith, "by authorizing the County Solicitor of the Criminal Court of Record of such counties to expend for office rent, supplies and expenses to be used in his offices, a sum not exceeding twenty-four hundred dollars (\$2400.0) per annum, and payment therefor; said payment to be made out of the General Fund of such counties.

Also—

S. B. No. 108—An Act providing for the appointment a Deputy Constable and a Bookkeeper for the First Justice of the Peace District of Hillsborough County, Florida; fixing their powers, duties, responsibilities, salaries and expenses, and the manner and source from which to be paid.

Also—

S. B. No. 123—An Act providing for pensions for employees of the County of Duval.

Also—

S. B. No. 159—An Act providing for a reregistration of all voters for all elections to be held in the year 1946, in Lake County, Florida; and providing that the reregistration for the year 1946 shall be a permanent registration for all subsequent elections and providing for notice to voters by the Supervisor of Registration of their registration as shown on the registration books and requesting information pertinent thereto in the year 1948 and every two years thereafter and the return thereof by the voters and the penalty for failure to return said notice with the information requested and providing for the compensation of the Supervisor of Registration.

Also—

S. B. No. 184—An Act fixing the compensation of the members of the Board of Public Instruction of Levy County, Florida, at the same rate per annum as that now provided by law for the members of the Board of County Commissioners of said Levy County, Florida, and providing that such payments be made out of the General School Fund of said County.

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,

T. DREW BRANCH,
Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The 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 En-

rolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

H. B. No. 86—An Act making it unlawful for any county, district or municipality to hold a bond election on the day of any state, county or municipal primary or general election or on the day of any election of such district, county or municipality for any other purpose other than the purpose of voting on such bonds; repealing all laws in conflict herewith; providing when this Act shall become a law.

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

Very respectfully,

T. DREW BRANCH,

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

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

S. B. No. 59—An Act fixing the salaries of the Circuit Judges of the State of Florida.

Also —

S. B. No. 97—An Act designating and defining Arbor Day in the State of Florida.

Also—

Senate Concurrent Resolution No. 4:

WHEREAS, Major General James A. Ulio, Adjutant General of the Army, directed the mobilization of America's great army to preserve our freedoms, and,

WHEREAS, in his capacity as Adjutant General, Major General Ulio will direct the demobilization of the army when the peace has been won.

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

Very respectfully,

T. DREW BRANCH,

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senators Coleman (13th Dist.) and Gray—

S. B. No. 257—A bill to be entitled An Act granting to disabled Veterans of World War Number Two the same benefits, rights, exemptions and privileges as now enjoyed by disabled Veterans of World War Number One, relating to the exemption from the payment of occupational license tax.

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

By Senators Ausley, Barringer, Baynard, Brackin, Branch, Bryant, Carroll, Coleman (28th Dist.), Davis, Fraser (31st Dist.), Johnson, King (7th Dist.), King (27th Dist.), Moon, Riddle, and Sanchez—

S. B. No. 258—A bill to be entitled An Act imposing an additional tax upon beverages containing fourteen per cent or more of alcohol by weight, except all wines, natural sparkling wines and malt beverages, and providing for affixing of stamps as evidence of payment of said tax.

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

By Senator Brackin—

S. B. No. 259—A bill to be entitled An Act to amend the title to and Sections 1, 3, 4 and 5, Chapter 21769, Laws of Florida 1943, otherwise known as Section 553.01-02-03, of Florida Statutes of 1941; to add Sections 6, 7, 8, 9, 10 and 11 thereto; defining the trade or occupation of dispensing optician; providing for the examining and regulating of dispensing opticians and placing same under the jurisdiction of the Florida State Board of Medical Examiners; providing for a license tax on firms or corporations engaging in such trade or occupation; prohibiting the manufacture or sale of eyeglasses, spectacles and lenses manufactured upon prescription unless dispensing optician has qualified with and obtained a license from the Florida State Board of Medical Examiners; providing for the licensing of dispensing opticians having a license to practice and trade at the time this Act becomes a law; prescribing the manner of enforcing the provisions of this Act and fixing the penalties for the violation of the terms and

provisions thereof; providing that no bureau or board shall have jurisdiction over the dispensing opticians other than the Florida State Board of Medical Examiners; repealing all laws or parts of laws in conflict herewith and providing for the effective date of this Act.

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

By Senator Lindler—

S. B. No. 260—A bill to be entitled An Act for the relief of R. Lee Montague for damages to his automobile caused by a State Road Department truck.

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

By the Committee on Finance and Taxation—

S. B. No. 261—A bill to be entitled An Act to amend Section 5 of Chapter 21757, Acts of 1943, relating to exemption of dealers in gasoline or other like products of petroleum from payment of excise taxes on gas or other like products of petroleum sold to the United States of America, by providing that said Act shall remain in effect until July 1st, 1947.

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

By Senator Shands—

S. B. No. 262—A bill to be entitled An Act relating to the reassessing and revaluing of real property, tangible personal property and intangible personal property which has already been valued and assessed upon the tax rolls, and repealing all laws or parts of laws in conflict therewith.

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

By Senator Mathews—

S. B. No. 263—A bill to be entitled An Act relating to the office of City Attorney of the City of Jacksonville, fixing his term of office, providing for the salary of the City Attorney, prohibiting him from engaging in the private practice of law, and requiring him to devote all of his working time to the legal affairs of the City of Jacksonville, prohibiting him from employing any outside attorney or counsel without the specific approval of the City Commission of the City of Jacksonville in each case, and providing for his election and for the appointment of all of his assistants by the City Commission of the City of Jacksonville, and other matters in connection therewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 263 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Mathews moved that the rules be waived and Senate Bill No. 263 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 263 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 263 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. 263 was read the third time in full.

Upon the passage of Senate Bill No. 263 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So Senate Bill No. 263 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Mathews—

S. B. No. 264—A bill to be entitled An Act affecting the government of the City of Jacksonville by abolishing the offices of councilmen at large and fixing the salary of city ward councilmen, and other matters in connection therewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 264 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Mathews moved that the rules be waived and Senate Bill No. 264 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 264 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 264 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. 264 was read the third time in full.

Upon the passage of Senate Bill No. 264 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	*Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So Senate Bill No. 264 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Mathews—

S. B. No. 265—A bill to be entitled An Act to repeal Chapter 14686, Laws of Florida, Acts of 1931 Legislature, entitled: "An Act relating to the compensation of County Commissioners of each County in the State of Florida having a population of more than one hundred and fifty-five thousand according to the last Federal Census and prescribing the time when this Act shall become a law."

Which was read the first time by title only.

Senator Mathews moved that the rules be waived and Senate Bill No. 265 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 265 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 265 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 265 was read a third time in full.

Upon the passage of Senate Bill No. 265 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So Senate Bill No. 265 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Mathews—

S. B. No. 266—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 Federal Census of more than 210,000, and to provide

for their nomination and election by the voters of such counties at large and not by districts, and to prescribe where they shall reside, and to repeal all laws in conflict herewith.

Which was read the first time by title only.

Senator Mathews moved that the rules be waived and Senate Bill No. 266 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 266 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 266 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. 266 was read the third time in full.

Upon the passage of Senate Bill No. 266 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So Senate Bill No. 266 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Mathews—

S. B. No. 267—A bill to be entitled An Act repealing Chapter 14689, Laws of Florida, Acts 1931, 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 federal census of more than 155,000, and to provide for their nomination and election by the voters of such counties at large and not by districts, and to prescribe where they shall reside, and to repeal all laws in conflict herewith."

Which was read the first time by title only.

Senator Mathews moved that the rules be waived and Senate Bill No. 267 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 267 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 267 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. 267 was read the third time in full.

Upon the passage of Senate Bill No. 267 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So Senate Bill No. 267 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Mathews—

S. B. No. 268—A bill to be entitled An Act repealing Chapter 17815, Laws of Florida, Acts 1937, 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 Federal Census of more than 155,000, and to provide for their nomination and election by the voters of

such counties at large and not by districts, and to prescribe where they shall reside, and to repeal all laws in conflict herewith."

Which was read the first time by title only.

Senator Mathews moved that the rules be waived and Senate Bill No. 268 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 268 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 268 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. 268 was read the third time in full.

Upon the passage of Senate Bill No. 268 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So Senate Bill No. 268 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Barringer—

S. B. No. 269—A bill to be entitled An Act making appropriation to be used as a special contingent fund for the preservation of certain properties acquired from the John Ringling Estate.

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

By Senator Coleman (13th Dist.)—

S. B. No. 270—A bill to be entitled An Act making it a misdemeanor to wilfully or knowingly aid or assist in the escape of any prisoner of war of the United States of America, or to harbor or conceal any such prisoner, or to employ or provide employment for any such prisoner, and providing penalties for violation of the provisions thereof.

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

By Senator Coleman (13th Dist.)—

S. B. No. 271—A bill to be entitled An Act providing that the State of Florida set aside and reserve certain islands and submerged lands in Biscayne Bay, in Township 53 South, Range 42 East, Dade County, Florida, and authorizing and directing the Trustees of the Internal Improvement Fund to convey said lands to the Trustees of Harvey W. Seeds Post No. 29 American Legion, for a consideration of \$1.00, without restriction or reservation; repealing all laws and parts of laws in conflict herewith.

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

By Senator Ausley—

S. B. No. 272—A bill to be entitled An Act authorizing the State Treasurer to make photographs, microphotographs, or reproductions on film of warrants drawn against State Teachers' Salary Fund, and of vouchers or checks drawn against funds deposited with the State Treasurer by the court officials of the several counties of Florida in pursuance of Section 54.04, Florida Statutes 1941; providing for the filing and preservation of such photographs, microphotographs or reproductions on film, and the return of such warrants, checks or vouchers to the offices of the respective county officials who drew the same; providing that such photographs, microphotographs or reproductions on film shall be deemed original records, and providing a rule of evidence with respect to certified or exemplified copies thereof; repealing all laws and parts of laws in conflict herewith; and providing the effective date of this Act.

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

By Senator Johnson—

S. B. No. 273—A bill to be entitled An Act authorizing and empowering the State Road Department of Florida in its discretion to cancel, discharge and charge off accounts receivable from counties and municipalities in the State of Florida, which accounts accrued prior to January 1, 1941.

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

By Senator Mathews—

S. B. No. 274—A bill to be entitled An Act granting to all employees of the City of Jacksonville who were employed by the City of Jacksonville continuously for fifteen years prior to on or about July 22, 1939, and who left the service of said city for any cause or reason whatsoever and were reemployed by said city within six years from the date of said severance, for purposes of pension and retirement benefits, full service credit for their years of service with the city as if said service had been continuous within the meaning of the pension laws affecting such employees and providing for repayment into the pension fund by such employees of all sums of money refunded from said fund to such employees at the time of their severance from the service with the city:

Which was read the first time by title only.

Proof of Publication of Notice was attached to Senate Bill No. 274 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Mathews moved that the rules be waived and Senate Bill No. 274 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 274 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 274 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. 274 was read the third time in full.

Upon the passage of Senate Bill No. 274 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So Senate Bill No. 274 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Shands, Johns, Fraser (29th Dist.), and Perdue—

S. B. No. 275—A bill to be entitled An Act providing for the employment of one stenographer for the office of State Attorney in all Circuits of the State of Florida having a population, according to the last preceding Federal Census, of not less than 77,000 and not more than 80,000, and composed of not more than six (6) counties, and providing for the payment of certain expenses connected with said Office.

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

By Senator Sheldon—

S. B. No. 276—A bill to be entitled An Act to fix the compensation and salary to be paid the Probation and Parole Officer or Supervisor of the Criminal Court of Record of Hillsborough County, Florida; providing for the payment of Office Rental and Office Expense; providing for the payment of automobile expense, maintenance, upkeep, and repair: also

providing for the payment of Clerical assistance or stenographer; and providing that all of said moneys shall be paid by Hillsborough County, Florida, and repealing all laws in conflict herewith.

Which was read the first time by title only.

Senator Sheldon moved that the rules be waived and Senate Bill No. 276 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 276 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 276 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. 276 was read the third time in full.

Upon the passage of Senate Bill No. 276 the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So Senate Bill No. 276 passed, titled as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Sanchez moved that House Bill No. 43 be recommended to the Committee on Judiciary "B".

Which was agreed to and it was so ordered.

Senator Mathews moved that Senate Bill No. 122 be recalled from the House of Representatives.

Which was agreed to and it was so ordered.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida, April 24, 1945.

Hon. Walter W. Rose, 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—

H. B. No. 2—A bill to be entitled An Act Amending Section 194.55, Florida Statutes, 1941, as amended by Section 21, Chapter 22079, Laws of Florida, Acts of 1943, relating to the sale of lands acquired by counties through foreclosure of tax liens, by providing that the notice shall be directed to all concerned that lands within the corporate limits of a municipality will be offered for sale at the city or town hall door or at the Court House door as the Board of County Commissioners may designate by resolution.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE, Chief Clerk, House of Representatives.

And House Bill No. 2, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "C".

UNFINISHED BUSINESS

S. B. No. 155—A bill to be entitled An Act to amend Section 30.23 and 30.25, Florida Statutes 1941, entitled: "An Act fixing the fees to be charged by the Sheriffs of the several Counties of the State of Florida and to repeal all laws in conflict herewith".

Which was pending roll call, having been read the third time in full on April 24, 1945, was taken up in its order.

Senator Sturgis moved that the rules be waived and Senate Bill No. 155 be placed back on the Calendar of Bills on Second Reading for the purpose of amendment.

Which was agreed to by a two-thirds vote and Senate Bill No. 155 was placed back on the Calendar of Bills on Second Reading.

Senator Sturgis offered the following amendment to Senate Bill No. 155:

In Section 1, line 11 (typewritten bill) strike out the figures: "7.00" and insert in lieu thereof the following: "5.00".

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sturgis also offered the following amendment to Senate Bill No. 155:

In Section 1, line 12, (typewritten bill), strike out the figures: 7.00; and insert in lieu thereof the following: 5.00.

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sturgis also offered the following amendment to Senate Bill No. 155:

In Section 1, line 41, (typewritten bill), strike out the figures: 7.00, and insert in lieu thereof the following: 5.00.

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sturgis also offered the following amendment to Senate Bill No. 155:

In Section 1, lines 63 and 64 (being lines 11 and 12 on page 2 of the typewritten bill) strike out the words and figures following: Removal of prisoner to or from hospital or treatment center for examination or treatment 5.00

And insert in lieu thereof the following: Removal of prisoner to or from hospital or treatment center for examination or treatment,

for one prisoner, per day..... 3.00
for all in excess of one, per prisoner, per day..... 1.00

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sturgis also offered the following amendment to Senate Bill No. 155:

Strike out Section 2 (typewritten bill), and insert in lieu thereof the following: Section 2: Section 30.25 of Florida Statutes 1941, be and the same is hereby amended to read as follows:

30.25 Compensation for Feeding Prisoners.

For feeding prisoners the sheriff shall receive the following fees, to-wit:

For feeding 20 prisoners or less, each per day..... 1.00
All over 20, each per day..... .80

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Mathews moved that the rules be waived and Senate Bill No. 155, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 155, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 155, as amended, the roll was called and the vote was:

Yeas—36.

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

Nays—None.

So Senate Bill No. 155 passed, as amended, and was referred to the Committee on Engrossed Bills.

SENATE BILLS ON THIRD READING

S. B. No. 43—A bill to be entitled An Act to amend Section 1, of Chapter 17862, Laws of Florida, Acts of 1937, being entitled: "An Act to fix the compensation and the basis thereof of county superintendents of public instruction of the counties of the State of Florida".

Which was pending roll call, having been read the third time in full on April 20, 1945, was taken up in its order.

Upon the passage of Senate Bill No. 43 the roll was called and the vote was:

Yeas—31.

Mr. President	Carroll	Johnson	Perdue
Ausley	Clarke	King 7th	Sanchez
Barringer	Coleman 13th	King 27th	Shands
Baynard	Coleman 28th	Lewis	Sheldon
Beacham	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson
Bryant	Griner	Moon	

Nays—3.

Black	Davis	Johns
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So Senate Bill No. 43 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

SENATE BILLS ON SECOND READING

Senate Bill No. 145 was taken up in its order and the consideration thereof was informally passed.

S. B. No. 154—A bill to be entitled An Act to amend Section 47.12, Florida Statutes 1941, entitled: "An Act relating to the service of process and the return of prisoners."

Was taken up in its order.

Senator Mathews moved that the rules be waived and Senate Bill No. 154 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 154 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 154 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. 154 was read the third time in full.

Upon the passage of Senate Bill No. 154 the roll was called and the vote was:

Yeas—29.

Mr. President	Carroll	Griner	Perdue
Ausley	Clarke	Johns	Sanchez
Barringer	Coleman 13th	Johnson	Shands
Beacham	Coleman 28th	King 7th	Sheldon
Black	Davis	King 27th	Sturgis
Boyle	Fraser 29th	Mathews	
Brackin	Fraser 31st	McArthur	
Bryant	Gray	Moon	

Nays—5.

Baynard	Lewis	Wilson
Branch	Lindler	

So Senate Bill No. 154 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 153 was taken up in its order and the consideration thereof was informally passed.

S. B. No. 8—A bill to be entitled An Act to amend Section 352.34, Florida Statutes 1941, relating to the care of livestock in transit by transportation companies.

Was taken up in its order.

Senator Wilson moved that the rules be waived and Senate Bill No. 8 be read the second time by title only.

Which was agreed to by a two-thirds vote.

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

Senator Wilson offered the following amendment to Senate Bill No. 8:

In Section 1, line 12, (typewritten bill) strike out the word: "destination" and insert in lieu thereof the following: "detention".

Senator Wilson moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Wilson moved that the rules be further waived and Senate Bill No. 8, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 8, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 8, as amended, the roll was called and the vote was:

Yeas—33.

Mr. President	Carroll	Johnson	Sanchez
Ausley	Clarke	King 7th	Shands
Barringer	Coleman 13th	King 27th	Sheldon
Baynard	Coleman 28th	Lewis	Sturgis
Beacham	Davis	Lindler	Thomas
Black	Fraser 29th	McArthur	Wilson
Boyle	Fraser 31st	Moon	
Branch	Griner	Perdue	
Bryant	Johns	Riddle	

Nays—None.

So Senate Bill No. 8 passed, as amended, and was referred to the Committee on Engrossed Bills.

S. B. No. 202—A bill to be entitled An Act repealing Section 9915, Florida Statutes 1941, the same being Section 317 Compiled General Laws of 1927, and referring to the manner in which the names of the candidates shall be printed on the General Election ballot.

Was taken up in its order.

Senator King (7th Dist.) moved that the rules be waived and Senate Bill No. 202 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 202 was read the second time by title only.

Senator King (7th Dist.) moved that the rules be further waived and Senate Bill No. 202 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. 202 was read the third time in full.

Upon the passage of Senate Bill No. 202 the roll was called and the vote was:

Yeas—29.

Mr. President	Bryant	Griner	Perdue
Ausley	Carroll	Johns	Sanchez
Barringer	Clarke	Johnson	Shands
Baynard	Coleman 13th	King 7th	Sheldon
Black	Coleman 28th	King 27th	Sturgis
Boyle	Davis	Lindler	
Brackin	Fraser 29th	McArthur	
Branch	Fraser 31st	Moon	

Nays—None.

So Senate Bill No. 202 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 203—A bill to be entitled An Act to amend Section 99.16, the same being Section 318, Compiled General Laws of 1927, relating to the manner in which the substance of proposed Constitutional Amendments shall appear on the ballot; and to provide that the Secretary of State shall furnish to the Counties the phraseology of the substance of said Amendments for printing on the ballots, and authorizing him to give such designating numbers.

Was taken up in its order.

Senator King (7th Dist.) moved that the rules be waived and Senate Bill No. 203 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 203 was read the second time by title only.

Senator King (7th Dist.) moved that the rules be further waived and Senate Bill No. 203 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. 203 was read the third time in full.

Upon the passage of Senate Bill No. 203 the roll was called and the vote was:

Yeas—32.

Mr. President	Bryant	Gray	McArthur
Ausley	Carroll	Griner	Moon
Barringer	Clarke	Johns	Perdue
Baynard	Coleman 13th	Johnson	Sanchez
Beacham	Coleman 28th	King 7th	Shands
Boyle	Davis	King 27th	Sheldon
Brackin	Fraser 29th	Lewis	Sturgis
Branch	Fraser 31st	Lindler	Thomas

Nays—None.

So Senate Bill No. 203 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Gray moved that House Bill No. 90, reported unfavorably by the Committee on Finance and Taxation, be placed on the Calendar of Bills on Second Reading.

Upon which a roll call was demanded.

Upon the adoption of the motion made by Senator Gray, the roll was called and the vote was:

Yeas—18.

Ausley	Brackin	Davis	Moon
Barringer	Branch	Fraser 31st	Sturgis
Baynard	Carroll	Johnson	Wilson
Black	Coleman 13th	King 27th	
Boyle	Coleman 28th	Lewis	

Nays—16.

Mr. President	Fraser 29th	King 7th	Sanchez
Beacham	Gray	Lindler	Shands
Bryant	Griner	McArthur	Sheldon
Clarke	Johns	Perdue	Thomas

So the motion made by Senator Gray failed of adoption by the required two-thirds vote.

Senator King (7th Dist.) moved that the Senate reconsider the vote by which the foregoing motion made by Senator Gray failed of adoption.

And the motion made by Senator King (7th Dist.) went over under the rule.

S. B. No. 204—A bill to be entitled An Act providing that candidates for nomination in Primary Elections shall file expense statements required by law with the officer with whom his qualification affidavits are filed, and providing that candidates for nomination in primaries who are automatically nominated because of not having opposition shall not be required to file further expense statements in such primary.

Was taken up in its order.

Senator King (7th Dist.) moved that the rules be waived and Senate Bill No. 204 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 204 was read the second time by title only.

Senator King (7th Dist.) moved that the rules be further waived and Senate Bill No. 204 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. 204 was read the third time in full.

Upon the passage of Senate Bill No. 204 the roll was called and the vote was:

Yeas—33.

Mr. President	Beacham	Branch	Coleman 13th
Ausley	Black	Bryant	Coleman 28th
Barringer	Boyle	Carroll	Davis
Baynard	Brackin	Clarke	Fraser 29th

Fraser 31st	King 7th	Moon	Thomas
Gray	King 27th	Perdue	Wilson
Griner	Lewis	Sanchez	
Johns	Lindler	Sheldon	
Johnson	McArthur	Sturgis	

Nays—None.

So Senate Bill No. 204 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 205—A bill to be entitled An Act to amend Section 102.71, Florida Statutes of 1941, the same being Chapter 22039, Acts of 1943, referring to the nominations by minority political parties.

Was taken up in its order.

Senator King (7th Dist.) moved that the rules be waived and Senate Bill No. 205 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 205 was read the second time by title only.

Senator King (7th Dist.) moved that the rules be further waived and Senate Bill No. 205 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. 205 was read the third time in full.

Upon the passage of Senate Bill No. 205 the roll was called and the vote was:

Yeas—30.

Mr. President	Bryant	Gray	Perdue
Ausley	Carroll	Griner	Sanchez
Barringer	Clarke	Johns	Shands
Baynard	Coleman 13th	Johnson	Sheldon
Beacham	Coleman 28th	King 7th	Sturgis
Black	Davis	Lewis	Thomas
Brackin	Fraser 29th	Lindler	
Branch	Fraser 31st	McArthur	

Nays—None.

So Senate Bill No. 205 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 206—A bill to be entitled An Act requiring candidates for the nomination of any recognized political party under the primary laws of Florida for the nomination for the office of Presidential Elector to pay a filing fee of twenty-five dollars when qualifying as such candidate.

Was taken up in its order.

Senator King (7th Dist.) moved that the rules be waived and Senate Bill No. 206 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 206 was read the second time by title only.

Senator King (7th Dist.) moved that the rules be further waived and Senate Bill No. 206 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. 206 was read the third time in full.

Upon the passage of Senate Bill No. 206 the roll was called and the vote was:

Yeas—31.

Mr. President	Bryant	Griner	Perdue
Ausley	Carroll	Johns	Sanchez
Barringer	Coleman 13th	King 7th	Shands
Baynard	Coleman 28th	King 27th	Sheldon
Beacham	Davis	Lewis	Sturgis
Black	Fraser 29th	Lindler	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

Nays—None.

So Senate Bill No. 206 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 207 was taken up in its order and the consideration thereof was informally passed.

S. B. No. 208—A bill to be entitled An Act providing that whenever it is necessary to call a Primary to fill a vacancy in nomination for any office to be voted for in more than one county but in less than all the counties of this State, such Primary may be called by the members of the political party State Executive Committee from the counties affected by such vacancy and in which counties the primary is necessary to be held to fill such vacancy in any nomination.

Was taken up in its order.

Senator King (7th Dist.) moved that the rules be waived and Senate Bill No. 208 be read the second time by title only.

Which was agreed to by a two-thirds vote.

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

Senator King (7th Dist.) moved that the rules be further waived and Senate Bill No. 208 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 208 was read the third time in full.

Upon the passage of Senate Bill No. 208 the roll was called and the vote was:

Yeas—31.

Mr. President	Bryant	Gray	Moon
Ausley	Carroll	Griner	Perdue
Barringer	Clarke	Johns	Sanchez
Baynard	Coleman 13th	Johnson	Shands
Beacham	Coleman 28th	King 7th	Sheldon
Black	Davis	King 27th	Sturgis
Brackin	Fraser 29th	Lewis	Wilson
Branch	Fraser 31st	Lindler	

Nays—None.

So Senate Bill No. 208 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 210 was taken up in its order and the consideration thereof was informally passed.

S. B. No. 82—A bill to be entitled An Act amending Section 561.76, Florida Statutes, 1941, providing excise tax upon beverages; prohibiting sale of mixed drinks by beer and wine vendors; repealing Chapter 20829, Laws of Florida, Acts of 1941; and repealing Chapter 22026, Laws of Florida, Acts of 1943; all pertaining to the beverage law.

Was taken up in its order.

Senator Shands, Chairman of the Committee on Finance and Taxation, as required by the rule, moved that Senate Bill No. 82 be indefinitely postponed.

Upon which a roll call was demanded.

Upon the adoption of the motion made by Senator Shands, the roll was called and the vote was:

Yeas—12.

Beacham	Fraser 29th	Lindler	Shands
Bryant	Gray	McArthur	Sheldon
Clarke	Johns	Perdue	Thomas

Nays—23.

Mr. President	Brackin	Fraser 31st	Mathews
Ausley	Branch	Griner	Moon
Barringer	Carroll	Johnson	Sanchez
Baynard	Coleman 13th	King 7th	Sturgis
Black	Coleman 28th	King 27th	Wilson
Boyle	Davis	Lewis	

So the motion failed of adoption.

Senator Baynard moved that the rules be waived and Senate Bill No. 82 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 82 was read the second time by title only.

Senator Griner offered the following amendment to Senate Bill No. 82:

In Section 1, line after the words "excise tax on beverages" strike out all of Subsection 1 in brackets relating to malt beverages and insert in lieu thereof the following:

"(1) As to malt beverages containing more than one percent of alcohol by weight, there shall be paid by all manufacturers and distributors, as herein defined, a tax of 16 cents per gallon upon all such beverages in bulk or in kegs or barrels and when sold in containers of less than one gallon, the tax shall be forty-eight cents on each standard case of twenty-four pint containers or fraction thereof. There is further levied and assessed a floor tax upon vendors as described in this law of twenty-seven cents on each standard case of twenty-four pint containers or fraction thereof, upon all malt beverages, in excess of ten gallons, owned and possessed by said vendors as of July 1, 1945. Provided, however, the excise taxes required to be paid by this section upon malt beverages containing alcohol of not more than three and two-tenths percent by weight, shall not be required to be paid upon such beverages, where the same are sold to post exchanges and ship service stores, organized and existing under the regulations of the United States Army and Navy, located in military or naval reservations within the State of Florida."

Senator Griner moved the adoption of the amendment.

Pending adoption of the amendment offered by Senator Griner to Senate Bill No. 82, Senator Thomas offered the following substitute amendment for the amendment offered by Senator Griner:

In Section 1, after the words "excise tax on beverages" strike out all of Subsection 1 in brackets relating to malt beverages and insert in lieu thereof the following:

"(1) As to malt beverages containing more than one percent of alcohol by weight, there shall be paid by all manufacturers and distributors, as herein defined, a tax of ten cents per gallon upon all such beverages in bulk or in kegs or barrels and when sold in containers of less than one gallon, the tax shall be thirty cents on each standard case of twenty-four pint containers or fraction thereof. There is further levied and assessed a floor tax upon vendors as described in this law of nine cents on each standard case of twenty-four pint containers or fraction thereof, upon all malt beverages, in excess of ten gallons, owned and possessed by said vendors as of July 1, 1945. Provided, however, the excise taxes required to be paid by this section upon malt beverages containing alcohol of not more than three and two-tenths percent by weight, shall not be required to be paid upon such beverages, where the same are sold to post exchanges and ship service stores, organized and existing under the regulations of the United States Army and Navy, located in military or naval reservations within the State of Florida."

Senator Thomas moved the adoption of the substitute amendment for the amendment offered by Senator Griner.

Which was not agreed to, so the foregoing substitute amendment offered by Senator Thomas failed of adoption.

The question recurred on the adoption of the amendment offered by Senator Griner to Senate Bill No. 82.

Upon which a roll call was demanded.

Upon the adoption of the amendment offered by Senator Griner to Senate Bill No. 82, the roll was called and the vote was:

Yeas—13.

Beacham	Gray	McArthur	Thomas
Bryant	Griner	Perdue	
Clarke	Johns	Shands	
Fraser 29th	Lindler	Sheldon	

Nays—22.

Mr. President	Brackin	Fraser 31st	Moon
Ausley	Branch	Lewis	Sanchez
Barringer	Carroll	Mathews	Sturgis
Baynard	Coleman 13th	Johnson	Wilson
Black	Coleman 28th	King 7th	
Boyle	Davis	King 27th	

So the amendment offered by Senator Griner failed of adoption.

Senator Johnson offered the following amendment to Senate Bill No. 82:

At the end of sub-section 2 of Section 1, substitute semi-colon for period and add: "Provided, however that there shall be paid by all manufacturers and distributors a tax of twenty cents a gallon and no more, upon all unfortified wines manu-

factured in Florida from any fruits or vegetables or other horticulture or agricultural products grown in Florida."

Senator Johnson moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baynard moved that the rules be further waived and Senate Bill No. 82, as amended, be read the third time in full and put upon its passage.

Upon which a roll call was demanded.

Upon the adoption of the motion made by Senator Baynard, the roll was called and the vote was:

Yeas—22.

Mr. President	Brackin	Fraser 31st	Moon
Ausley	Branch	Johnson	Sanchez
Barringer	Carroll	King 7th	Sturgis
Baynard	Coleman 13th	King 27th	Wilson
Black	Coleman 28th	Lewis	
Boyle	Davis	Mathews	

Nays—13.

Beacham	Gray	McArthur	Thomas
Bryant	Griner	Perdue	
Clarke	Johns	Shands	
Fraser 29th	Lindler	Sheldon	

So the motion failed of adoption by the required two-thirds vote, and Senate Bill No. 82, as amended, was referred to the Committee on Engrossed Bills.

Senator Sturgis moved that the rules be waived and the hour of adjournment be extended thirty (30) minutes.

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

S. B. No. 222—A bill to be entitled An Act granting to honorably discharged war veterans preference in Civil Service, merit system and other competitive examinations for public employment, by providing an additional fifteen points to earned ratings and placement on list of and among the eligibles having the same rating.

Was taken up in its order.

Senator Coleman (13th Dist.) moved that the rules be waived and Senate Bill No. 222 be read the second by title only.

Which was agreed to by a two-thirds vote.

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

Senator Coleman (13th Dist.) moved that the rules be further waived and Senate Bill No. 222 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 222 was read the third time in full.

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

Yeas—29.

Mr. President	Bryant	King 7th	Shands
Ausley	Carroll	King 27th	Sheldon
Barringer	Clarke	Lindler	Sturgis
Baynard	Coleman 13th	Mathews	Thomas
Beacham	Davis	McArthur	Wilson
Boyle	Fraser 29th	Moon	
Brackin	Gray	Perdue	
Branch	Johns	Sanchez	

Nays—None.

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

S. B. No. 106—A bill to be entitled An Act amending Section 323.09, Florida Statutes 1941, relating to auto transportation companies; providing procedures for the Railroad Commission to cite said companies for violations of the provisions of the said laws; authorizing the Railroad Commission to hold hearings on such citations; and prescribing penalties to be imposed for such violations, with power in the Commission to revoke or suspend certificates or permits held by said companies because of such violations.

Was taken up in its order.

Senator Mathews moved that the rules be waived and Senate Bill No. 106 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 106 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 106 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. 106 was read the third time in full.

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

Yeas—32.

Ausley	Carroll	Griner	McArthur
Barringer	Clarke	Johns	Moon
Baynard	Coleman 13th	Johnson	Perdue
Beacham	Coleman 28th	King 7th	Shands
Black	Davis	King 27th	Sheldon
Brackin	Fraser 29th	Lewis	Sturgis
Branch	Fraser 31st	Lindler	Thomas
Bryant	Gray	Mathews	Wilson

Nays—2.

Mr. President
Sanchez

So Senate Bill No. 106 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 62—A bill to be entitled An Act to amend Section 323.22, Florida Statutes, 1941, relating to distinguishing number plates for motor vehicles transporting persons or property for compensation over the public highways and certificated by or registered with the Florida Railroad Commission, so as to require such number plates, or stickers, to be displayed at all times on such motor vehicles.

Was taken up in its order.

Senator King (7th Dist.) moved that the rules be waived and Senate Bill No. 62 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 62 was read the second time by title only.

Senator King (7th Dist.) moved that the rules be further waived and Senate Bill No. 62 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. 62 was read the third time in full.

Upon the passage of Senate Bill No. 62 the roll was called and the vote was:

Yeas—34.

Mr. President	Carroll	Johns	Perdue
Ausley	Clarke	Johnson	Sanchez
Barringer	Coleman 13th	King 7th	Shands
Baynard	Coleman 28th	King 27th	Sheldon
Beacham	Davis	Lewis	Sturgis
Black	Fraser 29th	Lindler	Thomas
Brackin	Fraser 31st	Mathews	Wilson
Branch	Gray	McArthur	
Bryant	Griner	Moon	

Nays—None.

So Senate Bill No. 62 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Carroll moved that House Bill No. 57 be recommitted to the Committee on Insurance.

Which was agreed to and it was so ordered.

Senator Brackin moved that Senate Bill No. 231 be recalled from the House of Representatives.

Which was agreed to and it was so ordered.

The report of the Committee appointed by authority of Senate Resolutions Numbers 2 and 8, adopted at the 1943 session of the Legislature, was received and read.

Senator Beacham moved the adoption of the foregoing report of the Committee.

Which was agreed to and the report of the Committee was adopted.

By permission the following Senate Resolution was introduced:

By Senator Barringer—

Senate Resolution No. 15:

WHEREAS, the Senate has learned with regret of the death of the Honorable Wallace Tervin, late Senator from the Thirty-sixth (36th) Senatorial District, therefore

BE IT RESOLVED, that as a mark of respect to his memory that the President appoint a committee of three (3) to submit suitable Resolution commemorating the character and public services of said deceased Senator.

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. 15 was adopted.

Pursuant to Senate Resolution No. 15, the President appointed Senators Barringer, Wilson and Thomas, as the committee.

Senator Coleman (13th Dist.) moved that the Senate do now proceed to the consideration of Executive Communications.

Which was agreed to.

And the Senate went into Executive Session at 1:31 o'clock P. M.

The Senate emerged from Executive Session at 1:35 o'clock P. M., and resumed its Session.

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

Mr. President	Bryant	Griner	Moon
Ausley	Carroll	Johns	Perdue
Barringer	Clarke	Johnson	Riddle
Baynard	Coleman 13th	King 7th	Sanchez
Beacham	Coleman 28th	King 27th	Shands
Black	Davis	Lewis	Sheldon
Boyle	Fraser 29th	Lindler	Sturgis
Brackin	Fraser 31st	Mathews	Thomas
Branch	Gray	McArthur	Wilson

—36.

A quorum present.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:36 o'clock P. M., until 11:00 o'clock A. M., Thursday, April 26, 1945.

EXECUTIVE SESSION ANNOUNCEMENT

The Senate in Executive Session on April 25, 1945, advised and consented to the following appointment made by the Governor:

Jeff Gautier, Harbor Master, in and for the Port of Miami, Dade County, Florida, for the term expiring February 5, 1946.