

# JOURNAL OF THE SENATE

Thursday, April 19, 1945

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Wednesday, April 18, 1945.

The President in the Chair.

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

Mr. President	Carroll	Johns	Perdue
Ausley	Clarke	Johnson	Riddle
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	Wilson
Brackin	Gray	McArthur	
Branch	Griner	Moore	

—34.

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 Wednesday, April 18, 1945, was corrected and as corrected was approved.

## REPORTS OF COMMITTEES

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

Senate Resolution No. 8:

BE IT RESOLVED BY THE SENATE:

That the pay of all attaches of the Senate, except pages, be and the same is hereby fixed at \$8.50 per day, from this date.

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. 8, contained in the above report, was laid on the table.

Your Committee on Agriculture and Livestock, to whom was referred:

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.

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

Very respectfully,  
A. L. WILSON,  
Chairman of Committee.

And Senate Bill No. 8, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Agriculture and Livestock, to whom was referred:

H. B. No. 95—A bill to be entitled An Act to provide for the distribution of anti-hog cholera serum and hog cholera virus to bona fide farmers by the State Live Stock Sanitary Board.

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

Very respectfully,  
A. L. WILSON,  
Chairman of Committee.

And House Bill No. 95, 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. 43—A bill to be entitled An Act relating to State Standards of Weights and Measures and the use and regulation of such weights and measures and weighing and measuring devices and providing for the administration and en-

forcement of the provisions of this act and providing penalties for its violation.

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. 43, 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. 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.

With amendments attached.

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. 186, contained in the above report, together with Committee amendments thereto, was placed on the Calendar of Bills on Second Reading.

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

S. B. No. 153—A bill to be entitled An Act relating to time for persons proceeded against by constructive service to appear and providing for decrees pro confesso and default judgments and amending Chapter 21791, Laws of Florida, Acts of 1943, and Sections 63.06 and 63.32, Florida Statutes, 1941.

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. 153, 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. 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."

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. 154, 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. 188—A bill to be entitled An Act to amend Section 36.04 of Chapter 36 of Florida Statutes, 1941, and being as follows: "Clerk.—Every county judge shall have power to appoint a clerk of his court, and the said clerk shall be paid by the said judge and may exercise all non-judicial functions which the judge may perform, and in every county where there are more than one hundred thousand inhabitants the county judge of such county shall have the power to appoint two clerks of his court, and the said clerks shall be paid by the said judge and each may exercise all non-judicial functions which the judge may perform", by providing that every county judge shall have power to appoint a clerk of his court, and in every county where there are more than one hundred thousand population according to the last or any future official state or federal census, for the appointment of more than one and not more than four (4) clerks of his court, and

providing how said clerk or clerks shall be paid and what functions they shall exercise, and their term of appointment.

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. 188, 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. 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".

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. 155, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Miscellaneous Legislation, to whom was referred:

H. B. No. 9—A bill to be entitled An Act to amend Section 551.12 of the Florida Statutes of 1941, with respect to frontons, the powers, duties and liabilities of the State Racing Commission and of the operators of frontons, the location thereof and the issuance and granting of permits and licenses for the operation thereof, and the number of operation days.

Have had the same under consideration and recommend that the same pass, with the following amendments:

Amendment No. 1:

In 8th line from bottom of first page, after the words, "Calendar Day", strike out words "provided, however, that no operation day shall overlap or include any part of another operation day, and in connection with an operation day which shall start on a Saturday and during which the exhibition shall extend after midnight into Sunday no wagering shall be conducted, allowed or permitted after midnight on such Saturday." And insert in lieu thereof, the following: "Provided, however, that no game shall be started later than 12 midnight and before noon on any operation day."

Very respectfully,  
EDWIN G. FRASER,  
Chairman of Committee.

And House Bill No. 9, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on Second Reading.

Your Committee on Insurance, to whom was referred:

S. B. No. 47—A bill to be entitled An Act to regulate the making and applying of rates for fire and all other kinds of insurance which Fire Insurance Companies are authorized to write in this state, to provide for the licensing of rating organizations, to provide for the supervision of such rating organizations by the Insurance Commissioner, to prohibit discrimination between risks of the same class and hazard, to provide for the filing of rates with the Insurance Commissioner, the approval or the disapproval by the Insurance Commissioner of all rating systems, to make provision for a hearing thereon at the instance of any interested person with the right of appeal to the Circuit Court of Leon County, Florida, to make the willful violation of the provisions of this Act a misdemeanor as provided therein and for all other purposes.

Which amendments are as follows:

No. 1. Amendment to the title: Line 4 after the comma, insert the following "inland marine insurance" comma.

No. 2. In section 2, line 6, insert the following immediately ahead of words "marine insurance" (1) Reinsurance (2) aviation risks nor to (3).

No. 3. In section 13, line 8, between the word "created" and the word "and" insert the following: "and licensed by the Commissioner under the provisions of Section 4 of this Act".

No. 4. In section 24, add the following: "In the event of such appeal, the rules of the Supreme Court of Florida relative to appeals and the record in civil causes shall be followed as closely as possible. The record to be filed in such appeal shall be certified by the Commissioner or his deputy."

Very respectfully,  
N. RAY CARROLL, Chairman,  
Chairman of Committee.

And Senate Bill No. 47, contained in the above report, together with Committee amendments thereto, was placed on the Calendar of Bills on Second Reading.

Your Committee on Insurance, to whom was referred:

H. B. No. 57—A bill to be entitled An Act amending Section 284.07, Florida Statutes 1941, relating to the State Fire Insurance Fund and particularly with respect to the employment by the State Treasurer of certain persons, and providing for salaries of such persons, and other expenses, in connection with the administration of such fund.

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

Very respectfully,  
N. RAY CARROLL,  
Chairman of Committee.

And House Bill No. 57, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Insurance, to whom was referred:

S. B. No. 48—A bill to be entitled An Act to regulate the making, filing and use of rates for certain casualty insurance and for Fidelity, Guaranty and Surety Bonds; to regulate rating organizations; to provide fees and to provide penalties for the violation of this Act; and to repeal all laws or parts of laws in conflict with this Act.

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

Very respectfully,  
N. RAY CARROLL,  
Chairman of Committee.

And Senate Bill No. 48, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Insurance, to whom was referred:

S. B. No. 114—A bill to be entitled An Act to amend Section 205.45 Florida Statutes 1941, relating to insurance agents and solicitors and licenses taxes to be paid by such persons, as amended by Sections 2 and 4 of Chapter 20263, Laws of Florida, Acts of 1941.

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

Very respectfully,  
N. RAY CARROLL,  
Chairman of Committee.

And Senate Bill No. 114, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Insurance, to whom was referred:

S. B. No. 164—A bill to be entitled An Act to amend Section 635.17, Florida Statutes, 1941, being Section 1 of Chapter 20856, Acts of 1941, relating to life insurance companies, mutual aid associations or fraternal benefit societies, companies or associations.

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

Very respectfully,  
N. RAY CARROLL,  
Chairman of Committee.

And Senate Bill No. 164, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Insurance, to whom was referred:

S. B. No. 165—A bill to be entitled An Act to amend Section 626.06, Florida Statutes 1941, relating to statements to be published by the Insurance Commissioner during month of March.

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

Very respectfully,  
N. RAY CARROLL,  
Chairman of Committee.

And Senate Bill No. 165, contained in the above report was placed on the Calendar of Bills on Second Reading.

Your Committee on Insurance, to whom was referred:

S. B. No. 166—A bill to be entitled An Act to prohibit the further organization of assessment life associations in the State of Florida.

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

Very respectfully,  
N. RAY CARROLL,  
Chairman of Committee.

And Senate Bill No. 166, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Insurance, to whom was referred:

S. B. No. 189—A bill to be entitled An Act amending Sections 182.03, 182.04, 182.10, 182.15, and 182.21, Florida Statutes, 1941, relating to the Board of Commissioners of the Police Officers' Insurance and Annuity Fund and to the Police Officers' Insurance and Annuities.

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

Very respectfully,  
N. RAY CARROLL,  
Chairman of Committee.

And Senate Bill No. 189, 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 second reading.

S. B. No. 99—A bill to be entitled An Act to authorize the State Board of Health to destroy card indices of births and deaths registered, as required by Section 382.32, Florida Statutes, 1941, relating to the duties of the State Registrar of Vital Statistics, after the information thereon has been transferred to permanent bound index volumes.

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

Very respectfully,  
K. GRINER,  
Chairman of Committee.

And Senate Bill No. 99, contained in the above report, was placed on Calendar of Bills on Third Reading.

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

S. B. No. 54—A Bill to be entitled An Act providing for the abatement of actions and suits not prosecuted for one year; providing for their reinstatement; prescribing the result of failure to reinstate; and repealing Section 45.19, Florida Statutes 1941.

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

Very respectfully,  
K. GRINER,  
Chairman of Committee.

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

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

S. B. No. 89—An Act relating to the City of Quincy, a Municipal Corporation in the County of Gadsden, State of Florida, adding additional territory thereto and enlarging the territory thereof, subject to a referendum.

Also—

S. B. No. 105—An Act to provide for abolishment of the Municipal Government of the town of Greenacres City, in Palm Beach County, State of Florida, and constituting and creating the Board of County Commissioners of Palm Beach County, Florida, a Board of Trustees for the creditors of said town of Greenacres City; and fixing and defining the jurisdiction, powers, privileges and duties of said Board of Trustees. The cancellation of all outstanding taxes and tax certificates, if any, with special assessments, if any, and requirement of town officials to deliver records and property of town of Greenacres City in their custody, or control to said Board of Trustees.

Also—

S. B. No. 111—An Act authorizing and directing the Trustees of the Internal Improvement Fund to convey to the Florida Board of Forestry & Parks certain lands in Bay County, Florida, for State Forest, State Park and Recreational purposes.

Also—

S. B. No. 121—An Act to abolish the Board of Bond Trustees of the Ocean Shore Improvement District and the office of Secretary of said Board as created and defined by Chapter 10013, Laws of Florida, Special Acts of 1923, Chapter 10952, Laws of Florida, Special Acts of 1925, Chapter 12735, laws of Florida, Special Acts of 1927 and Chapter 14529 laws of Florida, General Acts of 1929 and all amendatory and supplemental Acts thereto; to provide that all debt service functions, duties and powers as provided in said Chapter 10013, laws of Florida, Special Acts of 1923, Chapter 10952, laws of Florida, special Acts of 1925, Chapter 12735, laws of Florida, special Acts of 1927 and Chapter 14529, laws of Florida, General Acts of 1929 and all amendatory and supplemental Acts thereto are to be thereby vested in the State Board of Administration created under Section 16 of Article IX of the Constitution of Florida and the Boards of County Commissioners of Volusia and Flagler Counties according to their respective debt service duties and functions; to repeal and remove the authorization for tax levy for maintenance, repair or construction and for payment of expenses in carrying on or transacting the business of said Ocean Shore Improvement District; to provide that all properties and assets and the books and records of said District now held by the present Board of Bond Trustees of said Ocean Shore Improvement District, together with a written report setting forth the financial affairs of said District shall be delivered to said State Board of Administration within thirty days after such Act becomes a law; that the purpose of such Act is to effect economy.

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 89, 105, 111 and 121, 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.

INTRODUCTION OF RESOLUTIONS AND CONSIDERATION OF SENATE RESOLUTIONS

By Senator Clarke—  
Senate Resolution No. 9:

WHEREAS, the Senate has learned with regret of the death of Honorable Theo T. Turnbull, late Senator from the Twenty-second (22nd) Senatorial District, and a past President of the Senate, 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. 9 was adopted.

Senator Beacham moved that a committee be appointed to escort Mr. James Donn to a seat on the rostrum of the Senate.

Which was agreed to.

And the President appointed Senator Beacham as the committee.

By Senator Clarke—  
Senate Resolution No. 10:

WHEREAS, the Senate has learned with regret of the death of Honorable Samuel J. Hilburn, late Senator from the Twenty-sixth (26th) 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. 10 was adopted.

By Senators Lewis and Mathews—

Senate Resolution No. 11:

BE IT RESOLVED BY THE SENATE:

That the pay of all attaches of the Senate, except pages, be and the same is hereby fixed at \$9.10 per day, from this date.

Which was read the first time in full and referred to the Committee on Control of Legislative Expenditures.

Senator Mathews moved that the rules be waived and the Senate take up and consider Senate Resolution No. 11 at this time.

Upon which a roll call was demanded.

Upon call of the roll on the adoption of the motion made by Senator Mathews the vote was:

Yeas—7.

Ausley	Gray	Mathews	Sheldon
Barringer	Lewis	Riddle	

Nays—26.

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

So the motion failed of adoption, and Senate Resolution No. 11 was referred to the Committee on Control of Legislative Expenditures.

By Senator Perdue—

Senate Concurrent Resolution No. 5:

WHEREAS, the Legislature of the State of Florida by Chapter 12261, Laws of Florida, Acts of 1927, established one scholarship for men at the University of Florida and one scholarship for women at Florida State College for Women for each senatorial district in the State; and

WHEREAS, these scholarships have not been provided during recent years because funds were not available to carry out the purposes of this Act; and

WHEREAS, there is urgent need for an increased number of capable students to prepare to teach or to serve their State in some other capacity;

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

That the 1945 Legislature affirm its intention that these scholarships shall become fully operative and that this provision of the law shall be made effective beginning on July 1, 1945.

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

By unanimous consent the following memorial was introduced:

By Senator Clarke—

Senate Memorial No. 2:

WHEREAS, the Federal Government in honorably discharging members of the United States Merchant Marine makes no provision for discharge benefits for such members as it does for personnel in the Army and Navy branches of the Service,

WHEREAS, men serving as Merchant Seamen left their homes, families and occupations and suffer the same deprivations and dislocations as members of the Armed Forces and upon their discharge from the Merchant Marine should have accorded to them similar discharge benefits and considera-

tions as dischargees of the Armed Services, and thereby placed on a basis of equality with dischargees from the Armed Services,

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

Section 1. That the Legislature of the State of Florida does hereby memorialize and petition the Congress of the United States to accord to all men granted honorable discharges from the Merchant Marine, the same benefits and treatment which the Congress has provided for men discharged from the Armed Services.

Section 2. That copies of this Resolution be forthwith transmitted to Florida's Senators and Representatives in the National Congress.

Which was read the first time in full.

Senator Clarke moved the rules be waived and Senate Memorial No. 2 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Memorial No. 2 was read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to.

And Senate Memorial No. 2 was adopted, and the action of the Senate was ordered certified to the House of Representatives.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Sheldon—

S. B. No. 200—A bill to be entitled An Act to amend Chapter 20890, Laws of Florida 1941, same being: "An Act providing for payments to the general revenue fund from certain State funds; providing periods of payment, accounting for such payments and disbursements therefrom; providing in reference to federal and other funds not subject to the provisions of this Act; authorizing the Comptroller and the State Treasurer to make rules and regulations, subject to the approval of the Budget Commission, for the administration of this Act."

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

By Senator Wilson—By request—

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.

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

By the Committee on Privileges and Elections—

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.

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

By the Committee on Privileges and Elections—

S. B. No. 203—A bill to be entitled An Act to amend Section 9916, 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.

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

By the Committee on Privileges and Elections—

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 can-

didates 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.

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

By the Committee on Privileges and Elections—

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.

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

By the Committee on Privileges and Elections—

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.

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

By the Committee on Privileges and Elections—

S. B. No. 207—A bill to be entitled An Act to provide that Congressional Committees of recognized political parties shall no longer be chosen in the primaries and that any party assessment against Congressional candidates for nomination in the primaries shall be paid to the State Executive Committee of the political party to which the candidate belongs; and to provide that the State Executive Committee of political parties shall make use of the funds thus received in the Congressional District of the candidate from whom such fee is received.

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

By the Committee on Privileges and Elections—

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.

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

By Senator Sturgis—

S. B. No. 209—A bill to be entitled An Act to amend Sections 443.07, 443.08 and 443.11 of Chapter 443, Florida Statutes 1941, as amended by Chapters 21981 and 21982, Laws of Florida, Acts of 1943, and known as "The Florida Unemployment Compensation Law," relating to procedure concerning claims, contributions, and administrative organization, by providing for the making of redetermination upon claims for benefits; by providing for the finality of determinations and decisions on claims after the giving of notice thereof; by designating the commission as the final administrative appeal body on claims; by allowing an employer credit for wages paid to one individual in any State; by allowing employers subject to the expanded pay roll provision 12 months of experience; by changing the administrative organization and providing for the appointment of an executive director and legal adviser to the Commission; by abolishing the Board of Review; by authorizing the destruction of obsolete records; by authorizing the acquisition and acceptance of additional monies to be deposited in the unemployment compensation fund; by repealing all laws in conflict herewith and making this Act effective upon its becoming a law.

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

By the Committee on Citrus Fruits—

S. B. No. 210—A bill to be entitled An Act to amend Section 599.14, Florida Statutes 1941, by providing that no common carrier or other carrier or person shall accept for shipment or ship or transport any citrus fruit unless the grade certificate covering said fruit bears evidence of the payment, as provided by law, of the excise taxes mentioned in Section 599.08.

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

By Senator Ausley—

S. B. No. 211—A bill to be entitled An Act to amend Section 19, of Chapter 20956, Laws of Florida, Acts of 1941, being Section 205.63, Florida Statutes 1941, relating to the licensing of machines, contrivances and devices set in motion or made or permitted to function by the insertion of a coin or slug; and to amend Section 20, of Chapter 20956, Laws of Florida, Acts of 1941, being Section 205.21, Florida Statutes, 1941, relating to licenses on games, amusement or recreational devices, contrivances or facilities not otherwise licensed by other law.

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

By Senator Ausley—

S. B. No. 212—A bill to be entitled An Act to amend Section 849.16, Florida Statutes 1941, relating to and defining slot machines or devices.

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

By Senator Ausley—

S. B. No. 213—A bill to be entitled An Act abolishing Justice of the Peace Districts in Leon County, Florida, and providing that this Act shall not become effective unless approved by a majority of the qualified electors of said county at the next ensuing general election.

Which was read the first time by title only;

Senator Ausley moved that the rules be waived and Senate Bill No. 213 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 213 was read the second time by title only.

Senator Ausley moved that the rules be further waived and Senate Bill No. 213 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. 213 was read the third time in full.

Upon the passage of Senate Bill No. 213 the roll was called and the vote was:

Yeas—34.

Mr. President	Carroll	Johns	Perdue
Ausley	Clarke	Johnson	Riddle
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	Wilson
Brackin	Gray	McArthur	
Branch	Griner	Moon	

Nays—None.

So Senate Bill No. 213 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—

S. B. No. 214—A bill to be entitled An Act to authorize, suits hereafter instituted by any drainage district organized and existing under and by virtue of Chapter 6458 of the Acts of 1913, Laws of Florida, and other Acts amendatory thereof and supplemental thereto, for the foreclosure of any liens in favor of such district for delinquent drainage taxes upon any sale of the premises therein decreed to be sold, the immediate confirmation of such sale by the court and the issuance to the purchaser, upon compliance with the terms of his bid, of a deed of conveyance for the premises so sold by the master appointed to make such sale.

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

By Senator Sheldon—

S. B. No. 215—A bill to be entitled An Act prescribing, any action by any drainage district created or organized under Chapter 6458, Laws of Florida, or Acts amendatory thereof and supplemental thereto, for the foreclosure of liens in favor of such district, the maximum amount required to be bid on behalf of such district by the Board of Supervisors at a sale therein decreed, for the lands so ordered sold.

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

By Senator Sheldon—

S. B. No. 216—A bill to be entitled An Act authorizing and requiring the City of Tampa to pay a pension to B. J. Finman.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 216 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Sheldon moved that the rules be waived and Senate Bill No. 216 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 216 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 216 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. 216 was read the third time in full.

Upon the passage of Senate Bill No. 216 the roll was called and the vote was:

Yeas—34.

Mr. President	Carroll	Johns	Perdue
Ausley	Clarke	Johnson	Riddle
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	Wilson
Brackin	Gray	McArthur	
Branch	Griner	Moon	

Nays—None.

So Senate Bill No. 216 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baynard—

S. B. No. 217—A bill to be entitled An Act authorizing Pinellas County, Florida, by and through its Board of County Commissioners, at its option, and entirely within the discretion of such Board to adopt a pension plan for such person or persons who have been employed by Pinellas County or any governmental branch thereof, for a long term of years; providing for the procedure and the making of rules and regulations pertaining to the eligibility of such person or persons to receive such benefits and providing a fund for the payment thereof.

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

Proof of publication of Notice was attached to Senate Bill No. 217 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.

By Senator Baynard—

S. B. No. 218—A bill to be entitled An Act authorizing the taking of a Census of the inhabitants within Pinellas County, Florida; providing for the procedure therefor; and providing the method of which the results thereof shall be proclaimed and made a part of the State Census of the State of Florida; and providing for the remuneration to be paid for persons taking such census; and prescribing certain rights, powers and duties of the Board of County Commissioners and the State Commissioner of Agriculture in relation thereto.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 218 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 Baynard moved that the rules be waived and Senate Bill No. 218 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 218 was read the second time by title only.

Senator Baynard moved that the rules be further waived and Senate Bill No. 218 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. 218 was read the third time in full.

Upon the passage of Senate Bill No. 218 the roll was called and the vote was:

Yeas—34.

Mr. President	Carroll	Johns	Perdue
Ausley	Clarke	Johnson	Riddle
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	Wilson
Brackin	Gray	McArthur	
Branch	Griner	Moon	

Nays—None.

So Senate Bill No. 218 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Perdue—

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.

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

By Senator Perdue—

S. B. No. 220—A bill to be entitled An Act relating to education: to provide assistance to county boards of public instruction in replacing school buildings which have been destroyed or damaged in districts in which the resources are insufficient to permit construction of necessary school facilities; to provide an appropriation therefor; and to provide for the apportionment and use thereof.

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

By Senator Sheldon—

S. B. No. 221—A bill to be entitled An Act to provide for the bulk sale and transportation of tree ripened grove run citrus fruit by trucks or other means of conveyance without inspection, inspection fee, or advertising tax to be transported, within or beyond the boundaries of the State of Florida by the producer or by the purchaser from the producer, at the grove: providing for the registration of producers with the Commissioner of Agriculture of the State of Florida and providing regulations for the sale and transportation of bulk grove run citrus fruit.

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

By Senator Coleman (13th Dist.)—

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.

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

By Senators Gray and Boyle—

S. B. No. 223—A bill to be entitled An Act creating a Veterans' Service Commission (to assist former, present and future members of the Armed Forces of the United States and their dependents in securing any benefit or privilege to which they are or may become entitled to under any Federal or State law or regulation); providing for their appointment, qualifications, powers and duties; authorizing counties and cities to participate in such service by employing county or city service officers; creating the Office of State Service Officer, and providing for his appointment; providing for the employment of assistants to said State Service Officer; prescribing their respective powers and duties, and making appropriations to carry out the provisions of this act.

Which was read the first time by title only and referred to the Committee on Military Affairs and Civilian Defense and the Committee on Appropriations, in the order named.

Senator Johnson moved that Senate Bill No. 157 be recommitted to the Committee on Public Roads and Highways.

Which was agreed to and it was so ordered.

Senator Moon moved that Senate Bills Nos. 144 and 146 be recommitted to the Committee on Public Health.

Which was agreed to and it was so ordered.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Fla., April 18, 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 Senator Black—

S. B. Bill No. 97—A bill to be entitled An Act designating and defining Arbor Day in the State of Florida.

Respectfully,  
LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 97, 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, Fla., April 18, 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 with amendment:

By Senator Mathews—

S. B. No. 59—A bill to be entitled An Act fixing the salaries of the Circuit Judges of the State of Florida.

Which amendment reads as follows:

Amendment No. 1:

Strike out everything after Section 1, and insert the following:

Section 2. Any member of the Legislature who may during the time for which he was elected Senator or Member of the House of Representatives, be appointed or elected to a civil office referred to in Section 5, Article III of the Constitution shall receive during the term for which he was elected or appointed to such civil office the salary or emoluments which under the provisions of law appertain to such office at the beginning of the time for which he was elected Senator or Member of the House of Representatives.

Section 3. If any section or any part of any section of this Act should be held to be invalid such invalidity shall not affect the remaining portions of said Act.

Section 4. All laws and parts of laws in conflict herewith are hereby repealed.

Section 5. This Act shall take effect July 1, 1945.

And respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE,  
Chief Clerk House of Representatives.

Senate Bill No. 59, contained in the above message, was read by title, together with House Amendment thereto.

Senator Mathews moved that the Senate do concur in the House Amendment to Senate Bill No. 59.

Which was agreed to.

And the Senate concurred in the House Amendment to Senate Bill No. 59.

And Senate Bill No. 59, 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, Fla., April 18, 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. Bedenbaugh of Columbia—

H. B. No. 114—A bill to be entitled An Act to declare, establish and designate a certain state road.

By Mr. Kelly of Collier—

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

And respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE,  
Chief Clerk House of Representatives.

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

Which was agreed to by a two-thirds vote.

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

Senator Lindler moved that the rules be further waived and House Bill No. 114 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 114 was read the third time in full.

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

Yeas—34.

Mr. President	Carroll	Johns	Perdue
Ausley	Clarke	Johnson	Riddle
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	Wilson
Brackin	Gray	McArthur	
Branch	Griner	Moon	

Nays—None.

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

And House Bill No. 44, contained in the above message, was read the first time by title only and referred to the Committee on Public Roads and Highways.

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

Tallahassee, Florida, April 18, 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. McMullen of Hillsborough—

H. B. No. 147—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of any county of the State of Florida having a population of not less than 100,000 nor more than 200,000 inhabitants according to the last preceding federal census, to offer and pay rewards for information leading to the apprehension and conviction of persons charged with the commission of a felony or felonies in such county.

By Mr. McMullen of Hillsborough—

H. B. No. 148—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of each and every County in the State of Florida having a population of not less than 100,000 nor more than 200,000 inhabitants according to the last preceding Federal Census, to condemn building and residences and other structures which are obsolete and which have become dangerous to the public, or as a fire hazard, to declare the same a nuisance, and to sell, tear down or destroy them; and providing for notice to the owner of said property of an investigation which shall be made by the Board of County Commissioners with reference thereto and the manner and form of said investigation, the method of carrying out the results and findings of said Board with regard thereto, and providing penalties and a method of appeal incident thereto.

And respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE,  
Chief Clerk House of Representatives.

And House Bill No. 147, contained in the above message, was read the first time by title only.

Senator Sheldon moved that the rules be waived and House Bill No. 147 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 147 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and House Bill No. 147 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. 147 was read the third time in full.

Upon the passage of House Bill No. 147 the roll was called and the vote was:

Yeas—34.

Mr. President	Carroll	Johns	Perdue
Ausley	Clarke	Johnson	Riddle
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	Wilson
Brackin	Gray	McArthur	
Branch	Griner	Moon	

Nays—None.

So House Bill No. 147 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 148, contained in the above message, was read the first time by title only.

Senator Sheldon moved that the rules be waived and House Bill No. 148 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 148 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and House Bill No. 148 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. 148 was read the third time in full.

Upon the passage of House Bill No. 148 the roll was called and the vote was:

Yeas—34.

Mr. President	Carroll	Johns	Perdue
Ausley	Clarke	Johnson	Riddle
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	Wilson
Brackin	Gray	McArthur	
Branch	Griner	Moon	

Nays—None.

So House Bill No. 148 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, April 18, 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 Messrs. Midyette and Carraway of Leon—

H. B. No. 22—A bill to be entitled An Act to amend Section 585.11, Florida Statutes 1941, relating to the control, prevention, suppression and expiration of contagious, infectious and communicable diseases affecting domestic animals and poultry; authorizing and directing the State Live Stock Sanitary Board to cooperate with the agencies and authorities of the United States in connection therewith.

By Mr. Burwell of Broward—

H. B. No. 51—A bill to be entitled An Act authorizing and requiring the State Road Department of the State of Florida to pave and maintain the necessary roads or driveways adjacent to or running through all State Institutions and other property owned or operated by any State Department, Commission, or Agency when and as recommended or required by the duly constituted authority having control over such State Institutions or property.

By Messrs. Harris of Pinellas, Midyette of Leon and Nilsson of Volusia—

H. B. No. 58—A bill to be entitled An Act to Amend Section 632.07, Florida Statutes 1941, Relating to Conditions Precedent to License Being Granted Domestic Mutual Fire Insurance Associations.

And respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE,  
Chief Clerk House of Representatives.

And House Bill No. 22, contained in the above message, was read the first time by title only and referred to the Committee on Agriculture and Livestock.

And House Bill No. 51, contained in the above message, was read the first time by title only and referred to the Committee on Public Roads and Highways.

And House Bill No. 58, contained in the above message, was read the first time by title only and referred to the Committee on Insurance.

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

Tallahassee, Florida, April 18, 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 Messrs. Henry of Okeechobee and Peoples of Glades—

H. B. No. 187—A bill to be entitled An Act amending Section 374.20, Florida Statutes, 1941, relating to fishing in Lake Okeechobee, by providing a closed season annually, further regulating fishing in said lake and providing penalties for violation hereof.

By the Committee on Public Roads and Highways—

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.

By the Committee on Judiciary "A"—

H. B. No. 164—A bill to be entitled An Act relating to attorney's fees, suit money and costs in divorce, alimony and support proceedings, and providing that the court allowing such fees, suit money and costs may direct that they be paid to the attorneys or other persons for whose ultimate benefit such allowances are made.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE, Chief Clerk House of Representatives.

And House Bill No. 187, contained in the above message, was read the first time by title only and referred to the Committee on Labor and Industry.

And House Bill No. 175, contained in the above message, was read the first time by title only and referred to the Committee on Public Roads and Highways.

And House Bill No. 164, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "C".

SENATE BILLS ON THIRD READING

S. B. No. 45—A bill to be entitled An Act to prevent the occurrence of congenital syphilis: requiring a serological test for discovery of syphilis in pregnant women; designating standard serological tests and approved laboratories: provided for statement regarding tests to be made on birth or stillbirth certificates; providing manner in which laboratory reports are to be made; providing tests shall be made free of charge; authorizing use of reports for protection of the public health; and providing an annual appropriation to carry out purposes of this Act.

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

By unanimous consent Senator Brackin offered the following amendment to Senate Bill No. 45:

In title of the Bill, line 9, (twpewritten bill) strike out the semicolon, and the following words: and providing an annual appropriation to carry out purposes of the act, and insert in lieu thereof the following: period.

Senator Brackin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator Brackin also offered the following amendment to Senate Bill No. 45:

Strike out Section 7, and insert in lieu thereof the following: "Section 8 be changed to read Section 7".

Senator Brackin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Upon the passage of Senate Bill No. 45, as amended, the roll was called and the vote was:

Yeas—30.

Table with 4 columns: Mr. President, Carroll, Johnson, Riddle. Lists names of senators voting yeas.

Nays—4.

Table with 4 columns: Black, Clarke, Davis, Lindler. Lists names of senators voting nays.

So Senate Bill No. 45 passed, as amended, and was referred to the Committee on Engrossed Bills.

S. B. No. 44—A bill to be entitled An Act relating to Marriage Licenses: requiring certificates of Physician as precedent to issuance of marriage licenses: Requiring premarital serological test for discovery of syphilis: Providing manner in which physician's certificate and laboratory report are to be made; defining standard serological tests and approved laboratory: providing exemption from physician's certificate because of pregnancy: providing free blood test and limiting

fees of physicians for making examination and issuing certificate; providing for method of filing physician's certificates, laboratory reports and court proceedings; authorizing use of laboratory report information by the State Board of Health for the protection of the public health; requiring that information on physicians' certificates, laboratory reports and court proceedings be kept confidential; invalidating marriages contracted in attempted evasion of this act: Providing an annual appropriation to carry out the purposes of this act: And providing for the effective date of this Act.

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

By unanimous consent Senator Brackin offered the following amendment to Senate Bill No. 44:

In the title of the bill strike out in lines 18 and 19, the following words: "providing an annual appropriation to carry out the purposes of this act".

Senator Brackin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator Brackin also offered the following amendment to Senate Bill No. 44:

Strike out all of Section 13.

Senator Brackin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator Brackin also offered the following amendment to Senate Bill No. 44:

Renumber Section 14 as Section 13, Section 15 as Section 14, Section 16 as Section 15.

Senator Brackin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Upon the passage of Senate Bill No. 44, as amended, the roll was called and the vote was:

Yeas—17.

Table with 4 columns: Mr. President, Brackin, Johnson, Sanchez. Lists names of senators voting yeas.

Nays—14.

Table with 4 columns: Beacham, Coleman 28th, King 7th, Sturgis. Lists names of senators voting nays.

So Senate Bill No. 44 passed, as amended, and was referred to the Committee on Engrossed Bills.

S. B. No. 36—A bill to be entitled An Act amending Section 1 of Chapter 20675, Laws of Florida, Acts 1941 Legislature, being Section 409.16 Florida Statutes 1941, entitled: "An Act to amend Section 17, Chapter 18285, Laws of Florida, 1937, as amended, same being entitled: "An Act creating a State Welfare Board and District Welfare Boards and providing for their appointment, qualifications, powers and duties: providing that said State Board shall be the agent for the United States, State, County and Municipal government in the administration of funds for the relief of unfortunates; and authorizing the said Board to act as agent for the United States, State, County and Municipal governments in the administration of any funds for investigation, social welfare work, or any other work incident to the public welfare of the United States, State, County and Municipal Governments; authorizing the State Welfare Board to formulate rules and regulations necessary to carry out the intent and purposes of this Act; providing for the supervision of State and Local institutions for destitute or dependent children and providing for the disposition, care, protection, support and maintenance of dependent children; authorizing the State Welfare Board to establish minimum standard of care for all local public and private institutions or agencies, creating the office of State Welfare Commissioner and providing for his appointment, providing that this Act shall not affect the enforcement of Chapter 9274, Acts of 1923, of Chapters 11834 and 13384, Acts of 1927, of Chapter 13620, Acts

of 1929, and Acts amendatory thereof; repealing all other laws or parts of laws in conflict herewith; and making appropriations to carry out the purposes of said Act; and fixing the qualifications of persons entitled to monetary benefits or assistance under this Act. "By raising the maximum monthly old age assistance benefits payable under said Act from forty (\$40.00) dollars, to fifty (\$50.00) dollars per month; repealing all laws in conflict therewith; and providing for an effective date." By providing that for the duration of the present war, persons eligible to receive monthly old age assistance may engage in certain agricultural pursuits without prejudice to enjoyment of the benefits of such assistance and providing minimum property allowances and limiting administrative costs.

(Was taken up in its order and read the third time in full.)

Senator Johns moved that the rules be waived and Senate Bill No. 36 be placed back on the Calendar of Bills on Second Reading for the purpose of amendment.

Upon which a roll call was demanded.

Upon call of the roll on the motion by Senator Johns the vote was:

**Yeas—20.**

Mr. President	Fraser 29th	Johnson	Moon
Ausley	Fraser 31st	King 7th	Riddle
Black	Gray	King 27th	Sanchez
Branch	Griner	Lewis	Sheldon
Davis	Johns	Mathews	Sturgis

**Nays—11.**

Barringer	Carroll	Coleman 28th	Shands
Baynard	Clarke	McArthur	Wilson
Brackin	Coleman 13th	Perdue	

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

The question recurred upon the passage of Senate Bill No. 36.

Upon the passage of Senate Bill No. 36 the roll was called and the vote was:

**Yeas—29.**

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

**Nays—1.**

Johns

So Senate Bill No. 36 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

**EXPLANATION OF VOTE**

The following explanation of vote on Senate Bill No. 36 was filed with the Secretary.

I voted 'no' on Senate Bill No. 36 because in my judgment it is a crying shame to continue to fool the old people as each session of the Legislature does.

CHARLEY E. JOHNS.

Pursuant to the motion made by Senator Davis on April 18, 1945, the President referred Senate Bill No. 25 to the Committee on Appropriations.

Senator Shands moved that Senate Bills Nos. 194 and 195 be referred to the Committee on Cities and Towns and the Committee on Judiciary "B", in the order named.

Which was agreed to and it was so ordered.

**SENATE BILLS ON SECOND READING**

S. B. No. 175—A bill to be entitled An Act to amend Section 45.02, Florida Statutes, 1941, providing for commencement of suits and actions as party plaintiffs by infants, idiots and lunatics; providing for approval of settlement on behalf of infants; authorizing collection of settlements and judgments by parents and guardians; providing for court authorization of releases and satisfactions.

Was taken up in its order.

Senator Ausley moved that the rules be waived and Senate Bill No. 175 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 175 was read the second time by title only.

Senator Ausley moved that the rules be further waived and Senate Bill No. 175 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. 175 was read the third time in full.

Upon the passage of Senate Bill No. 175, the roll was called and the vote was:

**Yeas—33.**

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

**Nays—None.**

So Senate Bill No. 175 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 176—A bill to be entitled An Act empowering any Circuit Judge of this State to punish as and for contempt against his Court any person or persons residing in or being found in a county wherein said Judge shall have jurisdiction, for failure to obey any order or decree for alimony, suit money, counsel fees or support rendered by any Judge of any Circuit Court of this State; providing that such proceedings shall be summary in their nature; that should any such contempt proceedings affect the custody or control of any child or children residing in or being found in the jurisdiction of the Judge rendering said contempt order, it shall be lawful for said Judge to determine and adjudge the custody and control of such child or children; and that all papers and proceedings in such contempt cases shall be transmitted to the Clerk of the Circuit Court of said county where the said orders or decrees were rendered to become a part of the record of the cause in said Court wherein said orders or decrees were rendered.

Was taken up in its order.

Senator Beacham moved that the rules be waived and Senate Bill No. 176 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 176 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 176 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. 176 was read the third time in full.

Upon the passage of Senate Bill No. 176 the roll was called and the vote was:

**Yeas—33.**

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

**Nays—None.**

So Senate Bill No. 176 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 177—A bill to be entitled An Act relating to robbery; defining robbery by a person armed with a dangerous weapon with the intent if resisted to kill the person robbed,

and prescribing a penalty therefor; and defining robbery by a person whether armed with a dangerous weapon or not, not having the intent if resisted to kill the person robbed, and prescribing a penalty therefor.

Was taken up in its order.

Senator Boyle moved that the rules be waived and Senate Bill No. 177 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 177 was read the second time by title only.

Senator Boyle moved thae the rules be further waived and Senate Bill No. 177 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. 177 was read the third time in full.

Upon the passage of Senate Bill No. 177 the roll was called and the vote was:

Yeas—31.

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

Nays—None.

So Senate Bill No. 177 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 192 was taken up in its order and the consideration thereof was informally passed.

Senator King (7th Dist.) raised the point of order that on April 18, 1945, after the vote had been announced on Senate Joint Resolution No. 55, the result of the vote, to-wit: 15 affirmative votes, 20 negative votes, should have been entered on the Senate Journal; that the Joint Resolution, together with the result of the action taken by the Senate thereon, should have been certified to the House of Representatives, regardless of the vote thereon, since a two-thirds vote of all members of both Houses is necessary to call a Constitutional Convention.

The President overruled the point of order on the ground that the Senate had rejected Senate Joint Resolution No. 55 by its vote of 15 affirmative votes, and 20 negative votes.

Whereupon Senator King (7th Dist.) moved that the action of the Senate on Senate Joint Resolution No. 55 be certified to the House of Representatives.

Senator Clarke raised the point of order that the motion made by Senator King (7th Dist.) was out of order since the subject matter of Senator King's (7th Dist.) motion had been overruled in the President's original decision.

The President sustained the point of order raised by Senator Clarke.

Senator Wilson moved that House Bill No. 51 be recalled from the Committee on Public Roads and Highways and placed on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

Senator King (27th Dist.) asked unanimous consent of the Senate to take up and consider House Bill No. 51, out of its order, at this time.

Which was agreed to.

H. B. No. 51—A bill to be entitled An Act authorizing and requiring the State Road Department of the State of Florida to pave and maintain the necessary roads or driveways adjacent to or running through all State Institutions and other property owned or operated by any State Department, Commission, or Agency when and as recommended or required by the duly constituted authority having control over such State Institutions or property.

Was taken up.

Senator King (27th Dist.) moved that the rules be waived and House Bill No. 51 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 51 was read the second time by title only.

Senator King (27th Dist.) moved that the rules be further waived and House Bill No. 51 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. 51 was read the third time in full.

Upon the passage of House Bill No. 51 the roll was called and the vote was:

Yeas—33.

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

Nays—None.

So House Bill No. 51 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Wilson withdrew Senate Bill No. 60.

Senator Beacham moved that House Bill No. 46 be recalled 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.

Senator Beacham asked unanimous consent of the Senate to take up and consider House Bill No. 46, out of its order, at this time.

Which was agreed to.

H. B. No. 46—A bill to be entitled An Act providing for the payment by Palm Beach County, Florida, of the salary of a Secretary for each Judge of the Circuit Court of the Fifteenth Judicial Circuit residing in Palm Beach County, Florida, and for the payment by said County of all the necessary and incidental expenses of the office of said Judge.

Was taken up.

Senator Beacham moved that the rules be waived and House Bill No. 46 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 46 was read the second time by title only.

Senator Beacham moved that the rules be further waived and House Bill No. 46 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. 46 was read the third time in full.

Upon the passage of House Bill No. 46 the roll was called and the vote was:

Yeas—34.

Mr. President	Carroll	Johns	Perdue
Ausley	Clarke	Johnson	Riddle
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	Wilson
Brackin	Gray	McArthur	
Branch	Griner	Moon	

Nays—None.

So House Bill No. 46 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

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

Which was not agreed to.

S. B. No. 70—A bill to be entitled An Act to declare, designate and establish a certain State Road in Fort Walton, Okaloosa County, Florida.

Was taken up in its order.

Senator Brackin moved that the rules be waived and Senate Bill No. 70 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 70 was read the second time by title only and placed on the Calendar of Bills on Third Reading.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:00 o'clock P. M., until 11:00 o'clock A. M., Friday, April 20, 1945.