

JOURNAL OF THE SENATE

Wednesday, May 23, 1945

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Tuesday, May 22, 1945.

The President in the Chair.

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

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

—35.

A quorum present.

Senators McKenzie and Mathews were excused from attendance upon the session.

The following prayer was offered by the Chaplain:

"Lord, give us glad laughter and contagious mirth, that, amidst the burdens of our days, we may renew ourselves with joy that warms and cheers and binds us all together and prepares us to take up our tasks again with brighter hearts and hopes and greater strength and zeal. Amen."

The reading of the Journal was dispensed with.

The Journal of April 9, 1945, was further corrected as follows:

On Page 3, column 2, between lines 1 and 2 insert the following: "persons, whether they are domiciled in Florida or not, and"

This being a correction to the title of Senate Bill No. 65.

And as further corrected was approved.

The Journal of May 16, 1945, was further corrected as follows:

On page 2, column 2, line 28, counting from bottom of column, strike out the word and figure "and 201.08".

And as further corrected was approved.

The Journal of Monday, May 21, 1945, was further corrected as follows:

On page 5, column 1, line 13, strike out the figures "452" and insert in lieu thereof the figures "542".

Also—

On page 10, column 2, at the end of line 23, counting from bottom of column, add the following:

"service as the Board of County Commissioners of such county."

Also—

On page 16, column 1, at the end of line 34, insert the following:

"ure to respond to a subpoena to be unlawful and to fix a penalty."

And as further corrected was approved.

The Journal of Tuesday, May 22, 1945, was corrected as follows:

Page 2, column 1, in line 6, between the words "do" and "pass" insert the word "not".

And as corrected was approved.

REPORTS OF COMMITTEE

Your Committee on Appropriations, 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.

And House Bill No. 192, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Appropriations, to whom was referred:

S. B. No. 25—A bill to be entitled An Act amending Section 110.01, Florida Statutes 1941, with reference to salaries of the Governor and certain other State Administrative Officials, and matters in connection therewith.

Engrossed bill having been re-referred to the Appropriations Committee pursuant to motion made by Senator Davis on April 18, the same is now re-submitted with the committee's favorable report.

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

And Senate Bill No. 25, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Drainage and Water Conservation, to whom was referred:

S. B. No. 190—A bill to be entitled An Act declaring the policy of the State of Florida in respect to the use and conservation of water resources; creating the Florida Department of Water Resources as an agency of the State, providing methods for the selection of its members, officers and employees, for the purchase of supplies and equipment and for the payment of salaries and expenses; defining the powers and duties of the Florida Department of Water Resources, its officers and agents, declaring that its rules and regulations shall have the force and effect of law and declaring any wilful violation thereof or of the provisions of this Act to be a misdemeanor; providing for appeal from the orders of the Florida Department of Water Resources to the Circuit Courts and from decisions of such courts in such matters to the Supreme Court of the State of Florida; granting to the Florida Department of Water Resources the power to review and amend plans for water control or supply projects or for changes in old projects; empowering the Florida Department of Water Resources to initiate water control projects, to control the drilling and use of wells and to control surface and sub-surface water levels, the use of water from sources and the cupping or plugging of unused wells; to cooperate with other governmental units or persons on surveys or projects and to gather and disseminate information; and making an appropriation to carry out the purposes of this Act.

Have had the same under consideration and recommend that the following Committee Substitute therefor do pass.

A bill to be entitled An Act declaring the policy of the State of Florida in respect to the use and conservation of water resources; creating the Florida Department of Water Resources as an agency of the State, providing methods for the selection of its members, officers and employees, for the purchase of supplies and equipment and for the payment of salaries and expenses; defining the powers and duties of the Florida Department of Water Resources, its officers and agents declaring any wilful violation of the provisions of this Act to be a misdemeanor; providing for appeal from the orders of the Florida Department of Water Resources to the Circuit Courts and from decisions of such Courts in such matters to the Supreme Court of the State of Florida; empowering the

Florida Department of Water Resources to initiate water control projects, to cooperate with other Governmental units or persons on surveys or projects and to gather and disseminate information; making an appropriation to carry out the purposes of this Act; authorizing creation of Water Conservation Districts, prescribing method of creation and providing for Boards of Commissioners of such Districts; defining the powers and the duties of Boards of Commissioners of Water Conservation Districts and authorizing the Trustees of the Internal Improvement Fund, Counties and other Districts to convey certain unimproved lands to such Districts; and authorizing Boards of County Commissioners to levy an annual Tax for the purpose of defraying the cost and expenses of installation, construction, purchase and operation of the lands and facilities of such respective water conservation districts.

And Senate Bill No. 190, together with the Committee Substitute therefor, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Education, to whom was referred:

S. B. No. 599—A bill to be entitled An Act to establish a department of real estate, insurance, finance, and community planning in the University of Florida; to define the powers and duties of the Board of Control in regard thereto and to appropriate certain surplus funds of the Florida Real Estate Commission and funds from other sources for the establishment and maintenance of such department.

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

And Senate Bill No. 599, 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. 396—A bill to be entitled An Act amending Section 323.05, Florida Statutes, 1941, relating to permit to operate motor vehicles "for hire"; defining "taxi cabs" and "suburban territory immediately adjacent to a municipality"; prescribing an annual tax to be paid by taxi cab operators in lieu of mileage tax; requiring annual renewal of "for hire" permits for taxi cabs; providing for the collection and distribution of said taxes; and repealing all laws in conflict herewith.

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

And House Bill No. 396, 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. 453—A bill to be entitled An Act cancelling all taxes and certain tax certificates and directing the Comptroller of the State of Florida, the Treasurer of the State of Florida, and the Board of Commissioners of the Okeechobee Flood Control District, the Board of Commissioners of the Everglades Drainage District, the Tax Collector and Finance Director of the City of Coral Gables, and the Clerk of the Circuit Court of Dade County, to cancel said certificates and taxes against certain lands in Dade County, Florida, used for school purposes, and to exempt said lands from all further taxes as long as the same are used for school purposes.

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

And House Bill No. 453, 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. 462—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of each county of the State of Florida to cancel and discharge any and all liens for taxes held or owned by the County or the State of Florida, upon lands conveyed to any agency, governmental subdivision or municipality of the State of Florida or the United States of America for road purposes, defense purposes, recreation, reforestation, or any other public purposes, and to exempt said lands from taxation during the period of such use.

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

And House Bill No. 462, 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. 800—A bill to be entitled An Act to amend Section 375.20, Florida Statutes 1941, relating to a severance tax on oysters and clams by providing that the proceeds realized from the severance tax on oysters and clams shall be paid into the State Conservation Fund; providing that said taxes shall constitute a trust fund to be expended for conservation and replanting and rehabilitating certain oyster and clam reefs and beds in the County where such tax is collected, and providing that said taxes shall be used in said County in the exact amounts paid by said County.

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

And House Bill No. 800, 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:

S. B. No. 321—A bill to be entitled An Act to amend Chapter 21742, Laws of Florida Acts of 1943, relating to property exempt from taxation, so as to authorize special assessment of property of education, literary, benevolent, fraternal, charitable and scientific institutions within this State by municipalities for sidewalks, curbing, street paving or other local improvements.

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

And Senate Bill No. 321, 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:

S. B. No. 362—A bill to be entitled An Act to amend Section 204.01, Laws of Florida 1941, relating to chain store taxes and the definitions thereunder by further defining "a retail sale" or "sale at retail" and the exclusions therefrom.

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

And Senate Bill No. 362, 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:

S. B. No. 488—A bill to be entitled An Act to amend Chapter 21985, Laws of Florida, Acts of 1943, also known as Section 192.52, 1943 Cumulative Supplement to Florida Statutes 1941, said Act being entitled: "An Act providing that the real and personal property of public utilities owned, operated or controlled by any municipality in the State of Florida, situate, lying and being in a county other than the county in which such municipality is located, shall not be subject to ad valorem or personal taxes in such county." So as to provide that such tax exemption shall not apply where the public utilities serves customers in any county.

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

And Senate Bill No. 488, 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:

S. B. No. 489—A bill to be entitled An Act amending Section 320.04, Laws of Florida, Acts of 1941, entitled: "License Plates; service charge."

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

And Senate Bill No. 489, 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:

S. B. No. 517—A bill to be entitled An Act amending Section 199.17, Florida Statutes 1941, relating to the powers and

duties of the State Comptroller and Tax Assessors in connection with the return and assessment of intangible personal property for taxation; requiring the Comptroller to obtain information and furnish the same to the Assessors and requiring Assessors to utilize such information; providing for assistance to be given by the Comptroller when requested by Tax Assessors.

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

And Senate Bill No. 517, 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 Senate Bill No. 552, recommends that the same do pass, with Committee amendment:

S. B. No. 552—A bill to be entitled An Act to repeal Sections 216.03 and 216.05, Florida Statutes 1941, relating to estimate of State needs to be furnished by Comptroller and to estimate of needs of Citrus Inspection Bureau to be furnished; to amend Sections 216.02, 216.04, 216.06, 216.07, 216.08, 216.09, 216.10 and 216.15, Florida Statutes 1941, relating to estimates to be furnished by departments, bureaus, institutions, etc., to statements, information, etc., to be furnished by Comptroller, to commission may request information from departments, bureaus, etc., to public hearings, etc., to budget commission to make survey of departments, bureaus, etc., to Governor may employ assistants to aid commission, to authority of commission and its assistants over records, to continuing appropriation for commission and adding to Chapter 216 Florida Statutes 1941, additional Sections relating to the State Budget Commission, providing for a budget director, making the Governor the chief budget officer and prescribing their powers and duties, prescribing the duties of the several State departments, bureaus, divisions, officers, commissions, institutions, boards, and all other state agencies created by legislative act and supported by any form of taxation or license, fees, imposts or exactions.

Which amendment is as follows:

Amendment No. 1:

In Section 12 of the typewritten bill, strike out the entire Section 12, and appropriately renumber Sections 13, 14, and 15, to read: Sections 12, 13, and 14, respectively.

And Senate Bill No. 552, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on Second Reading.

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

S. B. No. 580—A bill to be entitled An Act to amend Section 375.20, Florida Statutes 1941, relating to a severance tax on oysters and clams by providing that the proceeds realized from the severance tax on oysters and clams shall be paid into the State Conservation Fund; providing that said taxes shall constitute a trust fund to be expended for conservation, and replanting and rehabilitating certain oyster and clam reefs and beds in the county where such tax is collected, and providing that said taxes shall be used in said county in the exact amounts paid by said county.

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

And Senate Bill No. 580, 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:

S. B. No. 617—A bill to be entitled An Act authorizing and directing the several clerks of the Circuit Courts in this State to cancel all tax sale certificates held by them covering lands owned by any person in any branch of the armed forces of the United States and issued at a time when such owner was in such service, and providing that any such owner shall be allowed one year from the date of his discharge to pay the taxes covered by any such certificate without interest or costs.

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

And Senate Bill No. 617, 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:

S. B. No. 629—A bill to be entitled An Act relating to taxation of oil and gas mineral interests, imposing an excise tax upon the privilege of producing oil and gas from the earth and water within the State of Florida; providing for the collection, distribution and use of said tax; providing that said tax shall be the only excise tax levied for the privilege of oil and gas production: To provide that the value of land shall not be increased for ad valorem taxation purposes by reason of the possibility there may be oil and gas minerals therein where the true value of the same cannot be scientifically determined; to provide machinery for persons owning oil and gas interests in place to protect their interests from tax sales and tax foreclosures of the land in which such interests exist; to provide for notice of delinquent ad valorem taxes on lands in which there are owned oil and gas interests separate from the surface of the lands to the owners of such oil and gas interests; to provide penalties for the failure to pay the excise taxes imposed by this Act, and to provide for administration of this Act by the State Comptroller.

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

And Senate Bill No. 629, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Military Affairs and Civilian Defense, to whom was referred:

S. B. No. 524—A bill to be entitled An Act amending Section 115.15, Florida Statutes 1941, relating to re-employment of public employees engaged in active military duty.

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

And Senate Bill No. 524, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Public Utilities, to whom was referred:

S. B. No. 634—A bill to be entitled An Act providing that every private corporation owning or operating electric systems within the State of Florida and outside of incorporated cities or towns shall extend its system in rural areas and serve customers therein in accordance with the provisions of this Act; providing that the State Railroad Commission and its Commissioners may require such extensions to be constructed and shall enforce orders with respect thereto in accordance with certain existing laws, and providing for the repeal of all laws or parts of laws in conflict herewith.

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

And Senate Bill No. 634, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Temperance, to whom was referred:

S. B. No. 441—A bill to be entitled An Act to amend Section 568.05 of the 1941 Florida Statutes relating to the penalty for selling intoxicating liquors, wines or beers in any county that has voted against the sale of intoxicating liquors, wines or beers or possession with intent to sell such intoxicating liquors, wines or beers.

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

And Senate Bill No. 441, contained in the above report, was laid on the table.

REPORT OF COMMITTEE ON ENGROSSED BILLS

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

S. B. No. 379—A bill to be entitled An Act authorizing the State Board of Administration of the State of Florida, created by and existing under Section 16 of Article IX of the Constitution, to approve the issuance of either general or limited obligations or revenue bonds by any city, town, county, district or government unit or agency of the State upon the application to it of such governmental unit or agency, and granting to said State Board of Administration certain rights, powers and authority with reference to payment and provision for payment of bonds approved by it, including the power to

impose conditions as a prerequisite to its approval, to make rules and regulations for the exercise of the power granted, and providing for the compensation and expenses incurred by State Board of Administration in the exercise of such powers.

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

And Senate Bill No. 379, contained in the above report, was certified to the House of Representatives.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

H. B. No. 24—An Act to regulate the sale, offering for sale, and transportation of agricultural and vegetable seeds and providing for inspection and testing thereof; to prevent misrepresentation and fraud in the advertisement and sale thereof; providing for the enforcement hereof and repealing Chapter 21942, Laws of Florida, Acts of 1943, and all Laws in conflict herewith.

Also—

H. B. No. 443—An Act relating to education; amending Sections 238.01, 238.05, and 238.06, Florida Statutes, 1941, as amended by Chapter 22062 Laws of Florida, Acts of 1943, and amending Sections 238.07 and 238.09, Florida Statutes 1941, concerning: definitions; membership application and creditable service; regular benefits and method of financing, of the teacher retirement system of the State of Florida.

Also—

H. B. No. 437—An Act authorizing the Board of Commissioners of State Institutions of Florida to permit or require the use of State convicts at certain State Institutions and agencies.

Also—

H. B. No. 454—An Act providing for the cancellation of, and cancelling tax sale certificates and assessments and tax liens of the City of Tampa, the County of Hillsborough and the State of Florida, upon certain Real Estate owned or leased by the Trustees of Consolidated Special Tax School District No. 4 in Hillsborough County, Florida, and prescribing the duties of tax collection officials in connection therewith.

Also—

H. B. No. 214—An Act to amend Section 687.01, Florida Statutes, 1941, relating to interest accruing without special contract for the rate thereof, by substituting "six per cent" for "eight per cent" therein.

Also—

H. B. No. 329—An Act requiring nurserymen, dealers or agents to guarantee the variety of Citrus Nursery Stock sold by them; relating to duties of the State Plant Board; and providing for violations.

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.

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

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

H. B. No. 394—An Act granting a pension to Mrs. Hattie Mayo, formerly a public school teacher in Florida.

Also—

H. B. No. 634—An Act to fix the salaries of the members of the Board of County Commissioners and the members of the County Board of Public Instruction in all counties having a population of not less than 4,300 and not more than 4,500, according to the 1940 Federal Census; and making an appropriation therefor.

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.

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

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

Committee Substitute for House Bill No. 406:

An Act providing for and relating to license taxes and premium taxes on insurance and annuity premiums, assessments or considerations, required to be paid by insurers; describing the insurers, including benevolent mutual benefit associations or societies, fraternal benefit societies, and attorneys doing business under the provisions of Chapter 628 Florida Statutes 1941, engaged in the business of insurance required to pay such license taxes, and fixing the amount of such tax; describing the insurers, including benevolent mutual benefit associations or societies, fraternal benefit societies, and attorneys doing business under the provisions of Chapter 628, Florida Statutes 1941, engaged in the business of insurance required to pay such taxes on insurance premiums or assessments, including membership fees and policy fees, and gross deposits received from subscribers to reciprocal or inter-insurance agreements, and on annuity premiums or considerations, fixing the rates of such taxes, prescribing method of computation thereof and the time when same are payable; providing for reports and returns to the State Treasurer, as insurance commissioner, with respect to such taxes on insurance premiums or assessments, including membership fees and policy fees, and gross deposits received from subscribers to reciprocal or inter-insurance agreements, and on annuity premiums or considerations, and providing penalty for failure to make such reports or to pay such taxes as here-in required; repealing Sections 205.43 and 205.44, Florida Statutes 1941, and all other laws and parts of laws in conflict herewith, provided, that nothing contained in this Act shall repeal any provisions of Sections 175.05 or 440.51, Florida Statutes, 1941; and fixing the effective date of this Act.

Have examined the same and find same 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.

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

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

Committee Substitute for House Bill No. 26:

An Act authorizing the establishment, construction, equipment, maintenance, operation and management of the South Florida State Hospital and fixing the location thereof authorizing and directing the Board of State Institutions of the State of Florida to accept as a donation or gift land described herein as a location for said South Florida State Hospital; authorizing and directing cooperation between the said Hospital and the United States and its agencies; providing for the management, control and operation of said Hospital, and making an appropriation for said Hospital.

Also—

H. B. No. 210—An Act to provide for the acceptance of funds or grants by the State Board of Health; to provide for the manner in which said funds or grants shall be disbursed

Also—

H. B. No. 232—An Act making it unlawful to print or publish any publication or printed matter which tends to expose any individual or religious group to hatred, contempt or ridicule, unless the true name and address of the person

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causing the same to be printed or published, be printed or written thereon.

Also—

Committee Substitute for House Bill No. 64:

An Act granting permission to registered engineers and registered land surveyors to go on, over and upon the lands of others when necessary so to do to make land surveys and to carry with them their agents, servants and employees necessary for that purpose and further providing that such entry shall not constitute trespass, and that they shall not, nor shall their agents, servants or employees so given such authority hereunder, be liable to arrest or civil action by reason of such entry.

Also—

Committee Substitute for House Joint Resolution No. 73:

A joint resolution proposing the amendment of Section 30, of Article III of the Constitution of the State of Florida relating to appropriations:

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.

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

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

Committee Substitute for House Bill No. 26:

An Act authorizing the establishment, construction, equipment, maintenance, operation and management of the South Florida State Hospital and fixing the location thereof; authorizing and directing the Board of State Institutions of the State of Florida to accept as a donation or gift lands described herein as a location for said South Florida State Hospital; authorizing and directing cooperation between the said Hospital and the United States and its agencies; providing for the management, control and operation of said Hospital, and making an appropriation for said Hospital.

Also—

H. B. No. 210—An Act to provide for the acceptance of funds or grants by the State Board of Health; to provide for the manner in which said funds or grants shall be disbursed.

Also—

H. B. No. 232—An Act making it unlawful to print or publish any publication or printed matter which tends to expose any individual or religious group to hatred, contempt or ridicule, unless the true name and address of the person causing the same to be printed or published, be printed or written thereon.

Also—

Committee Substitute for House Bill No. 64:

An Act granting permission to registered engineers and registered land surveyors to go on, over and upon the lands of others when necessary so to do to make land surveys and to carry with them their agents, servants and employees necessary for that purpose and further providing that such entry shall not constitute trespass, and that they shall not, nor shall their agents, servants or employees so given such authority hereunder, be liable to arrest or civil action by reason of such entry.

Also—

Committee Substitute for House Joint Resolution No. 73:

A joint resolution proposing the amendment of Section 30, of Article III of the Constitution of the State of Florida relating to appropriations:

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

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

H. B. No. 394—An Act granting a pension to Mrs. Hattie Mayo, formerly a public school teacher in Florida.

Also—

H. B. No. 634—An Act to fix the salaries of the members of the Board of County Commissioners and the members of the County Board of Public Instruction in all counties having a population of not less than 4,300 and not more than 4,500, according to the 1940 Federal Census; and making an appropriation therefor.

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

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

Committee Substitute for House Bill No. 406:

An Act providing for and relating to license taxes and premium taxes on insurance and annuity premiums, assessments or considerations, required to be paid by insurers; describing the insurers, including benevolent mutual benefit associations or societies, fraternal benefit societies, and attorneys doing business under the provisions of Chapter 628, Florida Statutes 1941, engaged in the business of insurance required to pay such license taxes, and fixing the amount of such tax; describing the insurers, including benevolent mutual benefit associations or societies, fraternal benefit societies, and attorneys doing business under the provisions of Chapter 628, Florida Statutes 1941, engaged in the business of insurance required to pay such taxes on insurance premiums or assessments, including membership fees and policy fees, and gross deposits received from subscribers to reciprocal or inter-insurance agreements, and on annuity premiums or considerations, fixing the rates of such taxes, prescribing method of computation thereof and the time when same are payable; providing for reports and returns to the State Treasurer, as insurance commissioner, with respect to such taxes on insurance premiums or assessments, including membership fees and policy fees, and gross deposits received from subscribers to reciprocal or inter-insurance agreements, and on annuity premiums or considerations, and providing penalty for failure to make such reports or to pay such taxes as herein required; repealing Sections 205.43 and 205.44, Florida Statutes 1941, and all other laws and parts of laws in conflict herewith, provided, that nothing contained in this Act shall repeal any provisions of Sections 175.05 or 440.51, Florida Statutes, 1941; and fixing the effective date of this Act.

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

Senator Johnson moved that a committee be appointed to escort Honorable Thomas H. Cooley, former member of the Senate from the 23rd Senatorial District and veteran of World War No. II, to a seat on the rostrum of the Senate.

Which was agreed to.

And the President appointed Senator Johnson as the Committee.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By the Committee on Privileges and Elections—

S. B. No. 650—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; and providing that whenever it is necessary to call a primary to fill a vacancy in nomination for any office to be voted for in one County, then and in that event the County Executive Committee of the political party may call such primary.

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

Senator Johnson moved that House Bill No. 846 be recalled from the Committee on Citrus Fruits and re-referred to the Committee on Appropriations.

Which was agreed to and it was so ordered.

(By Senator Coleman (13th Dist.)—

S. B. No. 651—A bill to be entitled An Act to extend and enlarge the corporate limits of the City of Hialeah, in the County of Dade, State of Florida; to prescribe the liability of property within the annexed territory for municipal taxation; to give the said City of Hialeah jurisdiction over the territory embraced in said extension and repealing all laws or parts of laws in conflict.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 651 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Coleman (13th Dist.) moved that the rules be waived and Senate Bill No. 651 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 651 was read the second time by title only.

Senator Coleman (13th Dist.) moved that the rules be further waived and Senate Bill No. 651 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. 651 was read the third time in full.

Upon the passage of Senate Bill No. 651 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 651 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By the Committee on Game and Fisheries—

S. B. No. 652—A bill to be entitled An Act amending Chapter 372, Florida Statutes 1941, by adding thereto a Section to be numbered 372.78, relating to the expiration date of each fishing license issued under such Chapter; providing certain laws are not limited hereby and that fishing licenses issued subsequent to April 1, 1945, shall extend to June 30, 1946.

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 Game and Fisheries—

S. B. No. 653—A bill to be entitled An Act to amend Section 372.74, Florida Statutes 1941, to increase from \$2.00 to \$5.00 the special license fee the Game and Fresh Water Fish Commission is empowered to fix for hunting within Federal forest areas.

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

By Senator Riddle—

S. B. No. 654—A bill to be entitled An Act providing for an additional Circuit Judge for the First Judicial Circuit of Florida, designating his place of residence; providing that his term of office shall expire on Tuesday after the first Monday in January, A. D. 1949, and that his successor shall be elected at the general election A. D. 1948, for a term of six years.

Which was read the first time by title only.

Senator Riddle moved that the rules be waived and Senate Bill No. 654 be placed on the Calendar of Bills on Second Reading, without reference.

Which was not agreed to and Senate Bill No. 654 was referred to the Committee on Judiciary "C".

Senator Shands moved that the rules be waived and Senate Bill No. 373 be made a Special and Continuing Order of Business for consideration by the Senate immediately following the disposition of Senate Bill No. 585.

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

By Senator Brackin—

S. B. No. 655—A bill to be entitled An Act to provide for the safeguarding, safekeeping and for the receipt and disbursement of public money; to prescribe the duties of county officers and state officers in connection herewith; and to repeal Sections 30.18, 144.08, 193.43 and 839.03, Florida Statutes 1941, and all other laws in conflict therewith.

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

By Senator King (27th Dist.)—

S. B. No. 656—A bill to be entitled An Act to amend Section 655.10, Florida Statutes 1941, relating to securities required to be deposited with the State Treasurer by Trust Companies by changing the provision of said Section 655.10 so that the Treasurer shall not be required to embrace in one receipt all such securities so deposited by any trust company and providing that such receipt or receipts shall set forth the par value of such securities; by permitting the Treasurer to accept in lieu of the deposit of such securities a safekeeping receipt or safekeeping receipts therefor, designating the banking institutions authorized to issue such receipts and prescribing the form and provisions of such receipts; by changing the provisions of said Section 655.10 requiring the Treasurer to keep prepared and ready for inspection a list of securities so held by him to the requirement that the Treasurer shall keep prepared and ready for inspection a record of securities so held by him; and repealing all laws and parts of laws in conflict herewith.

Which was read the first time by title only.

Senator King (27th Dist.) moved that the rules be waived and Senate Bill No. 656 be placed on the Calendar of Bills on Second Reading, without reference.

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

By Senator King (27th Dist.)—

S. B. No. 657—A bill to be entitled An Act to amend Section 18.05, Florida Statutes 1941, relating to the State Treasurer's annual report to the Governor, by changing the time when such report shall be made.

Which was read the first time by title only.

Senator King (27th Dist.) moved that the rules be waived and Senate Bill No. 657 be placed on the Calendar of Bills on Second Reading, without reference.

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

By Senator King (27th Dist.)—

S. B. No. 658—A bill to be entitled An Act to repeal Chapter 552, Florida Statutes 1941, also described as Chapter 2021, Laws of Florida, Acts of 1941, as amended by Chapter 2205, Laws of Florida, Acts of 1943, relating to the manufacture, sale, distribution, use and possession of explosives.

Which was read the first time by title only.

Senator King (27th Dist.) moved that the rules be waived and Senate Bill No. 658 be placed on the Calendar of Bills on Second Reading, without reference.

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

By Senator King (27th Dist.)—

S. B. No. 659—A bill to be entitled An Act to repeal Section 18.18, Florida Statutes 1941, relating to the State Treasurer opening and keeping an account under the head "Surplus Fund" and describing unexpended balances transferable to such fund.

Which was read the first time by title only.

Senator King (27th Dist.) moved that the rules be waived and Senate Bill No. 659 be placed on the Calendar of Bills on Second Reading, without reference.

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

By Senator King (27th Dist.)—

S. B. No. 660—A bill to be entitled An Act to amend Section 18.08, Florida Statutes 1941, relating to the requirement that the State Treasurer turn over to the Comptroller all paid warrants.

Which was read the first time by title only.

Senator King (27th Dist.) moved that the rules be waived and Senate Bill No. 660 be placed on the Calendar of Bills on Second Reading, without reference.

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

By Senator King (27th Dist.)—

S. B. No. 661—A bill to be entitled An Act to repeal Section 18.04, Florida Statutes 1941, relating to the publication by the Treasurer each year of an abstract showing receipts and disbursements with respect to certain public funds.

Which was read the first time by title only.

Senator King (27th Dist.) moved that the rules be waived and Senate Bill No. 661 be placed on the Calendar of Bills on Second Reading, without reference.

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

By Senator Rose—

S. B. No. 662—A bill to be entitled An Act authorizing the Board of County Commissioners of Orange County, Florida, to fix and allow each member of said board a reasonable amount per month, not to exceed \$75.00, as full compensation for the use and expense of personal automobiles used within the county for county business.

Which was read the first time by title only.

Proof of Publication of Notice was attached to Senate Bill No. 662 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 McArthur moved that the rules be waived and Senate Bill No. 662 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 662 was read the second time by title only.

Senator McArthur moved that the rules be further waived and Senate Bill No. 662 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. 662 was read the third time in full.

Upon the passage of Senate Bill No. 662 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 662 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Rose—

S. J. R. No. 663—A joint resolution proposing an amendment to the Constitution of the State of Florida, to be known as Article XX, Sections 1 and 2, thereof, relating to the consolidation, abolishing or creating of certain county offices, and the assessment and collection of municipal taxes by county

tax officials, in Orange County, Florida, and providing for referendum elections for acceptance or rejection of any law or laws enacted by the Legislature of the State of Florida as provided in said proposed amendment.

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

That the following amendment to the Constitution of Florida, to be known as Article XX, Sections 1 and 2, thereof, relating to the consolidation, abolishing and creating of certain county offices and for assessment and collection of municipal taxes by county tax officers, in Orange County, Florida, and providing for referendum elections for acceptance or rejection of any law or laws enacted by the Legislature of Florida as provided therein, be submitted to the qualified electors of the State of Florida for adoption or rejection at the next general election to be held in the year 1946, to-wit:

ARTICLE XX

Section 1. The legislature is authorized and empowered to provide by law or laws enacted by it at its regular session held in A. D. 1947, or at any regular session thereafter, for the consolidation, abolishing or creating of any county offices in Orange County, Florida, provided, there is excepted from the effects of this Article judges of all courts; and to provide for the assessment and collection of municipal taxes and assessments, or either of them, by county tax officers in said county. Any law so enacted respecting the consolidation or creation of any county offices shall prescribe the powers, duties and compensation of the officers designated therein to exercise and discharge the duties of the offices so consolidated or created; and any law so enacted respecting the assessment and collection of municipal taxes and assessments, or either of them, by county tax officers, shall provide for the assessing, collecting, accounting for and disbursing of said taxes and/or assessments to the appropriate municipal authorities, and for compensation for such county taxing officers for services rendered incident thereto. That if any such law respecting the consolidation or creation of any county offices is accepted and ratified at the referendum election herein provided, such law shall become effective with respect to the offices affected thereby on the first Tuesday after the first Monday in January of any year immediately succeeding the general election had subsequent to said referendum election at which electors for President of the United States are voted for; and if any such law respecting the assessment and collection of municipal taxes and assessments, or either of them, by county tax officers is accepted and ratified at the referendum election as provided herein, the same shall become effective on the first day of January next succeeding such referendum election.

Section 2. Before any law described in the preceding section of this Article shall be of any force and effect, it shall be accepted and ratified by a majority vote of the qualified electors of Orange County, Florida, at a referendum election to be called and held for the purpose of determining whether such law shall be accepted and ratified, or rejected by the qualified electors of said county. Such referendum election shall be held within ninety days after the effective date of any such law. The Board of County Commissioners shall provide for the holding of any such referendum election and notice thereof shall be published by said Board once each week for at least four successive weeks immediately next prior to the date of such election in a newspaper of general circulation in said county. Except as herein otherwise provided, the laws of the state relating to the holding of general elections shall cover the holding of any such referendum election. If any such law shall be accepted and ratified by the majority of electors participating in any such referendum election, such law shall become and be in full force and effect, but if at any such election a majority of the electors participating therein shall vote against the acceptance and ratification of such law, it shall be null and void and of no force and effect. The canvassing board of said county shall certify the result of any such referendum election to the Secretary of State within ten days after the holding thereof.

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

By Senator Barringer—

S. B. No. 664—A bill to be entitled An Act to declare, designate, and establish a certain state road extending from a point where the approach to the Ringling Causeway meets

Gulf Stream Avenue in the City of Sarasota, then by way of Gulf Stream Avenue, Main Street, Orange Avenue, McClellan Parkway, Osprey Avenue, and Siesta Road to the city limits of Sarasota, Florida.

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

By Senator Riddle—

S. B. No. 665—A bill to be entitled An Act for the relief of Mrs. Harry L. Pearce, widow of Harry L. Pearce, deceased, formerly of DeFuniak Spring, now of Fort Pierce, Florida; appropriating money to be paid to her as compensation under Section 15, Article IV of the Constitution of the State of Florida, for the wrongful removal without Constitutional warrant of her husband, Harry L. Pearce, by and under the guise of the action of the Governor, from the Office of Assistant State Auditor for the unexpired term of four years, from December 30, 1936, the date of his commission.

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

By Senator Sheldon—

S. B. No. 666—A Bill to be entitled An Act providing a Pension or Retirement System for disabled or retired permanent employees of the City of Tampa, Florida, who are not now beneficiaries of any other pension fund of the City of Tampa; Creation of a Pension or Retirement Board for the Administration of said Pension Fund; Providing for the appointment of the members of such Board and prescribing the method of their appointment, and terms of office of the members thereof, and the powers, duties and functions of said Board; providing for the adoption by said Board of reasonable rules, regulations and orders necessary and proper for effective administration and enforcement of this Act; creating a Retirement Fund and making provisions for contributions into said fund by the City of Tampa and permanent city employees, with exceptions as noted in said Act, and providing for the investment of said funds and the annual budgeting of the city's portion of said contribution and the levy of a tax for the collection of same; providing the qualifications of permanent employees of the City of Tampa for retirement and participation in said Fund and for payments to pensioners from said Fund; and also providing when such Act shall take effect, and other matters relating thereto.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 666 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. 666 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 666 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 666 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. 666 was read the third time in full.

Upon the passage of Senate Bill No. 666 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 666 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—

S. B. No. 667—A bill to be entitled An Act authorizing and empowering the City of Tampa, Florida, a municipal corporation to convey gratuitously, without advertisement, sale, or consideration, Lots 9 to 14 both inclusive of Block 3, Lots 9 to 15 both inclusive of Block 4 and Lots 7 to 18 both inclusive of Block 9, and Lots 9 to 14 both inclusive of Block 10, Campobello's subdivision, Plat Book 2, Page 29, Public Records of Hillsborough County, Florida, for benevolent purposes, to the Lily White Security Benefit Association, Inc., a nonprofit corporation.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 667 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. 667 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 667 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 667 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. 667 was read the third time in full.

Upon the passage of Senate Bill No. 667 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 667 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—

S. B. No. 668—A bill to be entitled An Act to amend Chapter 22475, Laws of Florida, 1943, entitled "An Act to amend An Act creating in the City of Tampa a system of pensions for disability and retirement from service of members of Police and Fire Departments employed by appointment or otherwise in said Department in said City, and to provide a fund in said City to be known as the City Pensions Fund for Firemen and Policemen and providing further for the creation of a Board of Trustees in said City prescribing the powers and duties of such Board, providing for the payment of certain sums to all persons employed in the Fire and Police Departments in said City as shall have retired and have been retired and their dependents, to further prescribe the qualifications as to who shall be eligible and who shall receive a pension under this Act; providing for the investment and safekeeping of the funds created under this Act, providing for the regulation of the subject of pensions to all persons entitled to receive the same and to provide rules and regulations for the administration of the fund created hereunder; providing for the levy of ad valorem and excise taxes for said Pension Fund; and providing for the enforcement of this Act," being Chapter 21590, Laws of Florida, Acts of 1941, by amending Section Seven (7), paragraph (A), thereof so as to provide for the retirement of any member of the Fire or Police Department of the City of Tampa who was employed at the time of the enactment of Chapter 17164, Laws of Florida, Acts of 1935, by appointment or otherwise in said departments of said City and who has twenty (20) years of actual service therein, and the payment to such member of the sum of \$100.00 per month, with certain limitations upon the privilege of such retirement for the duration of the present

war; to provide for the preservation of retirement rights and privileges of members who since December 7, 1941, enlist or are called into active Military Service of the Armed Forces of the United States of America and for the payment by such member into the Pension Fund of 2% of his last monthly salary for the full period of time of such active Military Service; to provide that the period of active Military Service shall be deemed continuous actual service in the police or fire departments of said City for purpose of computation to determine whether a member is entitled to retirement under this Act; to provide for restoration of a member to his former position upon release from active Military Service; and repealing conflicting laws." To enlarge the time such member may apply for preservation of his retirement rights and privileges, and prescribing the duties of the City Clerk in connection therewith; and repealing conflicting laws.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 668 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. 668 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 668 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 668 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. 668 was read the third time in full.

Upon the passage of Senate Bill No. 668 the roll was called and the vote was:

Yeas—35.

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

So Senate Bill No. 668 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—

S. B. No. 669—A bill to be entitled An Act authorizing and empowering the City of Tampa to appropriate any lands which may be overflowed or flooded by the construction of a dam across the Hillsborough River in Hillsborough County, Florida, or which lie contiguous to such Hillsborough River and which are necessary for the preservation or protection of said River from diversion or contamination, upon making due compensation according to law to private owners; and authorizing and empowering said City to exercise the right and power of eminent domain in connection therewith; and granting to said City the right to take possession and title in advance of final judgment in condemnation proceedings instituted under the provisions hereof.

Which was read the first time by title only.

Proof of Publication of Notice was attached to Senate Bill No. 669 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. 669 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 669 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and

Senate Bill No. 669 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. 669 was read the third time in full.

Upon the passage of Senate Bill No. 669 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 669 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—

S. B. No. 670—A bill to be entitled An Act to confer additional powers upon the City of Tampa in relation to the improvement of streets and other public thoroughfares, the laying of sidewalks and sanitary sewers, and authorizing the Board of Representatives of the City of Tampa by resolution to order any street to be graded, paved, curbed, repaired or otherwise improved, the laying of sidewalks and sanitary sewers in, upon or under any public street or thoroughfare of the City of Tampa without the assessment of any part of the cost of such improvement against the abutting property so improved, where the owner or owners of the property benefited by such improvement shall contribute in cash or materials such part of the cost of such improvement as shall be deemed fair and equitable by the Board of Representatives of said City, which contribution shall not be less than two-thirds of the total cost of such improvement, and authorizing the payment by the City of Tampa of such part of the cost of such improvement not to exceed one-third of such cost out of any funds which may be appropriated and available for that purpose.

Which was read the first time by title only.

Proof of Publication of Notice was attached to Senate Bill No. 670 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. 670 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 670 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 670 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. 670 was read the third time in full.

Upon the passage of Senate Bill No. 670 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 670 passed, title as stated, and the action

of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—

S. B. No. 671—A bill to be entitled An Act relating to the giving of surety bonds by officers and employees of the City of Tampa and authorizing the bonding of such officers and employees under a surety bond to be issued by a surety company authorized to transact business under the Laws of the State of Florida, which surety bond may bond either the officer or employee or the office or position occupied by such officer or employee, such bond to be in such amount, upon such conditions, in such form, and subject to such provisions and agreements as shall from time to time be prescribed by ordinance or resolution of the board of representatives of the City of Tampa.

Which was read the first time by title only.

Proof of Publication of Notice was attached to Senate Bill No. 671 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. 671 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 671 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 671 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. 671 was read the third time in full.

Upon the passage of Senate Bill No. 671 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 671 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—

S. B. No. 672—A bill to be entitled An Act to amend Section 65.02, Florida Statutes 1941, relating to residence for divorces.

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

By Senator Sheldon—

S. B. No. 673—A bill to be entitled An Act to amend Section 193.20, Florida Statutes 1941, relating to the mode of assessing lands, by including growing crops, shrubs, vines, and nursery stock as not adding any value to the land.

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

By Senator Thomas—

S. B. No. 674—A bill to be entitled An Act to amend Sections 26.02 and 26.17, Florida Statutes 1941, relating to Judicial Circuits and Circuit Judges.

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

By Senator Johnson—

S. B. No. 675—A bill to be entitled An Act authorizing the Town Council of the Town of Mount Dora, Florida, to Act as a Municipal Delinquent Tax Adjustment Board, prescribing its

powers, duties and limitations; prescribing the length of time such Board shall stay in existence; providing for a Chairman and Secretary of said Board; and authorizing said Board to adjust, settle and compromise certain taxes and special assessments therein specified.

Which was read the first time by title only.

Proof of Publication of Notice was attached to Senate Bill No. 675 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Johnson moved that the rules be waived and Senate Bill No. 675 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 675 was read the second time by title only.

Senator Johnson moved that the rules be further waived and Senate Bill No. 675 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. 675 was read the third time in full.

Upon the passage of Senate Bill No. 675 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 675 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johnson—

S. B. No. 676—A bill to be entitled An Act ratifying, confirming, validating and legalizing the assessments, valuations of properties, levies of taxes and issuance and sales of tax certificates made by the Town of Mount Dora, Lake County, Florida, for the years 1925 to 1944, both inclusive, and authorizing the collection of said taxes in the manner provided by law.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 676 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

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

Which was agreed to by a two-thirds vote.

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

Senator Johnson moved that the rules be further waived and Senate Bill No. 676 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 676 was read the third time in full.

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

Yeas—35.

Mr. President	Boyle	Coleman 13th	Griner
Ausley	Brackin	Coleman 28th	Johns
Barringer	Branch	Davis	Johnson
Baynard	Bryant	Fraser 29th	King 7th
Beacham	Carroll	Fraser 31st	King 27th
Black	Clarke	Gray	Lewis

Lindler	Perdue	Shands	Thomas
McArthur	Riddle	Sheldon	Wilson
Moon	Sanchez	Sturgis	

Nays—None.

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

By Senator Johnson—

S. B. No. 677—A bill to be entitled An Act providing for the ratification and confirmation of each and every tax settlement and each and every settlement of special assessments made by the Town Clerk, Tax Collector and/or Town Council of the Town of Mount Dora, Florida, on tax certificates heretofore issued for non-payment of taxes, on delinquent taxes and on special assessment liens.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 677 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Johnson moved that the rules be waived and Senate Bill No. 677 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 677 was read the second time by title only.

Senator Johnson moved that the rules be further waived and Senate Bill No. 677 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. 677 was read the third time in full.

Upon the passage of Senate Bill No. 677 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 677 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Coleman (13th Dist.)—

S. B. No. 678—A bill to be entitled An Act relating to the sale, lease and exchange of real and personal property owned by each county having a population of more than 90,000 according to the last State or Federal Census, or by its Board of County Commissioners, not required or used for public purposes, prescribing the methods and effect thereof, disposition of proceeds therefrom, expenditures for advertising in certain cases, ratifying and approving former conveyances of the several counties affected by this Act or their respective Boards of County Commissioners and limiting the applicability of this Act.

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

By Senators King (27th Dist.) and Riddle—

S. B. No. 679—A bill to be entitled An Act to amend Section 583.07 and Section 583.09, Florida Statutes 1941, relating to the payment of inspection fees by dealers in eggs and to the requirement for a license to engage in the business of a dealer in eggs.

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

By Senator Thomas—

S. B. No. 680—A bill to be entitled An Act amending Sec-

tions 310.03 and 310.11, Florida Statutes 1941, relating to pilot commissioners, the appointment and licensing of pilots and the rates of pilotage, by fixing maximum age of pilots that may be licensed, reducing maximum number for Port of Pensacola and eliminating partial exemption from pilotage fees of ships carrying the regular United States mail.

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

By the Committee on Public Utilities and the Committee on Finance and Taxation—

S. B. No. 681—A bill to be entitled An Act to amend Chapter 420 of the Florida Statutes 1941, creating the Florida State Improvement Commission and providing for its composition, appointment, purposes, method of operation, powers, duties and appropriation therefor, by amending Sections 420.02, 420.04, 420.06, 420.08, 420.09 and 420.11, Florida Statutes 1941, and repealing all laws inconsistent therewith.

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

By Senator Johnson—

S. B. No. 682—A bill to be entitled An Act creating the office of state purchasing agent; prescribing his powers and duties, prohibiting purchases of material, supplies and equipment by any state official, department, board, bureau, commission, institution, or other agency of the state except through such purchasing agent, and making an appropriation therefor.

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

By Senator Baynard—

S. B. No. 683—A bill to be entitled An Act making it unlawful to give public employment to persons who are not native born citizens of the United States of America or persons naturalized subsequent to December 7, 1941, and providing penalties for violations thereof.

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

Senator Riddle moved that House Bill No. 92, reported unfavorably by the Committee on Appropriations, be placed on the Calendar of Bills on Second Reading.

Upon which a roll call was demanded.

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

Yeas—9.

Mr. President	Johns	Lindler	Sheldon
Davis	Lewis	Riddle	Wilson
Gray			

Nays—18.

Ausley	Brackin	Fraser 29th	Shands
Barringer	Carroll	Fraser 31st	Sturgis
Baynard	Clarke	Griner	Thomas
Beacham	Coleman 13th	Johnson	
Boyle	Coleman 28th	Sanchez	

Which was not agreed to, so the motion failed of adoption.

Senator Wilson moved that Senate Bill No. 576 be recalled from the Committee on Agriculture and Livestock.

Which was agreed to and it was so ordered.

By unanimous consent Senator Wilson withdrew Senate Bill No. 576.

Senator Baynard moved that the rules be waived and the Senate take up and consider Senate Bill No. 646, out of its order, at this time.

Which was agreed to by a two-thirds vote.

S. B. No. 646—A bill to be entitled An Act to provide for an additional Circuit Judge for the Sixth Judicial Circuit of Florida as authorized by Florida Constitution on the basis of population thereof; and fixing his powers, duties and compensation.

Was taken up.

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

Which was agreed to by a two-thirds vote.

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

Senator Bryant offered the following amendment to Senate Bill No. 646:

At the end of Section one add the following: One of said Circuit Judges shall be a permanent resident of Pasco County, Florida.

Senator Bryant moved the adoption of the amendment.

Upon which a roll call was demanded.

Upon the adoption of the amendment offered by Senator Bryant to Senate Bill No. 646, the roll was called and the vote was:

Yeas—11.

Mr. President	Bryant	Lindler	Riddle
Beacham	Griner	McArthur	Sheldon
Elchak	Johns	Perdue	

Nays—21.

Ausley	Carroll	Fraser 31st	Sturgis
Barringer	Clarke	King 7th	Thomas
Baynard	Coleman 13th	King 27th	Wilson
Boyle	Coleman 28th	Lewis	
Brackin	Davis	Sanchez	
Branch	Fraser 29th	Shands	

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

Senator Baynard moved that the rules be further waived and Senate Bill No. 646 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 646 was read the third time in full.

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

Yeas—30.

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

Nays—None.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida, May 22, 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 amendments—

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 amendments read as follows:

Amendment No. 1:

Strike out everything after the enacting clause and insert the following in lieu thereof:

Section 1. That in addition to all taxes now levied and imposed by the Laws of Florida upon the manufacture, distribution and sale of beverages containing fourteen per cent or more of alcohol by weight except all wines, natural sparkling wines and malt beverages, there is hereby levied and imposed an additional tax of seventy-two cents per gallon upon such beverages containing fourteen per cent or more of alcohol by weight and not more than forty-eight per cent of alcohol by weight and an additional tax of one dollar and forty-four cents per gallon upon such beverages containing more than forty-eight per cent of alcohol by weight. The payment of said additional tax shall be evidenced by stamps as provided for in the Beverage Law.

There is levied and assessed a floor tax upon vendors as described in the Beverage Law of seventy-two cents per gallon upon said beverages containing fourteen per cent or more of alcohol by weight and not more than forty-eight per cent of alcohol by weight and a floor tax of one dollar and forty-four cents per gallon upon said beverages containing more than forty-eight per cent of alcohol by weight, owned and possessed by said vendors as of July 1st, 1945, provided however, that rum and other cane spirits not blended with whiskey are hereby excepted from said floor tax so levied.

Section 2. If any word, phrase, sentence, section or part of this Act is declared unconstitutional, the remainder shall remain in full force and effect.

Section 3. This Act shall take effect on July 1, 1945, and expire June 30, 1947.

Amendment No. 2:

Strike out the title and insert in lieu thereof the following:

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, and imposing a floor tax as of July 1st, 1945, upon said beverages on which an additional tax is imposed, except rum and other cane spirits not blended with whiskey, and providing that this Act shall expire June 30, 1947.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bill No. 258, contained in the above Message, was read by title, together with House Amendments thereto.

Senator Davis moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 258.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 258.

Senator Davis moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 258.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 258.

And Senate Bill No. 258, as amended, was referred to the Committee on Engrossed Bills and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida, May 22, 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 granted

the request of the Senate and returns herewith, for the purpose of further consideration:

By Senator Coleman (13th Dist.) —

S. B. No. 507—A bill to be entitled An Act authorizing the Board of County Commissioners of Dade County, Florida, to construct, erect, maintain, operate, equip and improve hospitals, issue bonds for the payment thereof not to exceed the sum of \$2,500,000, levy and assess taxes and fix millages for the payment of interest and sinking fund thereon and the cost of maintenance, operation, upkeep and repairs, to charge varying fees for services therein according to patients' ability to pay therefor, and to contract for the management thereof; providing for elections on bond issues hereunder and when the same may be held and repealing all laws in conflict herewith.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

Senator Coleman (13th Dist.) moved that the rules be waived and the Senate do now reconsider the vote by which Senate Bill No. 507 passed the Senate on May 15, 1945.

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which Senate Bill No. 507 passed the Senate on May 15, 1945.

The question recurred on the passage of Senate Bill No. 507.

Pending roll call on the passage of Senate Bill No. 507, Senator Coleman (13th Dist.) moved that Senate Bill No. 507 be referred to the Committee on Prisons and Convicts.

Which was agreed to and it was so ordered.

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

Tallahassee, Florida, May 23, 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 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.

By Senator King (7th Dist.)—

S. B. No. 458—A bill to be entitled An Act to amend Sections 320.40, 320.41, and 323.11, Florida Statutes 1941, relating to the regulation of motor vehicles and trailers and prescribing maximum weights, height and length of certain vehicles.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bills Nos. 193 and 458, contained in the above Message, were referred to the Committee on Enrolled Bills.

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

Tallahassee, Florida, May 21, 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. Oelkers and Okell of Dade—

H. B. No. 482—A bill to be entitled An Act relating to and providing for the consolidation of all the school districts of Dade County into one school district and making the boundaries of said consolidated district co-extensive with Dade County

and providing for a referendum election to determine when and if same shall take effect.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 482, contained in the above Message, was read the first time by title only.

Senator Coleman (13th Dist.) moved that the rules be waived and House Bill No. 482 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 482 was read the second time by title only.

Senator Coleman (13th Dist.) moved that the rules be further waived and House Bill No. 482 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. 482 was read the third time in full.

Upon the passage of House Bill No. 482 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 482 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida, May 21, 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. Dowda and Middleton of Putnam—

H. B. No. 821—A bill to be entitled An Act repealing Chapter 22002, Laws of Florida, 1943, relating to the salaries of the Judges of the Circuit Court residing in a circuit composed of four counties, with one county of said circuit having a population of fifty thousand or more according to the latest Federal Census, and having no court of record with full civil jurisdiction concurrent with the Circuit Court, and providing that during the absence of a resident Judge or Judges in the armed forces of the United States or on military leave, that the remaining Judge shall be paid certain additional moneys provided for and to be paid by the Counties under the provisions of this Act.

By Messrs. Middleton and Dowda of Putnam—

H. B. No. 822—A bill to be entitled An Act repealing Chapter 20331, Laws of Florida 1941, relating to the salaries of the Judges of the Circuit Court residing in a circuit composed of four counties, with one county of said circuit having a population of 50,000 or more, according to the latest Federal Census, and having no court of record with a civil jurisdiction concurrent with the Circuit Court, and providing for a portion of such salaries to be paid from the general revenue of such counties.

And respectfully requests the concurrence of the Senate therein

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives

And House Bills Nos. 821 and 822, contained in the above Message, were read the first time by titles only and referred to the Committee on Judiciary "C".

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

Tallahassee, Florida, May 22, 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 the Committee on Appropriations—

H. B. No. 851—A bill to be entitled An Act making an emergency appropriation for the Florida Crippled Children's Commission for use in the current biennium.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 851, contained in the above Message, was read the first time by title only and referred to the Committee on Appropriations.

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

Tallahassee, Florida, May 22, 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 the Committee on General Appropriations—

H. B. No. 884—A bill to be entitled An Act establishing five specific funds in the State Treasury specifying the revenues to be deposited in each of the said funds providing for the manner of the disbursement of monies from the said funds and repealing all laws or parts of laws in conflict herewith.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 884, contained in the above Message, was read the first time by title only and referred to the Committee on Appropriations.

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

Tallahassee, Florida, May 22, 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 concurred in Senate amendment to—

H. B. No. 53—A bill to be entitled An Act to amend Section 1 of Chapter 22054, Laws of Florida, Acts of 1943, entitled: "An Act relating to entrance and graduation requirements of certain colleges and universities, providing for the waiver of certain entrance and graduation requirements for certain persons inducted into the armed forces during and after January, 1940, prescribing the rights of such persons with reference thereto, and repealing all laws in conflict herewith.

Which amendment reads as follows: Section 2. This Act shall take effect immediately upon its becoming a law.

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

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

Tallahassee, Florida, May 23, 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 concurred in Senate Amendment to—

H. E. No. 278—A bill to be entitled An Act amending Section 98.13, Florida Statutes 1941, relating to "Supervisor of Registration: Appointment:—" and Section 98.14 Florida Statutes of 1941, relating to "Supervisor of Registration: Term of Office—" making said office elective and prescribing the term of office.

Which amendment reads as follows: At end of line 10 of Section 2, following figures "1945", change comma to period and strike balance of Section.

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

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

Tallahassee, Florida, May 23, 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 granted the request of the Senate and returns herewith, for the purpose of further consideration.

By Senator Sheldon—

S. B. No. 215—A bill to be entitled An Act prescribing, in any action by any drainage district created or organized under Chapter 6458, Laws of Florida, or Acts amendatory thereof or 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 any sale therein decreed, for the lands so ordered sold.

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

Senator Sheldon moved that the rules be waived and the Senate do now reconsider the vote by which Senate Bill No. 215 passed the Senate on May 14, 1945.

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which Senate Bill No. 215 passed the Senate on May 14, 1945.

The question recurred on the passage of Senate Bill No. 215.

Pending roll call on the passage of Senate Bill No. 215, by unanimous consent, Senator Sheldon withdrew Senate Bill No. 215.

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

Tallahassee, Florida, May 23, 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 respectfully requests the return of—

By the Committee on Appropriations—

H. E. No. 851—A bill to be entitled An Act making an emergency appropriation for the Florida Crippled Children's Commission for use in the current biennium.

For the purpose of further consideration.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

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

Which was agreed to and House Bill No. 851 was ordered returned to the House of Representatives.

Senator Lindler asked unanimous consent of the Senate to take up and consider House Bill No. 523, out of its order, at this time.

Which was agreed to.

H. B. No. 523—A bill to be entitled An Act fixing and prescribing the compensation of the members of the Board of County Commissioners of Columbia County, Florida.

Was taken up.

Senator Lindler moved that the rules be waived and House Bill No. 523 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 523 was read the second time by title only.

Senator Lindler moved that the rules be further waived and House Bill No. 523 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. 523 was read the third time in full.

Upon the passage of House Bill No. 523 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 523 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Lewis asked unanimous consent of the Senate to take up and consider House Bill No. 776, out of its order, at this time.

Which was agreed to.

H. B. No. 776—A bill to be entitled An Act to amend Section 67 of Chapter 9875, Acts of the Legislature of 1923, same being the City Charter of the City of Palatka as amended by Chapter 16605, Acts of the Legislature of 1933, relating to taxation.

Was taken up.

Senator Lewis moved that the rules be waived and House Bill No. 776 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 776 was read the second time by title only.

Senator Lewis moved that the rules be further waived and House Bill No. 776 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. 776 was read the third time in full.

Upon the passage of House Bill No. 776 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So House Bill No. 776 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Thomas asked unanimous consent of the Senate to take up and consider Senate Bill No. 357, out of its order, at this time.

Which was agreed to.

S. B. No. 357—A bill to be entitled An Act amending Chapter 16991, General Laws of Florida, 1935, by adding Section 2½, authorizing the issuance of promissory notes, debentures, revenue certificates, certificates of indebtedness, revenue bonds, and other obligations by the Escambia River Bridge Authority; providing the terms to be included in such obligations and the sources of revenue for the retirement thereof; providing remedies for the holders of such obligations in event of default.

Was taken up.

Senator Thomas moved that the rules be waived and Senate Bill No. 357 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 357 was read the second time by title only.

Senator Thomas moved that the rules be further waived and Senate Bill No. 357 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. 357 was read the third time in full.

Upon the passage of Senate Bill No. 357 the roll was called and the vote was:

Yeas—35.

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

Nays—None.

So Senate Bill No. 357 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Beacham moved that House Bill No. 577, reported unfavorably by the Committee on Labor and Industry, be re-committed to the Committee on Labor and Industry.

Which was agreed to and it was so ordered.

Senator Wilson moved that House Bill No. 846 be recalled from the Committee on Appropriations and placed on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

Senator Wilson asked unanimous consent of the Senate to take up and consider House Bill No. 846, out of its order, at this time.

Which was agreed to.

H. B. No. 846—A bill to be entitled An Act to repeal Sections 216.03 and 216.05, Florida Statutes 1941, relating to estimate of State needs to be furnished by Comptroller and to estimate of needs of Citrus Inspection Bureau to be furnished; to amend Sections 216.02, 216.04, 216.06, 216.07, 216.08, 216.09, 216.10 and 216.15, Florida Statutes 1941, relating to estimates to be furnished by departments, bureaus, Institutions, etc., to statements, information, etc., to be furnished by Comptroller, to Commission may request information from departments, bureaus, etc., to public hearings, etc., to Budget Commission to make survey of departments, bureaus, etc., to Governor may employ assistants to aid Commission, to authority of Commission and its assistants over records, to continuing appropriation for Commission; and adding to Chapter 216 Florida Statutes 1941, additional Sections relating to the State Budget Commission, providing for a Budget Director, making the Governor the Chief Budget Officer and prescribing their powers and duties, prescribing the duties of the several State departments, bureaus, divisions, officers, commissions, institutions, boards, and all other State agencies created by Legislative Act and supported by any form of taxation or license, fees, imposts or exactions.

Was taken up.

Senator Wilson moved that the rules be waived and House Bill No. 846 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 846 was read the second time by title only.

Senator Wilson moved that Senate Bill No. 846 retain its place on the Calendar of Bills on Second Reading, for the purpose of amendment.

Which was agreed to and it was so ordered.

Senator Perdue moved that House Bill No. 565, previously referred to the Committee on Privileges and Elections, be referred to the Committee on Privileges and Elections and the Committee on Judiciary "B", jointly.

Upon which a roll call was demanded.

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

Yeas—24.

Ausley	Coleman 28th	Johnson	Riddle
Black	Davis	Lewis	Sanchez
Brackin	Fraser 29th	Lindler	Shands
Branch	Fraser 31st	McArthur	Sheldon
Bryant	Griner	Moon	Sturgis
Clarke	Johns	Perdue	Thomas

Nays—9.

Mr. President	Beacham	Coleman 13th	King 27th
Barringer	Carroll	King 7th	Wilson
Baynard			

Which was agreed to and House Bill No. 565 was referred to the Committee on Privileges and Elections and the Committee on Judiciary "B", jointly.

Senator McArthur, President Pro Tempore, now presiding.

SPECIAL AND CONTINUING ORDER

Pursuant to the motion made by Senator Davis on May 18, 1945, the Senate took up the consideration of Senate Bill No. 585 as a Special and Continuing Order.

S. B. No. 585—A bill to be entitled An Act making appropriations for the salaries of the officers and employees of the State and for the current operating expenses of the departments and branches of the State Government for the annual periods beginning July 1, 1945, and July 1, 1946.

Which was pending amendment at the hour of adjournment on May 22, 1945, having been read the second time by title only on May 21, 1945.

Was taken up.

Senator Fraser (31st Dist.) offered the following amendment to Senate Bill No. 585:

In Item 40, Section "B", (typewritten bill) strike out the figures \$150,979.00 Total and insert in lieu thereof the following: \$167,979.00.

Senator Fraser (31st Dist.) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Fraser (31st Dist.) also offered the following amendment to Senate Bill No. 585:

In Item 40, (typewritten bill) strike out the figures under Total \$273,067.00 and insert in lieu thereof the following: Total \$290,067.00.

Senator Fraser (31st Dist.) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Brackin offered the following amendment to Senate Bill No. 585:

In Item 3 (typewritten bill), strike out the figures: \$33,740.00, after the word salaries and insert in lieu thereof the following figures: \$36,740.00.

Senator Brackin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Brackin also offered the following amendment to Senate Bill No. 585:

In Item 3, (typewritten bill) strike out the figures \$43,740.00, after word Total and insert in lieu thereof the following figures: \$46,740.00.

Senator Brackin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Fraser (29th Dist.) and Lindler offered the following amendment to Senate Bill No. 585:

In Section 1, Item 46 in Section A strike out figures \$1,500.00 and insert in lieu thereof the following: \$2,000.00.

Senator Fraser (29th Dist.) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Davis offered the following amendment to Senate Bill No. 585:

In Items 6 and 8 strike out the figures \$39,775.00, after the word "salaries" and insert in lieu thereof the figures \$42,000.00.

Strike out the figures \$47,000.00, after the word "Total" and insert in lieu thereof the following: \$49,225.00.

Senator Davis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Davis also offered the following amendment to Senate Bill No. 585:

In Item 7 (typewritten bill) strike out the figures \$50,000.00, after the word "salaries" and insert in lieu thereof the figures \$50,180.00.

Strike out the figures \$11,000.00, after the word "Expense" and insert in lieu thereof the figures \$12,000.00.

Strike out the figures \$61,000, after the word "Total" and insert in lieu thereof the following: \$62,180.00.

Senator Davis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Davis also offered the following amendment to Senate Bill No. 585:

In Item 8, (typewritten bill) strike out the figures \$4,500.00, after the word "salaries" and insert in lieu thereof the figures \$7,500.00.

Strike out the figures \$1,500.00, after the word "Expense" and insert in lieu thereof \$2,500.00.

Strike out the figures \$6,000.00 after the word "Total" and insert in lieu thereof the following: \$10,000.00.

Senator Davis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Davis also offered the following amendment to Senate Bill No. 585:

In Item 11, (typewritten bill) strike out the figures \$5,500.00 in Subsection (b) and insert the figures \$10,500.00.

Strike out the figures \$4,200.00 in sub-section e and insert the figures \$5,700.00.

Strike out the figures \$141,400.00, after the word "Total" and insert in lieu thereof the following: \$147,900.00.

Senator Davis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johns offered the following amendment to Senate Bill No. 585:

In Item 44, line one, (typewritten bill) strike out the figures \$300,000 and insert in lieu thereof the following: \$361,000.

Senator Johns moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johns also offered the following amendment to Senate Bill No. 585:

In Item 44, line 2, (typewritten bill) strike out the figures \$275,000 and insert in lieu thereof the following: \$336,000.

Senator Johns moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Shands and Ausley offered the following amendment to Senate Bill No. 585:

Strike out all of Sections 2, 3 and 4.

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Shands and Ausley also offered the following amendment to Senate Bill No. 585:

Strike out all of Section 5 beginning with Item 5 on page 23 of the typewritten Bill.

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Shands and Ausley also offered the following amendment to Senate Bill No. 585:

Strike out all of Section 6.

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Shands and Ausley also offered the following amendment to Senate Bill No. 585:

Strike out all of Section 15 and insert in lieu thereof the following:

"Section 15. Immediately before the beginning of each fiscal year, the Budget Commission or the Budget Director, if there be such officer, shall require the head of each spending agency to submit on forms prescribed by the Budget Commission, a work program for the budget year, which program shall include all appropriations for operation and all anticipated revenue and receipts, and maintenance expenditures and for the acquisition of property, and it shall show the requested allotments of said appropriations for such spending agency for the ensuing year. The Budget Commission shall review the requested allotments in the light of the work program of the spending agency concerned and as reported by the Budget Director, if there be such officer, the Budget Commission shall, if it deems necessary, revise, alter or change such allotments before approving the same. The aggregate of such allotments shall not exceed the total appropriations available to said spending agency for the budget year. The Budget Commission, or the Budget Director, if there be such officer, shall transmit a copy of the approved allotments to the head of the spending agency concerned and also a copy to the State Comptroller. The State Comptroller shall authorize all expenditures to be made from the appropriations on the basis of such allotments, and not otherwise.

"The head of any spending agency of the government, whenever he shall deem it necessary by reason of changed conditions, may revise the work program of his agency at the be-

ginning of any quarter during the budget year and submit such revised program to the Budget Commission, or to the Budget Director, if there be such officer, with his request for a revision of the allotments for the remaining quarters of the budget year. If, upon a reexamination of the work program, the Budget Commission shall decide to grant the request for a revision of the allotments, the same procedure, so far as it relates to review, approval, and control, shall be followed as in making the original allotments.

"In order to provide funds for possible emergencies arising during the budget year in the operation and maintenance expenditures of the various spending agencies, the Budget Commission may require the head of each spending agency, in making the original allotments, to set aside at least five per cent of the total amount appropriated as a reserve. At any time during the budget year, this reserve, or any portion of it, may be returned to the appropriation to which it belongs and be added to any one or more of the allotments, provided the Budget Commission shall deem such action necessary, and shall notify the Comptroller of such action; any unused portion thereof shall remain at the end of the budget period as an unexpended balance of appropriation."

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Shands and Ausley also offered the following amendment to Senate Bill No. 585:

Strike out all of Section 16.

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Shands and Ausley also offered the following amendment to Senate Bill No. 585:

Strike out all of Section 19.

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Shands and Ausley also offered the following amendment to Senate Bill No. 585:

Re-number Sections to conform with amendments adopted.

Senator Shands moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sturgis offered the following amendment to Senate Bill No. 585:

At the end of Section II (typewritten bill), add the following sentence: 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 any office incident to which the salary or emoluments thereof is increased under the provisions of this Act, shall receive during the term for which he was elected or appointed to such 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.

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Ausley, Wilson and Clarke offered the following amendment to Senate Bill No. 585:

In Section 1, item 41, sub-paragraph (a) (typewritten bill), strike out the words: salaries \$180,000.00 and insert in lieu thereof the following: salaries \$208,315.00.

Senator Ausley moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Ausley, Wilson and Clarke also offered the following amendment to Senate Bill No. 585:

In Section 1, item 41 sub-paragraph b, (typewritten bill) strike out the words: Expense, \$71,900.00, and insert in lieu thereof the following: Expense, \$98,300.00.

Senator Ausley moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Ausley, Wilson and Clarke also offered the following amendment to Senate Bill No. 585:

In Section 1, item 41, (typewritten bill) strike out sub-paragraph c.

Senator Ausley moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Ausley, Wilson and Clarke also offered the following amendment to Senate Bill No. 585:

In Section 1 item 41, sub-paragraph D (typewritten bill) strike out the words: Contingent to be expended only with approval of Budget Commission, \$6,000.00 and insert in lieu thereof the following: Contingent to be expended only with approval of Budget Commission, \$10,000.00.

Senator Ausley moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Ausley, Wilson and Clarke also offered the following amendment to Senate Bill No. 585:

In Section 1, item 41, (typewritten bill) strike out the words: Total, 275,900.00 and insert in lieu thereof the following: 316,615.00.

Senator Ausley moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Pending further amendment, Senator Davis moved that the further consideration of Senate Bill No. 585 as amended, be informally passed until 3:00 o'clock P. M. this day.

Which was agreed to and it was so ordered.

Pursuant to the motion made by Senator Shands this day, the Senate took up the consideration of Senate Bill No. 373 as a Special and Continuing Order.

S. B. No. 373—A bill to be entitled An Act to amend Chapter 420 of the Florida Statutes, 1941, creating the Florida State Improvement Commission and providing for its composition, appointment, purposes, method of operation, powers, duties and appropriation therefor, by amending Sections 420.02, 420.04, 420.06, 420.08, 420.09 and 420.11, Florida Statutes 1941, and repealing all laws inconsistent therewith.

Was taken up.

Senator Shands moved that the rules be waived and Senate Bill No. 373 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 373 was read the second time by title only.

Senator Shands moved that the further consideration of Senate Bill No. 373 be informally passed, the Bill retaining its place on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

Senator Baynard moved that House Bill No. 820 be recalled from the House of Representatives.

Which was agreed to and it was so ordered.

Senator Coleman (28th Dist.) moved that Senate Bill No. 483 be recommitted to the Committee on Transportation and Traffic.

Which was agreed to and it was so ordered.

The hour of adjournment having arrived a point of order was called and the Senate took a recess at 1:02 o'clock P. M., until 3:00 o'clock P. M., this day.

AFTERNOON SESSION

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

The President in the Chair.

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

Mr. President	Boyle	Coleman 13th	Griner
Ausley	Brackin	Coleman 28th	Johns
Barringer	Branch	Davis	Johnson
Baynard	Bryant	Fraser 29th	King 7th
Beacham	Carroll	Fraser 31st	King 27th
Black	Clarke	Gray	Lewis

Lindler	Perdue	Shands	Thomas
McArthur	Riddle	Sheldon	Wilson
Moon	Sanchez	Sturgis	

—35.

A quorum present.

The following Committee Reports were received:

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

H. B. No. 804—A bill to be entitled An Act amending Section 374.21, Florida Statutes 1941, relating to the taking of fish from the St. Johns River from its mouth south to Volusia Bar, and declaring legislative policy in regard to said river and Lake Okeechobee.

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

And House Bill No. 804, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

H. B. No. 405—A bill to be entitled An Act amending, revising and modernizing Sections 394.20, 394.21, 394.22 and 394.23, Florida Statutes 1941, and pertaining to the adjudication of persons mentally or physically incompetent, providing the procedure to be followed in obtaining such adjudication, providing for the detention of such incompetents, the appointment of examining committee, the commitment of such incompetents, and further providing for the restoration to competency of such physically and mentally incompetent persons.

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

And House Bill No. 405, 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. 428—A bill to be entitled An Act to prevent the pollution of the waters of rivers and streams in the State of Florida; prescribing a penalty for the violation thereof; vesting in the Circuit Courts of Florida jurisdiction to enjoin the pollution of the waters of rivers and streams; providing the venue in actions for injunction under this Act and vesting in the State Board of Health certain powers to investigate the pollution of such rivers and streams, and to abate such pollution as a nuisance, and other powers incidental thereto.

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

And Senate Bill No. 428, contained in the above report, was laid on the table.

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

S. B. No. 631—A bill to be entitled An Act to amend Sections four and eleven, Chapter 22536, General Laws of Florida 1945, relating to regulations by the Commissioner of Agriculture for enforcement of standards of weights and measures in the State of Florida, and by further amending said Chapter by adding thereto an additional Section relating to violations of said Act.

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

And Senate Bill No. 631, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

H. B. No. 579—A bill to be entitled An Act authorizing and empowering the Supreme Court of this State to provide, by rule of court, for the receiving and answering of certificates, as to state law, from the appellate courts of the United States.

And—

H. B. No. 619—A bill to be entitled An Act amending Sections 731.34, 732.16, 732.17, 732.19, 732.24, 732.45, 732.47, 733.04, 733.23, 733.26, 733.28, 733.30, 733.43, and 734.29, Florida Statutes 1941, all relating to the probate laws of Florida, and repealing all Sections of Chapter 735, Florida Statutes 1941, relating to administration unnecessary in certain estates, and substituting in lieu thereof new Section 735.01-735.13, inclusive, as set forth in this Act.

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

And House Bills Nos. 578 and 619, contained in the above report, were placed on the Calendar of Bills on Second Reading.

Your Committee on Pensions and Claims, to whom was referred:

H. B. No. 250—A bill to be entitled An Act to grant a pension to Mrs. Josie Thomas of Dunedin, Florida.

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

And Senate Bill No. 250, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Pensions and Claims, to whom was referred Senate Bill No. 393, recommends that the same do pass, with Committee amendment:

S. B. No. 393—A bill to be entitled An Act allowing, as a claim against the State of Florida, the amount due to W. R. Faircloth, Tax Collector of Holmes County, Florida, for loss of compensation in consequence of his suspension from office by the Governor of the State of Florida under Section 15 of Article IV of the Constitution of the State of Florida, and providing for the payment of said claim.

Which amendment is as follows:

Amendment No. 1:

Section 1 line 3, strike out figures "4372.23" and insert in lieu thereof "\$2000.00".

And Senate Bill No. 393, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on Second Reading.

Your Committee on Pensions and Claims, to whom was referred:

S. B. No. 553—A bill to be entitled An Act for the relief of Florida National Building Corporation, a corporation existing and doing business under the Laws of the State of Florida, and to refund and repay to the said Florida National Building Corporation certain State and County occupational license taxes erroneously paid to the Tax Collector of Dade County, Florida, and appropriating sufficient funds for the refunding and repayment thereof and other provisions necessary to carry out this Act.

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

And Senate Bill No. 553, contained in the above report, was laid on the table.

Your Committee on Pensions and Claims, to whom was referred:

S. B. No. 595—A bill to be entitled An Act for the relief of Dale B. Brown, individually and as Clerk of the Circuit Court of Flagler County, Florida, and the sureties on his official bond.

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

And Senate Bill No. 595, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Pensions and Claims, to whom was referred:

S. B. No. 622—A bill to be entitled An Act to provide for the relief of the Palmer National Bank & Trust Company of Sarasota, Florida, by providing for the reimbursement to it of payments made by said bank to the Tax Collector of Sarasota County, Florida, under assessments levied for the years 1930 to 1940, both inclusive, upon the tangible personal property of said bank.

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

And Senate Bill No. 622, contained in the above report, was laid on the table.

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

S. E. No. 664—A bill to be entitled An Act to declare,

designate and establish a certain state road extending from a point where the approach to the Ringling Causeway meets Gulf Stream Avenue in the City of Sarasota, then by way of Gulf Stream Avenue, Main Street, Orange Avenue, McClellan Parkway, Osprey Avenue, and Siesta Road to the city limits of Sarasota, Florida.

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

And Senate Bill No. 664, 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:

H. B. No. 697—A bill to be entitled An Act to designate and establish certain State Road in Escambia County, Florida, and providing that said designated road be given an appropriate State Number.

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

And House Bill No. 697, 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:

H. B. No. 698—A bill to be entitled An Act to designate and establish certain State Road in Escambia County, Florida, and providing that said designated road be given an appropriate State number.

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

And House Bill No. 698, 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:

H. B. No. 699—A bill to be entitled An Act to designate and establish certain State Road in Escambia County, Florida, and providing that said designated road be given an appropriate State number.

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

And House Bill No. 699, 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:

H. B. No. 701—A bill to be entitled An Act to designate and establish certain State Road in Escambia County, Florida, and providing that said designated road be given an appropriate State number.

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

And House Bill No. 701, 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:

H. B. No. 760—A bill to be entitled An Act declaring, designating and establishing a certain State road in Hamilton County, Florida.

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

And House Bill No. 760, 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. 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, and imposing a floor tax as of July 1st, 1945, upon said beverages on which an additional tax is imposed, except rum and other cane spirits not blended with whiskey, and providing that this Act shall expire June 30, 1947.

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

And Senate Bill No. 258, contained in the above report, was referred to the Committee on Enrolled Bills.

Senator Boyle moved that a committee be appointed to escort Honorable J. J. Parrish, former member of the Senate and a past President of the Senate from the 37th Senatorial District, to a seat on the rostrum of the Senate.

Which was agreed to.

And the President appointed Senator Boyle as the Committee.

SPECIAL AND CONTINUING ORDER

Pursuant to the motion made by Senator Davis on May 18, 1945, the Senate took up the consideration of Senate Bill No. 585 as a Special and Continuing Order.

S. B. No. 585—A bill to be entitled An Act making appropriations for the salaries of the officers and employees of the State and for the current operating expenses of the departments and branches of the State Government for the annual periods beginning July 1, 1945, and July 1, 1946.

Which was pending amendment at the hour of recess this day, was taken up and read the third time in full, as amended.

Upon the passage of Senate Bill No. 585, as amended, the roll was called and the vote was:

Yeas—28.

Ausley	Bryant	Gray	Perdue
Barringer	Carroll	Griner	Riddle
Beacham	Clarke	Johnson	Shands
Black	Coleman 13th	King 7th	Sheldon
Boyle	Coleman 28th	King 27th	Sturgis
Brackin	Fraser 29th	McArthur	Thomas
Branch	Fraser 31st	Moon	Wilson

Nays—5.

Mr President	Davis	Lewis	Lindler
Baynard			

So Senate Bill No. 585 passed, as amended, and was referred to the Committee on Engrossed Bills.

EXPLANATION OF VOTE ON SENATE BILL NO. 585

The following explanation of vote on Senate Bill No. 585 was filed with the Secretary:

"I was in favor of the Appropriation Bill as originally reported by the Appropriation Committee, but I cannot vote for a bill, which in my opinion unnecessarily increases the expenditures of State several million dollars without justification."

W. T. DAVIS,
10th Senatorial District.

Senator Sheldon moved that Senate Bill No. 639 be recalled from the House of Representatives.

Which was agreed to and it was so ordered.

Senator Johnson moved that House Bills Nos. 695 and 696 be recalled from the Committee on Game and Fisheries and placed on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

Senator Davis asked unanimous consent of the Senate to take up and consider Senate Bill No. 280, out of its order, at this time.

Which was agreed to.

S. B. No. 280—A bill to be entitled An Act providing additional appropriation for the office of the Treasurer of the State of Florida for the biennium beginning July 1, 1945, and ending June 30, 1947, in addition to all other appropriations made for such office, for salaries of additional employees, expert and otherwise, and other necessary and regular expenses incident to his administration as Insurance Commissioner of a law or laws enacted or to be enacted at this session of the Legislature relating to the regulation of the making, filing, use and applying of certain insurance rates in this State.

Was taken up.

Senator Davis moved that the rules be waived and Senate Bill No. 280 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 280 was read the second time by title only.

Senator Davis moved that the rules be further waived and Senate Bill No. 280 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. 280 was read the third time in full.

Upon the passage of Senate Bill No. 280 the roll was called and the vote was:

Yeas—32.

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

Nays—None.

So Senate Bill No. 280 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shands asked unanimous consent of the Senate to take up and consider Senate Bill No. 681, out of its order, at this time.

Which was agreed to.

S. B. No. 681—A bill to be entitled An Act to amend Chapter 420 of the Florida Statutes 1941, creating the Florida State Improvement Commission and providing for its composition, appointment, purposes, method of operation, powers, duties and appropriation therefor, by amending Sections 420.02, 420.04, 420.06, 420.08, 420.09 and 420.11, Florida Statutes 1941, and repealing all laws inconsistent therewith.

Was taken up.

Senator Shands moved that the rules be waived and Senate Bill No. 681 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 681 was read the second time by title only.

Senator Shands moved that the rules be further waived and Senate Bill No. 681 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. 681 was read the third time in full.

Upon the passage of Senate Bill No. 681 the roll was called and the vote was:

Yeas—31.

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

Nays—None.

So Senate Bill No. 681 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Shands withdrew Senate Bill No. 373.

Senator Thomas moved that Senate Bill No. 674 be recalled from the Committee on Judiciary "C" and placed on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

Senator Sturgis moved that Senate Joint Resolution No. 663 be recalled from the Committee on Constitutional Amendments and placed on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

Senator Sturgis asked unanimous consent of the Senate to take up and consider Senate Joint Resolution No. 663, out of its order, at this time.

Which was agreed to.

S. J. R. No. 663—A Joint Resolution proposing an amendment to the Constitution of the State of Florida, to be known as Article XX, Sections 1 and 2, thereof, relating to the consolidation or creating of certain County offices, and the assessment and collection of municipal taxes by County tax officials, in Orange County, Florida, and providing for referendum elections for acceptance or rejection of any law or laws enacted by the Legislature of the State of Florida as provided in said proposed amendment.

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

That the following amendment to the Constitution of Florida, to be known as Article XX, Sections 1 and 2, thereof, relating to the consolidation, abolishing and creating of certain county offices and for assessment and collection of municipal taxes by county tax officers, in Orange County, Florida, and providing for referendum elections for acceptance or rejection of any law or laws enacted by the Legislature of Florida as provided therein, be submitted to the qualified electors of the State of Florida for adoption or rejection at the next general election to be held in the year 1946, to wit:

ARTICLE XX

Section 1. The legislature is authorized and empowered to provide by law or laws enacted by it at its regular session held in A. D. 1947, or at any regular session thereafter, for the consolidation, abolishing or creating of any county offices in Orange County, Florida, provided, there is excepted from the effects of this Article judges of all courts; and to provide for the assessment and collection of municipal taxes and assessments, or either of them, by county tax officers in said county. Any law so enacted respecting the consolidation or creation of any county offices shall prescribe the powers, duties and compensation of the officers designated therein to exercise and discharge the duties of the offices so consolidated or created; and any law so enacted respecting the assessment and collection of municipal taxes and assessments, or either of them, by county tax officers, shall provide for the assessing, collecting, accounting for and disbursing of said taxes and/or assessments to the appropriate municipal authorities, and for compensation for such county taxing officers for services rendered incident thereto. That if any such law respecting the consolidation or creation of any county offices is accepted and ratified at the referendum election herein provided, such law shall become effective with respect to the offices affected thereby on the first Tuesday after the first Monday in January of any year immediately succeeding the general election had subsequent to said referendum election at which electors for President of the United States are voted for; and if any such law respecting the assessment and collection of municipal taxes and assessments, or either of them, by county tax officers is accepted and ratified at the referendum election as provided herein, the same shall become effective on the first day of January next succeeding such referendum election.

Section 2. Before any law described in the preceding section of this Article shall be of any force and effect, it shall be accepted and ratified by a majority vote of the qualified electors of Orange County, Florida, at a referendum election to be called and held for the purpose of determining whether such law shall be accepted and ratified or rejected by the qualified electors of said county. Such referendum election shall be held within ninety days after the effective date of any such law. The Board of County Commissioners shall provide for the holding of any such referendum election and notice thereof shall be published by said Board once each week for at least four successive weeks immediately next prior to the date of such election in a newspaper of general circulation in said county. Except as herein otherwise provided, the laws of the state relating to the holding of general elections shall cover the holding of any such referendum election. If any such law shall be accepted and ratified by the majority of electors participating in any such referendum elec-

tion, such law shall become and be in full force and effect, but if at any such election a majority of the electors participating therein shall vote against the acceptance and ratification of such law, it shall be null and void and of no force and effect. The canvassing board of said county shall certify the result of any such referendum election to the Secretary of State within ten days after the holding thereof.

Was taken up and read the second time in full.

Senator Sturgis moved that the rules be waived and Senate Joint Resolution No. 663 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 663 was read the third time in full.

Upon the passage of Senate Joint Resolution No. 663, the roll was called and the vote was:

Yeas—34.

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

Nays—None.

So Senate Joint Resolution No. 663 passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1945 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

Senator Riddle moved that Senate Bill No. 654 be recalled from the Committee on Judiciary "C".

Which was agreed to and it was so ordered.

By unanimous consent Senator Riddle withdrew Senate Bill No. 654.

RECONSIDERATIONS

The motion made by Senator Sturgis on May 17, 1945, to reconsider the vote by which House Bill No. 449 failed to pass the Senate on May 17, 1945, was taken up in its order.

H. B. No. 449—A bill to be entitled An Act to amend Section 689.14, Florida Statutes 1941, pertaining to Estates Tail, and to create a new Section to be known as Section 689.17, Florida Statutes, for the purpose of abolishing the rule in Shelley's Case.

The question was put on the motion made by Senator Sturgis.

Which was agreed to and the Senate reconsidered the vote by which House Bill No. 449 failed to pass the Senate on May 17, 1945.

The question recurred on the passage of House Bill No. 449.

Upon the passage of House Bill No. 449 the roll was called and the vote was:

Yeas—31.

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

Nays—2.

Johnson Perdue

So House Bill No. 449 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The motion made by Senator McArthur on May 18, 1945, to

reconsider the vote by which House Bill No. 215 passed the Senate on May 17, 1945 was taken up in its order.

H. B. No. 215—A bill to be entitled An Act relating to the recording of deeds and conveyances of real estate, and providing that the post office address of each grantee shall be contained therein before the same shall be admitted to record; providing that the intentional giving of false addresses shall constitute a misdemeanor and providing punishment therefor; providing that the clerks of the Circuit Court shall furnish the county tax assessors with daily schedules of such deeds and conveyances so recorded containing the description of the land, name of grantor, and names and addresses of grantees as specified therein; providing for a fee to be paid to the clerk for such services by person offering such instruments for record; and repealing all laws in conflict therewith.

The question was put on the motion made by Senator McArthur.

Which was agreed to and the Senate reconsidered the vote by which House Bill No. 215 passed the Senate on May 17, 1945.

The question recurred on the passage of House Bill No. 215.

By unanimous consent Senators Sturgis and McArthur offered the following amendment to House Bill No. 215:

Strike out all of the typewritten bill following the title and insert in lieu thereof the following:

"BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

"Section 1. After October 1, 1945, it shall be the duty of the several Clerks of the Circuit Courts to ascertain of all persons presenting for public record any instrument other than mortgages conveying or purporting to convey any interest in real estate the correct post office address of the grantee or grantees named in such instrument, and it shall be the duty of the person presenting such instrument for recordation to furnish such information to said official.

"Section 2. After October 1, 1945, the several Clerks of the Circuit Courts shall keep and furnish to the respective County Tax Assessors in the counties where such instruments are recorded a daily schedule of the aforesaid deeds and conveyances so filed for recordation, in which schedule shall be set forth the name of the grantor or grantors, the names and addresses of each grantee and a description of the land as specified in each instrument so filed.

"Section 3. The said Clerks shall collect from the person offering such instrument for record a fee of ten cents (10c) for each such instrument, which shall be in addition to other fees prescribed by law as compensation for the cost of preparing and furnishing such daily schedules to the County Tax Assessor of the county in which such instrument is recorded.

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

"Section 5. This Act shall take effect October 1, 1945."

Senator McArthur moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senators Sturgis and McArthur also offered the following amendment to House Bill No. 215:

Strike out the title of House Bill No. 215 and insert in lieu thereof the following:

"A bill to be entitled An Act relating to recordation of instruments affecting title to real property, except mortgages, providing for the furnishing of data respecting grantees to the recording official, providing for schedules thereof to be given by such official to the County Tax Assessor, providing a fee to be paid to the recording official for his services, specifying the effective date hereof, and repealing all laws in conflict herewith."

Senator McArthur moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Upon the passage of House Bill No. 215, as amended, the roll was called and the vote was:

Yeas—24.

Mr. President Ausley Barringer Baynard

Beacham	Fraser 31st	Lindler	Sturgis
Brackin	Gray	McArthur	Thomas
Branch	Johns	Moon	
Bryant	Johnson	Riddle	
Carroll	King 7th	Shands	
Coleman 13th	King 27th	Sheldon	

Nays—3.

Clarke Davis Perdue

So House Bill No. 215 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

PENDING ROLL CALL

H. B. No. 400—A bill to be entitled An Act to require Chiropractors to register annually with the State Board of Health.

Which was pending roll call, having been read the third time in full on May 17, 1945, was taken up in its order.

Upon the passage of House Bill No. 400 the roll was called and the vote was:

Yeas—29.

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

Nays—1.

Davis

So House Bill No. 400 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Davis moved that House Bill No. 295 be recalled from the Committee on Appropriations and placed on the Calendar of Bills on Second reading.

Which was agreed to and it was so ordered.

Senator Davis asked unanimous consent of the Senate to take up and consider House Bill No. 295, out of its order, at this time.

Which was agreed to.

H. B. No. 295—A bill to be entitled An Act appropriating funds to the several counties of the State of Florida; providing for the payment of such funds and the method thereof; defining the duties of State officials relative thereto; providing for the distribution of funds paid under provisions of this Act, and providing for the rules of construction applicable to this Act.

Was taken up.

Senator Davis moved that the rules be waived and House Bill No. 295 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 295 was read the second time by title only.

Senator Davis moved that the rules be further waived and House Bill No. 295 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. 295 was read the third time in full.

Upon the passage of House Bill No. 295 the roll was called and the vote was:

Yeas—29.

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

Nays—None.

So House Bill No. 295 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

SENATE BILLS ON THIRD READING

Senate Bill No. 355 was taken up in its order and the consideration thereof was informally passed.

Senator McArthur, President Pro Tempore, now presiding.

SENATE BILLS ON SECOND READING

S. B. No. 124—A bill to be entitled An Act to amend Sections 291.02 and 291.03, Florida Statutes 1941, relating to Confederate Pensions; providing for pensions for Confederate Veterans and their widows, the amount thereof and the requirements therefor.

Was taken up in its order.

Senator Johns moved that the rules be waived and Senate Bill No. 124 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 124 was read the second time by title only.

The Committee on Pensions and Claims offered the following amendment to Senate Bill No. 124:

In Section 1, lines 16, 17 and 18 (typewritten bill), strike out the words: "seven hundred eighty dollars per annum, in monthly payments of sixty-five dollars each" and insert in lieu thereof the following: "seven hundred twenty dollars per annum, in monthly payments of sixty dollars each".

Senator Johns moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Pensions and Claims also offered the following amendment to Senate Bill No. 124:

In Section 2, lines 14 and 15 (typewritten bill), strike out the words: "seven hundred eighty dollars per annum, in payments, monthly, of sixty-five dollars each" and insert in lieu thereof the following: "seven hundred twenty dollars per annum, in payments, monthly, of sixty dollars each".

Senator Johns moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johns moved that the rules be waived and Senate Bill No. 124, 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. 124, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 124, as amended, the roll was called and the vote was:

Yeas—29.

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

Nays—None.

So Senate Bill No. 124 passed, as amended, and was referred to the Committee on Engrossed Bills.

Senator Gray moved that Senate Bill No. 242 be re-referred to the Committee on Military Affairs and Civilian Defense.

Which was agreed to and it was so ordered.

Senator Wilson moved that the rules be waived and Senate Bill No. 211 be made a Special and Continuing Order of Business for consideration by the Senate, Thursday, May 24, 1945, at 11:30 o'clock, A. M.

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

Senator Carroll moved that the rules be waived and House

Bill No. 284 and Senate Bill No. 629 be made a Special and Continuing Order of Business for consideration by the Senate, Thursday, May 24, 1945, immediately following disposition of Senate Bill No. 211.

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

Senator Baynard moved that the rules be waived and the Senate take up and consider Senate Bill No. 163, out of its order, at this time.

Which was agreed to by a two-thirds vote.

S. B. No. 163—A bill to be entitled An Act amending Section 551.09, Laws of Florida, 1941, relating to pari-mutuel pools conducted within the enclosure of any Jai Alai Fronton, the distribution thereof, the "breaks" and defining said "breaks", the commission of the licensee to be deducted from pari-mutuel pools, regulating the purchase and sale of an interest in any such pari-mutuel pools and making it a crime to violate such regulations; levying a tax upon every licensee conducting a Fronton for the exhibition of the Spanish ball game called Jai Alai or Pelota equal to five per cent of the total contributions to all pari-mutuel pools or point wagers won, conducted or made on any game played at any such fronton; also levying a further tax upon such pari-mutuel pools equal to the amount of said pool neither paid as a commission nor actually redistributed to the contributors, otherwise known as the "breaks", in addition to all other taxes otherwise levied or assessed; and providing when and where said taxes shall be paid, making an appropriation thereof and designating said taxes as the "Old Age Assistance Tax" and providing a penalty for wilful or wanton non-payment of such taxes.

Was taken up.

Senator Baynard moved that the rules be waived and Senate Bill No. 163 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 163 was read the second time by title only.

Senator Beacham offered the following amendment to Senate Bill No. 163:

In Section 1, Subsection (8), (typewritten bill) strike out the entire Subsection (8) and insert in lieu thereof the following: (8) In addition to any and all other taxes otherwise levied or assessed, every person, association or corporation conducting a fronton for the exhibition of the Spanish ball game known as Jai Alai or Pelota shall pay to the Treasurer of the State of Florida for operating said fronton, a tax equal to two per cent of the total contributions to all pari-mutuel pools or point wagers conducted or made on any and every such Spanish ball game of Jai Alai or Pelota in any fronton operated under the provisions of this Chapter, which additional two per cent tax shall be known as the "old age assistance tax" and when collected shall be known as "old age assistance tax fund."

Senator Beacham moved the adoption of the amendment.

Upon which a roll call was demanded.

Upon the adoption of the amendment offered by Senator Beacham to Senate Bill No. 163 the roll was called and the vote was:

Yeas—24.

Mr. President	Clarke	Johns	Moon
Beacham	Coleman 13th	Johnson	Perdue
Black	Coleman 28th	King 7th	Riddle
Brackin	Fraser 29th	King 27th	Sanchez
Branch	Fraser 31st	Lindler	Sheldon
Bryant	Gray	McArthur	Thomas

Nays—10.

Ausley	Boyle	Lewis	Wilson
Barringer	Carroll	Shands	
Baynard	Davis	Sturgis	

Which was agreed to and the amendment was adopted.

Senator Beacham also offered the following amendment to Senate Bill No. 163:

In Section 1, Subsection (2) (typewritten bill), strike out the entire Subsection (2) and insert in lieu thereof the fol-

lowing: (2) The commission of a licensee on such pari-mutuel pools and wagers shall in no event exceed seventeen per cent of the amounts contributed thereto, and said maximum of seventeen per cent of said amounts shall include the three per cent tax heretofore provided by law together with the additional tax of two per cent hereinafter provided for old age assistance.

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

Senator Beacham also offered the following amendment to Senate Bill No. 163:

In Section 2, line Subsection (1), line 4 (typewritten bill), strike out the words: "Equal to the "breaks" and insert in lieu thereof the following: "Equal to fifty per cent of the "breaks".

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

Senator Beacham also offered the following amendment to Senate Bill No. 163:

In Title, line 10 (typewritten bill) strike out the words: "five per cent" and insert in lieu thereof the following: "two per cent".

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

Senator Beacham also offered the following amendment to Senate Bill No. 163:

In Title, line 13 (typewritten bill), strike out the words: "equal to the" and insert in lieu thereof the following: "equal to fifty per cent of the".

Senator Beacham 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. 163, 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. 163, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 163, as amended, the roll was called and the vote was:

Yeas—34.

Mr. President	Carroll	Johns	Riddle
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	McArthur	Wilson
Branch	Gray	Moon	
Bryant	Griner	Perdue	

Nays—1.

Boyle

So Senate Bill No. 163 passed, as amended, and was referred to the Committee on Engrossed Bills.

The following communication from Senator Franklin was received and read:

Det. F2D2, Co. D, 2d ECAR

APO 658, c/o P.M. NYC

30 April, 1945.

Hon. Walter Rose,

President, Florida Senate,

Tallahassee, Florida.

Dear Walter:

Had thought that I would get home for at least part of the present Session, and for this reason have put off from day to day writing to you. It now appears quite definite that I will not be able to get there in time for the Session and am writing you of my situation over the past several weeks.

Just prior to the time for the Legislature to convene, events began to speed up here. Our armies crossed the Rhine and occupied large parts of Germany and it became necessary to establish Military Government in vast areas not previously included in plans. This brought about a shortage of personnel, and I was so badly needed here I did not feel that I could ask for my discharge in order to be able to attend Session of the Legislature.

Along in March the Governor requested the War Department to grant me a leave of absence in order to attend the Session. I have not heard exactly what the decision was, but on April 23rd, I received letter from Mrs. Franklin, in which she quoted part of a letter dated March 26, written by the Asst. Sec. of War, in which he indicated that I could not be given leave, but suggesting that as a member of the Legislature I could be discharged, and suggesting that I file application to be placed on inactive status.

At the time I received this information the Session had begun, it was too late to call a special election to fill my Seat and my District had no one directly representing it. As the end of the war was then in sight and conditions where I am located had settled down, I felt that my paramount duty was to endeavor to get home for such part of the Session as was possible. Accordingly I filed application to be placed on inactive status. Usually several weeks are required to process an application of this type. In order to speed it up I personally carried the application and correspondence to various offices and thought that it would work out so I could travel by air and be in Tallahassee before May 1st. However, it was finally determined that the War Department would have to pass on the application and papers were sent to Washington. Whatever the outcome, my discharge could not be speeded up so as to get home before June 1st.

I regret that I could not be there to work with you, and hope that things have run smoothly, with credit to you and benefit to the people of Florida.

As the Session opened, I moved into one of the great cities of Germany with a large Military Government Detachment and assisted in setting up military government. After a month of hectic endeavor things have quieted down considerably and we are able to get a little rest. Our experiences have been most interesting and different from anything I have heretofore encountered in working across France, Belgium and Luxemburg.

With kindest regards to yourself, I am,

Sincerely,

JIM FRANKLIN Major.

S. B. No. 307—A bill to be entitled An Act relating to advertising cures and sale of remedies for venereal diseases; prohibiting the advertisement of any drug, medicine or preparation for the treatment, alleviation or cure of venereal diseases; prohibiting the sale of remedies except upon the written prescription of a Physician licensed to practice medicine; providing fines for violation of this Act; and providing for the effective date of this Act.

Was taken up in its order.

Senator Moon moved that the rules be waived and Senate Bill No. 307 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 307 was read the second time by title only.

Senator Moon moved that the rules be further waived and Senate Bill No. 307 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. 307 was read the third time in full.

Upon the passage of Senate Bill No. 307 the roll was called and the vote was:

Yeas—7.

Baynard	Coleman 28th	King 27th	Sturgis
Boyle	Johnson	Moon	

Nays—23

Mr. President	Bryant	Gray	Riddle
Ausley	Clarke	Griner	Shands
Beacham	Coleman 13th	Johns	Sheldon
Black	Davis	Lindler	Thomas
Brackin	Fraser 29th	McArthur	Wilson
Branch	Fraser 31st	Perdue	

So Senate Bill No. 307 failed to pass.

The Secretary announced the following pair:

I am paired with Senator Lewis, if he were present he would vote "No", if I were to vote I would vote "Aye".

HARRISON E. BARRINGER (36th Dist.)

Senate Bill No. 361 was taken up in its order and the consideration thereof was informally passed.

Senator Baynard asked unanimous consent of the Senate to take up and consider House Bill No. 448, out of its order, at this time.

Which was agreed to.

H. B. No. 448—A bill to be entitled An Act to amend Sections 95.16, and 95.17, and 95.21 of the Florida Statutes 1941, relating to adverse possession under color of title or under sales made by personal representatives or guardians; redefining adverse possession under color of title and prescribing what shall be deemed to constitute possession and occupation under color of title; and making adverse possession as redefined retroactive by a new Section to be known as Section 95.27, Florida Statutes, 1941.

Was taken up.

Senator Baynard moved that the rules be waived and House Bill No. 448 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 448 was read the second time by title only.

Senator Baynard moved that the rules be further waived and House Bill No. 448 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. 448 was read the third time in full.

Upon the passage of House Bill No. 448 the roll was called and the vote was:

Yeas—33.

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

Shands	Sturgis	Wilson
Sheldon	Thomas	

Nays—None.

So House Bill No. 448 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Baynard withdrew Senate Bill No. 370.

By unanimous consent Senator Moon withdrew Senate Bill No. 436.

By permission the following Committee Reports were filed:

REPORT OF ENROLLING COMMITTEE

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

S. B. No. 258—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, and imposing a floor tax as of July 1st, 1945, upon said beverages on which an additional tax is imposed, except rum and other cane spirits not blended with whiskey, and providing that this Act shall expire June 30, 1947.

Have examined the same and find same 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.

Senate Bill No. 258, contained in the above report, was 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.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

S. B. No. 258—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, and imposing a floor tax as of July 1st 1945, upon said beverages on which an additional tax is imposed, except rum and other cane spirits not blended with whiskey, and providing that this Act shall expire June 30 1947.

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

Senator Griner moved that the Senate do now adjourn.

Which was agreed to and the Senate stood adjourned at 5:14 o'clock P. M., until 11:00 o'clock A. M., Thursday, May 24, 1945.